

REVIEW ESSAY

***Ortodoxsiyah Yehudit: Hebeitim Hadashim* (Orthodox Judaism: New Perspectives), edited by Yosef Salmon, Aviezer Ravitzky and Adam S. Ferziger**

Reviewed by Yitzchak Blau

Abstract: This review analyzes the historical and philosophical themes in this collection of scholarly articles on Orthodoxy. It surveys the reaction of later scholars to Jacob Katz's pioneering theories on Orthodoxy and modernity. Katz's theories are challenged and presented with greater nuance. This review also responds to philosophic critiques of contemporary Orthodoxy written by Profs. Avi Sagi and Tamar Ross.

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***Ortodoxsiyah Yehudit: Hebeitim Hadashim* (Orthodox Judaism: New Perspectives) edited by Yosef Salmon, Aviezer Ravitzky and Adam S. Ferziger (Jerusalem: Hebrew University Magnes Press, 2006) 622 pages**

Yitzchak Blau

I.

This fascinating and informative collection of twenty articles is dedicated to the memory of Professor Jacob Katz and indeed the influence of that eminent scholar looms over the entire volume. Katz initiated the academic study of Orthodoxy, and many of the articles in this volume respond to his pioneering efforts. Some of the authors assume Katz's conceptual framework, while others attempt to add more nuance to his ideas or radically critique his approach.

Katz distinguished between modern society and traditional society. The former values change and aspires to effect it; the latter views the past as its essential guide. Traditional society undergoes change, but it does not seek out novelty and it subsumes innovation under traditional rubrics.¹ Katz and his students further differentiated between Orthodox society and traditional society. People living in a traditional society adhere to their traditions as a matter of course. In contrast, those living in an Orthodox society decide to remain committed as an act of self-conscious choice.

These changes indicate that Orthodoxy itself is a product of the challenge of modernity. It emerged when observant Jews began to feel like a threatened minority. They lost the ability to coerce observance through communal sanctions and had to use the powers of argument and persuasion instead. R. Moses Sofer's (the *Hatam Sofer's*) novel usage of "*hadash asur min ha-Torah*"* and his occasional blurring of the distinctions between custom and biblical law reflect an Orthodox response to modernity's call for religious reform.²

Orthodoxy is a product of modernity. It emerged when observant Jews began to feel like a threatened minority.

Katz's ideas have had wide influence, and many distinguished historians count themselves among his disciples. Haym Soloveitchik's widely read study, "Rupture and Reconstruction: The Transformation of Contemporary Orthodoxy,"³ is explicitly indebted to Katz's pioneering work. Soloveitchik analyzed the recent shift from a

¹ Jacob Katz, "*Hevrah mesoratit ve-Hevrah modernit* [Traditional society and modern society]" in *Leumiyut Yehudit: Masot u-Mehkarim* [Jewish nationalism: essays and studies] (Jerusalem: Histadrut ha-Ziyyonit ha-Olamit), pp. 155-166.

* Literally, "The new is forbidden by Torah law." In context, it refers to the conditions that must be met before grain from the new harvest may be eaten. In a play on words, R. Sofer used it to mean that all innovation is absolutely forbidden.—*editor*.

² See Jacob Katz, "Orthodoxy in Historical Perspective," in *Studies in Contemporary Jewry II*, ed. Peter Y. Medding (Bloomington: Indiana Univ. Press, 1986), pp. 3-17; id., *Ha-halakhah be-meitzar: mihsolim 'al derekh ha-ortodoxsiyah be-hithavutab* (Jerusalem: Hebrew Univ., Magnes Press); Moshe Samet "The Beginnings of Orthodoxy," *Modern Judaism* 8:1 (Feb. 1988), pp. 249-269.

³ Haym Soloveitchik, "Rupture and Reconstruction: The Transformation of Contemporary Orthodoxy," *Tradition* 28:4 (Summer 1994), pp. 64-130.

mimetic tradition to reliance upon texts, alternatively expressed as the move from “life tradition” to “book tradition.” This transition signals the move from a traditional society that does not require conscious justification for action beyond perpetuating the performance of parents and grandparents to a modern society that lacks confidence and needs to assure itself by returning to the sacred books.

The significance of Katz’s ideas extends beyond the theoretical. Shalom Rosenberg points out (p. 65)⁴ some of the ideological stakes. Orthodox Jewry argues that it is the only group faithful to Jewish tradition. The other denominations can utilize Katz to retort that Orthodoxy itself is a novel and exclusively modern phenomenon. Secondly, liberal Orthodox thinkers argue that the threat of modernity caused Orthodox decisors to become overly rigid in their rulings. They contend that accepting Katz’s conception of the historical development of Orthodoxy may enable another, more fluid model to emerge.

Building upon Katz, some scholars draw a sharp divide between Ashkenazi and Sephardi society. The latter did not face the threat of modernity in the same fashion as the former, and thus Sephardi rabbis do not fit the standard portrait of Orthodoxy. In this volume, Shalom Ratzabi uses R. Ben Zion Meir Hai Uziel and R. Hayyim David Halevi as Sephardic foils to Hungarian Orthodoxy. While Ratzabi is correct that these two Sephardic rabbis shared a conception of *halakhab* more dynamic than the *Hatam Sofer*’s, I believe that scholars who draw a broader distinction between Sephardi and Ashkenazi rabbis significantly overstate the case.

Choosing other representative rabbinic luminaries leads us to a very different result.

R. Isaac Herzog’s attempt to apply *halakhab* to the challenges of democracy in a modern state reflects a significant willingness to innovate. R. Moshe Feinstein’s ruling denying the validity of Reform marriages, and thereby saving countless Jews from the fate of *mamzerut*, reveals unusual boldness.⁵ His decision that government supervision justifies the consumption of milk from gentiles indicates an understanding that *halakhab* responds to a changing situation.⁶ These examples hardly cohere with the caricature of Ashkenazi Orthodoxy as frozen in halakhic conservatism. In fact, the contrast between Rav Moshe’s *independence* and R. Ovadia Yosef’s rigid adherence to “*divrei maran*” might indicate some greater dynamism among Ashkenazi decisors.

All halakbic innovations are the working out of ideas already found in the Torah.

Ratzabi may overstate R. Uziel’s conception of halakhic dynamism. In a responsum prohibiting leniencies regarding the eating of *qitniyot* on Passover, R. Uziel approvingly cites a section in which the *Hatam Sofer* states that we lack the power to abrogate decrees or customs that serve as protective fences and that the weakness of our generation actually calls for more such fences.⁷ While R. Uziel does not explicitly endorse every line in the passage, his willingness to cite it indicates that he did not feel estranged from such sentiments. Furthermore, one of R. Uziel’s introductions to *Mishpetei `uzziel* emphasizes that all halakhic innovations are the working out of ideas already found in the Torah.⁸ Such a formulation strikes a posture of halakhic conservatism.

⁴ All page numbers in the text refer to the volume under review.

⁵ R. Moses Feinstein, *Iggerot mosheb, Even ha-ezer* 1:76.

⁶ R. Moses Feinstein, *Iggerot mosheb, Yoreh de`ab* 1:47.

⁷ R. Ben Zion Meir Hai Uziel, *Mishpetei `uzziel she`elot u-teshuvot I Orah hayyim* and *Yoreh de`ab* (Tel-Aviv: Ha-Va`ad le-Hoza`at Kitvei ha-Rav z”l, 5695), p. 41. It should be noted that in the subsequent responsum, R. Uziel offers a more lenient ruling on *qitniyot* for times of economic duress.

⁸ See his introduction to *She`elot u-teshuvot Mibspetei `uzziel mabadurah tinyana, Orah hayyim* I (Jerusalem: Va`ad le-Hoza`at Kitvei Maran, 5759).

Benjamin Brown has a quality article on the *Haẓon Ish*'s halakhic decisions that challenges one aspect of Katz's approach. Katz sees the increase in stringencies (*ḥumrot*) and the undoing of communal custom based on texts as part of an Orthodox response to the crisis of modernity. According to this portrait, the *Haẓon Ish* stands as the representative Orthodox figure. Brown argues that the *Haẓon Ish* was motivated by internal religious ideals as well. He points out that the *Haẓon Ish* revered the Vilna Ga'on and followed both the Ga'on's elitism and his overturning of communal customs if so dictated by the traditional sources. Brown suggests that the *Haẓon Ish* ruled as he did based on internal religious considerations but that the growing communal popularity of this approach was due to the social dynamics of modernity.

Brown's point has widespread significance and should help correct a professional bias found among historians. Some historians tend to explain almost all religious decisions as responses to the problems of the day. They do not seriously entertain the idea that internal religious ideas and ideals can exert impact, and in some cases exclusive impact. This often leads to a distorted or limited analysis. Christine Hayes has noted a parallel phenomenon in a different area of Jewish Studies. One objective of her book is to "correct a tendency in some talmudic scholarship to posit historical and extra-textual reasons for halakhic differences between the two talmuds without first attending to a whole series of internal reasons for difference."⁹ An exclusive focus on rabbinic thinkers as responding to foreign challenges obscures part of the picture.

Mordechai Breuer's short but insightful contribution corrects a different misconception about Orthodoxy, that it is passive and static.

Breuer mentions seven examples of dynamism in the last two centuries of Orthodoxy: Hasidism, the Musar movement, the flowering of *yeshivot*, professional rabbinical seminaries, *Torah im derekh erez*, the education of women, and religious Zionism all developed within this time period. Which other religious groups can boast of such productive creativity?

Which other religious groups can boast of such productive creativity?

Michael Silber's excellent study of nineteenth century Hungarian Orthodoxy also adds nuance to the academic portrait of Orthodoxy. Silber shows the differing reactions of three Orthodox groups—the left wing headed by R. Esriel Hildesheimer, the extreme right led by R. Hillel Lichtenstein and Akiva Yosef Schlesinger, and the center-right with R. Moshe Schick at the helm. Silber sharply notes that the victory of the third group is symbolized by R. Hildesheimer's leaving for Germany in 1869 and Schlesinger's departure for the Land of Israel in 1870 (p. 316).

A remarkable letter of R. Moshe Schick highlights the crucial differences between the center-right and the right. In 1865, the extreme right came out with a harshly worded ruling against holding weddings in synagogues, preaching in the vernacular and other practices they contended were deviations from communal norms.¹⁰ R. Schick sent a letter to R. Hillel Lichtenstein explaining that while he is against all these reforms and views deviation from custom as prohibited, he cannot endorse the language and rhetoric of the ruling. The ruling says that reformist synagogues are houses of idolatry and this assertion is simply false. The ruling says that blessings recited in such synagogues are worthless but this is

⁹ Christine Elizabeth Hayes, *Between The Babylonian and the Palestinian Talmuds: Accounting for Halakhic Differences in Selected Sugyot from Tractate Avodah Zarah* (Oxford: Oxford University Press, 1997), p. 4

¹⁰ A copy of this ruling appears in Jacob Katz, *Ha-gera' she-lo' nu'ahab: Perishat ha-ortodoqsim mi-kelal ha-qehilot be-hungariyah u-ve-germanyah* (Jerusalem, Mercaz Zalman Shazar, 1999), p. 94. See the discussion of this episode there, pp. 92- 99. Silber argues (p. 310) that this ruling was directed more against liberal Orthodox tendencies than against the Reform movement, as it does not mention the standard issues that generated tension with Reform such as prayer in the vernacular or the use of an organ in the synagogue.

inaccurate. The ruling prohibits preaching in the vernacular but sources for such a prohibition are hard to come by.¹¹

This letter contributes toward a more profound understanding of Hungarian Orthodoxy. Katz contends that one aspect of Orthodoxy is rabbinic rulings based more on the charismatic personality of the rabbi than on solid halakhic argumentation.¹² Katz presumably does not mean that the Orthodox abandoned wholesale the limitations of halakhic reasoning, and this letter proves the point. R. Schick's fealty to halakhic categories motivates him to reject the rhetorical excess of the extremists. Whatever one thinks of synagogal reform, no legal justification exists for casually tossing around the term *'ovedei 'avodah zarah* (idolaters). That R. Schick was a close student of the *Hatam Sofer* and was hardly a liberal only makes the point stronger.

Some put forth the radical idea that, pace Katz, there is no such thing as "the Jewish tradition"

Shalom Rosenberg's contribution provides an important challenge to Katz and his disciples. He questions whether the aspects Katz depicts as unique to modernity are truly so. Was Judaism not a self-conscious choice before the modern era? What about those philosophers who argued for the truth of Judaism while working within Kalam or Aristotelian frameworks? Their intellectual efforts surely made them aware of alternative choices. Jews under various degrees of pressure to convert to other religions also faced a conscious choice (p. 62-63).

Along somewhat similar lines, Avi Sagi rejects the "binary opposition" between tradition and modernity. Intellectual endeavors of our day, including modern science and literary criticism, also work within a tradition (pp. 28-29). The

claim that only traditional society endorses authority also rings false. Modernity may have displaced the hegemony of the church but it certainly has authorities of its own (p. 29). Note the great respect granted to the opinions of therapists and media consultants. Furthermore, Sagi agrees with Rosenberg that traditional Jewish society was self-reflective (p. 31). To be fair to Katz, Rosenberg and Sagi's arguments may simply mean that the original thesis needs more nuance, not that it merits rejection. Traditional society may have had moments and pockets of choice while Orthodoxy in modernity has the constant sense of alternative options.

II

Thus far, I have focused on the historical questions raised by Katz and his critics. *Orthodox Judaism* also includes critiques of Katz from a philosophic perspective. Some authors question the central presupposition of Katz's studies, putting forth the radical idea that, *pace* Katz and his disciples, there is no such thing as "the Jewish tradition." If these philosopher-critics are correct, the reigning contrasts between Orthodox society and traditional society are guilty of working with a false doctrine: essentialism. Terry Eagleton defines essentialism as the belief that "things are made up of certain properties, and that some of these properties are actually constitutive of them, such that if they were to be removed or radically transformed the thing in question would then become some other thing or nothing at all."¹³ Denying that there is a valid essentialist analysis of the term "Jewish tradition" makes it difficult, if not impossible, to evaluate who remains faithful to that tradition. The stakes in this last question are enormous and I will therefore dedicate significant space to addressing this critique.

Avi Sagi's contribution faults both Orthodox ideologues and academic historians of Orthodoxy for treating the Jewish tradition as

¹¹ R. Schick's letter appears in *Liqqutei she'elot u-teshuvot hatam sofer* (London, 5725), pp. 74-75.

¹² Jacob. Katz, *Ha-alakhab ba-meizar*, pp. 19-20.

¹³ Terry Eagleton, *The Illusions of Postmodernism* (Oxford: Oxford Univ. Press, 1997), p. 97.

a concrete and defined entity. In his view, no such “Jewish tradition” exists. After all, each generation utilizes its own sense of rationality and ethics to apply Torah. Though the Orthodox contend that those applications must be formulated within the framework of tradition, Sagi counters that no criteria exist that allow us to define the requisite “traditional framework” (pp. 24-25). Instead, Sagi recommends talking about the Jewish tradition as a dialogue between past and present (pp. 35-40). Different versions of this dialogue relate to each other on the model of Wittgenstein’s concept of “family resemblance.” Wittgenstein noted the difficulty in finding any characteristic that all games share. Some involve a ball and others do not. Some involve winning and losing while others do not. Therefore, he argued that no essential characteristic is shared by all games but that each game shares some characteristic with another game.¹⁴ Sagi wants us to apply a similar strategy when talking about Jewish tradition. With explicit indebtedness to Foucault, Sagi depicts the exclusionary policies of Orthodox groups as a “discourse of power” in which certain voices unfairly seize control. He complains that conferences such as the Orthodox Forum in New York and the Lavi Conference in Israel exclude certain individuals as not Orthodox (pp. 47-48), suggesting that he views such exclusions as morally objectionable.

Sagi notes a tension running through his two intellectual sources: Wittgenstein and Foucault. Based on Wittgenstein, he calls for a phenomenological approach that tries to understand how people use the language of Orthodoxy. This approach must give weight to the consciousness of continuity that Orthodox Jews have and express in their language. On the other hand, his Foucault-inspired analysis views that very discourse as an inauthentic attempt to seize control of a

dynamic tradition. Sagi resolves this contradiction by differentiating between the simple language of Orthodox Jews who talk of Orthodoxy as a means of expressing their commitments to practice and the judgmental meta-language analysis of Orthodoxy by rabbis, ideologues and academics that offers a precise delineation of who is in and who is out. He calls for a return to the former as a corrective to the latter (pp. 48-51). Of course, Sagi faces an obvious problem: Those very same simple Orthodox Jews *also* use Orthodoxy as a term reflecting an exclusive truth that others do not share. Sagi responds by arguing that the discourse truly depends upon a sense of Jewish continuity and that the claim of exclusiveness just reflects the attempt to attain a consciousness of continuity (p. 51).

*Sagi depicts the exclusionary policies of
Orthodox groups as a “discourse of power”*

Sagi does not clarify whether he rejects essentialism in total or just for the idea of a “Jewish tradition”. In either case, the concept of “Jewish tradition” as a defined term bothered Sagi less in some of his earlier impressive scholarly publications. His published works include four articles with the term “Jewish tradition” in the title. In an article on Amalek, Sagi writes “Halakha constitutes a crucial dimension of Jewish tradition. The present attempt to offer an exhaustive review of the sources dealing with the punishment of Amalek would thus be invalid without due considerations of the halakhic rulings on the subject.”¹⁵ Here, Sagi seems to think of Jewish tradition” as a concrete entity with definitive characteristics. Has Sagi changed his mind over the years? If not he must explain why his previous usage of “Jewish tradition” was unobjectionable.

¹⁴ Ludwig Wittgenstein, *Philosophical Investigations* Part I, no. 66-77

¹⁵ Avi Sagi, “The Punishment of Amalek in Jewish Tradition: Coping with the Moral Problem,” *Harvard Theological Review* 87:3 (1994), p. 336.

Eagleton's powerful critique of postmodernism includes a defense of essentialism. He points out the flaws in standard criticisms of this doctrine. One criticism points to the great variety within the set in question. Allegedly, wide variety indicates the lack of any essential properties shared by all members. Eagleton responds that essentialism does not hold "the implausible view that all of the properties of a thing are essential to it."¹⁶ In other words, as long as various items in the set share some essential characteristics, they can exhibit great variety with regard to the nonessential characteristics. Applying Eagleton's analysis to the concept of a Jewish tradition, the brute fact of wide rabbinic variety through the ages does not indicate that "the Jewish tradition" does not exist.

Let us look at the continuity of our tradition. Think about how many centuries Jews have prayed three times a day, refrained from cooking on Shabbat while still eating warm food, avoided eating pork or meat and milk together, refused to wear garments that include linen and wool, struggled not to speak slanderously, and viewed honoring parents and giving charity as halakhic obligations with religious parameters. During the same extended time, those Jews believed that a singular God created the world, gave the Jewish people the Torah, and ensures some form of eventual justice. Examples of such ongoing continuity could be multiplied greatly. Someone who claims that the "Jewish tradition" does not exist must show the cracks in this continuity of belief and practice.

Indeed, Shalom Rosenberg notes that certain changes do not detract from ongoing continuity. Perhaps most traditional Jews once believed in demons and the majority no longer does, but this does not affect the ongoing commitment to halakhic practice and the core of fundamental beliefs (p. 74). Rosenberg also draws a distinction between tradition as a source and tradition as a medium. Jews do

not keep *halakhab* simply because Jews always have. Rather, they see the tradition as a record of Divine revelation. Traditional aspects of Jewish life unconnected to the attempt to understand and apply that revelation fail to receive the same religious status. That explains why dress, language and cuisine can change in ways that Jewish law cannot (pp. 68-72). Rosenberg's analysis exemplifies Eagleton's point that certain, even many, characteristics may vary without eviscerating the core set.

Another argument against essentialism is that our difficulty in categorizing grey areas along the margins demonstrates that no essential properties allow us to make evaluations. Eagleton responds:

For something to display certain essential properties does not necessarily mean that we always know for sure where it ends and another object begins. A field with uncertain boundaries can still be a field, and the indeterminacy of its frontiers does not throw everything within them into ontological turmoil. People might once have been in doubt about whether Strasburg was a French or a German possession, but this does not mean that they were in doubt about which Berlin was.¹⁷

We can say with great certainty that taking human life is a terrible act called murder even as people remain unsure whether abortion is murder. Our definition of murder remains clear; it is just that we struggle to ascertain with precision when human life begins. Thus, our difficulties in making definitive rulings regarding grey areas on the margins of the Jewish tradition do not indicate that no such entity exists.

As Sagi himself realizes, defining the tradition in terms of a dialogue does not excuse one from the task of defining concepts. Which "past" must a person connect with to be part of the Jewish family? What if a group of Jews decided to return to Baal worship or child

¹⁶ Terry Eagleton, *The Illusions of Postmodernism*, p. 98.

¹⁷ *Ibid.*

sacrifice based on their reading of the Bible? In the eyes of these Jews, the monotheistic prophets who fought against such worship mistakenly railed against authentic Jewish expressions. What about Jews who believe in the messianic status of Jesus or who think that the commandments are optional? Would not Sagi exclude such people from the Jewish tradition? And if so, on what basis would he do so?

Which “past” must a person connect with to be part of the Jewish family?

The use of Foucault against those who think that Orthodoxy has boundaries is unjustified because any group with standards could face similar accusations. Academic conferences exclude speakers and academic journals reject articles. We could, but do not, view this as an immoral “discourse of power” or say that groups can legitimately believe in standards that exclude those who do not meet those standards. In the same way, Orthodox thinkers have every right to determine that certain individuals’ religious ideas and ideals are foreign to their conception of Orthodoxy. Foucaultian complaints simply represent an arbitrary decision to evaluate people in the poorest light.

It seems that Sagi faults and judges guilty only those who believe in an entity called “the Jewish tradition.” Apparently, thinking in terms of Wittgenstinian family resemblance frees a person from such a charge. Yet the Wittgenstinian Orthodox retain the power of exclusion. Wittgenstein’s claim about games did not lead him to assert that anything at all qualifies as a game. Even though many games involve balls, serving meatballs is not a game. Wittgenstein allows the possibility of saying that a term can not refer to a given item. If Sagi can still exclude, even in a Wittgenstinian

fashion, Foucault can attack those exclusions. In fact, an approach based on Wittgenstein may be even more susceptible to a Foucaultian critique. If I adhere to a truth, I am justified in excluding conceptions that fail to realize that truth. If no truth exists and our concepts just reflect social constructs, perhaps we should suspect that the reason for excluding certain conceptions reflects a discourse of power.

Finally, Sagi’s attempt to explain away the average Orthodox Jew’s sense of bearing an exclusive truth fails the phenomenological test that must be used by anyone interested in remaining true to public language and consciousness. He forcefully pulls that public into the position he wants, irrespective of what they actually think. Orthodox Jews refuse to pray in the synagogues of other denominations and would reject a halakhically observant polytheist as outside of the tradition. They may be mistaken about such convictions, but their beliefs are beliefs, and should not be recast as something else to promote an agenda.

Alan Bailey has noted that Wittgenstinians perpetrate exactly this sort of distortion of the common believer’s consciousness.¹⁸ For some Wittgenstinians, religious statements of belief in God are not truly about a causally efficacious being named God but rather express certain religious commitments and values. This analysis flies in the face of actual religious discourse. Religious people bring arguments to prove the existence of God, cite God’s word in scripture to prove the worth of an action, and talk of God’s role in influencing history. If Wittgenstein wants to clarify how people truly talk, he must take this discourse seriously as reflecting belief in a personal God. He can view the discourse as silly, but he should not take the discourse for anything but what it truly is. Sagi, I have argued, is similarly guilty in his violent attempt to force the common Orthodox Jews into his ideological straitjacket.

18. Alan Bailey, “Wittgenstein and the Interpretation of Religious Discourse,” in *Wittgenstein and Philosophy of Religion*, ed. Robert L. Arrington and Mark Addis (London: Routledge, 2001), pp. 119-136.

Tamar Ross provides a different kind of challenge to traditional conceptions of Orthodoxy. She argues that both the Torah and our sages display a male bias in what she regards as their morally problematic attitude to women. Relying on the work of Carol Gilligan and others, she asserts that adding a woman's perspective to religious decision making might make Judaism less about obedience and law and more about a relationship with God (p. 278, 282). Ross argues that women's issues are so emotionally charged in Orthodox society because that society senses that these issues challenge our conception of the divinity of the Torah. Her suggested solution is to advance a doctrine of ongoing revelation in which the earlier sacred texts retain their status but are updated, as it were, when God mediates His revelation through the unfolding ideas in human history (pp. 289-291).

Women's issues are emotionally charged in Orthodox society because it senses that these issues challenge our conception of the divinity of the Torah.

Ross raises serious questions that deserve attention. Many women of fine religious and moral character feel frustrated by aspects of our tradition and attitudes in our community that relate to women, and they deserve our sympathy. For example, even though women's *zimmun*, under *halakhab*, is at least optional and perhaps obligatory, women interested in performing this *mitsvah* occasionally receive censure for being impelled by feminist impulses. Many religious men, including this author, identify with these complaints about communal attitudes. Despite these sympathies, much of Ross' analysis invites criticism.

Ross' reliance on Gilligan to assume that women's voices would significantly change the halakhic perspective seems questionable. Gilligan argues that men think about morality through rules and laws while women think in terms of relationships, sympathy, and working things out between the parties.¹⁹

Even if Gilligan is correct, women might not think about a relationship with God in the same way. Moreover, let us apply the same type of assumptions to another intellectual endeavor and see whether or not they hold up. Based on similar assumptions, female philosophers would feel estranged from a Kantian ethics of duty. Yet much of the best work on Kantian ethics today has come from Marcia Baron, Barbara Herman and Onora O'Neill. True, these women contend that Kantian ethics can incorporate an element of sympathy, but this does not lessen the emphasis on duty. A halakhic parallel would be Jewish women stressing greater religious inwardness without diminishing halakhic observance.

We also should challenge the notion that Judaism's focus on law stems from a male bias. At one point, Ross argues that the fact that other religions share a similar patriarchal structure indicates that such structures reflect historical context more than internal halakhic influence (p. 279). Based on the same methodology, the fact that other male-dominated religions such as Christianity and Buddhism lack extensive religious practice indicates that Judaism's emphasis on law reflects its inherent values rather than mere male legalism. If comparative religion indicates what is not uniquely Jewish, it should also reveal what is. Moreover, when we ask what are the central values developed by males in the ancient rabbinic world, we find values like love, kindness, sympathy and compromise.

¹⁹ Carol Gilligan, *In A Different Voice: Psychological Theory and Women's Development* (Cambridge: Harvard Univ. Press, 1982).

Although these values are placed in a legal framework, they are very much the values that Gilligan espouses. Christianity and Buddhism stress such values as well. Any attempt to cast ancient religions as patriarchal must take account of those facts.

Despite her citation of authorities, I believe that Ross' solution of ongoing revelation ultimately does not flow from traditional sources. The examples of this doctrine in earlier rabbinic thought fail to justify her use of the concept. We should distinguish between an ongoing revelation that is supplementary and one that is subversive. Let us say that I always understood a novel as conveying a certain theme. At a later point, I add an insight into a particular symbol used in the novel but maintain my old understanding of the novel's essential theme. This is hardly the same as realizing at a later point that major parts of the interpretation were faulty. If recent revelations reveal that the biblical text and traditional Jewish law are saturated with the ethical shortcomings of male bias, then this revelation is far more subversive than supplementary. No quote from R. Kook or R. Zadok establishes the basis for such a notion of ongoing revelation.

III

A number of other articles contain important insights. Yoel Finkelman points out the differences between R. Aharon Kotler's yeshiva in Kletzk and that same leader's yeshiva in Lakewood. Yeshiva students at the former were well integrated with the local Jewish community as they boarded with local Jews, discussed politics with them, and sometimes became interested in the town's young women. Lakewood students, by contrast, live in a dormitory and have little to do with Lakewood's Jews. Finkelman points out some factors that allowed for this shift, including America's greater economic prosperity and non-threatening gentile

population, which enabled Jews to live securely in a gentile suburb.

Chaim Gertner outlines the factors involved in the nineteenth century controversy regarding the permissibility of machine *matsot*. Beyond the relevant halakhic questions and the differing attitudes to technological innovation, Gertner finds another angle to the debate—a growing tension between the Eastern European and Western European rabbinate. All the rabbis who prohibited machine *matsab* were from Poland and Galicia whereas most of the permissive rulings came from Western Europe. Gertner shows how some of the polemics take note of this geographic rift.

Benjamin Lau analyzes R. Ovadia Yosef's relationship with the Lithuanian Ashekenazi ideals of full time learning and the prizing of the "book tradition." One fascinating point relates to R. Ovadia's breaking from his normal procedure of downplaying kabbalistic sources and championing the rulings of R. Yosef Karo. When Sephardi yeshiva students in Ashkenazi *yeshivot* wanted to keep their *tsitsit* inside their clothing as per the ruling on the Ari and against the ruling of R. Karo, R. Ovadia instructed them to follow the Ari. Lau theorizes that R. Ovadia wanted to allow Sephardi yeshiva students who felt swallowed up by their Ashkenazi institutional environments to express their particular Sephardic customs.

Other articles not addressed in this review also include interesting nuggets of information and important analysis of Orthodoxy. *Orthodox Judaism* contains many stimulating discussions and should provide good starting points for contemporary Orthodox discourse. It helps provide nuance and depth to debates regarding Jacob Katz's theories about the emergence of Orthodoxy. Unfortunately, some of the articles attempt to diminish any sense of Orthodox boundaries. We should resist such attempts, for removing boundaries renders ideas or concepts meaningless.