
Toward a Kinder, Gentler, More Tolerant and Flexible Orthodoxy

by Aryeh Rubin

Since the end of World War II, both in America and Israel, Jews have been at odds with one another for political, ethnic, ideological, religious and/or denominational reasons. That different groups have divergent worldviews has been the case since Biblical times. But the competing factions today appear more hostile than ever before. The Orthodox -- particularly the ultra-Orthodox with their high birth rates, expanding schools systems, and increased political clout, coupled with a sense of triumphalism -- are often perceived as the most vociferous and intolerant participants in these internecine squabbles of our people.

I believe that the Orthodox, who have contributed their fair share of the hostility that prevails among the different groups, could and should lead a healing process, and lead all of *kelal yisrael* (the people of Israel) to a shared vision. Because of our adherence to *halakha* (Jewish Law), our connection to traditional learning, our historical authenticity, and our success, modern Orthodoxy should be providing guidance, leadership, and direction -- not only to its own enclave but to a much wider berth of Jewry. Regrettably, modern Orthodoxy has shrunk from this task.

However, I believe that in order for this essential healing and unity to occur, the modern Orthodox may need to distance themselves from the ultra-Orthodox. Orthodoxy must shift back to the center, a center that addresses the pluralistic needs of, and provides the leadership for, all of Jewry. To accomplish this, we have to reconsider our historic allegiances to the halakhic hegemony of the Lithuanian *roshei yeshiva*, (revered terms for heads of yeshivot) and the Hassidic leaders. In most instances, they view the modern Orthodox as Hellenizers. We are really not part of their world, yet they seek to dictate our philosophy and political thought. Hence there is a need to create a distance between us, to enable us to act independently of their authority, yet be able to work together when called for.

Before I continue, let me state that I do not refer to myself as Orthodox. Nevertheless, an Orthodox synagogue is the locus of my spiritual aspirations, the hub of my communal activities, it's where I go to prayer services and where I go to say *kaddish* (mourner's prayer), and to celebrate my family *semahot* (life cycle events). Though my lifestyle falls within the parameters of the modern Orthodox *gestalt*, I believe that the term "orthodox" is misunderstood, and limits

one's ability to interact positively with the rest of the Jewish world. Hence, like a good number of us who came of age in observant homes during the decades after the war, I consider myself a post-denominational Jew. However, for purposes of this article, I include myself when using "we" to refer to the modern Orthodox.

While I respect and admire certain individual leaders for their scholarship and attributes, I do not consider myself at all under the guidance of the ultra-Orthodox. By freeing myself from the dictates of the "*gedolei hador*" (giants of the generation), I am at liberty to interact with Jews of all denominations. My *tsedaka* (charity) is targeted to organizations and projects based on their merit and not their affiliations. I can praise and accept the teachings of those in all movements and can ignore what I see as the arbitrariness and narrowness of the ultra-Orthodox or others when warranted.

What I also see is a Jewish educational system that is lacking, day schools and congregational schools that are short in funding and teachers, assimilation at an all time high, and enemies who pose true threats -- and yet we obsess over minutiae. With all of these issues engulfing us, the Orthodox most often do not have dialogue or interaction with over 80% of our fellow Jews to find common ground.

At one level, our problems are the reverse of the rest of modern Jewry. Outside of the Orthodox, most leaders are plutocrats; that is, the moneyed class that contributes the largest donations has most of the seats at the ruling tables. In the Haredi world, in contrast, it is only the *roshei yeshiva* who call the shots. Very few businessmen, almost no women, and no independent thinkers play a role. There is very little challenge to the Torah scholars who believe, and have convinced many of us, that they are infallible and that their interpretation of halakhic decisions overrides all other considerations.

Menachem Kellner, in the November 2006 issue of *Covenant*, notes the fallacy of the prevailing concept of Maimonides' influence on modern Judaism. Maimonides, the rationalist, the physician, envisioned a "remarkably naturalist religion of radical responsibility." It was Judaism that was "deeply elitist and profoundly universalist." Kellner points out, as many of us have already observed, that Orthodox Judaism of today does not adhere to a Maimonidean rationality, but rather to a Kabbalistic worldview in which, Kellner says, "spiritual guides provide indispensable intercession." In such a mystical world the "*gedolei hador*" relying on *daat Torah* (knowledge of Torah) are deemed infallible, and their word is binding. This belief is held by the Orthodox masses despite the fact that they advised the pre-war Jewish populations of Europe not to escape to Palestine or other parts. Most offensive to the sensibilities of modern Orthodox constituency are the outrageous comments made by certain haredi leaders. The former chief rabbi of Israel and spiritual leader of the Shas party, Rabbi Ovadia Yosef has said on various occasions that the Holocaust victims are the reincarnated souls of sinners and that Hurricane Katrina was retribution for President Bush's support of disengagement from Gaza.

The influence of the haredi world has penetrated and continues to affect an ever larger swath of traditional Jewry, primarily through teaching in modern Jewish day schools. For the most part, the haredim's children do not get a higher education, or go to trade school. They learn in the

kollel (advanced study institute) until it's time to make a living. One profession that is open and welcoming to them is teaching in the modern Jewish day school, which suffers a shortage of teachers because our own children are encouraged to seek more lucrative careers. So our students have, for two generations, been subject to the influence of these teachers and their haredi visions. As the haredi community has shifted to the right, they have dragged the modern Orthodox along. Very few leaders speak out against the newest "*humra* (restriction) of the week," for fear that they, or their children, will be ostracized. The children, for their own part, have bought into the haredi thinking because of the influence of their teachers and peer pressure. Such ostracization is not trivial, and can be harmful to their prospects for jobs and marriage.

II

I suggest that a new leadership of enlightened rabbinical and lay leaders be formed and assert their leadership. If the modern Orthodox are to provide guidance and direction to the entire House of Israel, we must find common ground and work with the Conservative, Reform, and the unaffiliated. While Orthodoxy has veered to the right over the last half century under the spell of the haredim, the Conservative shifted even further on the scale to the left (widening a gap that was extremely narrow from the 1930s to the early 1960s) and the Reform movement has dropped off the halakhic charts. We need to formulate a *weltanschauung* to Jewry that acknowledges that the majority of the Jews in the United States, or the world for that matter, are not, and for the foreseeable future, will not be traditionally observant. Once that fact is accepted by the Orthodox, policies can be implemented that will allow the modern Orthodox to influence, provide leadership for, and participate in the governing of all of Jewry.

A possible strategy, in part, is to follow the example of Habad. Some of their emissaries sit on councils, Federation Continuity Commissions, and the like under the guise of recognizing non-Orthodox clergy not as clergy, but as leaders of the Jewish Community -- a thin veil, that gives them some sort of halakhic cover. For those who look for precedents, the Ibn Ezra admired a commentator on the *Humash* (Pentateuch), R. Jeshua b. Judah -- a prolific 11th century writer, religious teacher and philosopher who also happened to be a Karaite -- a sect that recognized only the Scriptures as the sole and direct source of the law, and that excluded the Oral tradition of the Rabbis. Despite the fundamental theological differences, Maimonides was of the "belief that the Karaites should be treated with respect, honor and kindness... as long as they do not slander the Talmud (that they did not believe in). They may be associated with and one may enter their homes, teach their children, bury their dead and comfort their mourners." This suggests that the Orthodox attitude for the past century to our fellow Jews may have been a bit overdone.

A more recent example is Marc Shapiro's book "Saul Lieberman and the Orthodox". He cites numerous examples of prominent halakhic authorities quoting, corresponding and socializing with Rabbis Saul Lieberman and Louis Ginsburg, the stalwarts of the Conservative movement and exalted professors and directors at the Jewish Theological Seminary. It is of interest to note that in instances where the scholarship of Lieberman and Ginsburg was indispensable, some haredi authorities quoted only their initials, others cited their work anonymously, or plagiarized it in their own name.

If *ahavat yisrael* (love of the fellow Jew) is not enough of an incentive to be creative in reaching out across denominational lines (and to date it hasn't been), and if *kol yisrael arevim zeh lazeh*, (all of Jewry is responsible one to another) does not motivate Orthodox Jews to aspire to leadership of more than just their 20 % of the house of Israel, then perhaps one should consider simple survival. The fate of all Jews is one, in many respects. If the numbers of Jews continue to decline over time (assimilation and low birth rate) as the general population increases, the influence of all Jews is bound to wane. Within the United States, the American political process pays close attention to the Jewish community partly because of the swing vote that Jews may carry in key states and localities and because of the funding provided by the wealthy and primarily non-Orthodox Democratic and Republican donors. (It is ironic that while the ultra-Orthodox are the most vociferous opponents of pluralism, in some rapidly growing and financially impoverished communities it is government assistance programs that help to support the haredi lifestyle.)

However, it would be naïve to believe that the ultra-Orthodox will amend their predispositions for any practical purpose that would violate what they believe to be the halakhic norm. Any creative solutions for leadership and the future must come from the modern Orthodox world.

The cohabitation of ultra-Orthodoxy with its modern cousin has endured for half a century. While there have been benefits for the modernists, (more learning, more schools, more books, and more kosher facilities) the disadvantages are significant. The haredim are enclavist, the modernists are universalists, the former are inward looking, the latter are outward looking. The modernists have had little influence on the ultras, but the latter have shaped the former. As a result, many in the formerly modern community have become less Zionist, less tolerant, and less likely to get involved outside their community. They focus more on the minutiae heeding the latest humrot and less on the majesty of our heritage. They shy away from the national umbrella organizations and as a result get less in funding for Jewish education. Finally, were it not for the influence of the ultra-Orthodox, women's issues regarding prayer and learning would have advanced at a far more rapid pace.

We shall remain respectful of our brethren on the right and continue to regard them as standard-bearers of the thinking that emerged in late 19th century yeshivas of Lithuania and among the Hassidic leaders of Central and Eastern Europe. We learn from their Torah insights, pray at their *shtibelich* (houses of prayer) at times, eat from their *shehita* (kosher dietary products) if we so desire, and, if one is so inclined, solicit a blessing from their holy men. We may admire certain positive traits. But if we continue to follow their leadership, we will continue to be dragged into a microcosm where the modern Orthodox do not want to go.

III

Because of some the charity work in which I engage, I interact with Jews and their organizations across all spectrums. And while there is some innovation in the modern Orthodox world, much of the creativity is coming from outside it. Prayer groups, technology innovators, and incubators for new ideas operate primarily within the realm of the other denominations and the unaffiliated; all the while the Orthodox are missing the boat. Unprecedented amounts of financial resources

are available now -- probably more than in any period in our history -- with which to do good, and the modern Orthodox are not getting a substantial piece of that pie. There is talent outside our community that we are not tapping. Much of the gene pool of yesterday's towering Torah giants do not opt for the cloistered world of a religious order, and are today's hedge fund managers, Goldman Sachs partners, chairmen of philosophy departments, and directors of medical centers. If we are to thrive, we must tap into their talents, not only their resources. For that to happen, we need a kinder, gentler, more tolerant and flexible Orthodoxy.

With so much from our rich heritage to offer, and with the knowledge and facility to promote an authentic Judaism on an intellectual and emotional level, it is a travesty that we have not been doing so at a more optimal level. We need to promote our message, one that is non-coercive, to a much wider audience, without proselytizing. We should learn from the models that seem to work. Habad, whose success has been staggering in reaching out to thousands of previously unaffiliated Jews, has catered very successfully to a particular segment of Jewish society, and aspects of their work should be emulated. Yet a much wider audience of young Jews would not find Habad appealing. Hence, we must go outside the comfort zone of the Orthodox, and create a halakhic version of the West Side's B'nai Jeshurun. Whatever issues one may have with their approach, about 2,500 young people are observing a form of Shabbat on 87th Street on Friday nights who otherwise would be partying at a club. If we believe that our Judaic tradition is for the Jewish people, and that its doctrine, morals and ethics are for all of humanity, then we need to muster the will and creativity to overcome the halakhic obstacles to move forward in reaching out to our Jewish brethren and all of humankind.

While I doubt that the divisions of patrilineal descent and gay clergy will ever be resolved, there have been overtures and positive steps taken to reverse the trend of hostility and move forward toward recognizing a commonality among all Jews. The Reform have been leaning towards tradition, and in Israel the Kinneret Declaration stated a core agreement on Israel's democratic values as a home to secular, traditional and religious Jews. Flashes of creative leadership have begun to move a process along that many thought impossible.

Those streams of Judaism that differ with the modern Orthodox tradition, even those that ignore fundamental aspects of traditional theology, do share a common language, an affinity to a more majestic vision, and may share a common fate, if not destiny, with the Jewish people. If we, as modern Orthodox, could maintain a degree of flexibility and tolerance, we could lead *klal yisrael* toward a Jewish unity with bonds much stronger, deeper, and far more meaningful than today's vague notion of a tribal connection.

Let us move forward. Let us rely on those leaders whose vision is shared by a large part of the modern Orthodox world. Let the haredim continue in their historical role, while we uphold our tradition looking forward, relating to and tapping into the talents of all of Jewry, embracing what is good in world culture, and accepting universalism within the bounds of tradition. We have an immense amount to offer world Jewry. If we succeed in reducing the tensions among our people and help to reestablish a Judaism of all Jews, we will have achieved a major accomplishment. If our destiny is to be a light unto the nations, then getting our house in order is a good first step on the road toward doing our share in saving the world.