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# Protesting to Pray: A critical case study of how Women of the Wall used Jewish male garments and other strategies to influence Israel's policies

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# **Protesting to Pray :**

**A critical case study of how Women of the Wall used Jewish male garments  
and other strategies to influence Israel's policies**

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Friday, April 11, 2014

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Thesis submitted April 2014 in pursuit of departmental honors.

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## **ABSTRACT.**

This paper analyzes the organizational strategies for mobilization used by Jewish female activists at the *Kotel* in Jerusalem, particularly through a critical case study of the Israeli-based activist group Women of the Wall (WOW). Feminist social movement theories for outsider tactics, such as symbolic political strategies, and other activist strategies, like transnationalism, are referenced to compare these tactics with instances of success in WOW's movement. This paper explains symbolic strategies of traditional Jewish male garments worn by WOW participants, and how the wearing of garments like *tallitot* and *tefillin* led to arrests, the media's representation of these arrests, and, finally, policy changes for religious freedoms in *Israel*. These changes were the result of certain arrests and key social movement strategies in WOW's movement. The study seeks to answer the question: "Does the use of traditional Jewish male garments in women's movements at the Kotel in Jerusalem affect policy changes related to women's religious freedoms in Israel?" The author argues that a relationship exists between the activist's strategies, of wearing garments with a combination of other components, and policy changes for religious freedoms by the Israeli religious and secular governments. This connection is created by media influences from reporting of multiple arrests associated with such religious garments, which made the movement significantly more noticeable to the Israeli government.

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## INTRODUCTION.

### I. THESIS STATEMENT.

It's early, about 7 a.m. in the Old City of Jerusalem, *Israel*. A woman arrives to the *Kotel*, among many others, on the first day of the Jewish month to pray. The services will begin soon, so the woman hurries to the security line to enter into the Kotel plaza. She gives her prayer shawl to a male friend to put inside his bag. They then pass through security with no issues. Once inside the plaza, the man returns the prayer shawl to the woman. She then walks right to enter the women's section of the Kotel. Many other women wishing to hold prayer services surround her. There is no Torah for the women, but someone passes out prayer books. The woman puts on her prayer shawl, as she is accustomed to from her own synagogue. She unwraps the shawl in the appropriate manner and simply swings it over her shoulders. The first prayer begins. In moments, a guard approaches her. The guard asks the woman to wear the shawl as a scarf. The way she is currently wearing it is not according to custom—it's too masculine. She refuses. To wear the prayer shawl like a scarf would go against her custom in this Jewish prayer service. Because she ignores the guard's orders, the police arrest the woman. She is escorted out of the Kotel plaza and detained by police in a local station. She is fingerprinted, interrogated, and fined. The woman is eventually released with charges of disturbing the peace due to her choice to wear untraditional garments in the Holy Site space.

The story above was an all too common one for women (and male allies) fighting for religious equality at the Kotel in Jerusalem. Also known as the Western or Wailing Wall, many consider this space as one of the holiest places for the Jewish people (The Kotel 2013). The fight for religious freedoms takes place as a monthly demonstration for all Jews to pray in the space.

These demonstrations of prayers have become a social movement. This prayer shawl, I argue, is a key strategy for changing such restrictions on religious expression at the Kotel. In this paper, I examine how one activist group gathers and how they protest for religious freedoms at the Kotel. I analyze their methods and tactics. Then, I examine the reactions to these tactics, such as the media's and the government's responses. By the end of this research, I draw a relationship between certain methods for mobilization and policy changes created by the Israeli government for religious freedoms at holy sites such as the Kotel. Finally, I determine whether a combination of using traditional Jewish male garments and other key strategies in protests at the Kotel affect policy changes related to Jewish women's religious freedoms at holy sites in Israel.

This movement began on December 01, 1988, when a group of Jewish women gathered at the Kotel in Jerusalem to collectively pray (Shakdiel 2002 129). The group gathered in the "women's only" section of the plaza. They began a service of a "multidenominational group of approximately seventy women with a Torah scroll to conduct a *halakhic* women's prayer service" (Chesler 2003 xix). The following is a recount of this first gathering:

As no provision for Torah reading exists in the women's section, we brought a small folding table with us, upon which to rest the *sefer Torah* (Torah scroll). We stood together and prayed aloud together; a number of us wore *tallitot* (prayer shawls). Our service was peaceful until we opened the Torah scroll. Then a woman began yelling. She insisted that women are not permitted to read from a Torah scroll. This alerted some *charedi* (right-wing fundamentalist) men, who stood on chairs in order to look over the *mechitzah* (the barrier separating men and women). The men began to loudly curse us. (Chesler 2003 xx).

The Jewish women finished their Torah reading on that winter day in 1988. Editors and participants Chesler and Haut recount the late Rabbi Yehuda Getz, then the Kotel administrator, as saying to a complaining protestor of the women's prayer service, "Let them continue. They are not violating Halakhah" (Chesler 2003 xx). Although these women were not violating Jewish

law at the Kotel, their simple actions were monumental in that they challenged gendered traditions entrenched in Judaism for centuries. The main argument against the women's prayer services at the Kotel centralize this claim that the women are not praying according to halakhic custom. However, the women praying at the Kotel strive to follow Halakhah during each service.

From this first controversial gathering over twenty-five years ago, a group of Jewish women formed Women of the Wall (hereafter WOW). Participants of WOW continue their fight still today for *egalitarian* space for halakhic prayer at the Kotel. WOW continues their mission to practice as they did during their first gathering; "Since that first group service, our struggle has consisted of an attempt to relive that first service; to once again pray together at that holy site, wear tallitot, and read aloud from a Torah scroll. We have endured violence, spent many years in court, and raised many thousands of dollars to this end" (Chesler 2003 xx). These core goals are at the very foundation of this group's reasons for activism: to pray together as women, to wear their prayer garments as women, and to read collectively and aloud from a Torah scroll as women at the Kotel without ramifications for arrests or charges. I define "success" within their movement as accomplishing these listed goals.

As stated, I ultimately answer the question, "Does the use of traditional Jewish male garments in protests at the Kotel in Jerusalem affect policy changes related to women's religious freedoms in Israel?" In order to do so, I have structured this paper as follows: I first describe my methodology for obtaining this research. Then, I present background information of certain concepts and places to familiarize the reader with the circumstances of this particular movement. In these sections and throughout this paper, key theories are presented to support each subject matter. Then, I delve into the research involving WOW's specific social movement theories and legal/ political timelines. I use the theories and timelines to draw conclusions on the success of

WOW's movement and the future of religious freedoms at the Kotel. I analyze these successes by presenting key media and government strategies and instances which have affected WOW's movement.

## **II. METHODOLOGY.**

As a student of both International Affairs and Jewish Studies at the University of Colorado, I am fascinated by the intersections of religion and gender in social movements. To narrow the international arena for the purpose of this paper, I chose the holiest site for the Jewish people as my site of study. I also chose the Kotel because of its complex governance. After researching the Kotel and Israeli laws, I was surprised how a unique Israeli statute related to the administration of the Holy places governs the Kotel; "The statute vests in the minister of religions the power to regulate the Wall. The minister in turn created a position called "the Rabbi of the Wall", and endowed the Rabbi with the authority to administer the place" (Lahay 2011 04). As I investigated the Kotel further, I discovered the activism of WOW.

WOW is a diverse group of women who gather monthly in solidarity to advocate for religious freedoms by praying openly at the Kotel in Jerusalem, Israel (Chesler 2003 xx). WOW participates in religious expressions traditionally reserved for Jewish men at this site, like praying aloud, reading from the Torah, and wearing traditional prayer garments. These simple forms of expressions are the tools in which WOW mobilizes to achieve their activist goals. "Israeli criminal law does not directly prohibit WOW to hold collective prayers at the Wall. But over two decades ago, the Rabbi of the Wall issued a regulation prohibiting any prayer that is not "in keeping" with Jewish custom (minhag hamakom)" (Lahay 2011 04). This prohibition outlaws most of the goals of WOW's prayer services simply because of their status as women in



this space. Otherwise, their actions are in keeping with Jewish custom if men were engaging in such prayer tactics.

I use WOW as a critical case study to explore how symbolic strategies and other tactics of mobilization are used to achieve activist goals at the Kotel. WOW failed multiple times to directly impact the state's existing laws of the Kotel through Supreme Court cases and appeals, and they failed to influence the Orthodox establishment's opinions in the matter. Since WOW could not influence policies directly, this organization thereafter utilized activist strategies as outsiders for constructive mobilizations. They function as outsiders to both the secular and religious departments of the Israeli government. A key outsider tactic is symbolic politics, in which movements "capture public attention, politicize neglected issues, and dramatize the seriousness of the social justice issues at stake" (Hawkesworth 2006 73). WOW falls into this category for their distinct prayer gatherings on *Rosh Chodesh*, and their participants' distinguishable dress of, what is considered "male", prayer garments. These prayer garments include items like tallitot and *tefillin*. WOW participants do not wear these garments explicitly to protest religious freedoms at the Kotel. Although the women's choices to wear prayer garments are personal rather than political, their decisions to wear the garments are a form of activism. I argue this because these garments are transgressive at the Kotel when a woman wears her prayer garment in this space (even though it's her religious custom to do so during prayer). These women are engaging in protest to demonstrate against the restrictions imposed against her garments and actions. My timeline for research begins with WOW's first gathering in 1988. I end my research on March 05, 2014.

The following is information on how I conducted my research. I used mixed methods research to complete this paper. I found the mixed methods approach as most suitable and

thorough for this study. “Contemporary ethnography or field work is multi method research. It usually includes observation, participation, archival analysis, and interviewing, thus combining the assets and weaknesses of each method. It does not typically include testing or large-scale surveys, methods identified with a positivist perspective in the social sciences” (Reinharz 1992 46). I conducted field research from outside the field, but I was able to accomplish multi methods research via web communications. I used traditional mediums, like books and articles, but I also conducted primary research from participant observation, interviews, and electronic media. Recent political reforms for religious freedoms would be impossible without WOW’s efforts. These activist tactics (of wearing the garments) influenced policies when many of WOW’s arrests drew the public’s attention in the media. Previous efforts that were less controversial will be contrasted with this more effective strategy.

### **A. Participant Observation**

WOW live-streams their services on the Internet. To understand how the services were conducted and how the participants interacted, I followed the link that was posted on WOW’s Facebook to watch live videos of the gatherings. This was an important component of my research, because without it, I could not comprehend what was occurring at the Kotel.

### **B. Interviews**

The interviews were not used as evidence for my findings. The quotes collected within the interviews were used to support the theories and ideas throughout the paper.

a. Interviewees: See Appendix 1. a. for more information on interviewees as a sample.

#### **1. Lorraine Skupsky**

I interviewed Lorraine Skupsky on December 17, 2013 in person in Denver, Colorado. She is a resident of both Israel and the United States of America. She identifies as Jewish, from

the Conservative denomination. Skupsky also identifies as a participant with WOW, and she prays with the group whenever she's in Israel. Even before she became a citizen of Israel in about 2004, Skupsky flew to Israel since 1999 every summer, and prayed with WOW then. "I stand with the Women of the Wall when I pray. I use my own Siddur, but I sing along with the prayers and the Psalms" (Skupsky). In her own words, she prays with WOW because, "I think it's very important for everybody, be it women, men, girls, or boys, if they choose to pray, to be able to pray the way that they want to pray... I thought it was very, very important to change the restrictive pattern of behavior that was evident at the Western Wall, and I knew that one person could not change a group behavior. So if I was to be part of a group, I wanted to make sure the group portrayed and projected values which I believed in" (Skupsky). I chose to interview Skupsky because she chooses to wear a kippah and tallit while praying. On August 09, 2012 she was arrested for wearing a tallit.

## **2. Rene Feinstein**

I interviewed Rene Feinstein on December 29, 2013 via Skype. She holds citizenship in both Israel and the United States. As Feinstein explained, she belongs to a Conservative Synagogue but her Jewish denomination affiliation may appear complicated; "That is where I pray [the Conservative Synagogue] because women are counted in the *Minyan* and are given full access to religious ritual. But, I lead an Orthodox life" (Feinstein). Feinstein regularly attends WOW services, and she has been going to the Kotel with WOW for about 10-12 years. When asked why she prays at the Kotel, Feinstein replied, "Kotel is Judaism's holiest site, and I think it's important for women to be able to pray there" (Feinstein). She wears tallit and tefillin when she prays at the Kotel because, as she stated, "that's how I pray every morning". I interviewed Feinstein because she wears prayer garments, regularly attends WOW services, and could

explain the experience to me.

### **3. Rachel Cohen Yeshurun**

I interviewed Rachel Cohen Yeshurun on January 05, 2014 via Skype. She moved to Israel when she was nineteen years old, and she holds Canadian, British, and Israeli citizenship. Cohen Yeshurun identifies as Jewish, but she's amongst a transition in her denomination affiliation; "I'm in a transition at the moment. I grew up Orthodox" (Cohen Yeshurun). She still has an Orthodox lifestyle, but Cohen Yeshurun became more liberal in her philosophies rather than her practice over the years. I interviewed her because she is on the WOW Board, and she organizes every service at the Kotel. Cohen Yeshurun explained how everything is planned before the service. She organizes every aspect of the services, even staging important moments to ensure photographs taken by the media capture these important moments. "Everything's planned. It's not spontaneous" (Cohen Yeshurun). Cohen Yeshurun has been arrested multiple times for wearing tallit.

### **4. Alice Shalvi**

I interviewed Alice Shalvi on January 13, 2014 via Skype. She is the only person I interviewed who does not participate with WOW. She has lived in Germany, England, and Israel, and she spent most of her life as an Israeli educator. I chose to interview Shalvi because she is the founder of the Israel Women's Network and a pioneer in the women's movement of Israel. In our interview, she said, "My motto always was, 'Nothing in life should be closed to you simply because you are a woman'" (Shalvi). Shalvi gave me an alternative view of the Kotel. She said, "The Kotel, if I may say so, is not perceived as something sacred. Many people feel the way I do that it is a historical site. It's become a kind of nationalist symbol" (Shalvi). She also does not perceive gender to be an issue at the Kotel as much as religious pluralism. She said, "I feel that

anybody, any Jew or even if you're a non-Jew, should be able to pray at the Kotel if they're so moved to do. But, it's not worth fighting over. If you're going to fight, the fight should not be just about women" (Shalvi). Shalvi has a background of Modern Orthodoxy, but she currently prays in an egalitarian minyan with a female Rabbi.

## **5. Shira Pruce**

I interviewed Shira Pruce on January 16, 2014 via Skype. She is WOW's Director of Public Relations. She is from the United States but has lived in Israel for about ten years. Pruce is Jewish, but she prefers to not affiliate with a denomination. I interviewed Pruce because she is a full-time staff member of WOW. Also, I interviewed her because she attends every Rosh Chodesh service, but she does not wear religious garments when she prays because it is not her custom. Pruce offered a different perspective on prayer. As to why she prays at the Kotel, Pruce said, "I pray at the Kotel because I feel that as a citizen of Israel, it's my responsibility to make sure that Israel's public spaces in general, but specifically holy public sites, are accessible and welcoming to everyone. For me, I feel that my prayer is an expression of activism, an act of social change, and even a subversive act. (Pruce). Furthermore, she explained that she also prays in a synagogue, and she always has. The Kotel, for her, is not an easy place to pray religiously.

b. Interview Questions: The interviews were semi-structured. Questions were fixed beforehand, but the answers often turned to discussion and conversation. The interviewees were not given the questions before the interviews. Consent was taken verbally. Five out of five of the interviewees consented to the interview itself and to the recording of the interviews. None of the interviewees requested pseudonyms, and none wished to remain anonymous. See Appendix 1. b. and 1. c. for a script of the basic interview process.

c. Analyzing the Interviews: I organized the interviews by taking detailed notes and

recording the interviews as they occurred. To analyze the interviews, I played back each conversation. The recordings were for accuracy purposes, and I strived to be as precise as possible when quoting the interviewees. I looked for patterns between my theories and the women's answers. Quotes from these five interviewees are throughout the paper.

### **C. Electronic Media**

a. Social Media: The Internet, and specifically social media, has become instrumental to organizing social movements (Storck 2011). I referenced WOW's Facebook (<https://www.facebook.com/womenofthewall>) for live newsfeed updates, pictures, and links to news articles.

b. Websites: I navigated WOW's website (<http://womenofthewall.org.il>), predominately utilizing their "In the News" section, "Legal History", and live streaming options within my research.

## **BACKGROUND**

### **I. WOMEN AND HALAKHAH.**

Participants of WOW and various media outlets reported that jeering, cursing, and even physical violence occurred against women praying at the Kotel. Some Halakhic observers perceive WOW's methodology for prayer as nontraditional, which has become an issue of contention against WOW. The ultra religious argue that these women are not praying according to Halakhah, or Jewish law. These women have experienced confrontation and harassment by both Ultra-Orthodox men and women at the Kotel on the basis of their practices during Rosh Chodesh. Why are their practices an issue of concern with members of the Orthodox community

specifically? First, one must understand Judaism and the functions of this religion in Israel as it exists today. In this section, I will set a basic foundation for Judaism, Jewish law, Orthodoxy, and women's roles within these concepts.

Judaism is comprised of three components: Torah, Israel, and God (Plaskow 1991). Torah includes Jewish texts, laws, and commandments. Israel represents the Jewish people. God is the monotheistic spiritual figure of the Jewish people. The Torah governs the Jewish people and holds high importance in the religion; "The Torah is one of several covenants that God made with Israel and the world. The contractual nature of the relationship between God and Israel is a fundamental biblical and rabbinic concept" (Satlow 2006 151). "To follow God's commandments is to live according to halakhah. Literally meaning 'path' or 'way', halakhah came to denote the entirety of Jewish law" (Satlow 2006 156). Devout Jews follow these laws in accordance with their ancestral covenant with God.

Jewish Orthodoxy dominates the State of Israel's Jewish religious affairs. This denomination of Judaism controls marriage, public prayer, and holy sites. Orthodoxy, like Judaism itself, has a spectrum of religiosity, like Modern Orthodox, Hasidic, or Haredi. The general definition of Orthodoxy is "the religion of those Jews who adhere most strictly to traditional beliefs and practices. In Orthodox Judaism, both the Written Law (Torah, the first five books of the Old Testament) and the Oral Law (codified in the Mishna and interpreted in the Talmud) are immutably fixed and remain the sole norm of religious observance" (Orthodox Judaism 2013). In Judaism, women are not encouraged to participate in following certain laws as men are because "for the Rabbis, Jewish-born, unblemished men are fully obligated [to follow mitzvot]; all others (e.g., children, women, slaves, those with disabilities) have lesser but specified obligations" (Satlow 2006 157). When interpreting the Torah, Rabbis assumed women

to have social roles that interfered with their halakhic obligations, and thus, women had few opportunities for participation in public rituals. “Most Rabbis believed that women were constrained by both constitution and social roles. Imposing an obligation on one who was incapable of doing [rituals] was unfair” (Satlow 2006 157). Because women were exempted from fulfilling these religious obligations, they did not participate in the same religious customs as men. This tradition is continued by many to this day, where women do not lead prayer services, pray aloud, or any other traditionally “male” customs because they have not been obligated to throughout centuries.

It is also important to note the problem of sexual distraction between men and women as perceived by some Rabbis when presenting information on Jewish prayer services. The problem of seduction has been expressed in Judaism since Genesis, when Eve “tempted” Adam with the forbidden fruit in the Garden of Eden. “Sexual distraction is considered a grave problem in the Halakhah” (Biale 1995 26). As an example, “A woman reading the Torah may be fulfilling a duty equal to that of men, but she is also causing sexual distraction during the most important service of the week. Traditional practice makes provisions so that women should not be seen or heard by men during services” (Biale 1995 26). As has been argued throughout the Halakhic Jewish community, a woman’s voice during prayer is distracting and/or sexually enticing. Therefore, women are separated by a mechitzah and encouraged to not sing aloud in the company of men. This has been a key argument against WOW at the Kotel, but as Frances Raday added, this concept is inaccurate and, further, “evidence that the silencing of women is linked with the politics of patriarchal domination as well as with the psychology of the fear of women’s sensuality” (Chesler 2003 123). This gender segregation during prayers is meant to help the prayer services at the Kotel, but many view such restrictions as just so—restrictions. As



Feinstein expressed during her interview, “I very much resent the sort of second class citizenship that women have in Orthodox Judaism, and it’s a goal of mine to change that” (Feinstein).

## **II. ISRAEL: GOVERNMENT, JUDAISM, AND GENDER.**

Conflict is not a new concept in Israel. Multiple wars and uprisings have burdened the contemporary state since its creation in 1948. In addition to the many external enemies of Israel, it has also faced debates from its own citizens over issues like territorial disputes and Palestinian-Israeli pluralism. However, Israel also faces concerns over religious freedoms inside its own borders. This section provides a review of the Israeli government’s role in religious affairs and reviews literature on the current status of gender equality in Israel. Furthermore, the feminist movement in Israel is presented to show the reader the current status of Israel’s women’s rights as they exist today.

The contemporary State of Israel has a parliamentary democratic system. The Knesset functions as the legislative decision-making body of the Israeli government (Knesset 2003). The Knesset defines the powers and functions of each branch of government on their website: “Within the framework of the Israeli democratic system, in which there is a separation of powers amongst the legislature, the executive branch, and the judiciary, the Knesset [has] exclusive authority to enact laws. The Knesset may pass laws on any subject and in any matter, as long as a proposed law does not contradict an existing basic law, and the legislative process is carried out as required by the law” (Knesset 2003). Although the Knesset claims these powers, they do not have full jurisdiction over religious governance. The Knesset does not create the rules at Israeli holy sites. “Several Jewish religious services are supplied in Israel through four main official entities – the Chief Rabbinate of Israel, regional Religious Councils, Regional Rabbis, and

Rabbinical Courts” (Medina 2006 318). The national network of religious courts is known as Batei Din and is headed only by approved Orthodox Av Beit Din judges. Religion plays a major role in Israeli politics, but only 20-25 percent of the population (Jews and non-Jews) would identify themselves as religiously observant (Golan 2011 64).

In areas of law not directly related to religious values and norms, a strong concept of gender equality has been developed both in legislation and in the courts of Israel. This gender equality combines “social accommodation for maternity and parenthood, with equal opportunity guarantees for women’s participation in the labor force and the military, with affirmative action in public sphere economic activities and with protection against sexual violence as an inherent part of women’s right to equality and human dignity” (Raday 2005 78). The constitutional definition of Israel as a Jewish state is inherently problematic for gender equality because Judaism and gender equality rights clash with religious norms. Outside the religious sector, gender equality is the stated aim in most areas of Israeli life.

How do non-Orthodox Jewish denominations fare in Israel? “On the Israeli religious landscape, religious Zionists and Ultra-Orthodox are nearly the only forms of religious Judaism. Other Jewish denominations are highly marginal and not recognized by the state as legitimate. Similarly, the Israeli public does not always consider non-Orthodox denominations, such as the Conservative or Reform movement, as *dati* (religious) by Israeli standard of Jewish religiosity” (Israel-Cohen 2012 17). This is problematic for Jews who do not identify as Orthodox or do not wish to follow the customs and traditions of this denomination. WOW has been working with Reform and Conservative groups to negotiate an egalitarian space at the Kotel, so that non-Orthodox Jews or unconventional Orthodox Jews may pray as they please in this space. This would also grant Jews of all genders the ability to pray together in the same space at the Kotel.

The Israeli legal system “is marked by a deep dichotomy between traditionalist preservation of patriarchy in matters related to religion, in the one hand, and progressive and even radical legislative and judicial policy on matters of gender equality not related to religious norms, on the other” (Feldman 2011 110). The Israeli legal system combines English common law, British mandate regulations, and Jewish, Christian, Druze, and Muslim personal status or family law. “The Israeli state law and Supreme Court have final jurisdiction since the Basic Law on the judicature regulates the creation of the Beit Din” (Feldman 2011 121). Israel has no constitution. Rather, “it has a functional equivalent in its Declaration of Establishment (1948), the basic laws of Knesset (Parliament), the Israeli Citizenship Law, and other foundational documents and court rulings that have constitutional significance” (Feldman 2011 122). The Israeli government is complex with a combination of legal systems and no constitution, but the power the government grants to religious authorities creates even further complexities.

How have women fared under Israeli religious authorities?

“Religious authorities have persistently attempted to thwart the statutory imposition of women’s rights, but not always successfully. In 1992 the Knesset partially circumvented religious opposition by instituting a constitutional bill of rights—the Basic Law. The text of the Basic Law: Human Dignity and Freedom states in article 1: ‘the purpose of this Basic Law is to protect human dignity and liberty in order to anchor in a Basic Law the values of the State of Israel as a Jewish and democratic state’. The Basic Law protects six basic rights:

1. Right to life, bodily integrity, and human dignity.
2. The right to property.
3. The right to protection of life, body, and dignity.
4. The right to individual liberty.
5. The right to leave and enter Israel.
6. The right to privacy” (Feldman 2011 122).

These basic laws are not upheld in institutions like marriage or public prayer. Israeli feminism has pushed for equal gender rights in Israel. Israeli feminism is a movement that seeks to improve the religious, legal, social, and economic status of women both within Israeli secular

society and religious society (Feldman 2011 120). Furthermore,

Two principles seem to mark a consensus among women:

1. The Israeli state should uphold and support gender equality using courts, legislation, and enforcement, though the Orthodox and secular women's organizations may differ on whether to privilege liberal and democratic norms over halakhah when norms conflict.
2. Reform cannot be imposed on religious authorities but must come from within religious circles. The burden is on feminists to demonstrate that Judaism is compatible with gender equality. Both principles may require policy compromises... (Feldman 2011 121).

These arguments exist in WOW's movement as well, to have Israel support gender equality and to create reform from within religious Jewish circles. WOW is also attempting to operate between religious and governmental systems to enact change at the Kotel.

### **III. THE KOTEL**

Many consider the Kotel the most important holy site for the Jewish people because it is the last remnant of the Jewish people's "Temple" (The Kotel 2013). "The Temple Mount has been considered holy since antiquity. As it is deemed to be the place where the binding of Isaac took place, and also where Muhammed ascended to heaven" (Chesler 2003 xxii). Jews from around the world gather here to pray, and people write notes to God and place them between the ancient stones of the Kotel. This section explains the history, religious control, and layout of the Kotel.

The Second Temple was destroyed in the year 70 CE. Despite the destruction that took place, all four Temple Mount support walls remained standing. Throughout the generations since the Temple's destruction, the Western Wall was the remnant closest to the site of the Temple's Holy of Holies that was accessible to Jews. Therefore, it became a place of prayer and yearning for Jews around the world. The Old City of Jerusalem, and the Kotel within it, was not in Jewish hands from the War of Independence in 1948 until the Six Day War in 1967 (The Kotel 2013).

Years of hostilities followed between Jewish and Muslim authorities to decide who can pray where in the Temple area. As it stands today, Jewish religious authorities govern the Kotel space and its surrounding plaza area.

The current Chief Rabbinate for the Kotel has complete power over the Kotel (Sales 2012). This man is currently Rabbi Shmuel Rabinowitz, who is a political appointee, named to his post in 2000 by then-Minister of Religious Affairs Yossi Beilin. “His authority stems from a 1981 law that gives the Kotel’s chief rabbi power to “give instructions and ensure the enforcement of restrictions” (Sales 2012). The law also establishes that any prayer at the Kotel must be according to “local custom”” (Sales 2012). “As the chief rabbi of the Kotel and chair of the Western Wall Heritage Foundation, the government funded non-profit that governs the wall, Rabinowitz has sole authority to accommodate liberal Jewish practices” (Sales 2012). Because of the control of this site being solely the Rabbi’s control, the site is strictly Orthodox and must follow Orthodox customs and laws. The Kotel is managed by this Rabbi and functions as so: “‘Organizational’ ushers, working in teams of 10, patrol the plaza around the clock, stacking chairs, pushing mops across a shiny floor of Jerusalem stone and returning used prayer books to surprisingly orderly shelves. Enforcing the Kotel’s religious restrictions falls to ‘informational’ ushers who sit on the men’s side near a box of yarmulkes for visitors who arrive without one” (Sales 2012). Rules for modest dress and actions are displayed before entering the Kotel.

Despite certain prohibitions, women are allowed to pray at the Kotel, and the Wall area is always open and accessible to women. WOW is only at the Kotel for a short amount of time each month. As Skupsky explained, the WOW Rosh Chodesh services usually begin around 7 a.m. and end by 8:30 a.m. To understand the protests and the inequalities, as they currently exist, it is important to explain the layout of the Kotel. The women’s section is about a third the size of the

men's, separated by a mechitzah about five feet high (Chesler 2003 xxvi). There is a plaza in the foreground, and the Dome of the Rock sits above the Kotel to the left and al-Aqsa mosque to the right. The Temple Mount area is under Muslim control, and Jews are not permitted in this area (Chesler 2003 xxvi). The issue of religious freedoms for WOW as discussed in this paper is an internal Jewish one. Jewish women may pray as individuals at the Kotel, and they are permitted to read from *siddurim* (prayer books). However, "The Orthodox religious establishment (which is primarily ultra-Orthodox) was able to pass a law that prohibited women from the following acts while at the Wall: reading from the Torah scroll, wearing a tallit (prayer shawl traditionally worn by men during prayer), and praying aloud in a group" (Israel-Cohen 2012 62). WOW's proposition is in collaboration with Jewish denominations that are not strictly Halakhic. They seek to have an inclusive prayer space at the Kotel. Therefore, negotiations have been taking place to create a space for all forms of Jewish prayer. This proposition is currently ongoing, but as will be discussed in this paper, marks signs of future success for religious freedoms at Israel's holy sites.

Before explaining the specific legal issues associated with WOW, it's vital to note that the Kotel is not an official synagogue. The Kotel is used as a synagogue because of its respected holiness, but this space is not officially as so. Shalvi presented an alternative view to the controversy of prayers at the Kotel within our interview:

It became so clearly a synagogue, with this separation of men and women. The women having to stand on chairs in order to see what's going on when they go to a family bar mitzvah. I've disliked the place. It does not inspire reverence in me, and I only once attended the Rosh Chodesh prayer there, where we had to move away from the Torah reading. It seemed to me so undignified, the whole thing. And, I don't know, I personally don't think that cause is worth all the effort. I think what is important is that every single Jew... should be able to go to the Wall, visit the Wall, pray there if so moved to do, and whether they're men or women, and that's it. It isn't a holy site. It simply isn't a synagogue (Shalvi).

With this insight, should the Kotel even be a religious space? It's the remains of the outer walls of a temple, but it has no official ties to the functions of a synagogue. This is an interesting view, which calls to question the overall validity of religious governance of this space.

## **WOW: AN INTRODUCTION**

### **I. JEWISH FEMINISM AT THE KOTEL.**

The First International Conference of Jewish Feminists was held in Jerusalem at the end of 1988, which was about 15 years after the sprouting of Jewish Feminism in New York (Shakdiel 2002 127). These were the first women to pray at the Kotel collectively, and further, the foundation of WOW's existence. Although Shalvi did not participate in the first gathering of women at the Kotel (because of leadership positions she held), she was there at the conference when the women came back from their service. As she explained, "In such a terrible state, with indignation, anger, trembling, trembling with what they'd been through, and describing the scene in the most horrendous of terms. They'd been physically attacked" (Shalvi). Over the last twenty-five years, participants of WOW have been physically attacked and verbally taunted by the ultra-religious community at the Kotel. These attacks, though, did not hinder the women from their fight as Jewish feminists for religious equality in this space.

"The term 'Jewish feminism' marked a new development within what is known as 'the second wave' of feminism — no longer contained within the struggle for equality with Jewish men, they now committed themselves to changing both Judaism and Jewish society in light of the feminist vision" (Shakdiel 2002 127). Some of the conference participants were Modern Orthodox activists from North America, feminists who had organized women's tefilla (prayer)

groups in their communities to “change the place of women in public prayer from a passive audience to active participation, albeit within the limits of Orthodox halakhic policies — that is, the accepted interdiction in those circles to hold mixed-sex prayers” (Shakdiel 2002 127). These women were no longer willing to act as additions to men’s prayer, behind a partition. These new Jewish feminists “hold separate prayers for females only, where they can experience active roles such as leading group prayer, organizing the event, reading aloud from the Torah scroll for all present, or being honored with various parts of the ritual (Aliyah — stepping up to empower the reader to read for them, opening the Holy Arc for taking out the Torah, holding the Torah up following the reading, etc.)” (Shakdiel 2002 127). When these North American women first came to Israel for this conference in 1988, “there was only one such prayer group in Israel, in the Yedidya congregation in Jerusalem; this prayer group derived its practice from the custom imported to Israel in the 1970s by an immigrant from the US, Pnina Peli” (Shakdiel 2002 128). Some women of the conference wanted to change that.

Most of the members of WOW mobilize for their own reasons, despite being joined by a particular cause. As Rivka Haute explains her mobilization experience, “We women assembled were like the letters of the Torah, each one individually different, yet creating meaning in our unity, surrounded by the whiteness of the ancient stones” (Grossman 1992 276). Because of this mobilization of a unified meaning, these diverse women are conjoined by a single women’s movement. These activist efforts are most similar to the definition of a women’s movement; “Regardless of their particular goals, [women’s movements] bring women into political activities, empower women to challenge limitations on their roles and lives, and create networks among women that enhance women’s ability to recognize existing gender relations as oppressive



and in need of change” (Ferree 2004 577). WOW has challenged the limitations of their roles in Judaism for over two decades.

I label WOW’s movement at the Kotel as a Jewish feminist one. “Feminism itself is the goal of challenging and changing women’s subordination to men” (Ferree 2004 577). This movement at the Kotel isn’t fundamentally feminist. It falls under the category of Jewish Feminism. This is the idea of implementing women’s participation in the deeply patriarchal religion of Judaism. “Jewish feminism has emerged as a diverse and complex religious and social movement... Just as Jewishness encompasses religious, ethnic, national, and communal elements, so Jewish feminists have addressed a range of inequalities in Jewish life” (Plaskow 1991 xiii). Jewish feminism is viewed as an oxymoron by some, especially for a culture dominated by traditional Orthodoxy. “Feminists often see Judaism as irredeemably patriarchal, attachment to it as incomprehensible and retrogressive. Jews often perceive feminism as an alien philosophy, at odds with Jewish self-understanding” (Plaskow 1991 vii). Central to this movement is the transformation for inclusion within Halakhah. WOW’s dynamic also seeks a similar goal for inclusion of Halakhah in mobilizations for prayer.

## **II. THE DYNAMICS OF WOW.**

WOW is a diverse group of women. Although all Jewish, they differ in religiosity, nationality, and age; “Women of the Wall (WOW) is an organized group of women from across the denominational spectrum and from around the world who hold prayer groups at the Western Wall on Rosh Chodesh (every beginning of the month according to the Jewish calendar). The group itself is non-denominational but follows what can be considered Orthodox practices in terms of what women can and cannot recite during prayer services” (Israel-Cohen 2012 62).

WOW is comprised of women from all over the world, with about half of the board members holding citizenship in the United States (Chesler 2003 xxxiv). “Too often, the group has been mischaracterized as Reform, Conservative, political, or as attempting to challenge the rule of Halakhah (Jewish law) at holy sites in Israel” (Chesler 2003 xix). WOW argues this as a miscategorization. The group of women is diverse between denominations (with members from Reform, Conservative, Orthodox, etc.), but the prayer services are in keeping of the same Halakhic standards (Chesler 2003 xxvii).

A group of diaspora women created the International Committee for Women of the Wall (hereafter ICWOW) in 1989. ICWOW exists outside of Israel, although ICWOW also exists as a sister organization to WOW. At first, the ICWOW and WOW were two separate groups with their own attorneys (Chesler 2003 xxixx). The two groups have been split in some decisions, but they work to overcome geographical differences. In this study, I place ICWOW and WOW under the same activist agenda. I mostly reference “WOW”, unless alluding to a specific case where ICWOW was involved. Ultimately, the two groups are fighting for the same rights, benefiting from the same wins in court, and ICWOW has even actively conducted “solidarity services across North America to coincide with WOW’s prayer services” (Chesler 2003 xxxv). Only the services at the Kotel are of concern for the purposes of this paper. When ICWOW members visit Israel, “they attend WOW’s planning sessions as well as visit privately” (Chesler 2003 xxxv). They are a cohesive group. There are also male allies in the group. As Skupsky explained, her husband and other men tried to assist the women in their activist efforts; “At that time, bringing in a tallit was not allowed. At one time during the high tension and high drama, my girlfriend and I gave my husband our tallitot, and he put our tallitot in his tallit bag, and didn’t bring his tallit there to the Western Wall. And he snuck our tallitot in” (Skupsky).

WOW considers itself a grassroots organization, with just a few paid members for operational purposes (Chesler 2003 xxxvi). There are boards for WOW and ICWOW, active participants, and inactive participants. When Cohen Yeshurun joined the WOW Board, the group was very small. She said, “When I joined Women of the Wall, they were about twenty women, maybe thirty... It wasn’t yet what it is now. We didn’t have a proper website, and we didn’t have a Facebook page. We didn’t have all this media and followers. We were a very small group” (Cohen Yeshurun). Now, the gatherings fluctuate in size, depending on variables like the time of the year or weather.

### **III. WOW’S ROADBLOCKS AND LEGAL STRUGGLES.**

WOW uses religious traditions to alter religious policies in the State of Israel. At the Kotel, women are not given the freedoms to express their Judaism as they see fit. Members of WOW have been arrested and prosecuted for praying at the Kotel. For the purpose of this paper, I focus my research on arrests related to religious garments. Religious garments, as has been mentioned, includes the wearing of items such as tallitot. The specifics of tallitot as an unintended tactic of symbolic activism will be explained in full further in this paper. These garments are not intended to serve as activist tools, but they have become symbolic for gender equality within this movement. As stated previously, the tallit and tefillin worn by participants of WOW are not intended to serve as activist tools. The laws which banned women to wear such garments when praying at the Kotel made the act of wearing a religious prayer garment by women a form of activism against these set laws. When women wore the garments as outsiders, their movement became distinguishable by such garments. The tallitot and tefillin are symbols of change. Although these women wear prayer garments for their own religious purposes (and not

solely for the intention of protests), the garments became reverent and a sign for this struggle for religious freedoms. The purpose of this section is to introduce the roadblocks and legal struggles faced by participants of WOW who demonstrated against such restrictions at the Kotel.

First, Israel's complex court system warrants explanation:

Israel has an impressive record of passing positive laws and policies. But this obscures the gap between law and enforcement and the multiple repositories of power in society in addition to positive law and legislative authority. This is due to the overlapping structure of the judicial branch. The judiciary is comprised of the Supreme Court, district courts, and the magistrate courts. The Supreme Court is the highest court of appeal. The lower courts serve as courts of first instance with separate family chambers that have jurisdiction over personal status cases that are under shared jurisdiction of religious and civil courts under the Basic Law (Feldman 2011 123).

WOW fights for religious freedoms within the system of these secular courts rather than the religious courts because their fight is not a personal one. The "Religious courts have jurisdiction in matters of personal status (marriage, divorce, maintenance, guardianship, adoption) vested in judicial institutions of the respective religious communities: Jewish Rabbinical Courts, Muslim (shari'a) courts, Druze religious courts, and ecclesiastical courts of the ten recognized Christian communities" (Feldman 2011 123). Women are granted limited freedoms at the Kotel. For WOW, "Israeli law forbids them from praying as a group at the site of the Wall. At the Wall they may pray only as individuals. They are also forbidden from bringing their own Torah scroll into the women's section of the Wall. Any attempt to pray as a group or to bring in the Torah scroll is a criminal offense which may end in arrest, in police interrogation and in prosecution" (Lahay 2011 03). Women cannot form a group at the Kotel because they cannot be counted within a minyan to pray according to the ultra-religious governing the Kotel (Minyan 2014).

The legal petitions and cases have been ongoing for decades, with few victories for WOW. "Early on, the angry women decided to seek legal support for their cause. Rabbi Getz,

drawing his authority as supervisor of the site from the 1967 Law of Protection of Holy Sites and the 1981 Rulings for Protection of Sites Held Holy by Jews, issued that same first winter a formal prohibition for women to wrap themselves in prayer shawls and read from a Torah scroll while they pray at the Western Wall. Later he even added a prohibition for women to sing aloud during the service at the Wall” (Shakdiel 2002 130). WOW fought against these restrictions of religious freedoms for women at the Kotel for over twenty-five years.

WOW took their first legal action on March 21, 1989. “The group appealed to the Supreme Court demanding that their right to pray at the site according to their customs be upheld against the authorities (Rabbi Getz, the Ministry of Religions, the Chief Rabbis of Israel, and the police). This appeal resulted in an interim order to the police to defend the praying women, as long as they abided by the instructions of Rabbi Getz” (Shakdiel 2002 130). Despite the many lost legal battles with the state, WOW continues to advocate for women to vocalize collective prayer with the traditional religious components of Judaism, ignoring all enacted prohibitions. WOW’s struggles have drawn immense media attention from such legal battles; “WOW has been involved in an on-going Supreme Court battle for over 20 years in an attempt to gain permission to pray at the Western Wall. The group’s political struggle has drawn significant media attention in the Israeli national media and throughout the Jewish world” (Israel-Cohen 2012 63). As I argue in this paper, this media attention was instrumental in pushing for religious freedoms at the Kotel by influencing Israeli policy changes.

## **ACTIVIST STRATEGIES OF WOW.**

### **I. WHAT IS A SOCIAL MOVEMENT?**

There are certain strategies in WOW's movement which fall under scholarly categories for social movement theories. Although these strategies may not be purposeful, I argue the importance of these strategies for success in WOW's activist efforts. First, I will define what a social movement is. Then, I will describe social movement theories as they pertain to this movement. Different academics give different definitions, but a social movement can be defined as a "collectivity with mutual awareness in sustained interaction with economic and political elites seeking to forward or halt social change. Social movements are usually comprised of groups outside of institutional power that use nonconventional strategies (e.g., street marches, sit-ins, dramatic media events) along with more conventional ones (e.g., petitions, letter-writing campaigns, etc.) to pursue their aims" (Almeida 2008 603). Participants in social movements tend to mobilize outside the state with unconventional tactics. They usually act as volunteers to offer "their time, skills, and other human resources to maintaining movement survival or achieving goals" (Almeida 2008 603). The social movement form is a relatively new form of mobilization from outside the state: "The modern social movement form arose with the spread of parliamentary political systems and nationally integrated capitalist economies in the nineteenth century" (Almeida 2008 603).

Social movements do affect public policy; "Social movements challenge current public policies and sometimes they also alter governing alliances and public policy. Because movement activists aspire to change not only specific policies but also broad cultural and institutional structures, they therefore can affect far more than their explicitly articulated targets" (Meyer

2007 546). I focus this section on how social movements specifically affect policy. William Gamson first studied the impact of social movements on policy. He traced the political and policy outcomes of 53 groups in America before World War II: “Gamson identified two kinds of positive responses—recognition as legitimate actors and policy concessions—that did not necessarily come together. Gamson identified the organizational attributes such as size, resources, and disruptiveness that seemed to come with success but didn’t examine how groups achieved influence” (Meyer 2007 546). Policymakers will propose solutions to quiet activist groups, and these solutions may not even be connected to the activists’ goals. “Because public policy includes symbolic and substantive components, policymakers can make symbolic concessions to try to avoid granting the aggrieved group’s substantive demands or giving it new power. Elected officials can offer combinations of rhetorical concessions or attacks, in conjunction with symbolic policy changes, to respond to or preempt political challenges” (Meyer 2007 546). This move also quiets the media, leading the public to believe a sound compromise has been made.

For the purpose of this paper, it is important to mention the ways in which social movements also affect culture. “Movements must draw from mainstream public discourse and symbols to recruit new activists and advance their claims, yet they must also transform those symbols to create the environment they seek. Symbols, meanings, and practices forged in the cauldron of social protest often outlive the movements that created them” (Meyer 2007 547). In the case of WOW, the Kotel may one day become a symbol for transformation of religious freedoms within Judaism. Although there has not been a significant cultural shift yet, this space has the potential to become a significant cultural symbol for Jewish feminism. This is the first movement of its kind because WOW created the first social movement to transform religious

traditions at a holy space in Israel. The following sections provide information on activist tactics utilized by WOW. Each section also encompasses theories, which support the strategies. The tactics are essential in reaching ultimate successes in the social movement for religious freedoms taking place at the Kotel. What has occurred at the Kotel is indicative of greater feminist goals. These successes can be utilized in other Holy Site legislation in Israel.

## **II. INTERSECTIONALITY: AN INTRODUCTION TO WOW'S MOVEMENT.**

The movement for religious freedoms at the Kotel, especially the fight being led by participants of WOW is an intersectional one. This is not only a women's movement seeking the same rights as men in this spiritual space. This is also a religious movement. Orthodox and non-Orthodox activists are seeking to reform the current state of affairs at the Kotel and within Israel as a whole to create a more inclusive space for all denominations of Judaism. This combined effort, especially in WOW, has formed an intersectional movement. Intersectionality is a combination of identities like "gender, race, class, nation, and other potential identities" (Ferree 2004 598). Intersectionality exists within the WOW movement because of the women's traditional religious beliefs and their identities as females. "By acknowledging the diversity of women's movements that address feminist goals, whether or not such goals are primary or exclusive, we make central to our analysis the actual intersectionality of social movements" (Ferree 2004 578). Intersectionality "creates specific opportunities and obstacles for collective action" (Ferree 2004 598). WOW has faced both opportunities and obstacles due to their intersectional group dynamic, but this intersectionality also broadened the movement to encompass a diverse group of demonstrators.



WOW is participating in a gendered and religious social movement (Lahay 2011). This section classifies WOW's movement. In social movements involving women, there are three types of activist movements: women in movements, women's movements, and feminist movements. WOW's mobilizations are clearly categorized as women in movements, whereas women are simply participating in activism. For further classification, it's key to differentiate WOW's movement as strictly "women's" or "feminist". Ferree and Mueller define each term. They write, "We define women's movements as mobilizations based on appeals to women as a constituency and thus an organizational strategy" (Ferree 2004 577), and, "Feminist mobilizations are informed by feminist theory, beliefs, and practices, and also often encourage women to adopt other social change goals" (Ferree 2004 577). In addition to their movement as "women in movements", WOW participants are mobilizing in a women's movement. They are organizing as women for a change pertinent to women's rights in this religious space. This is the first part of their movement's categorization in a gendered context.

In addition to being a women's movement, WOW can be categorized as a religious one. "Religious movements, like all social movements, are in no way static; historically, as gradual social change in society occurred, movements had the choice to integrate subtle change into their religious framework—while maintaining the image of changeless truth—or build walls to resist it" (Israel-Cohen 2012 03). By WOW's participants praying as they wish at the Kotel, they are fighting for gender equality and religious transformations. The inclusivity that they seek appears now as a transgression, but the movement is actually a push towards transformation within the Jewish tradition. Jewish feminists at this holy site have attracted attention for such transformations. Religious garments are becoming new symbolic tools for feminists, and the Kotel is a new battleground for holy site law. But, WOW is in no way claiming religious

garments. These garments are traced back to the Hebrew Bible. However, WOW is using this tradition to their benefit. These garments distinguish WOW's participants from other women praying at the Kotel, and this visibility is very important to gaining attention towards WOW's movement. Judaism, as a religion, is dynamic and constantly transforming itself. There are norms within the religion which are constantly changing with new interpretations of the Torah or new findings in Jewish history. With respect to Jewish feminists at the Kotel, the restrictions of Halakhic traditions at holy sites have the potential to also transform with the changing norms of inclusivity.

### **III. OUTSIDER TACTICS: SYMBOLIC POLITICS.**

“While women's movements are not to be confused with specifically feminist claims, it is also clear that there will be a relationship between mobilizing women as women and challenging existing gender relations that still situate women as “outside” politics and the public.” (Ferree 2004 598). This section explains this strategy for working “outside the politics and the public”. Women are more likely to organize outside the formal polity (Ferree 2004 589). WOW is a group of women who have been rejected to work within their government's secular and religious sectors and cannot enact change in the Israeli system. Because of this, the group organizes outside of the state.

WOW uses activist tactics of symbolic politics through prayer and dress. “A classic outsider tactic involves the use of symbolic politics to capture public attention, politicize neglected issues, and dramatize the seriousness of the social justice issues at stake” (Hawkesworth 2006 73). Representing one's activist agenda symbolically through dress is a key feminist social change strategy. An example lies with the Israeli-Palestinian group Women in

Black, where the use of black clothing identifies the movement, brings awareness to the movement, and creates solidarity within the movement (Hawkesworth 2006 72). The activist participants partake in camaraderie through their similar dress.

As I've mentioned, WOW expresses prayer through three practices traditionally completed by men: singing aloud, reading aloud from the Torah and wearing religious garments (tallit, tefillin and *kippah*). The Chief Rabbinate at the Kotel has prohibited all of these actions. As Shakdiel explains of WOW's first gatherings, "They soon became victims of repeated violence from Ultra-Orthodox women and men alike — they were pushed around, beaten up, chairs were thrown at them. They naturally demanded that the police protect them, but were stunned to learn that they were the ones accused of disrupting public order, and not those who attacked them: police officers stood by and did nothing to stop the violence, and special female law enforcement workers were hired by the Ministry of Religions to drag them away" (Shakdiel 2002 197). WOW continued to mobilize through symbolic tactics, despite eggs or hateful words being thrown their way. Most women sing aloud in prayer as a group, but not all women wear prayer garments. Each woman makes individual decisions to wear garments according to her own prayer customs. Not all women were raised to wear garments during prayer services and not all denominations encourage their believers to practice this custom. For some women who pray at the Kotel every month, they do not wear prayer garments because they simply don't in other religious settings.

These garments are important for my argument because of the role they play within WOW's movement. I argue that these prayer garments are used as symbols in WOW's movement. They are distinguishable and vital to gaining attention from the public. As Cohen Yeshurun said during our interview, "The fact that we're all colorful, everybody is different.

We're pluralistic, so people wear all sorts of different colors. They're not the same. It's not that we're all wearing the same color, it's that we're all in color" (Cohen Yeshurun). It's these very colors in comradery of the many tallitot which grab attention in the media's photos and video footage. Combining this visibility with other activist tactics, WOW reached success within their movement.

#### **IV. ACTIVE RESISTANCE.**

By participating in a movement which confronts gendered traditions, WOW participants are participating in a form of active resistance. "Kandiyoti (1988) describes active resistance as a strategy that openly and explicitly confronts established gender practices perceived as subordinating women and limiting their prospects. When considering its meaning in the context of women and religion, active resistance may be understood as open confrontation with religious authorities over gender roles" (Israel-Cohen 2012 10). WOW exemplifies such strategies through their inclusion of women's empowerment within Jewish traditions. Although participants do not argue for a change within Halakhah, activists do call for a shift in customs of the religion which are oppressive and unchanging in the modern world. WOW also may not wish to confront religious authorities directly, but their disregard for state policies and continuous arrests suggest otherwise. As Israel-Cohen supports, "Embedded in women's active resistance are two proclamations related to their status on religious life: 1) that feminism has a place within religious life, and 2) that aspects of the religious tradition can and should be changed to accommodate the opportunities feminism presents to the religion" (Israel-Cohen 2012 10). Additionally and exclusively to Jewish Orthodoxy: "Likewise, Jewish Orthodox women who openly challenge their exclusion from public prayer or advocate for the ordination of women

rabbis, are taking controversial stances on issues that serve as significant boundaries between Orthodoxy and the more liberal Jewish denominations” (Israel-Cohen 2012 10). WOW openly challenges their exclusion from public prayer at the Kotel.

## **V. OTHER KEY TACTICS: TRANSNATIONALISM, NON-STATE ACTORS, DEMONSTRATIONS, AND FRAMING.**

WOW’s movement spreads across borders. Their gatherings occur at the Kotel in Jerusalem, but their movement holds influence in the United States and with other Jews in diaspora. WOW’s movement is therefore transnational. Transnational social movements began in the latter part of the nineteenth century in the West, “oriented toward solving the problems of war, economic and social justice, and human rights, led to the great flowering of international nongovernmental organizations (INGOs) in this century” (Smith 1997 ix). With the combination of WOW and ICWOW in solidarity between continents, participants influence a broader range of change-makers. Shalvi explained the issue of religious pluralism at the Kotel: “It seems to me that still this remains an issue, which as of interest and importance, primarily to women of the diaspora” (Shalvi). Shalvi perceives this issue as prominent with Jews around the world outside of Israel.

Transnational influence has been very important for WOW’s successes. The United States has significant influence on Israel because the US is a key financial supporter of the State (Sharp 2013). In addition to governmental support, the North American Jewish non-profit sector has major influence over Israeli financial and public civilian support of the State. WOW and ICWOW have many North American participants and supporters, and this allyship is

instrumental for influence on insider affairs. As will be noted within this paper, the arrests of high-profile Americans lead to key changes within Israeli policies for religious freedoms.

WOW participants are also considered nonstate actors, working as outsiders of the Israeli government system. “Nonstate actors have become significant international actors and will increase in importance as the world stage becomes more complex and integrated” (Smith 1997 xiii). By acting outside the secular and religious government, WOW has less influence. However, their transnational status allows WOW to reach across the “Jewish world”, not just in the State of Israel. Since Jews are a people of diaspora, they’re spread throughout other continents. As has been mentioned, they create solidarity movements and, further, these transnational movements pressure the Israeli government to create changes in their own borders.

Both the transnational solidarity movements and local gatherings at the Kotel are encompassed within the tactic of creating mass demonstrations. “In addition to mass demonstrations, activists have devised still more dramatic means of showing numbers, commitment, and endorsing their ideas. Activists engage in vigils, sometimes fasting, strike, organize boycotts, and establish semi-permanent camps in support of their cause. Sometimes they dress in costumes, in the hope of attracting the attention of the mass media; recently, activists against cruelty to animals paraded naked as a costume” (Meyer 2007 546). WOW’s demonstrators do not set up camps or create vigils, but they do attempt to attract the attention of mass media by demonstrating in large numbers while wearing religious garments. After some members are arrested, they also write about their experiences and publish publicly to entice more attention to their injustices (Skupsky).

During WOW’s prayer services, or demonstrations, the women utilize the strategy of framing by the speeches they give, songs they sing, and garments they wear. “The process of

building activism is a function of successfully building on shared cultural understandings to generate a new vision of change in which political mobilization is necessary. Scholars have described the rhetorical dimension of this process as “framing,” that is, providing a cognitive structure of interpretation that links personal political choices with larger social conditions (Gamson 1992; Snow and Benford 1992). Organizers convey collective action frames through their own organizational materials, through speeches, stories, and songs, and mediate through reports in the range of mass media (Ryan 1991; Rohlinger 2002)” (Meyer 2007 544).

## **TRADITIONAL MALE GARMENTS IN WOW’S PROTESTS: ANALYZING THE LEGAL IMPLICATIONS AND RESPONSES**

### **I. WOW’S ARGUMENTS FOR TALLIT**

“The wearing of the prayer shawl which has tzitzit is commanded in one of our central prayers. Although women are, by Orthodox law, exempt from doing that, we’re not prohibited from doing it. And so, I think that to do what God commands brings one closer to God. So on the subject of performing the Mitzvot, more is better.” (Rene Feinstein). On their website, WOW devotes an article to information on and the justification of prayer garments during their gatherings at the Kotel. Some women wear tallit every day while praying, and WOW proclaims that it should be their legal right to practice this mitzvah at the Kotel. Because of this, “As a community, Women of the Wall has made it a goal to help these women gain the legal right to pray at the Western Wall wearing tallit” (Bergner 2014). As Skupsky explained, “I think it’s important if one chooses to wear a tallit, or a prayer shawl, consistently then to don the tallit when one is praying at the Western Wall” (Skupsky). The following is an outline of the halakhic

debates around women and wearing tallitot. Not all women choose to wear prayer garments. Pruce explained during our interview, “I don’t wear religious garments because it wasn’t my tradition that I was brought up with” (Pruce). The focus of this section is to provide information on this prayer garment, as it has been a reason for many arrests of WOW participants at the Kotel.

These are some explanations against and for the practice of wearing tallitot. Ultimately, WOW’s website states, it is permissible for a woman to wear a tallit while praying according to halakhic interpretations. The tradition of wearing tallit stems from the Torah, in Numbers 15:38-9, where it states, “Speak to the children of Israel and say to them: They shall make for themselves fringes on the corners of their garments...And this shall be tzitzit for you, and when you see it, you will remember all the commandments of G-d, and perform them.” The fringes that hang from tallit are called tzitzit, and the strings and knots physically represent the Torah’s 613 commandments. The debate of whether both women and men should wear tzitzit takes place in the Talmud, in Menachot 43a. “The rabbis taught: all are obligated in the laws of tzitzit: priests, Levites, and Israelites, converts, women, and slaves” (Bergner 2014) However, “Rabbi Shimon exempts women because it is a positive commandment limited by time and from all positive commandments limited by time, women are exempt” (Bergner 2014). Although women are exempt from time-bound positive commandments (according to Rabbi Shimon and others), they are not forbidden from following them.

However, there are anonymous Rabbis who debate whether women can perform time-bound commandments; “The Talmud (Eruvin 96a), states that even Michal, the daughter of Saul, wore tefillin. While tefillin is not the main focus, this passage proves that women can make a blessing on time-bound positive commandments: ‘Michal the daughter of Saul would lay



tefillin...And it is permissible for them to make a blessing on time-bound positive commandments even though they are not required to perform those mitzvot....” (Bergner 2014). There’s also the following examples with the contrasting debates on whether women wearing tzitzit can or cannot perform blessings while wearing them, “Rambam (Maimonides), Egypt, Laws of Tzitzit 3:9: ‘Women are exempt from the biblical law of tzitzit. Women who want to wear tzitzit, wrap themselves in it without a blessing...if they want to perform them without a blessing they are not prevented’”, and in contrast, “Rabbeinu Tam, a French Tosafist and leading halakhic authority in his generation (1100-1171), states that women can recite the blessings over positive time-bound commandments such as wearing tzitzit: (Tosafot to Rosh Hashanah 33a): ‘...And they may recite the blessings over a positive-time-bound commandment, even though they are exempt from that mitzvah’” (Bergner 2014). These are just a few examples of various opinions making it permissible for women to wear tallitot and tzitzit.

On behalf of WOW, Bergner writes, “While Women of the Wall understands that women may not be obligated to wear tallitot, they are certainly not forbidden to do so. In 2012 alone, there were over 50 arrests of women at the Kotel for wearing tallit. As a result, the tallit has become a large symbol of Women of the Wall” (Bergner 2014). Women wear tallit for different reasons. As Skupsky supports, “Even though there is a designated Women of the Wall tallit, wearing your own tallitot is in fact an individual choice and an individual identity” (Skupsky). WOW provides their own colorful prayer garments at each gathering for other women to use while praying. As WOW states, “Wearing a tallit is a reminder of what we have been commanded to do as Jews and a reminder of our place, as women, within the Jewish community” (Bergner 2014). WOW is justified in suggesting that this prayer garment is important to their

movement. Because of the arrests from tallit mentioned, I believe these prayer garments are vital to the attention, which WOW receives by the media, and further, the Israeli government.

## **II. WOW IN COURT: THE LEGAL HISTORY**

“...We struggle to relive our service, to once again pray together while wearing our tallits and bringing a Torah Scroll to the women’s section. For over twenty years, we have endured violence and spent many years in court fighting for this basic right as Jewish women, while mobilizing support from the Israeli and international community and raising funds” (Women of the Wall 2014). WOW’s goals remain fundamentally the same since the creation of the group in the late 1980s. Besides their protests, WOW has faced legal battles fighting for these goals in Israeli courtrooms. As stated previously, “success” is defined by these goals being met for the group. The following is a shortened legal chronology of WOW to further provide a foundation for instances of arrests or other legal issues stemming from the wearing of prayer garments. The following information is from WOW’s own legal timeline via their website (Women of the Wall 2014).

In 1989, a group of Jerusalem women continued regular prayer services at the Kotel, but their services were met with violent attacks from ultra-Orthodox opponents. In March of 1989, prayers at the Kotel ended with police using tear gas to contain harassment. Following this event, four women submitted a petition to the Israeli Supreme Court, requesting an order to allow women’s prayers and Torah reading to continue at the Kotel. Israel’s Supreme Court heard WOW’s case for the first time in May of that same year. The state was given six months to respond to WOW’s petition, and in the meantime, the Court issued a temporary injunction barring women from praying at the Kotel with a Torah and tallitot. WOW respected this ban but

continued to pray aloud at the Kotel, which was still not permitted by the Ultra-Orthodox. On the 31<sup>st</sup> of December, the Ministry of Religion and the Ministry of Justice spread a new regulation to, “prohibit any religious ceremony at a holy place that is not in accordance with the custom of the holy site and which offends the sensitivities of the worshipers at the place.’ The penalty for violating this regulation is 6 months in jail and/or a fine. This regulation is still in effect” (Women of the Wall 2014).

1989 was an important year for WOW, marking the beginning of the fight for religious freedoms by the group at the Kotel. The women had prayed together for the first time in just 1988, but both ultra-religious opponents and Israel’s Supreme Court almost immediately shut them down. Following a year of activity, the government passed rules barring religious ceremonies not “in accordance with custom of the holy site” which would offend the “sensitivities” of another worshiper. This is particularly noteworthy for WOW’s garments, since garments like prayer shawls were deemed as offensive to the sensitivities of worshippers. Because of this, the wearing of tallitot became a crime. These garments became visible crimes as determined by these ministries and wearing such garments was deemed a transgression by the state.

In 1990, the state filed a response to WOW, although it was not the answer they were searching for. The response was a “150-page collection of extreme halakhic opinions concerning women’s rights to pray out loud as a group, wear tallit, and touch or read from the Torah scroll” (Women of the Wall 2014). ICWOW, then, filed an independent lawsuit with the Israeli Supreme Court. ICWOW stated that the cause was of critical importance for Jewish women everywhere. In 1991, the Supreme Court heard oral arguments on ICWOW’s case while solidarity services were planned in Stockholm, Sweden and in cities across North America.

These simple actions marked attempts by WOW to work with the state, appealing to the insider political strategies. They attempted to gain success in their movement by appealing to state authorities. Unfortunately, these actions were not recognized. The movement became more transnational, with actions taken by ICWOW in North America and with solidarity movements throughout the world.

The Supreme Court did not issue a decision against ICWOW and WOW until 1994, but the presiding judge, Justice Shamgar, recommended that the government establish a commission to resolve the matter. ICWOW and WOW requested to appeal the decision just one month later but were denied. In response to Shamgar's recommendation, a government commission, henceforth referred to as the Mancal (Directors-General) Commission, was appointed to propose a solution to the issue of women's prayer at the Kotel. No women were appointed to the commission, and ICWOW undertook a campaign to recruit individuals and organizations to lobby the commission. The Commission failed to meet its first deadline, and the government granted them an extension. ICWOW and WOW were not granted permission to testify before the Commission until 1995, and six Israeli and one American representative from the groups gave testimonies. The Mancal Commission failed to meet its second deadline, and WOW and ICWOW filed suit. They demanded that, "(1) the Commission be ordered to fulfill its mandate immediately; (2) the court issue an injunction against the government, prohibiting any further deadline extensions for the commission; (3) a temporary injunction be issued, allowing women to pray aloud at the Kotel with a Torah scroll and wearing tallitot; and (4) the state provide police protection for WOW" (Women of the Wall 2014). Judge Dalia Domer rejected the request for an injunction preventing the commission from being granted further extensions. In the meantime, another extension was granted to the Commission, and they fail to meet this deadline as well. Up

until this point in WOW's history, little progress was made for the group. WOW was awarded little media attention, and their strategies to work with the state had not worked in their favor of achieving any of their goals.

The Mancal Commission issued their report on April 02, 1996. The report examined four alternative sites and proposed that the WOW services move to the southeastern corner of the Old City wall, which is outside the Old City of Jerusalem. In October, the Israeli Supreme Court ordered the Ministry of Religion to pay WOW and ICWOW "5000 shekels toward legal costs for their "interminable delays" and for the disrespectful "recommendation" that WOW pray at the southeastern corner of the Old City" (Women of the Wall 2014). Although the state was attempting to work with the activist group, progress was slow and decisions unresolved. The Israeli Supreme Court continued to attempt to work with WOW. On March 4, 1997, the Israeli Supreme Court ordered the state to "'show just cause within 90 days why Women of the Wall's lawsuit against the government should not succeed'. One day later, a bill sponsored by the SHAS party passed a preliminary vote in the Knesset. The bill would turn the Kotel from a national site into an ultra-Orthodox synagogue" (Women of the Wall 2014). The lawyer who represented the government, Nili Arad, made several proposals for another commission or for WOW to pray at the archeological site of Robinson's Arch, adjacent to the Kotel. WOW rejected these proposals. Despite their rejection, the Ne'eman Commission was established, and they met in 1998. The Ne'eman Commission issued their report in September of 1998. They concluded, without consulting WOW, that WOW should pray in the Robinson's Arch area immediately south of the Kotel. After these decisions, WOW moved away from the women's section of the Kotel to resume prayers at the Robinson's Arch site away from the plaza. Although a compromise by the state, this move pushed WOW's demonstrations away from the holy site. This move undermined

the goals of the activist movement.

On February 16, 1999, the State submitted an affidavit by Jerusalem Chief of Police Yair Yitzhaki to argue that WOW was provoking violence. The next day, the Supreme Court held a two-hour hearing on the petition of WOW and ICWOW to pray as a group at the Kotel with Torah and tallit. The Supreme Court judges continued to work with WOW, but in the end, all matters were transferred to the government. On December 03, 2001, proposed bill no. 1924 was voted on in the Knesset, which made an amendment to the Holy Sites Law of 1967. It read, “1. The prayer area at the Western plaza shall be divided into a men’s section and women’s section by a divider, and prayers by men and women in a mixed group shall not be permitted there. 2. No religious ceremony shall be held in the women’s section near the Western Wall that includes taking out a Torah scroll and reading from it, blowing the shofar, or wearing tallitot or tefillin. 3. Violators shall be imprisoned for seven years” (Women of the Wall 2014). Finally on June 04, 2003, the Supreme Court issued a ruling to bring WOW’s legal battle to a close. As stated on their website, “The majority ruled that, despite the state’s claims to the contrary, the Women of the Wall maintained a legal right to pray at the Western Wall. Nevertheless, such right was not without boundaries, the Court ruled that prayer at Robinson’s Arch would allow the Women Of the Wall to pray according to their practice ‘next to the Western Wall’” (Women of the Wall 2014). Since the Kotel was under the control of the Ultra-Orthodox, Robinson’s Arch became an egalitarian space for Reform and Conservative Jews as well. This became the space for Jewish people who prayed, according to the leadership of the Kotel, in ways deemed out of the confines of Judaic customs.

Although many had moved to Robinson’s Arch to hold prayer services, WOW continued to also pray at the Kotel. Their activist goals were not met, and they attempted to continue

fighting for religious freedoms at this space. On November 18, 2009, the Western Wall Heritage Foundation demanded that the police stop WOW's prayer services. In response, the police arrested a young Israeli WOW participant, Nofrat Frenkel. They interrogated her and charged her with illegally wearing a tallit at the Kotel. This is significant for the purpose of my paper. This is the first reported incident on WOW's legal timeline for someone to be arrested specifically for wearing tallit at the Kotel. A few months later, on January 05, 2010, Anat Hoffman, WOW's chairperson, was interrogated, fingerprinted, and warned that she would be charged with a felony offense for wearing a tallit at the Kotel. Hoffman was later arrested in July for carrying a Torah during Rosh Chodesh, and she was detained for not praying according to the traditional customs of the Kotel. She was banned from the Kotel for 30 days. In 2012, multiple WOW participants were detained during different Rosh Chodesh services for wearing tallitot at the Kotel. Two of my interviewees, Skupsky and Cohen Yeshurun, were among these women. This is when the media attention for WOW began to quickly develop.

In December of 2012, during the Rosh Chodesh prayer service, there were new rules, which further affected religious garments at the Kotel. "According to police, a new decree was issued forbidding women to enter the Western Wall plaza with Jewish holy articles, tallitot, or tefillin. Thus, women were stripped of these articles before entering" (Women of the Wall 2014). More women were arrested. And then, more media attention was given to the issue. Following the attention given to these multiple arrests, Prime Minister Netanyahu recognized the need for a resolution to the conflict at the Kotel. He asked the Jewish Agency Chairman, Natan Sharansky, to examine the issue. Just one month later, in January of 2013, "Women of the Wall and the Israel Religious Action Center (IRAC) Petitioned the Supreme Court, along with Kolech-Religious Women's Forum, the Center For Women's Justice, the Yaacov Herzog Center,

Hiddush and the Masorti Movement” (Women of the Wall 2014). Their petition questioned the legality and legitimacy of the authorities presiding over the Kotel. Since such authorities essentially created the rules of custom for all Jews who visited the Kotel, the petition asked the court to examine the “unequal representation of Jewish streams and of women in the bodies and offices which hold authority over the Western Wall site” (Women of the Wall 2014).

Additionally, “The court was also requested to examine the double-duty of Rabbi Shmuel Rabinowitz, who holds two titles: Rabbi in charge of Holy Sites, appointed by the Prime Minister’s Office, and Chairman of the Western Wall Heritage Foundation” (Women of the Wall 2014). This dual role appeared problematic by many WOW activists, since the Rabbi was essentially the leadership for both the government and the nonprofit for the Kotel space.

In February of 2013, hundreds of supporters prayed with WOW at the Kotel. This prayer service was reportedly peaceful, but the police detained ten women for wearing tallitot. The women who were arrested received much more media attention due to their transnational statuses. Those arrested included, “Rabbi Susan Silverman, sister of American Comedian Sarah Silverman, and her underage daughter, Hallel. Women of the Wall chair, Anat Hoffman, Director, Lesley Sachs, board member, Bonnie Ras, Reform rabbinical student, Lior Nevo, Rabbi Robyn Fryer Bodzin of Canada via Queens, NY, and Rabbi Debra Cantor of Connecticut” (Women of the Wall 2014). Following this uproar, the next Rosh Chodesh services concluded with no arrests for tallitot or tefillin for the first time since 2010. Members of the Israeli secular government who prayed at the Kotel with WOW were given certain privileges during their visits; “Members of Knesset, Tamar Zandberg from the Meretz Party and Stav Shafir from the Labor Party arrived at the security gate to the Western Wall with tallitot. When they were refused entrance with the tallitot, they insisted on entering but were not arrested because they are



members of the Knesset” (Women of the Wall 2014). Additional international solidarity rallies were organized. These arrests were important for the combination of symbolic politics and transnational social movement theories working together to influence the media. Those who were arrested, especially famous comedian Sarah Silverman’s sister, were more high profile on a transnational scale. Therefore, WOW’s movement became more high profile within the media.

On April 11, 2013, an Israeli court finally voted in favor for WOW’s goals. After five women were arrested during Rosh Chodesh services, Lesley Sachs, Bonnie Riva Ras, Sylvie Rozenbaum, Rabbi Valerie Stessin, and Sharona Kramer, Judge Sharon Larry Bavly stated that there was no cause for arresting the women. This was a groundbreaking decision for participants of WOW because the judge declared that WOW was not disturbing the public order with their prayers. The police appealed this decision by the Magistrates Court, and the case was heard in District Court on April 25 of that same year. The result was monumental: “Judge Moshe Sobel decided against the police appeal, supporting fully the Magistrates Court decision by Judge Sharon Lary-Bavly”, and further,

“The Judge declared that the Supreme Court decision of 2003 never intended to serve as an injunction which would apply criminal violations to women. Likewise this decision did not ban Women of the Wall from praying at the Kotel. He added that there is no reasonable suspicion in which the women are violating the Supreme Court decisions. In reference to the Supreme Court recommendation that the women pray in Robinson’s Arch, Sobell declared that this does not prohibit the women from praying at the Western Wall in the women’s section, and certainly it does not imply a criminal violation for this act. Regarding the restriction within the Law of Holy Places in which visitors at the Western Wall are to pray and hold religious celebrations according to the “local custom”, the judge declared that the women are not violating this law. He stated that the legal proceedings of Women of the Wall establish that the “local custom” is to be interpreted with National and pluralistic implications, not necessarily Orthodox Jewish customs” (Women of the Wall 2014).

Following this decision, hundreds of women gathered in May of 2013 to pray at the Kotel with tallitot and tefillin, with the protection of the police. Hundreds of Haredi men and women

protested this during their prayer services. Despite these protests, women gradually gained the right to wear their respective prayer garments at the Kotel. This was the first legal prayer service for WOW. Since this first legal prayer service, WOW has continued to meet every Rosh Chodesh at the Kotel, continued to face protestors during their prayer services, continued attempts to bring a Torah scroll into the women's section of the Kotel, and they have continued negotiations for a third egalitarian space at the Kotel.

### **III. THE MEDIA'S RESPONSE**

Haaretz, a major news source, reported that stories on WOW were among the top stories of 2013 in Israel (Zonszein 2013). This is a new phenomenon, as Cohen Yeshurun explained in our interview, to have more Israeli coverage; "First of all, we're very well known in the English speaking media and the world media. But, most importantly, we've become known and more liked in the Israeli media" (Cohen Yeshurun). I found this publishing and others like it in a collection on WOW's website. Since 2009, WOW has kept online records on their website of every major news publishing involving their group. By examining these sources, I found an immense amount of reports on the arrests of WOW participants. Many of the arrests have been due to the wearing of tallitot. In this section, I will only examine a few key media reports from 2013. This year spurred a lot of controversy in the Jewish world because the media published many articles on specific arrests at the Kotel.

The first major report of women being granted access to pray at the Kotel with their prayer garments surfaced in the media in March of 2013. Because of combined influences of US Comedian Sarah Silverman's sister being arrested the month before and a surprise visit by Knesset members to pray with WOW, the women were finally able to pray with tallit and tefillin

without being arrested. The word had gotten out via mass media, and people took notice. The support, then, by members of the government and by the general public took shape. As was reported, “Most of them — including Knesset members Stav Shaffir of the Labor Party, and Michal Rozin and Tamar Zandberg of Meretz — wore prayer shawls. But no one was detained or arrested, despite the 2003 Israeli Supreme Court ruling upholding a ban on women wearing tefillin or tallit prayer shawls at the site, or reading from a Torah scroll. The Knesset members used their immunity to enter the area with their prayer shawls, while other women had men bring the shawls in for them” (Sales 2013). After this move by the Knesset members, the movement was given more legitimacy. Even more Jews around the world took notice. In the United States, there were many solidarity protests. “Supporters in Washington held their own rally in support of Women of the Wall, supporters in New York and Cleveland held special solidarity services, and San Francisco supporters were planning a rally for Sunday. At a demonstration late Monday in front of the Israeli Embassy in Washington, some 125 participants, including children, prayed and sang with guitars and tambourines. The women raised their arms to hold aloft prayer shawls in a show of solidarity with their Israeli counterparts” (Sales 2013). Rabbi Esther Lederman of Temple Micah in Washington said, “The words ‘A woman was arrested for wearing a tallit’ should not be coming out of Israel,” (Sales 2013). The transnational influence became more evident with the uprising in solidarity movements across the US.

Although there were solidarity movements before these months of media attention, the arrests for prayer garments weren’t brought to the foreground as they did in 2013. The arrests for wearing tallit were instrumental for having the Israeli government take notice. As was mentioned in the above article, transnational activists held their own protests at the Israeli embassy. People protesting the bans on religious freedoms at the Kotel attempted to directly influence the State of

Israel in the only ways they could. When the Knesset members joined WOW's service, progress began to take shape.

The next major media reports came about in May of 2013, where multiple women were arrested for wearing prayer garments. Again, when the Director, Lesley Sachs, was arrested, there was media attention to follow. This time, these arrests spurred negotiations between the government and the activist group to create changes. As Chairman of the Jewish Agency, Natan Sharansky, said of the detainment of five women at the Kotel in May was, "proof of the immediate need to find a way for allowing Jews from all streams to pray as they please at the site" (Sharon 2013). Prime Minister Binyamin Netanyahu tasked the Jewish Agency chairman in December of 2012 to find a compromise deal to end the dispute over the holy site. Sharansky reported that the negotiations had shown "a lot of goodwill to defuse tensions and to find a solution which ensures that every Jew in the world can pray in the manner that they are accustomed to at Judaism's most important national and religious site, while respecting the traditions of all" (Sharon 2013). And now, negotiations for these religious freedoms have begun.

WOW reached success in all areas of their activist goals except for reading from the Torah at the Kotel. The media, though, has not reported on the need for a Torah in the women's section at the Kotel as it did with the religious garments. For WOW participants, though, this is still a women's issue, and they have not completed all of their goals. WOW will continue to protest the ban on the Torah in the women's section. They've attempted multiple times to carry in their Torah, but they've been rejected to do so. As Cohen Yeshurun explained, "If it were men 'smuggling' a sefer Torah into some prison or something in some bygone era they would be lauded as Jewish heroes by all and the story told with reverence, by the same people who call Women of the Wall provocateurs" (Women of the Wall Nashot HaKotel 2014). In our interview,

she responded, “When it’s women doing it, it’s suddenly provocative and sneaky” (Cohen Yeshurun). Some mass media reports have portrayed this issue as just that—sneaky.

#### **A. Media Agenda Setting.**

Although not an intentional or strategic move by WOW to continually face arrests and detentions due to wearing traditional male Jewish garments at the Kotel, the media’s coverage of such arrests certainly brought the issue to many Jews around the world. This media attention engaged others in the movement. Although WOW’s movement is already transnational, the attention increased transnational participation and, thus, influenced the Israeli government for public policy changes related to this issue. This section explains the theory of the agenda setting effect to explain the relationship between the media and politics. “In modern societies, it is impossible to talk intelligently about democracy without considering the role played by print and electronic media in disseminating political messages to the public. Especially following the creation of electronic media in the twentieth century, the connections between democracy, political campaigns, public opinion, and journalistic practices have become the focus of great attention and anxiety among communication scholars” (McGee 2002 229). In this section, I examine key strategies which impacted the successes gained in WOW’s movement.

The Israeli and Jewish media outlets covering the arrests related to garment wearing participated in a theory known as “agenda-setting effect”. “Hundreds of studies of the agenda-setting effect suggest that media exposure encourages individuals to agree more closely on what public issues are most important at any given time. This finding is important because it suggests that media gatekeepers (e.g., editors) may help to determine what issues will find their way onto the public agenda” (McGee 2002 233). As a result, “Once an issue is perceived as important by ordinary citizens, politicians and political candidates are more likely to address this issue in their

public statements and/or to work for social and political changes that will resolve the public policy problems with which that issue is linked” (McGee 2002 233). After the frenzy of arrests in 2012 and again in 2013, the policies changed regarding religious garments for women at the Kotel. The media hadn’t covered WOW as much until the mass arrests took place. Because of this coverage, the ban of garments for women became a larger issue with other Jews worldwide. With regards to WOW, these changes took effect because of the uproar from Jews throughout the world.

#### **IV. POLICY CHANGES FOR RELIGIOUS FREEDOMS AT THE KOTEL**

“Movements generally organize and mobilize around specific policy demands ranging from ending drunk driving to toppling a government. Social protest can set agendas for government, giving political life to issues otherwise ignored. It can embolden supporters within government, giving them inspiration or cover for political reforms” (Meyer 2007 546). There have been recent successes in WOW’s movement, like the state granting rights for women to pray aloud and wear prayer garments at the Kotel. “The rules are no longer in effect to prevent women from wearing head coverings, in fact, that has never been an issue” (Skupsky Interview). She explained how insults are given to women for wearing kippas, but there is no legal issue with the practice. Skupsky also explained how women are now permitted to wear tallit and tefillin at the Kotel without fear of being arrested. This is a very recent development.

After years of maneuvering as an outsider, WOW has finally gained advancements to lawfully hold prayer services. Although the group has not gained the right to read from a Torah at the Kotel, years of arrests from women’s prayer garments have recently gained WOW other religious freedoms in this space. Women were granted the right to wear prayer garments after

was ruled as such by a Jerusalem District Court, and women have not been arrested on these grounds since. The momentum increased for further successes after the media portrayed certain high profile arrests, and these arrests propagated negotiations between the Israeli government and WOW. On their website, WOW describes the negotiations between the state and other groups to create a third, pluralistic and equal section of the Wall out of respect for the religious freedoms of all Jewish denominations at the Kotel (Toward a Solution 2014). As a set of demands put forth by WOW, to be fulfilled by the Prime Minister of Israel, WOW declared, “Unlike the current men and women’s sections, this section would not be administered by Rabbi Shmuel Rabinowitz. The pluralistic section would be governed under the auspices of a group of leaders from all of the Jewish denominations, with fair representation for women” (Toward a Solution 2014). As of March 2014, the negotiations are ongoing.

#### **A. Negative views of policy changes**

The new section of the Kotel is a vision which has not been fully developed. However, it is important to mention the future of WOW with respect to this new proposed section. Some religious Jews have issues praying in an egalitarian space. It was a goal of WOW to recreate their initial prayer service in the women’s section of the Kotel. This third section would not fulfill this activist goal. Not only are their demands not being met to pray in the women’s section, the Orthodox participants of WOW have felt uncomfortable with this transition. Skupsky made these concerns clear in our interview:

That is not okay because part of the Women of the Wall is Orthodox, and what’s really important is the respect factor. Women of the Wall respect all women, and the Women of the Wall who pray there... some are very Orthodox and do not want to pray with men. There are several reasons why this platform is not okay. Number one, you cannot get close enough to the Wall to touch the Wall. Number two, it’s pluralistic. Men and women can pray together. Number three, it is located right in the middle of the archaeological part, which is not open 24/7. Number four, because it’s located in the archaeological part, which is not open 24/7, should this platform or location somehow be open, that in itself

will open that area to absolutely pandemonium and destruction of this very vital location in the Old City. Because, people will go there without respect and ruin the sanctity of the location. So, for four good reasons, it's ludicrous (Skupsky).

For Cohen Yeshurun, she does not see this as such an issue. In Jerusalem, Orthodoxy has begun to follow a more accepting, egalitarian route; "What we are seeing happening in Jerusalem is more and more of these egalitarian synagogues opening, or egalitarian prayer groups, and they call themselves Orthodox. I think we'll see more of that at the new section of the Kotel" (Cohen Yeshurun). The new space is still in the beginning stages. With time and further development, concrete plans and an idea of functionality for the third space at the Kotel will be clearer. It's difficult to predict whether all of the participants of WOW will move their prayers to this new section or not.

## **CONCLUSION: HOW RELIGIOUS GARMENTS INFLUENCED POLICY**

The tallitot are a recognizable feature of the participants of WOW. As Cohen Yeshurun explained during our interview, the group is distinguishable by the prayer garments. Although differing in style by color and design, these prayer garments have become a symbol for the activists. WOW even offers women their signature tallit garment to participants.

As described in the legal timeline, many women have been arrested for simply wearing a religious garment. Often charged with "disturbing the peace" or accused of distracting others praying at the Kotel, the women are detained by police for choosing to wear a prayer shawl at this space. I argue that WOW uses a combination of social movement strategies and traditional male garments, like tallitot or tefillin, to break through the Jewish traditions enforced by Israeli authorities. Although this is not a purposeful tactic, this strategy makes the movement



distinguishable from others. Following the large numbers of reports on arrests related to garment wearing, the Prime Minister of Israel took notice. This led to actions to establish certain commissions for the purpose of religious freedoms at the Kotel, and further, negotiations for a future inclusive space. If women continued to use these symbolic tactics in other unequal holy sites within Israel, similar compromises could be made for religious freedoms.

The answer to the question “Does the use of traditional Jewish male garments in women’s movements at the Kotel in Jerusalem affect policy changes related to women’s religious freedoms in Israel?” is mostly. The answer cannot be a clear “yes” or “no” because the policy changes are very new. Also, traditional Jewish male garments were causal for arrests made at the Kotel, but the combination of other social movement strategies made WOW experience the success they did. Their goals to “pray together as women” and “to wear their prayer garments as women” have been rewarded by Kotel leadership. However, WOW is still striving to “read collectively and aloud from a Torah scroll as women at the Kotel”. These women are also fighting to express their religiosity and to participate fully within their Judaism, just as Jewish heroes did in past instances of persecution.

The criticisms of gender inequality at the Kotel mirror complaints regarding constraints on religious freedoms. The laws enforced at this holy site are both a woman’s and a religious issue. The structures of this holy site, of its laws, and of deeply rooted Judaic patriarchal traditions contribute to such inequality today. The social movement of WOW seeks to eradicate this inequality by advocating for religious equality at the Kotel. Through their dress and collective prayer, this organization works to evoke change in policies. What started as an investigation into outsider tactics for mobilization turned into a fascinating project of women on the outside of two legal systems: the secular state and the Jewish Halakhah.

“In light of the District Court decision on April 24, 2013 and after 25 years of monthly prayers at the Western Wall (Kotel), Women of the Wall continue to pray in the women’s section of the holy site with tefillin (phylacteries) and tallit (prayer shawl) on Rosh Hodesh” (Toward a Solution 2014). Although this may change with the establishment of the third section of the Kotel, WOW continues to challenge the limitations of their gender roles by protesting the confines of their religious freedoms. All in all, WOW’s participants have gained a few religious freedoms; “At this time, I am very joyous because I don’t have fear that I will be arrested, and I don’t have fear that my prayers will be interrupted” (Skupsky).

This intersectional and transnational movement encompasses a fight for religious freedoms with the additional use of symbolic religious representations. WOW uses traditional Jewish dress and their transnational status to challenge the limits of existing, restrictive traditions in the State of Israel. The negotiations and policy changes have the potential to further impact women’s rights within Holy Site legislation elsewhere in Israel. Although WOW’s fight is not over, the success of policy changes is evident at the Kotel today.

## **APPENDIX**

### **I. INTERVIEW.**

#### **a. Additional Information on Interviewees as Sample.**

All interviewees are non-vulnerable populations. They are all educated Jewish-identifying females who hold citizenship in Israel. All women are over the age of 18 years old. Four out of five have participated with the activist group Women of the Wall. One interview was held in person locally, in Colorado, and the remaining four interviews took place via Skype. The

interviewees were not part of a random sample. I conducted emails and posted on WOW's Facebook page for outreach to possible interviewees. I was also connected to each interviewee via email connections through other people. Those who responded to my emails were interviewed. This sample was not relevant to my results. I used the interviewees' testimonies as support for my findings, rather than primary evidence. Since there were only five interviews conducted, I did not have a large enough sampling size for substantive, concluding evidence. I collected answers as support instead.

**b. Verbal Consent.**

- Before you provide consent and before we begin the interview, I would like to review information with you about this study. First, this is a study on the religious representations of female activists within Israel. I am researching how women engage in activism efforts by using aspects of their religious identities.
- The interview will take approximately 30 minutes. Your participation is entirely voluntary. You are free to answer only the questions that you feel comfortable answering and you are free to end this interview at any time for any reason. You have the option of remaining anonymous if you choose. If this is the case, I will assign you a pseudonym and steps will be taken to ensure your confidentiality. Would you like to remain anonymous, or is it okay to use your name?
- Are you comfortable with our conversation being recorded? This is only for purposes of accuracy in the research, and it will not be shared for any other purpose. Sometimes participants in social movements participate in activities that might be construed as subversive or even illegal to law enforcement officials. I am required to let you know

that my notes may be subject to subpoena. Thus, if such activities did occur, I suggest they are not discussed during the interview.

- Before we begin, do you have any questions about this study? Are you comfortable to continue with the interview?”

**c. Questions.**

- What is your preferred name and country of origin?
- What is your citizenship?
- What is your preferred gender and religious affiliation?
- Are you a participant of WOW?
- Why do you pray at the Kotel?
- How do you pray at the Kotel?
- (If applicable) Why were you arrested?
- (If applicable) Why do you pray if there's a chance you may be arrested?
- What are your opinions of the rules at the Kotel?
- Do you consider yourself an activist?
- What is your affiliation with activist efforts in your country?
- What is the context of your advocacy work/ what is the goal of your activism?
- Do you think your gender plays a role in your activist efforts? How?
- Do you think your religion plays a role in your activist efforts? How?
- Why did you join this cause?
- How long have you been involved?
- How did your advocacy group or political affiliation begin?
- What are/were the goals of the group?

- Is there a specific religious identifier of yours that deters your activist efforts?
- Is there a specific religious identifier of yours that enhances your activist efforts?
- How do you interact with men in your activist efforts?
- How do you interact with other women in your activist efforts?
- Where are you or your group at today with its goals for change?
- What do you believe you've accomplished as being a part of this cause?

## II. GLOSSARY OF TERMS.

***Haredi:*** Jewish right-wing fundamentalist (Chesler 2003 xx)

***Egalitarian:*** principle that all people are equal/ equal rights and opportunities. Jews use this term to describe a prayer space where all genders may pray together in the same space. Charmé argues this is a feminist value that's about ridding of gender separation within Judaism (Charmé 2009 04).

***Halakhic/ Halakhah:*** (according to) Jewish law (Satlow 2006 156)

***Israel:*** originally meant “Jacob”, “the Jewish people”, and “a people chosen by God”. In this context, it's a geographical name of a country in the Middle East at the eastern end of the Mediterranean Sea (Israel 2014).

***Kippah:*** a head covering

***Kotel:*** Also called the Western Wall or the Wailing Wall. “...the Kotel is the most significant site in the world for the Jewish people. We know that it is the last remnant of our Temple. We also know that Jews from around the world gather here to pray. People write notes to G-d and place them between the ancient stones of the Wall” (The Kotel 2013).

***Mechitzah:*** the barrier separating men and women (Chesler 2003 xx)

**Minyan:** “The quorum required for Jewish communal worship that consists of ten male adults in Orthodox Judaism and usually ten adults of either sex in Conservative and Reform Judaism”

(Minyan 2014).

**Rosh Chodesh:** the first day of every Jewish month

**Sefer Torah:** Torah scroll (Chesler 2003 xix)

**Siddurim:** prayer books (Chesler 2003 xxvii)

**Tallit/ Tallitot:** prayer shawls (Chesler 2003 xix)

**Tefillin:** small black boxes with straps meant to bind and serve as a reminder as stated in

Deuteronomy 6:8

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