CALL FOR PAPERS

New Historical and Socio-Legal Perspectives on Jewish Divorce

For issue no. 31 of Nashim, under the consulting editorship of Lisa Fishbayn Joffe of the Hadassah-Brandeis Institute Project on Gender, Culture, Religion and the Law and Haim Sperber of Western Galilee College, the editors of Nashim invite proposals for articles exploring the ways in which spouses, communal organizations, rabbinical authorities and civil courts have struggled to achieve their objectives with regard to religious divorce.

Women’s inferiority in access to religious divorce and to property and support upon separation or divorce has plagued Jewish communities for centuries. Desperation in the face of impoverishment and barriers to remarriage have led women to seek remedies from civil courts, communal agencies and religious leaders – and even to resort to anti-social conduct in order to maintain themselves and their dependents. These trends have been exacerbated by migration and the challenges it poses to reconstituting family and communal life.

There have always been agunot, but the shape of this problem has changed over time. The classical agunah, whose husband could not consent to divorce because he was missing or mentally incompetent, has been overtaken by a new type of agunah, whose husband is physically present and mentally sound but uses his power to withhold a religious divorce as a bargaining chip in divorce negotiations. Stakeholders have struggled to respond to these developments while advancing their distinct and overlapping interests, be they in the preservation of their legal jurisdictions and pastoral legitimacy, in protection of freedom of religion and advancing gender equality, or in stewarding philanthropic resources to provide for female-led families.

Possible topics for proposed submissions may include (but are not confined to):

- historical responses to the agunah problem in jurisdictions around the world;
- historical accounts of the impact of civil marriage on Jewish divorce practices;
- the roles of women as single parents and heads of families, especially during periods of migration;
- the impact of migration on Jewish family forms
- the role of Jewish communal agencies, activists and religious leaders in addressing the plight of single mothers and associated economic and social disadvantages;
- socio-legal analyses of disputes regarding Jewish divorce in civil and religious courts;
- socio-legal analyses of contemporary strategies to address the agunah problem through the use of prenuptial contracts or civil suits;
- analyses of changing discourse around the agunah issue and links to domestic violence;
- links between spousal abandonment, social delinquency, prostitution and sex trafficking involving the Jewish community;
- strategies or identities of key actors in the contemporary struggle around agunot.

Proposals for submissions of up to 12,000 words, not previously published or under consideration for publication elsewhere, should be sent to Deborah Greniman, Managing Editor of Nashim, by July 1, 2015, at nashim@schechter.ac.il. Final date for submission of articles: November 1, 2015. All scholarly articles will be subject to peer review. Academic Editor of Nashim: Renée Levine Melammed.

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