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MODERN ORTHODOXY IN ISRAEL

Charles S. Liebman

Israeli Orthodoxy has a bad name among most American Jews and probably most Israelis. The rabbinical establishment, rabbinical courts, and religious parties are perceived as reactionary, fossilized, resistant to any change in the realm of religion and culture. But it would be a mistake to assume that resistance to change characterizes religious (Orthodox) Jews in Israel. Among them, new attitudes and outlooks are to be found; some congenial to the observer, others not. The most dramatic change of all is that which is taking place among the modern Orthodox.

To understand the significance of this change we must understand something of the structure of Orthodox Judaism. Orthodoxy's distinguishing characteristic is its affirmation of the binding nature of halakha (Jewish law). Jewish law like any law is subject to interpretation. And since there is no legislative authority within the halakhic system, the authoritative interpretation of Jewish law, certainly in the minds of Orthodox Jews rests with those who have a mastery of sacred texts. This mastery requires many years of intensive study. The study itself and the milieu in which that study occurs generates a whole set of assumptions about the essence and the boundaries of halakha, about relationships between observant and non-observant Jews, about the nature of modern society and about threats to the halakhic system. The product of this system is a master of sacred texts whose reference group is composed of other masters of Jewish text. It is the praise of his peers which the halakhic authority most avidly seeks, their

opprobrium which he most assiduously avoids. As a result, those with the authority to innovate or at least legitimate new modes of thought, new outlooks, new attitudes within Orthodoxy are least likely to do so.

Modern Orthodoxy is broadly defined as the effort to adapt Orthodox Judaism to modernity and to avoid the social and/or cultural isolation which living in strict accordance with halakha would seem to impose. Two groups of Jews fall under the rubric modern Orthodox. There are those Orthodox Jews who conduct much of their lives as do others of similar age, occupational, educational and social standing. They are able to do so by ignoring those aspects of halakha which they find most cumbersome or onerous and/or by a process of compartmentalization in which they apply Jewish law to some but not to other aspects of their lives. Sometimes this is accompanied by feelings of guilt, sometimes not. The stereotypical category of the modern Orthodox are the upwardly mobile, professionally successful American Orthodox Jews who in the search to enjoy the material fruits of their own success as well as benefit from technological advances and new cultural mores take liberties with Jewish law while remaining faithful to its general mandates.

But the term modern Orthodox is sometimes used to refer to a different group and a different orientation. In the 1960's, a decade when modern Orthodoxy as a self conscious orientation reached its peak in the United States, Rabbi Emanuel Rackman, the leading figure, within the United States, in this second type of modern Orthodoxy, described it as an orientation confined to "no more than a coterie of a score of rabbis in America and in Israel whose interpretations of the Tradition have won the approval of Orthodox intellectuals who are knowledgeable in both Judaism and Western civilization".

This group struggled to reconcile Jewish law and the mores and values of contemporary western culture through a reinterpretation of the Jewish tradition while maintaining rigorous adherence to halakha. Most of the modern Orthodox rabbis in the United States whom Rackman had in mind were products of or associated with Yeshiva University. In Israel, modern Orthodoxy was associated with the cause of religious Zionism. Whereas modern Orthodoxy and religious Zionism were never identical they shared many of the same values and many of the same adherents. Since the vast majority of rabbinical authorities opposed Zionism, any Orthodox Jew who favored Zionism had to be something of a rebel.

The first type of modern Orthodoxy, that which might be termed an Orthodoxy of convenience has maintained a certain stability. As long as the modern Orthodox “sinners” don’t seek to legitimate their “sins” in halakhic terms, the leadership of the Orthodox world, the masters of Jewish law in particular have no particular difficulty with them. Every organized religion comes to terms, in one way or another, with the religious laxity that characterize many of its adherents. It is the second form of modern Orthodoxy that is far more threatening to the religious elite. Elsewhere I have tried to show why this form of modern Orthodoxy has virtually disappeared in the United States¹ This is also true in Israel or it certainly appeared to be so in the last two decades. There the term haredization is frequently heard. This refers to the process in which religious Zionists have increasingly come to resemble the haredi or ultra-Orthodox community. The one exception is religious Zionist opposition to any surrender of territory to the Palestinians;

¹ I have described the disappearance of modern Orthodoxy in a number of articles some of which appear in Charles Liebman, Deceptive Images: Toward A Redefinition of American Judaism (New Brunswick: Transaction Books, 1988).

an attitude with which the haredi community is increasingly sympathetic but for which its leaders are unwilling to sacrifice other political benefits.

Nevertheless, contrary to all expectations, a new modern Orthodox elite has emerged in the past few years. The fact is that the social basis for its emergence is so obvious that it shouldn't have surprised observers of Israeli life. But it is always easier to be wise after the fact.

The most dramatic expression of the emergence of this new modern Orthodox elite is found in two recent collections of articles, both in Hebrew. The first collection edited by Avi Sagi and Zeev Safrai, titled Between Authority and Autonomy in Jewish Tradition was published in 1997 and the second edited by Menachem Mautner, Avi Sagi and Ronen Shamir titled Multiculturalism in a Democratic and Jewish State was published in 1998. Some of the articles, especially in the first volume, were reprints of previously published articles, a few by eminent authorities such as Jacob Katz or Ephraim Urbach who are now deceased. Not all the authors in the second volume, are Orthodox, i.e. religiously observant. But I counted 24 contributors whom I know are religiously observant Israelis at the beginning of or in mid careers. Their articles, both in these volumes as well as in other publications, reflect this new modern Orthodoxy. Similar types of expressions are to be found in other books and articles published in the last two or three years. The new expression of modern Orthodoxy is far more radical than anything which preceded it

Many of the articles suggest new interpretations of this or that aspect of the Judaic tradition; interpretations that argue for a closer conformity between Tradition and feminism, or the rights of Arab Israelis, or the right to offend religious sensibilities.

Many of the articles, generally in the name of the Tradition itself, argue on behalf of greater individual autonomy, question the authority of halakhic masters to rule on many issues including political issues and raise the question of how one resolves issues where the straightforward understanding of the canonical text offends one's moral sensibilities.. The most radical of all discuss the very nature of the halakhic process. Some indicate that there are legitimate modes of halakhic interpretation which are not presently applied; in some cases the authors restructure past halakhic decisions into new conceptual categories which not only explain differences of opinion among the rabbis but conclude that were we to adopt an alternate conceptual category we would arrive at very different halakhic conclusions. Other authors question the very notion of an halakhic system. Not all, perhaps not even most of the ideas are entirely new. What is entirely new is that they are being articulated all at once, in what appears to be a sustained manner by a large group of religiously observant scholars writing in a non-apologetic style.

How is one to explain the emergence of this new more radical phase of modern Orthodoxy in Israel rather than in the United States and precisely at a time when it appeared as though the Orthodox world was moving increasingly in the direction of ultra-Orthodoxy. It seems to me that there are two related explanations.

Orthodox or religious Jews in Israel (in Israel the term religious is synonymous with Orthodox, religious Jew with Orthodox Jew), constitute about one-fifth of the Jewish population. The proportion of the population which defines itself as religious is growing, albeit slowly, largely due to its higher birth rate than the non-religious Jewish population. There are some converts from non-religion to religion (a phenomena which was once ignored by the media and is now exaggerated), but there is also leakage out of

Orthodoxy, a phenomena which until now has been virtually unexplored. Despite this leakage, the religious community in Israel, or more properly the various religious communities feel increasingly secure from the threat of disaffection. This security is based, in no small measure on their perception of an absence of alternatives. Secularism no longer provides serious competition, ideologically or culturally to anyone with a strong commitment to Judaism or even to Jewish nationalism. The whole gamut of consumerist, post-modern western culture is available in Israel ,some of it even produced there (MTV viewers are aware of the newest singing sensation, the Israeli transsexual Dana International, winner of the last Eurovision competition). There are individual works of art or literature in which Judaism or Jewishness is a central motif. But for those who seek an encompassing culture whose Jewish component is a central one, or who look for a manner of expressing their pride and commitment to their Jewish past, there is little to satisfy their appetite outside the religious communities. These religious communities have become increasingly insular for a variety of reasons. One reason is that they now possess the resources and the talent to satisfy the demands of their adherents in realms of culture where, only two or three decades ago, religious influences were not to be found . Secular Judaism, once a lively component of Israeli culture is now moribund. To put it another way, if one is raised as a religious Jew and continues to harbor strong commitments to the Jewish past one has nowhere to go outside the religious community. Those who no longer believe in the tenets of Orthodoxy and/or no longer find its rituals compelling, can choose to become secular but they will feel increasingly uncomfortable in expressing their Jewish commitments.

As a result, the religious communities of Israel feel secure. And it is this security which allows a latitude of thought and expression which American Orthodoxy cannot permit itself. Religious Jews in Israel have no sense of some slippery slope of religious practice in which one easily slides from Orthodoxy into Conservatism, Reform, intermarriage and assimilation . In fact, this latitude extends to religious practice as well. This is so recent a phenomena that it has yet to catch the attention of many observers though it is described in a forthcoming study of Israeli Orthodoxy by Yair Sheleg..

What I have described here is accompanied by a second phenomena of very recent vintage. The entry of dozens of men and women with excellent backgrounds in sacred text, the products, in most cases of advanced yeshivot for men and women, into the academic disciplines of law, philosophy, history, literature and of lesser importance into the social sciences. The expansion of Israeli yeshivot in Israel and the growing number of students in these yeshivot, is well known. I confine my attention at this point to non-haredi yeshivot. Some products of these yeshivot enter the rabbinate and Jewish education. Others, once they complete their army service, a service which the army permits one to undertake simultaneously with study in a yeshiva, may enter universities. Here they undertake more or less the same kinds of studies and pursue the same kinds of careers that non-religious Israelis pursue. Up until recently a disproportionate number were attracted to the study of law and business in preparation for careers in these fields and many of them rose quickly to the top echelons of these professions. Others pursued careers in the natural sciences and one finds a disproportionate number of Orthodox Jews among the natural scientists. But it is only the last two decades, the last decade in particular, that we find significant numbers of religious youngsters entering into

advanced study of law and the humanities. Some already hold academic appointments. What they have been doing, some in addition to their other academic work, others as the core of their academic work, is applying the tools of their disciplines to the analysis of the Jewish Tradition; to sacred texts, to Jewish thought and above all to Jewish law. The results, as evidenced in the two volumes already mentioned or in other articles and books, few of which have been translated into English², is a new and radical view of the tradition. There is no question that many of these articles stretch the boundaries beyond that which any religious tradition would deem legitimate. The article on feminism in the volume on Multiculturalism, written by Tamar Ross of Bar-Ilan University and Yehuda Gelman of Ben Gurion University has already created quite a stir, embraced with enthusiasm by many Orthodox feminists but vigorously criticized by other Orthodox Jews although it is interesting that the most vituperative of the attacks came from an Orthodox scholar at Yeshiva University, not by an Israeli. Without making any judgements about the Ross and Gelman article, I believe it inevitable that some of the scholars I have mentioned are going to cross the line of Orthodox legitimacy. This is the price that one pays for new and creative thought, which, as another of the authors indicates is only responsive to the canons of rational and moral thought.

When I ask some of these people how they square their own strict standards of halakhic behavior or their belief that Jews are obligated to observe halakha with what they write, when I ask them if they don't believe that their own analysis of Jewish law

² Two exceptions are Moshe Halbertal, People of the Book: Cannon, Meaning and Authority (Chicago: University of Chicago Press, 1997), and Menahem Fisch, Rational Rabbis: Science and Talmudic Culture (Bloomington: Indiana University Press, 1997).

undermines the basis upon which the system of halakhic observance stands, foremost among them being a confidence in the existence of an halakhic system which can be objectively determined and the obligation to accept the interpretation of the rabbis as authoritative, they look at me in puzzlement. I find it hard to believe that many of these individuals whom I both admire and number among my good friends are as naive as they appear to be on this matter. My only explanation is that their own pattern of halakhic observance and their own commitment to Jewish law is built on a set of assumptions about the conduct of one's life, of family ties, of childhood socialization, of such rich associations with the Jewish tradition that they cannot appreciate the fragile nature of any religious system in a culture where the principles of self fulfillment, individual autonomy and value relativism are of such force.

It remains to be seen what the outcome of this “stirring” will be. It is too early to tell what kinds of accommodations if any this new elite will find with the established rabbinical elite and to what extent each will incorporate the concerns of the other. What is certain is that Israeli Orthodoxy is full of life today and merits close observation by anyone concerned with the future of Jewish life.