

ORTHODOX JUDAISM
IN
NORTH AMERICA:
ISSUES OF INTERNAL
CONFLICT

**ORTHODOX JUDAISM IN NORTH AMERICA:
ISSUES OF INTERNAL CONFLICT**

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ABSTRACT

The purpose of this work is to identify and discuss those ideological issues which divide Jewish Orthodox opinion today in North America. Using a short 1978 article by Shubert Spero entitled Orthodox Judaism, which identified four major areas of conflict within Orthodoxy, as a starting point, I endeavour to expand upon, verify, and update Spero's findings to the present situation, thus filling an important gap in the sociological literature of North American Orthodox Judaism.

Beginning with a historical introduction to Orthodox Judaism and a general discussion of the present sociological composition of North American Orthodoxy, I proceed to devote one short chapter for each of the several issues to be discussed.

In conclusion, the seriousness of the divisions within Orthodoxy are assessed in terms of the effect they may have on the total unity and stability of the Orthodox movement in North America.

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HISTORY OF ORTHODOX JUDAISM

The term "Orthodoxy" as related to a distinct tendency in Judaism was probably first coined in the year 1795 in a Berlin journal (Rudavsky 1967, 109). It acquired a more popular usage in the early nineteenth century in Germany as an attack by the Reform-minded Jews of what they perceived as the "sterile traditionalism" of the long established form of Jewish belief and practice. The term was derived from Christian usage (in Greek, "Orthodoxy" connotes "correct belief"), where it referred to those who obstinately clung to the original tenets and dogmas of their respective churches (Katz 1986, 4). In this way the term is a misnomer, for action ("praxis"), not belief ("doxy"), has always been at the core of authentic Judaism. Perhaps "Orthopraxis" would have been a more appropriate term. The term "Orthodox", however, is the one that prevailed. Despite the knowledge that it had been used as an epithet against them, the "traditionalist" Jews of Germany proudly accepted the title as a badge and perpetuated the use of the term to represent their own position (Blau 1966, 65-6).

I find the definition of Orthodox Judaism from the *Encyclopaedia Judaica* to be helpful in delineating the essence of the tradition. Orthodox Judaism has come to designate those who:

"accept as divinely inspired the totality of the historical religion of the Jewish people as it is recorded in the Written and Oral Laws and codified in the 'Shulhan Aruch' and its commentaries until recent times, and as it is observed in practice according to the teachings and unchanging principles of the

'halachah'" (1486)¹

Jewish Orthodoxy's need for self-definition arose as a response to the challenges which faced "traditionalist" Jewish society in Western and Central Europe, especially Germany, in the early decades of the nineteenth century. These challenges stemmed from the Reform movement within Judaism which was gaining momentum at this time and proving to be a significant threat to the essence of Jewish Orthodoxy.

As recorded in the *Pittsburgh Platform* of 1885, the first official Reform manifesto, one of the central theses of Reform Judaism is that only the "moral laws" of the Mosaic legislation are accepted as binding upon the Jew. Just as the prophets through Jewish history protested against the overemphasis of religious ritual, the Reform conception of "Prophetic Judaism" aimed at emphasizing "inner religiosity" over "empty formalism". The *Pittsburgh Platform* clearly states that:

"We hold that all such Mosaic and rabbinical laws as regulate diet, priestly purity, and dress, originate in ages, and under the influence of ideas, entirely foreign to our present mental and spiritual state . . . their observance in our days is apt rather to obstruct than to further modern spiritual elevation . . . we maintain only such ceremonies as elevate and sanctify our lives, but reject all such as are not adapted to the views and habits of modern civilization."

The Talmud, or Oral Law, is seen as one way of interpreting the Bible, but by no means is it to be considered definitive or binding. It is considered nothing more or less than "religious literature". Reform Judaism insists on the freedom of the

¹ There are certain key terms to be familiar with in order to understand the essentials of Orthodox Judaism: the Talmud is a voluminous compilation of academic discussion and judicial administration of Jewish Law; the Mishnah, a legal codification containing the core of the Oral Law, is found within the Talmud; the Shulhan Aruch is a compendium of Talmudic Law composed by Joseph Caro and published in 1555; Halachah is Jewish Law (see Chapter 7 for further discussion).

individual to continue to strive to discern the truth of the Bible and the concomitant appropriate Jewish behaviour as these ideas evolve from generation to generation (Agus 1975, 7-15).

Orthodox Judaism, of course, considers the Torah which was received at Sinai to be the Divine Truth that must be adhered to for all times without question. The Talmud or Oral Law is the practical application of Torah Truth which was formulated by Rabbinic scholars employing divine principles that ultimately derive from the Sinaitic Revelation. As such it is equally authoritative and binding upon the Jew. This absolute commitment to the Written and Oral Law denies any possibility of the Reform conception of freedom to express one's Jewishness as one chooses. It is clear, then, that Orthodoxy is a radically different approach to Judaism than Reform (Bulka 1984, 19; Raphael 1984, 158).

The proponents of Reform Judaism, influenced by ideas of secularism and the "Enlightenment", accused the Orthodox of being blind to the new realities of the age, and therefore backward in their inability to integrate the progressive ideas into their Judaism. It was this very act of ignoring the ideas of the day which the Orthodox considered a virtue. As the Orthodox saw it, the dedication to the strict observance of the Divine Law of Torah was an ideal that should never be compromised to the "progressive ideas" of contemporary secular society (Katz 1986,4). Orthodox Judaism was crystallised as a movement in order to ensure the sanctity of the ancient tradition. The Orthodox saw themselves, and perhaps still do, as the guardians of the Torah and the True Faith.

More recently traditionalists themselves have refrained from using the

term “Orthodox” to describe themselves, preferring the title “Torah-True Jews”. Despite this trend, however, the term “Orthodox” is still the one most commonly used, and is the most accepted term for scholarly discussion. For these reasons it is the term I will use exclusively for the remainder of this work.

While Jews started to immigrate to the United States as early as the seventeenth century, the significant years of Orthodox immigration came in the great wave of 1880-1914. Before this wave of immigration there were Jews in the United States who referred to themselves as Orthodox, but the level of religious observance of these Jews was generally quite low. Part of the reason for this lack of strict Orthodox observance was the continuing influence of Reform Judaism. The German ideas of Jewish Reform first arrived in the United States in the 1820's, and by the 1880's Reform was the dominant version of American Judaism. Before the great migration of 1880, of the approximately two hundred major synagogue congregations in the country, only twelve were still of strict Orthodox observance. The presence of a self-conscious observant Jewish community in the United States, therefore, can be considered to have begun with the arrival of those immigrants of Russia, Poland, Lithuania, Rumania, Hungary, Galicia and adjacent areas who fled the persecutions of their home country in the years 1880-1914 in search of a better life (Blau 1976, 66; Raphael 1984, 9-16, 132-3).

Smaller numbers of Jews did come after the First World War, but by 1924 the United States Congress had enacted strict immigration quotas. Jews did not immigrate to the United States in any great numbers again until just before and at the beginning of the Second World War. In the wake of the Nazi terror some

some 150 000 Jews arrived in the United States until the door was closed again in 1940. Another 100 000 Holocaust survivors immigrated after the war. A large proportion of the current American population of Eastern European Hasidic Jews came from this last wave of immigrants (Rosenthal 1978, 15).

In 1880 there were only 280 000 Jews in the United States. By 1914 there were over two million, of which approximately seventy-five per cent were of the predominantly Orthodox Eastern European grouping. Today there are over six million Jews in the United States of which approximately ten per cent are Orthodox (Rosenthal 1978, 15, 28).

In Canada, the Jewish immigration patterns are similar, although not identical. Jews began to immigrate to Canada in the eighteenth century, but it was not until the twentieth century, similar to the United States, that great numbers arrived. In the case of Canada it was not until 1900, rather than 1880, that the great wave of Eastern European Orthodox migration began. In 1880 there were only 2 500 Jews in Canada, and by 1900 the number had only increased to 15 000. It was in the years 1900-1920 that the greatest numbers arrived, increasing the Jewish population to approximately 125 000. The restrictive Revised Immigration Act of 1927 ceased any further immigration until the doors were opened again after the Second World War (Shaffir 1981, 9-10, 29). Today there are approximately 335 000 Jews in Canada of which approximately fifteen per cent are Orthodox.

It should not be assumed that there are no distinguishing features of Canadian Jewry as compared to American Jewry. Shaffir and Weinfeld point out that Canadian Jews tend to be more geographically concentrated in urban centres. Secondly Canadian Jews tend to attend private Jewish schools at a

higher rate, have lower rates of intermarriage, make more visits to Israel, and are more likely to be Orthodox and less likely to be Reform. This increased level of "Jewishness" is due to various reasons: Canadians are roughly one generation closer to the Old World having set their community foundations in the years immediately following 1900, rather than 1880; Canada tends to promote an ethnic mosaic rather than a melting pot mentality, thus putting less pressure on the Jewish immigrant to assimilate to the predominant culture; and most important, Canadian Jewry benefited from a relatively larger influx of the Ultra-Orthodox immigrants who came to North America during the immediate post-Second World War period (Shaffir 1981, 12-14).

Despite these nuances in religious character between the United States and Canada it is still possible to speak of the Orthodox Jews of the two countries collectively when discussing general Orthodox ideological issues. Because the United States has a relatively much larger population of Orthodox Jews and has founded the major religious organizations and assemblies which represent Orthodox opinion, the ideological positions of Canadian Orthodoxy have followed very closely behind those of the United States. For this reason as I proceed to describe and discuss Orthodoxy in general and specific issues of Orthodox concern I speak of both the developments and thought of Canadian and American Orthodoxy collectively.²

North American Orthodoxy in the twentieth century, as seen above, has gone through a metamorphosis. From a land with only a small sprinkling of Jews, North America now houses a significant, visible and vocal Orthodox

² To classify Orthodox Judaism in Canada and the United States I will use the term "North American Orthodoxy". By no means do I mean to ignore or devalue the rich Jewish tradition of Mexico. I simply use the above expression as a convenient device to describe those communities of which this work intends to discuss.

Jewish community. It is important to note, however, that despite the massive immigration of Orthodox Jews at the beginning of this century, the strength of Orthodoxy that we witness today, was not, as it may appear at first glance, an immediate reality. The first waves of Orthodox immigrants found themselves hard-pressed to maintain their ancient traditions in the new very secular environment in which they found themselves. As a result, levels of Orthodox Jewish observance were declining to such an extent that scholars of Judaism in the 1950's, such as Marshall Sklare, had gloomy predictions for the very survival of Orthodoxy in North America (Bulka 1983, 9).³

That these predictions were ill-founded cannot be denied by anyone familiar with Orthodoxy in North America. Numerous examples abound illustrating the resurgence of Orthodoxy: the wide availability of strictly kosher food, the increased presence of *mikvaot* (pools for ritual immersion), the popularity of wearing a *kippah* (skullcap) in public life, the numerous Jewish publications in print (both scholarly and popular), the vibrant institutions and organizations, and especially the enormous network of Jewish day schools and *Yeshivot* (academies of Torah scholarship) (Bulka 1983, 9-13).

This revitalization of Orthodoxy must be greatly attributed to the very final wave of European immigrants - those handful of survivors of the Holocaust who were great Hasidic leaders and heads of *Yeshivot* who were determined to reconstruct their decimated communities in their new land. These Orthodox leaders began to set into motion the institutional and educational foundations

³ A statement that Sklare made in a 1955 book illustrates the point:

“Orthodox adherents have succeeded in achieving the goal of institutional perpetuation to only a limited extent; the history of their movement in this country can be written in terms of a case study of institutional decay.”

See Conservative Judaism: An American Religious Movement (New York: Schocken Books, 1972) p. 43. (Original Edition - 1955)

which would ultimately revive Orthodoxy to its present position of strength and spiritual vitality.⁴ The Orthodox focus on having large families, set against the smaller and less religiously committed non-Orthodox families, has created an Orthodox demographic revolution. The phenomenon of non-observant Jews “repenting” or “returning” to Orthodox Judaism (The *Ba'al T'shuvah* Jew) is also a significant component of this revitalisation which deserves mention.⁵ Scholars of Judaism, such as Charles Liebman, have now reversed their predictions, proclaiming that the branch of Judaism in North America which is showing the best chances for long-term survival is the Orthodox movement (Sacks 1991, 6-7).

With North American Orthodoxy's new situation of strength has come a significant diversity of expression. Let us now turn to a more thorough discussion of the different expressions of Orthodoxy in North America today.

⁴ Ironically it was while the Orthodox leaders were building these foundations that the gloomy predictions of Orthodoxy's future were being offered.

⁵ The American Jewish Outreach Program (Phone Number: 1-800-44-TORAH) is just one of many Jewish bodies encouraging non-observant Jews to transform their life to one of strict Orthodox observance.

LEFT-WING AND RIGHT-WING ORTHODOXY

“ . . . it must be recognized that Orthodoxy, even though the term implies a unity of purpose, is merely a loose federation of various groups with diverse philosophies that come under the umbrella of Orthodoxy.”
(Bulka 1983, 421)

One of the most visible ways to see variety in Orthodoxy is simply to witness normal prayer services at two different Orthodox synagogues. On the one extreme one can observe a modern building with a large, lavish sanctuary with mixed seating, the use of a microphone and a professionally trained cantor, and a rabbi who “leads” the proceedings from a *bima* (podium or stage) at the front of the synagogue, and whose English sermon is the heart of the service. At the other extreme one can observe a somewhat run-down “shtibl” (small synagogue) with the *bima* in the centre, not dissimilar in design from synagogues of Eastern Europe of two or three centuries ago, with a small, crowded sanctuary, men and women rigidly divided by a full-length wall, a prayer service of spontaneity with each worshipper “davening” (praying) at his own pace unheeding of the congregant leading the service, and a disorderly and loud atmosphere where people feel free to walk around and talk to each other (Liebman 1983, 55-6; Raphael 1984, 155-6).

Despite these obvious differences, however, it should be evident that simply observing different styles of worship does not sufficiently address the issue of identifying the underlying deep-rooted conflicts in ideology, doctrine and belief that we find today in North American Orthodoxy. It is to this important

task that we now turn.

One very helpful way of identifying the different tendencies within Orthodox Judaism is to follow Charles Liebman's⁶ lead of making use of the Church-Sect typology. The model was originally used by Ernst Troeltsch to describe the different tendencies within early Christianity⁷. Following Milton J. Yinger's refinement of Troeltsch⁸, the idea of the Church and of the Sect can be seen as end points on a continuum along which different religious organizations and assemblies can be placed and compared one to the other. Using this model to evaluate Orthodox Judaism, the *church* recognises the strengths of the secular world (both the non-Jewish society and the larger non-Orthodox Jewish society) and therefore is willing to compromise to some extent with the values of the larger society. The *sect*, on the other hand, is a smaller more isolated group which repudiates the flexibility and adaptability of the *church*. Being either hostile or indifferent to general secular society (again both non-Jewish and Jewish), the *sect* prefers exclusion to compromise (Liebman 1983, 49-50).

Of course, using this model, Reform and Conservative Judaism fall closer to the *church* than does Orthodox Judaism. While there is no observant branch of Orthodoxy which supports assimilation or the total integration with the values of secular society, there still remains enough Church-Sect variation

⁶ Charles Liebman is a Sociologist at Bar-Ilan University in Tel-Aviv who has written prolifically on modern Judaism. His "Orthodoxy in American Jewish Life" (*American Jewish Yearbook*, 66, 1965, 21-92. - Reprinted in Bulka 1983, 33-106) is a classic work in the field of the sociology of Orthodox Judaism.

⁷ See Ernst Troeltsch, The Social Teaching of the Christian Churches. Vol. 1. (New York: Harper and Brothers, 1960)

⁸ Yinger expanded upon Troeltsch's model by introducing more specific terms and classifications. See Milton J. Yinger, The Scientific Study of Religion. (New York: Macmillan, 1970), p. 256-264.

within Orthodoxy alone, as will be illustrated throughout this work, to warrant the use of such a model (Liebman 1983, 51). The chart found in Appendix A is my attempt to plot North American Orthodoxy on such a Church-Sect continuum. By no means do I suggest that this formulation of Orthodoxy is the only interpretation of the data.⁹ Using this type of model there certainly is some room for variation of interpretation. Whatever formulation one arrives at, however, the merits of Liebman's model as an effective heuristic device cannot be denied.

On the extreme left side of the continuum is the Non-Observant Orthodox or Nominal Orthodox. These are Jews who define themselves as Orthodox because of their affiliation and attendance at Orthodox synagogues. They stray from the definition of Orthodoxy presented earlier in that they do not view Halachah (Jewish Law) as an obligatory standard for the Jew. These Jews feel a strong connection to their Orthodox synagogue for a variety of reasons: an especially charismatic Rabbi, the love of the the smaller more intimate setting and the richness of the prayer, or perhaps a nostalgia for the past of their parents and grandparents. "Non-Observant Orthodox Jews" constitute a relatively small proportion of Orthodox Jews in North America (Liebman 1983, 44-6).

⁹ One might question, for example, the placement of Chabad-Lubavitch Hasidism only slightly right of the centre, rather than more closely aligned to *sect*-like Satmar Hasidism on the extreme right side of the continuum. My rationale for this placement was the amount of outreach programs directed towards non-Orthodox Jews that is common within Lubavitch practice (for example the presence of "Chabad-Houses" on University campuses and the proliferation of "Mitzvah-mobiles" conducting the "Put on *Tefillin* [phylacteries] Campaign"). I felt that this type of willingness to interact with the larger non-Orthodox Jewish society should be indicated on the chart by moving Chabad-Lubavitch Hasidism closer to the *church*, while still remaining part of "Right-Wing Orthodoxy".

Closer to the centre of “Left-Wing Orthodoxy”, but still considered *churchian*, is what is most commonly referred to as “modern Orthodoxy”.¹⁰ These are Orthodox Jews who strive to fulfil Halachic requirements, while still participating in the non-Orthodox and non-Jewish world around them. Emphasis is placed on what unites all Jews, rather than what separates them (Liebman 1983, 56). Lawrence Kaplan, an Orthodox rabbi and Professor of Jewish thought, defines the modern Orthodox Jew as one who strives:

“ to adhere faithfully to the beliefs, principles and traditions of Jewish law and observance without being either remote from or untouched by life in the contemporary world.” (Kaplan 1983, 242)

Although modern Orthodoxy is a distinctive ideological trend within Orthodoxy, Rabbi Emanuel Rackman, one the most significant proponents of modern Orthodoxy, insisted that it is not a different religious movement within Judaism that could be viewed as a schismatic separation from a more right-wing Orthodox position. Rabbi Rackman described modern Orthodoxy as:

“ . . . 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.” (Rackman 1975, 178)¹¹

Today the widespread influence of modern Orthodoxy is surely more than a score of rabbis, but modern Orthodox Jews still insist that they are very much part of mainstream Orthodoxy, rather than part of a separate religious

¹⁰ Norman Lamm, president of Yeshiva University, prefers the title “Centrist Orthodoxy”. It should be realized, of course, as Lamm alludes to (Lamm 1986), that categories and titles are simply heuristic devices that should not subvert our attention from the real issues that underlie these titles. It should be reiterated here that the title “Orthodoxy” itself is a misnomer.

¹¹ Furthermore, even within modern Orthodoxy there is not unanimity in opinion. Lawrence Kaplan raises this point in his The Ambiguous Modern Orthodox Jew (Kaplan 1983, 242-52) where he distinguishes between two types of modern Orthodox Jews: those who give precedence to their “modernity” over their “Orthodoxy”, and those that give precedence to their “Orthodoxy” over their “modernity”.

movement.

Modern Orthodoxy often feels it is belittled by the more right-wing tendencies in Orthodoxy. Rabbi Rackman acknowledges that the faculties of many Orthodox day schools and *Yeshivot* disapprove of much of what modern Orthodoxy stands for, and are not hesitant to share these feelings with their pupils (Rackman 1975, 179). For this reason modern Orthodoxy often takes a defensive posture, feeling a need not only to justify the very legitimacy of its position, but also to demonstrate why their interpretation of Judaism is a richer and more authentic religious understanding. As the expression goes: modern Orthodoxy is “always looking over their right shoulder” to gauge the reaction of the ultra-Orthodox.

Right-wing Orthodoxy is often quite vocal in their opposition to modern Orthodoxy. Rabbi Elya Meir Bloch, head of the right-wing Orthodox Telshe Yeshiva, warned his fellow right-wing Orthodox Jews more than twenty years ago that:

“We no longer have to fear Conservatism - that is no longer the danger. Everyone knows that it is *avoda zara* (idolatry). What we have to fear is Modern Orthodoxy.” (parentheses mine)

Rabbi Bloch’s comments are unequivocal. He condemns non-Orthodox Judaism as certainly unacceptable, so that there is no need for further discussion. In his opinion, it is modern Orthodoxy, a movement that insists it still speaks in the name of Orthodoxy but actually represents an inadequate concept of Torah and Jewish practice¹², that is the real danger to “authentic” Orthodoxy.

¹² Some of the characteristics of modern Orthodoxy that Bloch took exception to are the “non-Orthodox” practices of certain modern Orthodox synagogues. These include: the lowering or complete removal of the *mechitza* (dividing wall between men and women), the moving of the *bima* (podium or stage) from the centre of the synagogue to the front, and the use of a microphone on the Sabbath (Keller 1983, 253).

Rabbi Chaim Dov Keller, a respected student of Rabbi Bloch, reiterates that because modern Orthodoxy has grown into a prominent ideological movement, the dangers that Rabbi Bloch spoke about have only become worse. He considers the “misguided ideas and policies” of modern Orthodoxy to be a serious threat to the sanctity of the tradition (Keller 1983, 253-4, 269).

Rabbi Rackman defends modern Orthodoxy by insisting that no modern Orthodox rabbi articulates “any position that cannot be supported by reference to authentic Jewish sources” (Rackman 1975, 178). Rabbi Reuven P. Bulka, another prominent modern Orthodox spokesman, feels the attacks of Rabbi Bloch and Keller are unfair because they distort the essence of what modern Orthodoxy stands for. Bulka argues that “we” (meaning all Orthodox Jews) have always been modern Orthodox. It is a phenomenon that has existed throughout Jewish history:

“The Hasmoneans were Modern Orthodox when they fought on Shabbat, thus avoiding almost certain annihilation . . . The sages were Modern Orthodox when they realized the threat to the survival of the Oral Law, . . . and, against the prevailing norm, allowed the Oral Law to be committed to writing. Modern Orthodoxy is nothing more or less than the commitment to live out the entirety of the Torah in serious confrontation with contemporary reality.” (Bulka 1991, 35, 37-8)

Despite this defence, Bulka does admit to certain weaknesses in the modern Orthodox position. He feels that there is a gap between the ideal theory of modern Orthodoxy, as espoused by its leaders, and the actual application of this ideal as it is practiced by many of the adherents. Bulka claims that modern Orthodoxy is guilty of what he calls the narcissistic “yuppification” of Judaism. This yuppification is illustrated in two fundamental ways: family-size and career choice. As opposed to right-wing Orthodox families who have an average of five

or six children, modern Orthodox families, both in the United States and Canada, tend to be very close to the national average. The yuppification of many modern Orthodox families has brought about a situation where luxury items such as a third car or a summer cottage have been purchased at the expense of having more children. A similar narcissistic bent can be found in modern Orthodox career choice. The high-income and high-status professions of doctors, lawyers, engineers and university professors are chosen much more frequently for modern Orthodox Jews than the professions of rabbi or Jewish educator. These trends force modern Orthodox Jews to rely on the resources of the right-wing Orthodox to facilitate religious education, and reflect a lesser commitment on the part of the modern Orthodox to the perpetuation of Jewish knowledge (Bulka 1991, 35-6).

Jews of the more right-wing or *sect*-like side of the continuum are often referred to as ultra-Orthodox Jews.¹³ The leaders of the right-wing Orthodox community are the heads of the *Yeshivot* and a few prominent Hasidic rabbis. Being a *sect*-like movement, right-wing Orthodoxy tends to isolate itself both from the mainstream non-Jewish society and the non-Orthodox Jewish community. In extreme cases, interaction even with modern Orthodox Jews is avoided. Right-wing Orthodox Jews strive to fulfil Halachic requirements while generally eschewing any compromises with the values of secular society.

Hasidism, a Jewish pietistic movement (“hasid” is the Hebrew word for “pious one”) within right-wing Orthodoxy, arose in the early part of the eighteenth century in the Ukraine, and quickly spread to Lithuania and Eastern

¹³ Although this is probably not a term this Jew would use to refer to him or herself. It is likely a title that modern Orthodoxy created in contra-distinction to their own movement.