

"Trans" Biblical characters in Jewish tradition?

The disturbing origin of oft-quoted religious narratives of "gendered souls"

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CONTENT WARNING:

This shiur contains material that may be homophobic, misogynist, sexually-explicit or otherwise offensive.

Much of the content offends the presenter.

Biblical characters with opposite-sex souls

- Isaac יִצְחָק
- Michal מִיכָל
- Joseph יוֹסֵף
- Dinah דִּינָה

Minor mentions (not explored today)

- Moses
- Benot Tzlafchad
- Yael and Chever HaKeni

Gender Essentialism

Gender dysphoria: A term used to describe the discomfort or distress that a person experiences when there is a mismatch between their sex assigned at birth and their **gender identity**.

Gender identity: A person's **innate sense of their own gender**, whether male, female or something else (see non-binary below), which may or may not correspond to the sex assigned at birth.

Trans: A term to describe people whose **gender is not the same as**, or does not sit comfortably with, the **sex** they were assigned at birth.

Transitioning: The steps a trans person takes to live in their **gender**.

(bold type added)

<https://www.stonewall.org.uk/resources/list-lgbtq-terms>

Jewish Gender-Soul narratives

- Seeking support from midrash and kabbalah for the idea that one can be “born with the soul of the opposite sex”
- Keshet website
- Abby Chava Stein
 - author of *Becoming Eve, Sources of Pride*
 - [Limmud 2019](#)
 - November 2019 [interview](#) notes that Sha’ar HaGilgulim played a formative part in Stein’s journey to become a transwoman: “At times a male will reincarnate in the body of a female, and a female would be in a male”
- OU Rabbi Jack Abramowitz
- International Network of Orthodox Mental Health Professionals

Rabbi Jack Abramowitz

Torah Content Editor of the Orthodox Union

- <https://jewinthecity.com/2017/01/an-orthodox-rabbi-discusses-transgender-issues-in-jewish-texts/>
- Dinah and Joseph (embryo switch)
- Michal

If we wouldn't judge Dina or Michal for having a "male soul," we shouldn't judge our contemporaries who face similar challenges.

Questions

1. Do these narratives really fit the idea of “born trans” or gender different from sex?
2. Should we be inspired by these narratives?
(Are they progressive? Are they feminist?)
3. Are we sufficiently critical of scholars who find inspiration in these narratives?

Biblical personalities with “opposite-sex souls”

Our focus will be on Isaac יִצְחָק and Michal מִיכָל

- Joseph יוֹסֵף and Dinah דִּינָה – will cover very briefly
- Source sheet also contains links for study of minor cases: Moses, Benot Tzlafchad, Yael / Chever
- Sourcesheet contains links to A LOT of texts for study.

Dinah and Joseph: the sex swap (Keshet)

- <https://www.keshetonline.org/resources/gender-fluidity-in-the-jewish-tradition/>
(search for “gender fluid” on Keshet.org)

Afterwards? Rav said: After Leah passed judgment on herself and said: Twelve tribes are destined to descend from Jacob, six came from me and four from the maidservants, that is ten, and if this fetus is male, my sister Rachel will not even be the equivalent of one the maidservants; immediately the fetus was transformed into a daughter, as it is stated: And she called her name Dina; meaning she named her after her judgment [*din*]. The Gemara rejects this concerning prayer: One does not mention miraculous acts to teach general conduct.

Dina דינה / Joseph יוסף

- Brother and sister conceived at about the same time.
- Dinah: only daughter of Leah and Jacob
- Joseph: son of Rachel and Jacob
- [Talmud Berachot 60a](#): Leah's child was originally male but Leah prayed that her sister Rachel should have a son so the sexes were switched
- Of Dinah: "immediately the foetus was transformed into a daughter"
- [Beresishit Rabbah 72:6](#) sex switch because Rachel prayed for two sons
- Both Dinah and Joseph experience sexual abuse
- Both are gender nonconforming
- [Jericho Vincent](#) describes them as our "transcestors"

Dinah דינה

Genesis 34:1

וַתֵּצֵא דִינָה בַת־לֵאָה אֲשֶׁר יָלְדָה לְיַעֲקֹב לְרְאוֹת בְּבָנוֹת הָאָרֶץ:

Now Dinah, the daughter whom Leah had borne to Jacob, went out to visit the daughters of the land.

She is then raped, held captive, rescued. Much violence by her brothers.

[Rabbi Eliyahu Munk \(1611-1631\)](#) cites Bereishit Rabbah 72:6 and adds:

If Dinah, a daughter of such illustrious parents as Jacob and Leah, was not safe from an attack on her virginity, daughters of less illustrious parents certainly need to be guarded carefully.

We must not spend time wondering how such a misfortune could have happened and what errors if any her parents had committed. We must remember that **Dinah's nature was like that of a male who is in the habit of going out into the field; this is how she conducted herself.**

Joseph יוסף

- Only man in the bible to be described as beautiful (Genesis 39:6):
Now Joseph was shapely and beautiful. וַיְהִי יוֹסֵף יָפֵה־תָאֵר וַיִּיפֶה מְרֻאָה:
- Stripped of his coat of many colours and sold into slavery by his brothers.
- Midrash ([Bereishit Rabbah](#)) describes him as being laddish (וְהוּא נֶעֶר)
“he would groom his eyes, lift his heels, and curl his hair”
- Ornamented tunic (coat of many colours כְּתֹנֶת פְּסִיִּים) stripped from him
- Sexual harassment by Potifar’s wife. He resists sexual desire and escapes.
- Unlike Dinah, no classical texts suggest Joseph was essentially female.
Rather, he is criticised for being immature, narcissistic.

Joseph יוֹסֵף: Why view him as trans?

Modern Queer commentators such as Jericho Vincent and Lara Haft Yom-Tov attribute a trans identity to Joseph for two primary reasons:

1. Ornamented tunic (כְּתֹנֶת פָּסִים)
 - Tamar (daughter of David) had such a tunic (only other case)
 - [Jericho Vincent](#) calls the tunic a “princess dress” but neglects to mention that Tamar tore up her ornamented tunic after being raped by her brother Amnon.
2. [Genesis 39:11](#) וְאִין אִישׁ / and there was no man (when Potifar’s wife approached)
 - [Bereishit Rabbah 87:7](#): בְּדַק אֶת עֵצְמוֹ וְלֹא מָצָא עֵצְמוֹ אִישׁ
He examined himself and did not find himself to be a man [*ish*].
 - Traditional meaning: There was a miracle and Joseph lost his sexual ardour
 - Jericho Vincent: Joseph realised he was not a man.

Isaac – soul of a female (Keshet)

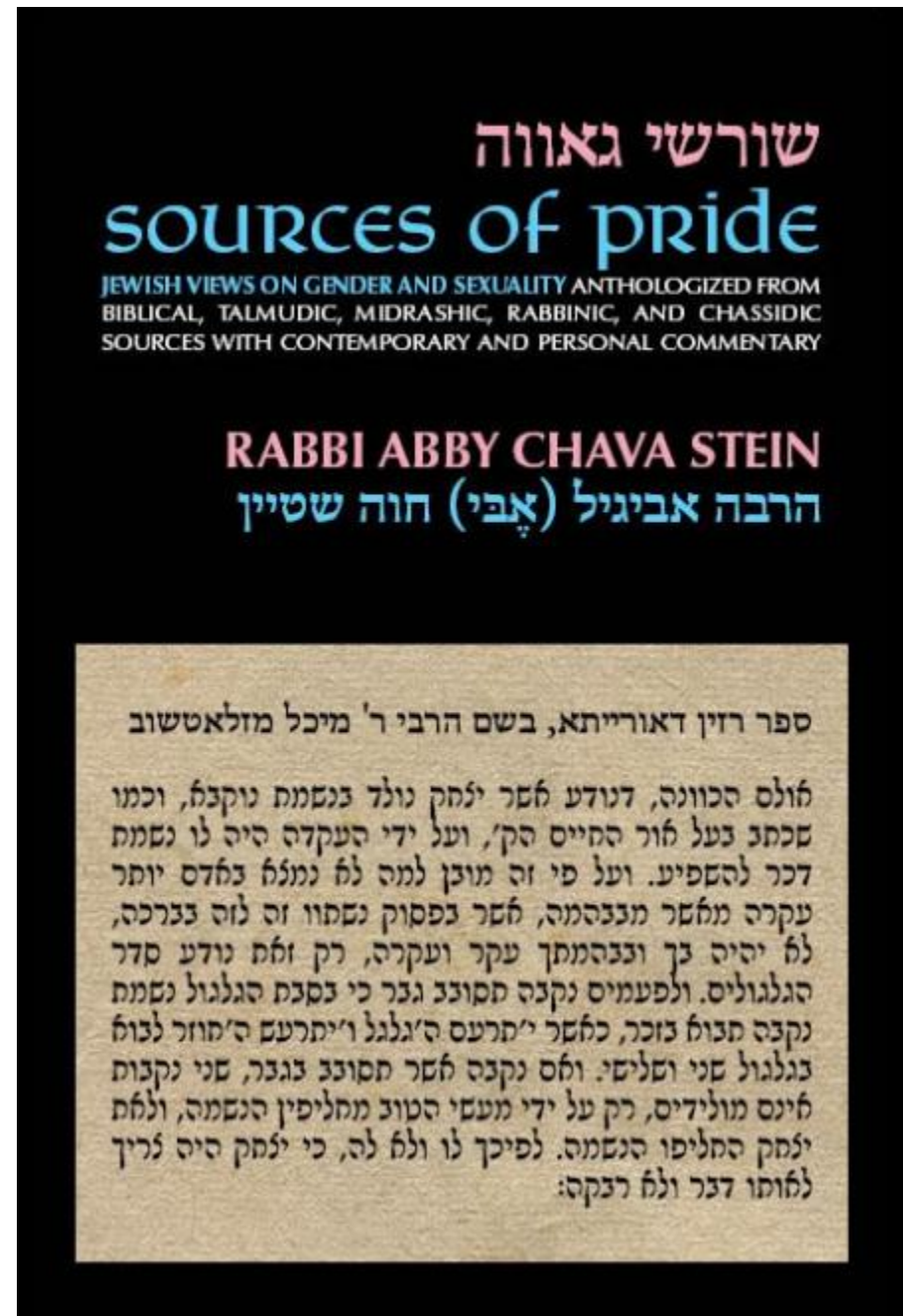
<https://www.keshetonline.org/resources/gender-fluidity-in-the-jewish-tradition>

18th Century Hasidut

It is known that when **Issac was born, he was born with the soul of a female**, as it is written in *Or Hachaim*, and through the *akeidah* (binding of Issac) he got a male soul that can impregnate... But, this is known according to the *Sod* (Secret/Mysticism) of the cycling of souls – that **at times, a female would be in a male body, because in the reasons of *gilgal* (the cycling of souls) the soul of a female would come to be in a male.** ... that is why it says by Issac that the Eternal answered to him and not to her (Rebecca), because he needed divine help to be able to have children.

Translation by Abby Stein, edited by Joseph Meszler

Text on cover of Abby Stein's new book [Sources of Pride](#)



יצחק Isaac

Rabbi Yechiel Michael from Zloczow (1731-1786) – quoted by [Abby Stein](#)

(English text in italics is omitted by Stein in the link above.)

It is known that when **Issac was born, he was born with the soul of a female**, as it is written in *Or Hachaim*, and through the *akeidah* (binding of Issac) he got a male soul that can influence (meaning, can impregnate. [This is why humans experience more infertility than animals.]

But, this is known according to the *Sod* (Secret/Mysticism) of reincarnation - that **at** times, a female would be in a male body, because in the reasons of *gilgal* (reincarnation) **the soul of a female would come to be in a male.**

*... If a female comes to be in a male, **two females are then unable to procreate.** Only by good deeds can the person change their soul [to become male].*

But Isaac did change his soul [to male].

.. that is why it says that [God answered] “him” [Isaac] and not to “her” [Rebecca], because Yitzchak needed help and not Rivka.

אולם הכוונה, דנודע אשר יצחק נולד **בנשמת נוקבא**, וכמו שכתב בעל אור החיים הק', ועל ידי העקדה היה לו נשמת דכר להשפיע. . .

רק זאת נודע סדר הגלגולים. ולפעמים נקבה תסובב גבר כי בסבת הגלגול נשמת נקבה תבוא בזכר, כאשר י'תרעם ה'גלגל ו'יתרעש ה'חוזר לבוא בגלגול שני ושלישי.

ואם נקבה אשר תסובב בגבר, שני נקבות אינם מולידים, רק על ידי מעשי הטוב מחליפין הנשמה, **וליצחק החליפו הנשמה.**

לפיכך לו ולא לה, כי יצחק היה צריך לאותו דבר ולא רבקה:

Context: Infertility of Rifka רבקה

[Genesis 25:21](#)

וַיַּעֲתָר יִצְחָק לַיהוָה לְנִכְח אִשְׁתּוֹ
כִּי עֲקָרָה הִוא
וַיַּעֲתָר לוֹ יְהוָה
וַתַּהַר רַבֵּקָה אִשְׁתּוֹ:

Isaac pleaded with יהוה on behalf of his wife,
because she was barren;
and יהוה responded to his plea,
and his wife Rebekah conceived.

יצחק Isaac

Or HaChayim by Rabbi Hayyim ben Moshe ibn Attar (1696-1743)

לזקוניו. In his old ages. The Torah adds this word and does not content itself with the more appropriate לזקנתו (in his old age – singular), because, as I wrote earlier, when he was born, [Isaac] lacked an element of the divine soul, as he was **equipped only with a soul from the female realm...**

If Isaac had possessed only a soul from the female realm, but had lacked the preparation [in his body] to **receive a soul from the male realm**, then the akeidah would not have helped him [to receive a soul from the male realm].

The Torah wrote here ותלד...זקוניו (she gave birth in his old ages), to indicate **she gave birth twice in his old age**. The first [זקנה of Avraham] was [Isaac's] birth. The second [birth of Isaac] was prepared for at another זקנה of Avraham – this is the akeidah.

לזקניו טעם ההודעה גם אומרו לזקוניו ולא אמר לזקנתו, למה שכתבנו
כי היה חסר בעת הלידה נפש מעולם העליון להוליד, ולא היתה לו אלא מעלמא דנוקבא...
ואם לא היתה ליצחק אלא הנפש שמעלמא דנוקבא, והיה חסר הכנת הקבלת נפש מעלמא דדכורא, לא תועיל לו העקידה.

וזה הוא שדקדק לומר ותלד וגו' הודיע שילדה לב' זמני זקנתו. הא' הוא עת לידתו, והב' היא הכנה לעת זקנה אחרת של אברהם שהוא זמן העקידה.

Context: Plural term לְזִקְנָיו

[Genesis 21:2](#)

וַתְּהַרְוֶהָ וַתֵּלֶד שָׂרָה לְאַבְרָהָם בֶּן לְזִקְנָיו
לְמוֹעֵד אֲשֶׁר-דִּבֶּר אֱלֹהִים:

Sarah conceived and bore a son to Abraham
in his old age [lit: **in his old ages**],
at the set time of which God had spoken.

“Queer” interpretation of Isaac

- “Isaac’s feminine strength... lies in his ability to submit and to exist within the power dynamics dictated by the *akeidah* role-play.”

-- Jay Michaelson in a paper cited by Abby Stein in 2019

Kabbalah and Queer Theology: Resources and Reservations (July 22, 2012).

Available at

<https://ssrn.com/abstract=2150725> or <http://dx.doi.org/10.2139/ssrn.2150725>

Related to the idea that Isaac embodies the feminine quality of גְבוּרָה (restraint), which allowed him to submit to the *akeidah*. So grounded in kabbalah but disturbing.

Abraham	Kindness	Male	חֶסֶד	Chesed
Isaac	Restraint	Female	גְבוּרָה	Gevurah
Jacob	Beauty	synthesis	תְּפִאֶרֶת	Tif'eret

Isaac יִצְחָק - What have we learned?

1. His “female soul” is not affirmed.
2. Femaleness is a lack of maleness – a defect.
3. Isaac transforms.

An inadequate boy with a female soul becomes a proper man who can procreate through the merit of the *akeidah*.

נְפֹשׁ (Nefesh) = soul / breath / living thing

גוף (Guf) = body

Is the soul נְפֹשׁ separate from the body גוף, or the life force of the body?

Gender / sex dualism – does it fit the Jewish idea of the soul?

Michal מיכל

Rabbi Simcha Feuerman, DHL, LCSW-R wrote for [NEFESH](#), The International Network of Orthodox Mental Health Professionals

There is a Talmudic tradition that **Michal, daughter of King Saul, and wife of King David wore tefilin.**

However, Kaf Hachayyim raises a question as to why her wearing tefilin, a man's vestment, was not a violation of lo tilbash? [cross-dressing]

Kaf Hachayyim provides a novel answer: (based on kabbalistic sources) **Michal knew through divine inspiration that she had the soul of a man.**

This is remarkable. ...The Torah allows for unfolding of old perspectives onto genuinely new situations.

... the implication is that one who has the body of a female but the soul of a man would not be violating lo lilbash! How is this possible? ... [since] halakhic rulings are based on observable phenomena ...

One answer, though unlikely, is to consider the **prohibition as referring to the soul gender and not the body gender** for those who divinely ascertain this information.

Or, we might propose that a prohibition **when transgressed in the spirit of the correct gender is not considered a violation.** In other words, since the person subjectively believes him or herself to be of a particular gender, then it is acceptable.

This second approach, while quite novel, does manage to avoid the problem of a ruling based on non-observable phenomena. How so? When it comes to matters that pertain to self-intention, there is halakhic precedent for basing a decision based on internal subjectivity such as we find by oaths...

Who was Michal מִיכַל?

[1 Samuel 18:20](#) Only woman in the bible to fall in love (aside from Shir Hashirim).

Michal bat Sha'ul had fallen in love with David; וַתִּאָהֵב מִיכַל בֵּת-שָׁאֻל אֶת-דָּוִד

She saved David's life [1 Samuel 19:11-13](#)

Saul then married her off to [Paltiel](#). She was later [reclaimed by David](#).

[David then rejected her](#) after [she was incensed by his risqué dancing](#) in the street.

Michal had no child until the day she died. [2 Samuel 6:23](#)

וְלִמִּיכַל בֵּת-שָׁאֻל לֹא-הָיָה לָהּ יֶלֶד עַד, יוֹם מוֹתָהּ:

So to her dying day Michal bat Sha'ul had no children.

Tefillin – some background

- Tefillin are a positive timebound commandment.
- There is a general principle that [women are exempt](#) from many such mitzvot but can perform them voluntarily – a *reshut* רשות.
Ashkenazi women will even say the bracha.
- Tefillin are a complicated special case as there is a concern for
 - 1) inappropriate thoughts ([hese'ach ha-da'at](#)) / a clean mind
 - 2) a [clean body \(guf naki\)](#).
- This leads many halachic authorities to protest against women wearing tefillin
- Those who are not obligated may not take the mitzvah seriously enough to maintain (1) and (2) at all times.

Clean bodies and clean minds

[Shulchan Arukh, Orach Chayim 38:3](#) (1563 CE)

שולחן ערוך, אורח חיים ל"ח:ג' נשים ועבדים פטורים מתפילין מפני שהוא מצות עשה שהזמן גרמא: הגה ואם הנשים רוצים להחמיר על עצמן מוחין בידם [כל בו]:

- Women and slaves are exempt from Tefillin because it is a positive commandment which is caused by time. **Rema:** And if the women want to be stringent for themselves, **we protest against it** (Kol Bo).
- The Rema (above) cites the Kol Bo, by the Maharam (Lublin 1558 – 1616).
- The Maharam forbade women from wearing tefillin, as he was concerned they would not be careful to keep clean (guf naki)
- The Rema (Rabbi Moshe Isserles) is contemporary with the Shulchan Aruch (Joseph Karo), providing an Ashkenazi perspective.
- The Rema also ruled that men should not lay tefillin if they are prone to sexual thoughts.

Cross-dressing

[Deuteronomy 22:5](#) (Parshat Ki Tetzeh):

לֹא-יְהִיָּה כְּלִי-גִבּוֹר עַל-אִשָּׁה וְלֹא-יִלְבַּשׁ גִּבּוֹר שְׂמֹלֶת אִשָּׁה כִּי תוֹעֵבֶת יְהוָה אֲלֵהֶיךָ
כָּל-עֲשֵׂהָ אֵלֶּה:

A man's article shall not be on a woman, neither shall a man wear a woman's garment; for whoever does these things is an abomination to the Lord your God.

- not the usual reason given to prohibit tefillin for women.
- Exception: [Targum Jonathan](#) (date unknown) regards tallit and tefillin as כְּלִי גִבּוֹר.
- This is an **essentialist approach** to Deut 22:5
- More standard is the **functionalist approach** of Sifri and Rashi:
Prohibition is a guard-rail to prevent sexual immorality or idolatry. See [Ronit Irshai](#)

Tefillin: The Michal Problem

[Eruvin 96a-96b \(450-550 CE\)](#)

...it was taught in a *baraita*: **Michal, daughter of Kushi, King Sha'ul, would don tefillin, and the Sages did not protest against her** behaviour...similarly, Jonah's wife would undertake the Festival pilgrimage and the Sages did not protest against her practice. From the fact that the Sages did not protest against Michal's donning tefillin, it is apparent that these Sages hold that tefillin is a positive mitzva not bound by time

... But perhaps [on the contrary] the *tanna* holds that, as in the case of women who lay their hands on an animal for sacrifice, **this is a *reshut***

... After all, who can deny that the pilgrimage is a timebound commandment? **As that practice is optional, so is this one optional.**

עירובין צו א-ב: אֶלָּא הָאִי תַנָּא הוּא
דְּתַנְיָא: מִיכַל בֵּית כּוֹשֵׁי הֵיטָה מִנַּחַת
תְּפִילִין וְלֹא מִיחוּ בָּהּ חֲכָמִים,

וְאִשְׁתּוֹ שֶׁל יוֹנָה הֵיטָה עוֹלָה לְרֶגֶל וְלֹא
מִיחוּ בָּהּ חֲכָמִים.

מִדְּלֹא מִיחוּ בָּהּ חֲכָמִים הֵן אֶלְמָא קִסְבְּרִי
מְצוֹת עֲשֵׂה שְׁלֹא הִזְמֵן גְּרַמָּא הִיא.

... וְדִילְמָא סָבַר לֵה כְּרַבִּי יוֹסִי, דְּאָמַר:
נָשִׁים סוּמְכוֹת רְשׁוּת

... מִי אִיכָּא לְמַאן דְּאָמַר רְגַל לָאוּ מְצוֹת
עֲשֵׂה שֶׁהִזְמֵן גְּרַמָּא הוּא? אֶלָּא קִסְבְּרִי
רְשׁוּת, הֵכָּא נְמִי רְשׁוּת.

Talmud Bavli on Michal (summary)

- Eruvin 96a-96b debates whether tefillin are a timebound commandment or not in the context of wearing them on Shabbat.
- The story is given that **Michal wore tefillin and the Sages did not protest.**
- They suggest that perhaps this means tefillin are *not* a timebound commandment, so women are obligated.
- They conclude that tefillin are timebound, but that **Michal's action was a *reshut* רְשׁוּת, and therefore acceptable.**

(1) *chiyuv* (obligation) חַיִּיב

(2) *reshut* (optional) רְשׁוּת

(3) *assur* (forbidden) אָסוּר

?

Which of these applies to women wearing tefillin?

Is Michal normal or exceptional?

Jerusalem Talmud Berachot 2:3:9 (375-425 CE)

תלמוד ירושלמי ברכות ב'ג'ט'... את שהוא חייב בתלמוד תורה חייב בתפילין. נשים שאינן חייבות בתלמוד תורה אינן חייבין בתפילין. התיבון הרי מיכל בת כושי היתה לובשת תפילין. ואשתו של יונה היתה עולה לרגלים ולא מיחו בידיה חכמים. רבי חזקיה בשם רבי אבהו אשתו של יונה הושבה. מיכל בת כושי מיחו בידיה חכמים.

...Anyone who is obliged to study Torah is obliged for *tefillin*, women who are not obliged to study Torah are not obliged for *tefillin*. They objected, but did not Michal, the daughter of the Kushi, wear *tefillin*, and did not the wife of Jonah make the pilgrimage to the Temple, and the sages did not object?

Rebbi Hisqiah in the name of Rebbi Abbahu: Jonah's wife was turned back;

The sages forbade it to Michal the daughter of Kushi.

(1) *chiyuv* (obligation) **חייב**

(2) *reshut* (optional) **רשות**

(3) *assur* (forbidden) **אסור**

?

Which of these applies to women wearing tefillin?

Is Michal normal or exceptional?

Is Michal a precedent for other women?

Rabbeinu Tam (1100-1171): Jerusalem Talmud objects only because Michal wore tefillin on Shabbat – not allowed for women on Shabbat as for them it is just a *reshut*.

Sefer Hachinuch (1255-1285) 421:9

Women may wear tefillin if they wish, and obtain a reward. Cites , citing Eruvin 96a.

... וּמְכַל מְקוֹם אִם רָצוּ לְהַנִּיחַ אֵין מְמַחִין בְּיָדוֹ, וְשָׂרָר יֵשׁ לָהֶן, ... וּבְמִסְכָּת עֵרוּבִין בְּרִישׁ פְּרָק
הַמוֹצֵא תַפְלִין (צו, א) אָמְרוּ זְכוֹרוֹנָם לְבִרְכָה, שְׂמִיכַל בֵּית שְׂאוּל הֵיטָה מִנְחַת תַּפְלִין וְלֹא מַחוּ
בְּיַדָּה חֻכְמִים ... אֲשֶׁתּוֹ שֶׁל יוֹנָה...

... And nonetheless, if they want to lay tefillin, **we do not protest** [against them] and there is reward for them... And in Tractate Eruvin 96a in the chapter entitled *Hamotseh Tefillin*, they, may their memory be blessed, said that Michal bat Sha'ul would lay tefillin and **the Sages did not protest against her**. [similarly, Jonah's wife]

Rashba (1235 – 1310 CE) agrees and says that Michal presumably said the brachah.

Michal is not like other women.

It was OK for her, but not for normal women.

Ritva (1260-1320)	Most women are incapable of being careful with clean minds and bodies, but some special women like Michal can.
Maharshal (16 th century)	Michal ...was a totally righteous woman, and the wife of a king, also she had no offspring, and she was able to keep herself in cleanliness, which is not so for other women.
Olat Tamid (17 th century)	Menopausal women can observe <i>guf naki</i> so can lay tefillin. Michal was childless because she was menopausal.
Aruch HaShulchan (late 19 th century)	Tefillin requires careful attention. Women are not careful because they are not obligated. Michal bat Sha'ul was a "totally righteous woman" and she knew to take care.

But what if other women copy Michal?

It doesn't matter.

[Seridei Eish](#) by Rav Yechi'el Ya'akov Weinberg (1884-1966)

Why did the sages not protest? What about the prohibition of **cross-dressing**?

Answer: וע"כ [=ועל כן] שמכיון שמתכוונת לשם מצוה אין כאן איסור לא ילבש

It must be that, since her intention is for the sake of the mitzva, **there is no prohibition here** of not wearing [a man's garb].

Yes it does matter!

[Maharam Schick](#) (1807-1879) It is **yuhara יוהרא [arrogance]** ...and there is a concern that also others [women] will follow her example [Michal bat Sha'ul] although they are not scrupulous [with regard to matters of piety].

Cross-dressing

[Deuteronomy 22:5](#) (Parshat Ki Tetzeh):

לֹא-יְהִיָּה כְּלִי-גִבּוֹר עַל-אִשָּׁה וְלֹא-יִלְבַּשׁ גִּבּוֹר שְׂמֹלֶת אִשָּׁה כִּי תוֹעֵבֶת יְהוָה אֲלֵהֶיךָ
כָּל-עֲשֵׂהָ אֵלֶּה:

A man's article shall not be on a woman, neither shall a man wear a woman's garment; for whoever does these things is an abomination to the Lord your God.

- not the usual reason given to prohibit tefillin for women.
- Exception: [Targum Jonathan](#) (date unknown) regards tallit and tefillin as כְּלִי גִבּוֹר.
- This is an **essentialist approach** to Deut 22:5
- More standard is the **functionalist approach** of Sifri and Rashi:
Prohibition is a guard-rail to prevent sexual immorality or idolatry. See [Ronit Irshai](#)

Michal מיכל

Rabbi Simcha Feuerman, DHL, LCSW-R wrote for [NEFESH](#), The International Network of Orthodox Mental Health Professionals

There is a Talmudic tradition that **Michal, daughter of King Saul, and wife of King David wore tefilin.**

However, Kaf Hachayyim raises a question as to why her wearing tefilin, a man's vestment, was not a violation of lo tilbash? [cross-dressing]

Kaf Hachayyim provides a novel answer: (based on kabbalistic sources) **Michal knew through divine inspiration that she had the soul of a man.**

This is remarkable. ...The Torah allows for unfolding of old perspectives onto genuinely new situations.

... the implication is that one who has the body of a female but the soul of a man would not be violating lo l'ilbash! How is this possible? ... [since] halakhic rulings are based on observable phenomena ...

One answer, though unlikely, is to consider the **prohibition as referring to the soul gender and not the body gender** for those who divinely ascertain this information.

Or, we might propose that a prohibition **when transgressed in the spirit of the correct gender is not considered a violation.** In other words, since the person subjectively believes him or herself to be of a particular gender, then it is acceptable.

This second approach, while quite novel, does manage to avoid the problem of a ruling based on non-observable phenomena. How so? When it comes to matters that pertain to self-intention, there is halakhic precedent for basing a decision based on internal subjectivity such as we find by oaths...

Kaf Hachayyim (Chatam Sofer 1900-1940) A

As stated by the Rema: And if women want to be stringent for themselves, we protest against it. *Birkat Yosef* agrees and also the Rabbi of *Beit Hillel*.

The Targum (Jonathan) quotes from *Parshat Ki Tetzeh*: “A woman must not don a man’s apparel” . **Tzitzit and tefillin are men’s apparel and should therefore not be upon a woman.**

We learn from this that **women are not just exempt from [the mitzot of] tzitzit and tefillin, but they actually cross a line by performing these...**

Also see *Shomer Emunim* on *Parshat Ki Tetzeh*, regarding “A woman must not don man’s apparel.” By “a man’s apparel” he means tefillin...that **this is a secret from the male realm. Therefore, there is no proof [that women may do so] from Michal bat Sha’ul -- that she donned tefillin.**

(ט) שם הגהה. ואם הנשים רוצים להחמיר על עצמן מוחזין בידם, וכן הסכים הברכ"י אות א' יעו"ש ועיין להרב בית הלל ז"ל ביו"ד סי קפ"ב סק"ב שהביא משם תרגום יב"ע סדר תצא בפ' לא יהיה כלי גבר על אשה דמתרגם לא יהא גולין דציצית ותפילין דהינון תיקוני גבר על איתתא ע"כ, דש"מ דלא לבד שהיא פטורה מציצית ותפילין אלא דגם עוברת בלאו, והביאו פתח הדביר אות ב' יעו"ש.

ועוד עיין בס' שומר אמונים פ' כי תצא בפ' לא יהיה כלי גבר על אשה שכתב וז"ל כלי גבר בא"ת ב"ש גי' זו תפילין שהן סוד עלמא דדכורא וכו' ואין ראיה ממיכל בת שאול שהיתה מנחת תפילין ע"כ.

Kaf Hachayyim (Chatam Sofer 1900-1940) B

Bring now *Yafeh Lalev*, who [wrote](#):

While it is true that there is no proof from Michal Bat Sha'ul, it is possible to say that **Michal bat Sha'ul was a wise woman, who knew that she herself had a soul from the realm of the masculine**, and thus it is said "And Michal bat Sha'ul **had no child.**"

And see also [Sha'ar Hagilgulim](#), chapter 9. He wrote that that **a woman who is a reincarnation of a male soul is not able to get pregnant** unless she possesses great merit and thus conceives through receiving an *ibur* from another woman who is fully female.

והביאו יפה ללב ז"ל אות ב' וכתב דמ"ש ואין
ראיה ממיכל בת שאול וכו' אפש"ל דמיכל
בת שאול היתה אשה חכמה וידעה בעצמה
שהיתה לה נשמה מעלמא דזכורא ולכך
ולמיכל בת שאול לא היה לה ולד עכ"ל.

ועיין שער הגלגולים הקדמה ט' שכתב
שאשה שמגולגל בה נשמת זכר א"א לה
להתעבר אם לא ע"י זכות גדול שתתעבר בה
איזה נשמת אשה נקבה אחרת בסוד עיבור
וכו' יעו"ש ועיין מש"ל סי' טו"ב אות ה'.

Kaf Hachayyim: What are his sources?

Birkei Yosef by Chaim Yosef David Adulai 1724-1806 (the Chidah):
mixture of halacha and kabbalah rooted in the work of the Arizal

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Sha'ar Hagilgulim

Gate of Reincarnations by Isaac Luria (Arizal) 1534-1572 / Chaim Vital 1542-1620)

The idea that ***tefillin are a secret of the male realm*** comes from the Arizal as quoted by the Ben Ish Chai in *Sod Yescharim* 12

Sha'ar HaGilgulim / Gate of Reincarnations 9:1

Understand, that **reincarnation occurs for men who are male but not for women who are female...** This is because men, who are commanded with the mitzvah of studying Torah, cannot enter Gehinom, as the fire of Gehinom does not affect them... But **women, who do not study Torah, they are able to enter Gehinom, and to be cleansed from their sins there, so they do not need to reincarnate.**

However, even though they are not able to reincarnate, they [female souls] **may occasionally perform the secret of ibur (impregnation), with the spark of new female souls for women.** Also know that it is possible that after entering a certain woman performing the secret of ibur, if that woman becomes pregnant and bears a female daughter, it is possible that this woman who performed the secret of ibur, that **she will now be reincarnated completely in this daughter who is now born.**

... דע, כי מדת הגלגול נוהגת באנשים הזכרים, ולא בנשים הנקבות...
... כי האנשים לפי שמקיימים מצות עסק התורה, אינם יכולים ליכנס בגיהנם, כי אין אור של גיהנם שולטת בהם.... אבל הנשים שאינם עוסקות בתורה, יכולים ליכנס בגיהנם למרק עונותיהם ואינם צריכים להתגלגל.

האמנם אע"פ שאינם מתגלגלות, הנה הם באות לפעמים בסוד העבור, עם נצוצי נשמות חדשות נקבות כנשים. גם דע, כי אפשר שאחר שבאה בסוד העבור באיזו אשה, אם האשה היא תתעבר ותהר ותלד בת נקבה, אפשר שאותה שבאה בה בסוד העבור, תתגלגל עתה בבחי' גלגול גמור, בבתה הנולדת לה עתה:

Sha'ar HaGilgulim / Gate of Reincarnations 9:2 A

Sometimes a man may reincarnate into the body of a woman because of a sin, such as **homosexuality** or something similar. This woman who has received the soul of a man **will not be able to conceive and become pregnant**. This is because she lacks [the ability] to raise female waters, and she therefore cannot receive male waters.

This woman will need great merit to enable her to become pregnant and give birth. The only way it can be done is that **some other feminine soul must enter her as an *ibur***. By the strength of this partnership, she will be able to raise up female waters, get pregnant and give birth.

גם דע, כי לפעמים יתגלגל האיש בגוף נקבה, לסבת איזה עון, כמו משכב זכור וכיוצא בו. והנה הנקבה הזאת שהיא גלגול נשמת זכר, אינה יכולה לקבל הריון ולהתעבר, לפי שאין לה בחי' מיין נוקבין להעלות ולקבל טפת מיין דוכרין,

והנה האשה הזאת צריכה זכות גדול לשתוכל להתעבר ולהוליד, ואין לה מציאות אחר, זולתי שתתעבר בה איזו נשמת אשה נקבה אחרת בסוד העבור, ובכן בכח שתופה עמה, תוכל לעלות מיין נוקבין, ולקבל הריון ותלד.

Sha'ar HaGilgulim / Gate of Reincarnations 9:2 B

Nevertheless, **she will be unable to give birth to male children**, for two reasons.

First, it says in the Torah “When a woman gives forth seed and gives birth to a male”

[Thus is reference to *Berachot* 60a, also *Nidda*: "If a woman 'puts forth seed' first, then a boy will be born. **If the man puts forth seed first, then a girl will be born.**"]

Since **this woman is male like her husband**, she cannot give birth to males, only to females.

Second, [because she became pregnant as a result of an *ibur*]. Once she gives birth, the soul that entered as a *ibur* will enter as a complete reincarnation, not just as an *ibur* like it was at first. Therefore, the child will be female and not male.

אמנם אי אפשר לה ללדת בנים
זכרים לשתי סבות, האחת היא,

לפי שהכתוב אומר, אשה כי תזריע
וילדה זכר,

אבל כאן האשה היא זכר כבעלה,
ואינה יכולה ללדת זכרים אלא
נקבות.

הסבה הב' היא, ... ואז בעת שיוולדת
נכנס בה הנשמה ההיא של סוד
העבור, ואז הולד ההוא יוצא נקבה
ולא זכר, ואז היא שם בבחי' גלגול
ממש, ולא עבור כבתחלה

Who was Chaim Vital?

[Sha'ar Hagilgulim](#) by Chaim Vital (1542-1620) based on shiurim by Isaac Luria (Arizal 1534-1572) Most works of the Arizal were written down by Vital (like Plato / Socrates)

[Chabbad website](#): “In Chapter 38 [of Sha’ar HaGilgulim], the Ari will actually relate that **the first wife of Rabbi Chaim Vital was the *gilgul* of a soul of the type discussed here in this section. That is why she could not give birth to a son.**

Rabbi Shmuel Vital, the son of Rabbi Chaim, through whom the Lurianic tradition was transmitted, was the son of Rabbi Chaim's second wife, who was actually his soul mate.”

[Wikipedia](#): **Vital apparently married at a young age. It was an unhappy marriage, and when he left his wife**, the prophet Elijah appeared to him in a dream and led him to a beautiful garden... Convinced by this vision that he was destined to become a kabbalist, Vital devoted the following two and a half years to the study of alchemy. Upon completing his studies, Elijah appeared to him again in a vision and told him that he would succeed in his efforts and write a commentary on the *Zohar*.

[Rav Chaim Vital's Freudian Dream](#):

Vital believed his first wife performed witchcraft on him. [What is her real story?]

Questions

1. Do these narratives really fit the idea of “born trans” or gender different from sex?
2. Should we be inspired by these narratives?
(Are they progressive? Are they feminist?)
3. Are we sufficiently critical of scholars who find inspiration in these narratives?

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Kaf Zechut – Point of Mitigation

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Why does it matter who R Falaji's brother was?

Rabbi Yosef Palaji פלגי of Izmir wrote a book called *Yosef et Ehhav*

Contains a [halachic ruling](#) about a woman who transforms into a man:
that he/she does not require a get.

Cites a book called *Yad Ne'eman* by HaRav Shlomo Miranda, that discusses such transformations.

Cited by the Tzitz Eliezer in famous 1967 [teshuvah](#) that is often misunderstood as implying that one can medically change sex.

Conjecture

- Rachamim Palagi knew about the Yad Neeman through his brother Yosef.
- He knew that sometimes “women” turn out not to be women, but males who are born looking like girls. At puberty, their maleness shows itself (more or less).
- extremely rare, but can happen. PAIS, 5-ARD. Usually infertile even if they do masculinise.
- A baby may also appear “male” but be female ([CAH](#)). More common than XY “females” but such babies may have died before modern medicine.
- Various other developmental disorders (DSDs) that cause infertility or sex-ambiguity.
- **Is it possible that the Arizal or Chaim Vital also knew of such individuals?**

Does it help?

- May explain the narratives about infertility.
- Projecting narratives of being born as an infertile woman to atone for past sins (homosexuality)
 - not helpful at all to those with medical conditions!
- Offensive to view infertile men as “feminine.”
- Transing of Michal was still done to rationalise preventing women from laying tefillin.

Bodies and Souls

נֶפֶשׁ (Nefesh) = soul / breath / living thing

גוף (Guf) = body

Can we separate the soul נֶפֶשׁ separate from the body גוף?

What is a man with a soul (life force) from the “feminine realm”?

What is a woman with a soul (life force) from the “masculine realm”?

(1) Gender Nonconformity (2) Infertility

Trans: A term to describe people whose **gender is not the same as**, or does not sit comfortably with, the **sex** they were assigned at birth.

<https://www.stonewall.org.uk/resources/list-lgbtq-terms>

Back to Cross-dressing

[Deuteronomy 22:5](#) (Parshat Ki Tetze):

לֹא-יְהִי כְלִי-גִבּוֹר עַל-אִשָּׁה וְלֹא-יִלְבֹּשׁ גִּבּוֹר שְׂמֹלֶת אִשָּׁה כִּי תוֹעֵבֶת יְהוָה אֲלֵהֶּיךָ
כָּל-עֲשֵׂה אֵלֶּה:

A man's article shall not be on a woman, neither shall a man wear a woman's garment; for whoever does these things is an abomination to the Lord your God.

- **functionalist approach** safeguarding single sex spaces to prevent immorality
- **essentialist approach** mandates conformity with gender norms
- Paradox: Gender norms are themselves socially constructed
- Metaphysical essentialism: Elements from **masculine realm, feminine realm**.
- How do you solve a problem like Michal or Dinah?

Trans away the gender nonconformity

- Harmful