Wary in Your Dealings:

The Haredi Relationship with Secular Government

An Honors Thesis for the Department of German, Russian, & Asian Languages and Literatures

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“Be wary in your dealings with the ruling power, for they befriend a man when it serves their needs. When it is to their advantage, they appear as friends, but they do not stand by a person in his hour of need.”

– Pirkei Avot 2:3

(Translation from the *Koren Siddur*.)

הוו זהירין ברשות, שאין מקרבין לו לאדם, אלא לצורך עצמן: נראין כאוהבין בשעת הנאתן, ואין עומדין לו לאדם בשעת דוחקו.

פרקי אבות פרק ב,ג

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We possess a number of qualitative studies and explorations of the lives of Haredi[1,2] Jews in the United States. Some authors have even gone so far as to live within these communities for a period of time in an attempt to understand and document their ways of life.[3] All of these authors have noted the friction that members of these communities feel in their interactions with the outside world. Unlike some other religious sects, Haredi Judaism does not shun or spurn the use of modern conveniences; in fact, it only rejects it insofar as it may disturb the moral or religious integrity of a community. Certain Haredi groups have more extensive involvement with the outside world than others, for various reasons ranging from business or economics to a sincere desire to perform religious outreach.

On the whole, the things from the outside world which present the biggest conflict with the Haredi way of life, then, are not things, but ideas. In Haredi communities, in which the Hatam Sofer's adage "The new is forbidden by the Torah" is often taken quite seriously, it is difficult to overstate the degree to which the community will separate itself from the world at large to avoid contamination. One of the most powerful (and therefore, possibly dangerous) ideas to emerge since the eighteenth century is the concept of a liberal democracy, or any political system in which individual citizens are engaged.

Not enough research has been done to address how Haredi groups interact with secular government. Most studies, if they address government or politics at all, address it as simply another curiosity within the Haredi experience. This is misguided. It is worthwhile to address the

[1] The term Haredi is used exclusively in this thesis, except when quoting from sources that use other terms. "Ultra-Orthodox" should be understood in all cases to be a synonym of "Haredi." The plural form "Haredim" will be used interchangeably with the phrase "Haredi Jews," as will the term "Hasidim" in place of "Hasidic Jews."
[2] From this point, whenever a Hebrew or Yiddish term is used in this paper, it will generally be with a common transliteration, and a brief, contextual English explanation will appear in parentheses next to it the first time it is used.
[3] Stephanie Levine, *Mystics, Mavericks, and Merrymakers* (New York: NYU Press, 2004).

question of what explains the form of this political involvement[4], and that is precisely the goal of this thesis. The paper will take a comparative approach, analyzing the similarities and differences in different Haredi groups' involvement as compared to each other, and across different dimensions of engagement. Much of the analysis in this thesis will center on the question of how religious philosophy, orientation, emphasis, and practice shape the form of a particular group's involvement.

A fairly reasonable concern about this thesis is about its relevance outside of Jewish studies. Simply put, Haredi Judaism in America is growing. Every Haredi child born means more Haredi adults–and quite possibly, more Haredi voters. Geographer Joshua Comenetz (cited by Aaron Hoover) estimated in 2006 that there were 180,000 Hasidic Jews living in the United States–all of them Haredi–in addition to approximately an equal number of non-Hasidic Haredi Jews, for a total of 360,000 Haredim in the United States.[5] Moreover, given the high Haredi birthrates that will be discussed at length in this thesis, it is likely that the proportion of Haredim among Americans and American Jews will grow in the years to come. Even given this growth in Haredi communities, it is unlikely that much will change within the communities, at least from a fundamental perspective; given the theological aversion to modernization found within the Haredi world, it is quite likely that democracy will have to adapt to Haredi Judaism, rather than the other way around.

More to the point, Comenetz estimates that the Hasidic population doubles every 20 years; by his measurement, Haredim will constitute a majority of the American Jewish

[4] The term "political involvement" should be understood throughout this study to encompass the entire range of an individual or group's interactions with government or individuals serving in government. While the inclusion of the judicial system may be somewhat controversial, the Haredi world's involvement with the system has much of the give-and-take that characterizes political involvement in other aspects of government. (Indeed, this involvement or interference is analyzed thoroughly in the section of the paper dealing with child molestation cases in the Haredi world.)

[5] Aaron Hoover. 2006. As Hasidic population grows, Jewish politics may shift right. University of Florida News. http://news.ufl.edu/2006/11/27/hasidic-jews/ (accessed 22 January 2012).

population by around 2050.[6] The ways of life of these groups, radically opposed to that of even mainstream Orthodox Jews,[7] to say nothing of more liberal groups, gives them an entirely different set of political priorities, and will likely completely reshape entire the political landscape of American Jewry; shifts could include an increased emphasis by American Jews on issues of funding for religious schools or increased emphasis on "culture war issues," like abortion, contraception, and same-sex marriage.[8] This has significant implications for politicians and policymakers alike. This relevance could be even more pronounced at the local level, given the propensity of these groups to live in concentrated communities, where their influence can be more easily be felt. Moreover, the successes and failures of policymakers now in creating structures of political engagement amenable to both the Haredi world and the non-Jewish majority will be tremendously instructive as Haredi Jews gain influence in more and more parts of the country.

A further reason for the relevance of this thesis is that Jews outside of the Orthodox or Haredi world do not readily understand the distinctions among different Haredi groups, although the distinctions are at least visible (if not glaring) to the Haredim themselves. While differences in thought may not be great, they certainly exist, and explain many rifts and complex relationships among Haredi groups. The guiding question of this thesis will be as follows: to what degree do ideological differences explain differences in political behavior among different Haredi groups? The corollary to this question then, is: to what degree do other factors apart from

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[6] *Ibid.*

[7] Particularly within Orthodoxy, the divisions between different groups are unclear, and attempts to delineate them are politically and socially fraught. For the purposes of this paper, a shorthand, academic set of divisions might work as follows: Modern Orthodoxy embraces both the modern world as well as observant Judaism as a means of engaging with that world, and will often allow for their intersection and influence upon each other. Mainstream Orthodoxy accepts modernity in secular matters as long as it does not interfere with Jewish practice; Judaism is generally considered unchanging and unchangeable in both theology and practice. Haredi Judaism views modernity as actively damaging to an authentically Jewish way of life. (While further divisions certainly exist, particularly between mainstream Orthodoxy and Haredi Judaism, it is not necessary to explore them here.)

[8] *Ibid.*

ideology play a role in political strategy and outcomes as they relate to Haredi Jews? The natural corollary to this is an explanation of what other factors play a role, and to what degree.

To this end, the thesis will also explore the other factors that contribute to Haredi life, including sociology, economics, and culture, with consistent reference to how religion creates these circumstances in the first place. Finally, a country which is increasingly becoming religiously diverse will need to contend with the intersection of non-standard religious practice and public life. It is hoped that this paper may serve as a basis for comparative studies of minority religious groups.

This thesis will naturally bring up some inconvenient questions about the nature of religious and political life in America. In a country which ostensibly works very hard to avoid the entanglement of religion and politics, the dilemma of how the political life of America should handle some Haredi groups, which systematically and unabashedly vote in blocs, when the democratic process is based so heavily on the idea of individual voter choice is significant. Of more concrete concern, as well, is how the American criminal justice system is prepared to handle coexistence with the parallel and powerful system of *batei din* (courts of Jewish law) established within some Haredi enclaves, as well as how an overtaxed system of public benefits (e.g., Social Security, Medicaid, and food assistance) should contend with a rapidly expanding and heavily dependent Haredi population. The question of how the government should respond to the adamant desire of one religious minority to enter its tradition into the public square of a government whose secularism many consider to be sacrosanct is going to arise with increasing frequency. While neither this thesis nor its author are in a position to solve these problems outright, it is troubling how little research and exploration has been done into these issues. This thesis attempts to end, in some small part, this collective ignorance; it is hoped that some amount

of clarification may help to better identify the challenges, and from that clarity, generate solutions.

Methodology and research notes

Sources

At this point, a note on research is required. This study will draw quite heavily Jewish media, ranging from the nondenominational *Jewish Week* to more sectarian publications. It will also use *Yeshiva World News*, published for the segment of the Jewish world which refrains from consuming most other types of news media, as well as *Vos Iz Neias? (VIN)* (Yiddish for "What's new?"), authored anonymously by two Hasidic Jews and two described as more "modern Orthodox."[9] Having said this, the term "modern Orthodox" is very likely relative, and, indeed, Modern Orthodoxy is a very large spectrum of belief, ideology, and practice. It should be taken simply as evidence of the perception on the part of the editorial staff of *VIN* that those two editors are simply non-Haredi or even non-Hasidic, and not by any means that they fall into the prevailing conception of "modern Orthodoxy." Whatever *VIN's* reliability, it enjoys wide enough currency in the Haredi world that it is worth exploring as a source of self-perception.

Using the same media that Haredim use to advance and perpetuate thoughts, values, and social cues is crucial to this thesis, particularly in the area of politics, and can provide valuable insight into the political leanings of Haredi leadership where no obvious conclusion might otherwise exist. Writing about the Satmar community paper *Der Yid,* George Kranzler writes, "[The Satmar Rebbe's articles in *Der Yid*] set the tone and provide the sociopolitical orientation

[9] Ben Nathan, "You Give Them 18 Minutes, They Give You The World," *5 Towns Jewish Times*. 20 August 2008, accessed 20 March 2012, https://www.5tjt.com/local-news/3247-you-give-them-18-minutes-they-give-you-the-world.

for a majority of the weekly's readers."[10] While the opinion-making structures of Haredi cultures will hopefully be evident to some degree in this thesis, the importance of Haredi media in understanding Haredi culture cannot be underestimated.

Furthermore, the paper will make extensive use of secular news sources, particularly the *New York Times*. Such sources, besides providing generally excellent reporting, can serve as sources which can generally be assumed to lack the usual bias of Haredi news media; like any other source, however, they cannot be assumed to be without any bias themselves. The viewpoint of the "outsider looking in" is tremendously valuable to understanding the nature of Haredi self-perception–and will, in fact, be used as a basis of comparison in ascertaining fact and opinion.

The need to rely so heavily on source materials like these, as opposed to secondary or tertiary source materials, has much to do with the fact that, as previously mentioned, so little scholarly work has actually been done in evaluating the topic of Haredi political engagement. Also contributing to this is the fact that the Haredi world is very insular, and often does not lend itself for involved field research that encourages anything but a small body of scholarly work. The exception to this pattern is the Chabad-Lubavitch movement, which is the subject of one of the final sections of the thesis; for reasons explained therein, the group is famously welcoming and open to outsiders, and, for this reason, at least four excellent texts are available about it, all of which lend some clues that are helpful to this study.

Research notes

Readers will note that the explorations found in this paper focus very heavily on examples from the New York metropolitan area, and they may be justifiably concerned that this

[10] George Kranzler, *Hasidic Williamsburg: A Contemporary American Hasidic Community* (Northvale, NJ: Aronson, 1995), 124.

geographic area is over-discussed in this thesis. (Such concerns are relevant, as it becomes far more difficult to account for differences in state and local politics as being influential on political behavior. New York politicians may simply be more or less willing "to play ball" than those from other states.) However, American Orthodox Jews are disproportionately from the Northeast, even as compared to American Jews as a whole. (41 percent of American Jews live in the Northeast; 68 percent of Orthodox Jews in the US live in this region.)[11] Given that this means that 32 percent of Orthodox Jews in the US are scattered across 40 states, it might seem reasonable that it is much more difficult for these smaller communities to have a noticeable influence. The experiences of these small communities, groups, and even individuals, however, are important, and will arise in this study, particularly with regard to the exploration of the Chabad-Lubavitch sect.

It is crucial to note at the outset that the author of this thesis identifies as a Modern Orthodox Jew. While the writing has been done in order to ensure that the writing is free from bias, it is up to readers to judge the evidence and conclusions presented with this in mind. The author feels that his religious experience and practice have given him the ability to view most Haredi groups with a clinical eye, with the Chabad-Lubavitch movement being something of a possible exception. The author is involved with Chabad on his university campus, and has the experience of being hosted consistently and freely at the home of *shluchim* is more likely to introduce bias than any other experience. It is his fervent hope that no such influence has been unduly introduced into this work.

[11] "National Jewish Population Survey 2000-01: Orthodox Jews," The Jewish Federations of North America, accessed 16 April 2012, http://www.jewishfederations.org/local_includes/downloads/4983.pdf.

Organizational notes

In *Lubavitchers as Citizens,* Jan Feldman writes of the futility of attempting to categorize the Lubavitch mindset along the metrics of traditional political engagement, and notes that the rationality of the group's mindset is derived solely from Torah.[12] This paper proceeds under this assumption, and demonstrates, that this truth is, if anything, truer for Haredi groups that are not Lubavitch. For this reason, the body of the paper will be organized around the following general structure: the three "dimensions" discussed below will form the primary organizational blocks of the paper, and within each dimension, examples of different Haredi groups' political interaction with that area will be analyzed and compared.

Evidence, whether explicitly stated in the source materials or found outside them, will be given for instances where it is possible to discern a factor influencing the character of the involvement. The most crucial factors are religious ideology, external political structures (e.g., structure and powers of the legislature), social factors directly caused by religion (e.g., high birthrates caused by the commandment to reproduce and multiply), and social factors not directly caused by religious practice (e.g., life in a suburban area compared to an urban area).

This study will evaluate Haredi political involvement on three different dimensions, of types named by the author. It is hoped that these types will approximate the reality of Haredi involvement with government, while still being comprehensible to those familiar with traditional political science research methods. The first of these is *bureaucratic*, and will compare the engagement of non-Hasidic Haredim in Lakewood, New Jersey with that of Hasidim in Brooklyn, New York with respect to the handling of child sexual abuse cases in the last several years. This comparison will evaluate general behavior when pressure is brought to bear from both elected and unelected branches of the criminal justice system. The second dimension is

[12] Jan Feldman, *Lubavitchers as Citizens* (Ithaca, NY: Cornell University Press, 2003), 48.

called the *legislative-electoral* dimension, and will primarily discuss the direct engagement of New York City-area Hasidic Jews with their elected officials; furthermore, it will discuss the efforts of both the Hasidim and the elected officials to maximize mutual benefit from such relationships by creating legislative districts congruent with the relationships formed.

The third and final dimension is called the "*ideological*" dimension, and it is different from the rest; in many ways, however, it most directly addresses certain areas the aspect of the thesis question, insofar as it does not weigh concrete concerns of finance and similar worldly circumstances against philosophical and religious imperatives. It addresses the degree to which political activity is determined solely by a desire to advance a particular religious mission. In this dimension, the political engagement of the Chabad-Lubavitch movement will be discussed; the engagement of this group is, to say the least, far-ranging. Geographically, Chabad can be found in places including the halls of power in Washington, D.C., the retirement communities of South Florida, and the small town of Postville, Iowa. In pursuit of achieving its ends, Chabad's activity ranges from lobbying officials at the highest level of government to contending with zoning conflicts in midwestern America. Creating this extreme diversity of circumstances is the mandate of *"ufaratzta"*[13] (and you shall spread out, a command given in the Book of Genesis and taught by Chabad to epitomize their mandate for outreach), and it is the implications of this mandate that this thesis shall address in its final case study. It will focus most heavily on the direct relationship of a particular spiritual mandate to it being carried out in life. The study will be particularly telling because the head of the movement (Rabbi Menachem Mendel Schneerson) died in 1994, left no successor, and therefore still commands sole and absolute authority for his movement's growing group of followers.[14,15]

[13] Sue Fishkoff, *The Rebbe's Army: Inside the World of Chabad-Lubavitch* (New York: Schocken Books, 2003), 60.
[14] *Ibid.,* 262.

The Bureaucratic Dimension: Child Abuse in Haredi Communities

The first exploration will focus most heavily on the judicial and criminal justice system as an area in which the politics of power are played out. It will compare the response to child abuse within Hasidic communities in Brooklyn and non-Hasidic Haredi communities in Lakewood, NJ. Crucial to understanding both of these communities is an explanation of the difference between Hasidic Jews (who are also Haredi) and Haredi Jews who are not Hasidic. When Hasidism arose in Eastern Europe in the eighteenth century, the differences between the Hasidim and their opponents (sometimes called *misnagdim*) were great. Allan Nadler notes, "Hasidism suddenly and radically shifted the emphasis of Jewish religious life from sober scholarship to an impassioned spirituality. At the pinnacle of the hierarchy of Judaism's religious values, Hasidism replaced the detached and unemotional study of Torah with joyful prayer and enthusiastic mystical communion with the Divine."[16]

Ideological differences between the *misnagdim*, centered on the great *batei midrash* (study halls) and the Hasidim, grew to be much more than ideological as time progressed. As Hasidim gathered around charismatic local rabbis (*rebbes*), *misnagdim* coalesced around Rabbi Elijah of Vilna, better known as the Vilna Gaon. Tensions between the two groups reached a boiling point in 1796, when the Vina Gaon excommunicated the Hasidim, even declaring the meat they slaughtered to be non-kosher.[17]

While, to outside observers, some of the differences between Hadidic and non-Hasidic communities have diminished, cultural ones certainly remain. Hasidic and non-Hasidic Haredi

[15] The Rebbe's power is such that some, even today, consider him to be the Jewish Messiah. (Levine, 105.) While this belief system is fascinating and worthy of exploration, its impact on this study is questionable and therefore beyond its scope.
[16] Alan Nadler. 1992. Rationalism, romanticism, rabbis and rebbes: inaugural lecture of Dr. Allan Nadler, Director of Research, YIVO Institute for Jewish Research. New York: YIVO. 2-3.
[17] Nadler, 4.

communities do not live together. They attend different synagogues and place emphases upon different areas of life. This thesis will attempt to prove, among other things, that these differences are more deep-seated than is commonly discussed, even as the communities work together on issues of common concern and have public faces that many in the modern world have trouble distinguishing. Indeed, both communities are motivated by many of the same issues in how they address their relationship with civil society. All Haredim are bound by the same religious text (namely, the *Shulhan Aruch*) that has led many (though by no means all) Haredi rabbis state that informing on a fellow Jew to the non-Jewish authorities is a capital offense, punishable by death in a traditional interpretation of Jewish law.[18] (Since no *batei din* have the power to mete out the death penalty today, it is worth considering whether or not the gravitas of the "capital offense" is overused by rabbinical authorities who know they will never have to inflict such penalties.)

Moreover, Haredi societies are tremendously insular. Despite their lack of esteem for civil authority in general, some of Haredi leaders' distaste for the involvement of secular police often can be attributed to a fear of the loss of social capital for the family of the accused, especially in arranging matches (*shidduchim*).[19] A further motivating factor, found in all Haredi communities is strict adherence to the Talmudic dictum to avoid profaning the name of the Almighty (*chillul Hashem*) through actions which embarrass His people on Earth; even the threat or suggestion that an activity might fall under this category is usually enough to dissuade it from taking place under most circumstances.[20]

[18] Michael Lesher and Amy Newstein, "A Single-Case Study of Rabbinic Sexual Abuse in the Orthodox Jewish Community," *Journal of Child Sexual Abuse* 17 (2008):3-4. 273.
[19] *Ibid.*, 274
[20] *Ibid.*, 274-5.

Where Hasidic and non-Hasidic societies differ is in the matter of pluralism. In Hasidic society, grace and merit themselves emanate from a single, charismatic, very authoritative *rebbe*, or spiritual leader. (In some communities, notably Satmar,[21] multiple rebbes, not content to coexist, are vying for what they consider to be indivisible power and influence over their communities.) By contrast, communities of *mitnagdim* are, in comparison, more open. In fact, the *Encyclopaedia Judaica,* refers to the culture of *mitnagdim* as posessing, "pronounced skepticism and a severe criticism of credulity and authoritarianism."[22]

While controlled by a strict set of moral, religious, and cultural boundaries, different individual rabbis and scholars can vie for influence, particularly in non-Hasidic communities where there is no set leadership structure. As of late, such individuals have tried to gain influence by moving the community to the right, and, as they do so, have tried to delegitimize would-be leaders who are less stringent or leaders perceived to be more open to liberalizing or outside influences. To move into our case study, such influences can be nearly anything not in keeping with social mores which demand a scrupulously observant society: striped dress shirts, lenient rabbinic rulings, and even reliance upon the secular police.

The first case study in this thesis involves the non-Hasidic Haredim of Lakewood, New Jersey, acknowledged as hub of non-Hasidic Haredi Judaism, and, in particular, yeshiva culture, in America. Beth Medrash Govoha, known as BMG, is the by far the largest yeshiva in North America.[23] In explaining the story that follows, the influence of the yeshiva and its heads cannot be underestimated. The yeshiva purports to account for 72 percent of Lakewood's inarguably

[21] Andy Newman, "Amid Mourning, Satmar Succession Goes to Court," *New York Times*. 26 April 2006, accessed 18 March 2012, http://query.nytimes.com/gst/fullpage.html?res=9E0CE1DF133FF935A15757C0A9609C8B63.
[22] Michael Berenbaum and Fred Skolnik, "Mitnaggedim," *Encyclopaedia Judaica*. 2007. Detroit: Macmillan Reference USA, 2007. 14:371. *Gale Virtual Reference Library*. http://go.galegroup.com/ps/retrieve.do?inPS=true&prodId=GVRL&userGroupName=imcpl1111&tabID=T003&searchId=R2&searchType=AdvancedSearchForm&contentSet=GALE&docId=GALE%7CCX2587514013
[23] Yeshiva World News, "Explosive Growth In Lakewood Foreseen," *The Yeshiva World News*. 30 October 2009, accessed 18 March 2012, http://www.theyeshivaworld.com/article.php?p=41318

prodigious population growth over the last twenty years.[24] Lakewood's culture has become reliant on rabbinic authority to the point where a coalition of local opinion-makers felt the need to issue a statement, complete with backing in religious texts, that it is in fact acceptable for Jews to participate in the United States' decennial federal census.[25]

In 2009, Rabbi Yosef Kolko, a former Lakewood yeshiva teacher, was accused of sexually molesting a young male student. Instead of going directly to local authorities, the first natural step for the parents of the child accused was to address their concerns with religious leaders, including several well-known rabbinic authorities such as Rabbi Mattisyahu Solomon, the *mashgiach* (spiritual authority) in Lakewood, as the *Jewish Week* reports.[26]

The public in Lakewood appealed to religious authority for a way to contend with the situation, and the rabbis obliged. Nine local rabbis issued a ruling noting that it was forbidden to bring accusations against a fellow Jew to the secular authorities, and that it was "prohibited... to assist and participate with the secular authorities in their efforts to persecute a Jewish person."[27] Nor did such religious proclamations seem to be geographically-bound. In her piece for *The Jewish Week*, Hella Winston notes that Rabbi Yisroel Belsky, affiliated with the relatively mainstream Orthodox Union, writing of the "horrific news that one of your fellow residents in town informed upon a fellow Jew to the secular authorities," urged the community to "influence"

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[24] *Ibid.*
[25] Matzav, "BMG Poskim and Roshei Yeshiva Release Letter Regarding Permissibility of Participating in 2010 Census," *Matzav.com*. 18 March 2010, accessed 18 March 2012, http://matzav.com/bmg-poskim-and-roshei-yeshiva-release-letter-regarding-permissibility-of-participating-in-2010-census.
[26] Hella Winston, "In Lakewood Abuse Cases, A 'Parallel Justice System'," *The Jewish Week.* 6 December 2011, accessed 18 March 2012, http://www.thejewishweek.com/news/new_york/lakewood_abuse_cases_parallel_justice_system.
[27] Winston.

the family reporting to "retract their terrible deeds."[28] Indeed, the rabbis of the *beit din* enjoy enormous power, able to credibly threaten a family's standing in a community.[29]

From this point, *Week* then launched into a long explanation of a set of structures, including a religious court (*beit din*) established by Rabbi Solomon specifically so the Lakewood community could address sexual abuse allegations. The *Week* reported: "The mere act of commissioning an evaluation — which was apparently damning enough for the prosecution to argue (successfully) for Fagin's [the psychologist] ability to testify at trial — would seem to indicate at least a reasonable cause to suspect abuse," before repeating that none of those made aware of the situation reported the allegations to the authorities.[30] It is also notable that, even in cases where the allegations were found to be "credible" by the specially-established *beit din*, they were still not reported to the authorities, but rather, handled as the community saw fit.[31] Notably, while *batei din* have little power to imprison or otherwise penalize someone found liable for an offense, the religious authority of the court does have the ability to dissuade those who would seek redress in a secular court following a *beit din*–resulting in a tremendous imbalance against victims' ability to see perpetrators brought to justice.[32]

What has been reported thus far is not particularly groundbreaking with regard to religious groups' handling of crime and abuse. Indeed, attempts to handle allegations within the Hasidic communities of Brooklyn, explored in the next paragraph, also began (but did not end) in the community,[33] to be discussed later. Even outside of the Jewish world, most Americans are familiar with the accusations of a cover-up of clergy abused leveled against the Roman Catholic

[28] *Ibid.*
[29] *Ibid.*
[30] *Ibid.*
[31] *Ibid.*
[32] Lesher and Newstein, 272.
[33] Vitello 2009.

Church in the United States.[34] Indeed, many continue to castigate the Church for what they view as its failure to properly pursue abusers and protect the faithful. What makes Lakewood interesting is the community's reaction, particularly in contrast to the reception of the civil authorities by Brooklyn's community.

In late 2009, *The New York Times* ran a story detailing allegations of child sexual abuse within Brooklyn's Hasidic communities. The *Times* pointed out that such abuse affects nearly every religious and social community. The article focuses on the fact that many accusers were choosing to sidestep the existing system of *batei din* (singular: *beit din*), the community courts that adjudicate everything from matters of religious law to property disputes, and are the accepted way to avoid engagement with the secular (or non-Jewish) government in religious communities. What is more, the article continues, while the Hasidic communities have not been entirely receptive to allowing the secular authorities to involve themselves in these allegations, the problem is at least acknowledged.[35] After many years with few to no convictions of alleged Hasidic child molesters in Brooklyn, District Attorney Charles Hynes brought charges against 26 in one year. Contrast this with the situation in Lakewood, where convictions were hard to come by–if they came at all.

The story, as reported by the *New York Times*, is similar to Lakewood: members of the Hasidic community, after pursuing recourse in the religious *batei din* and not finding relief, are approaching the civil authorities, despite the obvious and strong religious injunction against

[34] New York Times, "Roman Catholic Church Sex Abuse Cases," *The New York Times.* Updated 16 March 2012, accessed 18 March 2012, http://topics.nytimes.com/top/reference/timestopics/organizations/r/roman_catholic_church_sex_abuse_cases/index.html.

[35] Paul Vitello, "Pursuit of Sex Abuse Cases Grows Among Brooklyn's Orthodox Jews," *New York Times*. 13 October 2009, accessed 30 January 2012, http://www.nytimes.com/2009/10/14/nyregion/14abuse.html?pagewanted=all.

doing so.[36] Indeed, New York State Assemblyman Dov Hikind, himself an Orthodox Jew, announced in 2007 on a radio show that he had collected more than 1,000 complaints of sexual abuse naming 60 perpetrators–and reported none of them.[37] After being subpoenaed, Hikind justified his failure to disclose the abuse by saying, "There is no way in the world, when people have come to me and spilled their hearts out to me, and shared the most intimate and private things with me, hoping I will do something to address the larger, overall issue, that I would ever betray their trust."[38] While it is possible to appreciate Hikind's dilemma, it is also possible that he was afraid of a public backlash if he chose to expose, in a bigger way, the abuse scandal happening under his watch.

Hikind, while claiming to have tried to influence the (overwhelmingly Hasidic)[39] Jewish community of Borough Park, Brooklyn to contend with the issue, admits, "There is a cultural taboo about this kind of thing, and especially about going to secular authorities with sexual abuse issues."[40] Consider the magnitude of Hilkind's situation in this study. Hilkind has been elected as a state legislator since 1982, within a heavily Jewish district. While he is by no means Hasidic or Haredi himself, Hilkind has clearly gained a measure of trust within his community. He has, in other words, become an authority figure. He has gained, in some aspects, the political authority of a *rebbe*. While he does not possess any spiritual authority, he does seem to have a certain ability to lead his community, and, in particular, serve as a trusted liaison between the Haredi world and the world outside of Borough Park. This can be attributed, at least partially, to his

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[36] Vitello 2009.
[37] Paul Vitello, "Sexual Abuse Complaints Subpoenaed," *The New York Times*. 12 November 2008, accessed 20 March 2012, http://www.nytimes.com/2008/11/13/nyregion/13hikind.html?fta=y.
[38] *Ibid.*
[39] Julian E. Barnes, "Symbolic Line Divides Jews In Borough Park; A Debate Over Strictures For Sabbath Observance," *The New York Times,* 2 June 2000, accessed 20 March 2012, http://www.nytimes.com/2000/06/02/nyregion/symbolic-line-divides-jews-borough-park-debate-over-strictures-for-sabbath.html?pagewanted=all&src=pm.
[40] Vitello 2008.

standing as both a longtime representative of the community (Hikind has served since 1982), as well as his status as an Orthodox Jew, though, again, not one who can reasonably be called Haredi. (In a Haredi culture virtually consumed with separating "Jewish" from "gentile" influences, Hilkind doubtless enjoys an advantage into being sorted into the "Jewish" group. Not being Haredi himself, he should assume that this status exists solely when he is in the community's good graces.)

Enter 2009. After Hilkind publicized the abuse crisis in a series of radio shows in his district, a Brooklyn yeshiva hosted a forum on the abuse crisis, in which the community attempted to give itself some perspective on the crisis.[41] Hilkind managed to use his role as a community leader in order to bring some order to the community. In Lakewood, this would have been unimmaginable. Whereas Brooklyn's Hasidic community is controlled by what Paul Vitello refers to specifically as a "hierarchy",[42] Lakewood is what might be called a much more competitive Jewish culture, in which rabbis argue, and ultimately use tactics of fear to attract support their side of an argument. (As previously discussed, Lakewood's rabbis can use community opprobrium and resource deprivation as a threat to those who challenge the authority of with the most conservative interpretations of Torah law.)

Of some relevance is the fact that the *halachic* (Jewish legal) position of the Lakewood rabbis can be disputed easily, and should not be construed to be monolithic. Rabbi Yosef Blau, *mashgiach* at Rabbi Isaac Elchanan Theological Seminary of Yeshiva University, notes that his interpretation of Jewish law would *require* someone who knew of abuse to turn the perpetrator over to police, citing a requirement to protect children.[43] Rabbi Blau goes on to contrast Modern

[41] Vitello 2009.
[42] *Ibid.*
[43] Estee Goldschmidt and Olivia Wiznitzer, "Interview with Rabbi Yosef Blau on Sexual Abuse in the Orthodox Community," *The Observer: the official student newspaper of Yeshiva University's Stern College for Women.* 5 May

Orthodoxy and Haredi Judaism (particularly in the context of the Lakewood cases), noting a situation in which a prominent Modern Orthodox rabbi had similar allegations leveled against him. Blau notes that, for over 30 years, the community was aware of the allegations, but supported the rabbi the entire time. When the community "came to terms with reality," rabbis apologized for the long-term cover-up in a public apology.[44] Chillingly, Blau comments, "Parents and families did not react with the exception of one family who moved their kids from the school. If the community had reacted differently, if the yeshiva staff knew that as a result, all students would leave, they would dismiss the teacher immediately."[45] (In other words, if the community as a whole had responded sooner, Blau claims, the issue would have been resolved much earlier.) In many ways, the shift in the Modern Orthodox community may have been a response to the present times–in which such allegations are taken far more seriously–than anything else. Such a shift, for the reasons noted earlier, has not yet (and may never) come to the insular Haredi communities in the same way.

Rabbinic authority remains strong in Brooklyn, but individuals living under a hierarchy are looking for a world they can live with, as was the case with a Hasidic family cited as an example in Vitello's 2009 article. In this situation, a young man's father was confronted with the realization that a prominent rabbi had abused his son. After realizing that the local rabbinic leadership would act for the sake of the rabbi, the father traveled to Jerusalem to consult with a rabbi *there* who would give him permission to go to the police. In essence, a father traveled thousands of miles, knowing what he wanted to do, to hear what he wanted (or needed) to hear.[46]

2009, accessed 20 March 2012, http://www.yuobserver.com/features/interview-with-rabbi-yosef-blau-on-sexual-abuse-in-the-orthodox-community-1.2470432?pagereq=4#.T2kYJmBeyOs.

[44] *Ibid.*

[45] *Ibid.*

[46] *Ibid.*

One is reminded of the film *Trembling Before G-d,* a film about the personal struggles of Haredi Jews with homosexuality, in which one man rhetorically discusses the ability of rabbinic authority to find backing in Jewish law for a variety of behaviors and acts which had, at different points, been prohibited, wonders why the same could not be done for homosexual behavior. He asks, "Why couldn't they find a way for us? What's so difficult? I'm sure if rabbis sat down with Talmudic head, I'm sure they could find a way for gay people, for queers."[47] In other words, if a situation is causing unspeakable harm, a Jew will reasonably look for *halachic* justification to do what is necessary to alleviate it.

The answer to this question, never given explicitly in the film, is that there could be a way; rabbinic authority in the most rigidly traditionalist communities, chooses not to undertake such an exploration. And in these situations of child molestation, there is clearly a means (and likely an imperative) to protect victims and potential victims of child molestation in these communities. The harm caused should be sufficient justification to re-engage with the texts and history to which traditional Jews bind themselves, in order to find a solution which will bring about a bearable outcome. Such a search is not being carried out by the rabbis with an apparent vested interest in maintaining any kind of status quo, likewise, because they *choose not to do it*–for the reason of entrenching their own authority. Indeed, these rabbis have chosen to turn their back and find a tenuous *halachic* basis for the protection of abuse and abusers. It is important also to note that such authorities genuinely believe that they are acting in the best interest of their communities: that the confidence of the whole in rabbinic leadership (even if falsely placed) is more important than suffering individuals. From the perspective of an outside observer, on its surface, this is not only bad *halachic* reasoning, but also a recipe for secular legal disaster.

[47] *Trembling before G-d.* Digital. Directed by Sandi Simcha DuBowski, 2001. New York: New Yorker Films, 2001.

In contrast to both the Hasidic and the non-Hasidic Haredi communities, power in Modern Orthodoxy emanates from the bottom up; rabbis gain power from their communities, instead of *rebbes* and rabbis dispensing permission and authority from on high. Within Haredi communities, using spiritual authority (in the case of the Hasidic communities) or fearsome manipulation of Jewish law (in non-Hasidic communities), leaders can change the reality in which followers live, should rebellion arise. Within Modern Orthodoxy, the faithful willingly created a more comfortable reality for themselves.

Unfortunately, in at least one case, Hasidism may have behaved in a particularly damaging way. Two Orthodox Jews, Amy Neustein and Michael Lesher, writing in the *Journal of Child Sexual Abuse*, discuss the 2000 case of Rabbi Solomon Hafner's alleged abuse of a young child whom he tutored in Brooklyn, New York.[48] Chillingly, the case went through the Belzer (Hasidic sect) *beit din*, before being taken over by the local district attorney. Neustein and Lesher chillingly describe how the community rallied to support Rabbi Hafner. The charges against him "after a visit from a member of an influential panel of ultra-Orthodox rabbis,"[49] were dropped. Belzer leadership rallied the rest of the community to its own defense, taking advantage of the fortuitous timing of the charges against Hafner being dropped coinciding with the Jewish holiday of Purim.[50] While it is true that the charges against Hafner were never proven, the evidence given by Neustein and Lesher is considerable, and the suddenness with which the charges were dropped is disturbing. Both parent and child failed to get their day in court.

Put another way, non-Hasidic communities tend to be less religiously homogenous than Hasidic communities, where group norms are often dictated by the hierarchical structure that begins with the *rebbe.* On the other hand, in a non-Hasidic community, the best even a great

[48] Neustein and Lesher, 277.
[49] *Ibid.*, 278.
[50] *Ibid.*, 284.

rabbi can hope for is to be *primus inter pares*, and the best way for a rabbi to attain that status is by embracing extremist causes–and even ones that run completely contrary to not only the spirit of Jewish law as it stands, but to the entire Jewish legal and philosophical process. The Israeli newspaper *Haaretz* writes, "Some rabbis explained that cases of religious extremism were rare in Brooklyn, since the religious population of those areas was mostly homogenous."[51] Rep. Hikind backs this up by noting that "95 percent of Borough Park residents are Hasidic Jews, which is also the case in Williamsburg and Flatbush."[52] It is interesting, and indicative of the distinctions between Hasidic and non-Hasidic groups, that Hikind chose to pick out Hasidism as a defining factor in explaining a perceived lack of religious extremism in these neighborhoods.

Peter J. Haas asserts that there is an "ethical component" to how rabbis must divine *halachic* rulings, writing, "When we announce that the Bible means one thing or another, we are taking on a responsibility *not only for the intellectual cogency of the reading, but for whatever actions result from the reading.*"[53] (emphasis added) This is, it is safe to say, not the approach taken by Haredi communities in America. Faced with accusations that children in their communal care were being molested, the first response from community leaders was not for the protection of individuals, but for the preservation of rabbinic authority, particularly in the example of Lakewood. This is extremely troubling, and it presents a complex problem for civil society.

Certainly, secular government has a role in rooting out and prosecuting abuse wherever it occurs. However, given the deference that has traditionally been shown to religious groups in

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[51] Shlomo Shamir, "Haredi violence is damaging Israel's image, U.S. rabbis say," *Haaretz*. 27 December 2011, accessed 26 March 2012, http://www.haaretz.com/jewish-world/haredi-violence-is-damaging-israel-s-image-u-s-rabbis-say-1.403935.

[52] *Ibid.*

[53] Peter J. Haas, "Where There Is a Rabbinic Will, There is an Halachic Way: Authority and the Rabbinic Reading of Scripture," in *Reading Communities Reading Scripture: Essays in Honor of Daniel Patte* ed. Gary Allen Phillips et al. (Harrisburg, PA: Trinity Press International), 184.

American politics and culture (evidence of which will continue to be demonstrated throughout this thesis), it will necessarily be tremendously difficult to root out such problems, buried as they are in a morass of religious mores and law, and will likely require the intervention of either legal authorities or more far-sighted Jewish communities. It will take tremendously tenacious investigation, as well as statutes that are practically enforceable, to solve the rampant problem of abuse within religious groups. Armed with a proper understanding of the motivating factors and societal structures which contribute to the perpetuation of abuse, it is hoped that this report might play a small role in devising solutions which address the particular difficulties of working in these communities.

The Legislative-Electoral Dimension: Legislators and Jewish Communities

In this exploration, unique groups meet a unique phenomenon, yielding conclusions that will hopefully be of broader relevance and consequence. The unique groups are Haredi groups in the United States. The unique phenomenon is legislative relationships in the United States, any study of which must start with how legislative districts are created. Conducted as a result of decennial federal census results, redistricting in the United States involves creating new electoral district boundaries, generally for state or municipal legislatures as well as the federal House of Representatives. Technically speaking, district lines are only be adjusted in two cases: to account for significant shifts in population from one area or another, and to merge and split districts as necessary when seats are gained and lost, based on population changes.

In reality, however, what happens in most states where the sitting state legislature holds most of the responsibility for drawing districts is a game of musical chairs, in which every interest group, and many sitting legislators, rush to enhance their influence or protect it. In few

states is this more true than New York, known for its diversity and its status as a hub of the American Jewish community. Fittingly for a state where the legislature is charged with drawing district lines, New York is also one of the last states to lock in maps based on the 2010 census. Moreover, the work had to be done by a Federal court.[54]

On the surface, some politicians have an incentive to "draw" seats composed of those who they are sure will vote for them; such seats are generally composed of a large, identifiable group, whose members generally vote as a bloc for a particular party or candidate. (Indeed, the distinction between "party" and "candidate" is often crucial; longtime relationships between a group and a particular candidate can often lead that group to vote for a member of a party whom they might otherwise be expected to oppose.) In other words, "safe seats" are those where an incumbent representative can be sure that he will win in all but the most tumultuous of electoral years; the "safest seats" are those in which a legislator knows that there is a *specific group* of people who will generally vote for him en masse. In such seats, it can be assumed to be easier for a representative to act in a way that will allow him to preserve such a margin. Within New York, then, there was a desire for many years for legislators to be able to create "Jewish districts," in which, for a variety of reasons to be explored in this section, incumbents could count on the votes of Haredi Jews clustered there.[55]

Indeed, the road to specific Jewish representation in areas where the number of Haredim warrant it is long, and was played out to a large degree in the courts. Explaining some of this history is relevant in this instance as a means of laying down a legal and social framework for

[54] "All About Redistricting," *All About Redistricting: Professor Justin Levitt's guide to drawing the electoral lines*, accessed 30 March 2012, http://redistricting.lls.edu/index.php

[55] It is easy to understand why Haredi Jews "cluster" in particular areas; the need to be near family and community institutions including stores, restaurants, *mikvahs* (ritual baths), *batei midrash* (houses of study), and synagogues overrides nearly all else. This is doubly true in the most insular Haredi communities, where members may refuse to use such institutions operated by Jews, even equally religious ones, outside their own sect.

"Haredi seats," as well as for showing the assiduousness with which both New York state government and Haredim were willing to fight for their own legislative representation. T. Alexander Alenikoff and Samuel Issacharoff discuss a 1972 Supreme Court case, *United Jewish Organizations v. Carey,* in which 30,000 Hasidim (likely of the Satmar sect) sued during the redistricting process in their Brooklyn neighborhood of Bedford-Stuyvesant.

Originally, the state had drawn the Hasidic community into a single state Assembly[56] district and a single state Senate district. The federal Justice Department objected on the grounds that these maps would have the effect of unreasonably diluting the voting power of racial minorities surrounding the Hasidic enclave. The state response was to re-draw the maps, creating two districts into which the Hasidic community of Bedford-Stuyvesant found themselves drawn, for the purpose of creating two "majority-minority districts." (The legal philosophy behind the creation of such districts and the statutes and case law that allow or require them is that they will enhance the voting and representative power of designated minority groups–which do not include Orthodox Jews of any stripe.)

The essential Hasidic objection, according to Alenikoff and Issacharoff, was that the new districts unreasonably prioritized one minority group's voting power over another group's (the Hasidim), failing to recognize that Hasidic Jews, while white, constitute exactly the sort of minority statues like the Voting Rights Act are intended to protect.[57] One group–either the Congress that wrote the relevant statute or the Supreme Court that interpreted it–was ignorant of social and geographic reality in this case. The fact is, Hasidic groups as are found in Brooklyn do have a specific set of interests that is at least as distinct as the interests of the racial and ethic

[56] The New York State Assembly is the lower house of the New York state legislature, and is equivalent to most states' House of Representatives.
[57] T. Alexander Aleinikoff and Samuel Issacharoff, "Race and Redistricting: Drawing Constitutional Lines after *Shaw v. Reno," Michigan Law Review* 92 (1993): 593, accessed 1 April 2012, http://www.jstor.org/stable/1289796, 594.

minorities whom the statutes are intended to protect, and, to this end, Alenikoff and Issacharoff note, "The Court's focus on the non[-]invidiousness (indeed, positive good) behind the redistricting plan led it to indulge in a form of race "essentialism"–that is, the assumption that 'white' voters share outlook and interests simply on the basis of their race–that it would later attack in *Shaw v. Reno*."[58] It was only in 1984 that Haredi groups were legally able to be designated as a "disadvantaged minority group" eligible for special legal consideration.[59]

Within the United States, much statutory and case law is focused on a concept intended to place minority voters in districts where they either maintain some voting power as a bloc, or, if their numbers are great enough, are split across multiple districts to have a strong influence in all of them. (These dueling strategies appear to be paradoxical, and were in fact issue in the case which will be discussed subsequently.)[60] The operative theory behind these laws is the laudable desire to allow minority voters to select representatives who will support their interests, necessarily assuming that the minority groups (defined by the federal government) have unique interests needing special representation. On first glance, Haredi Jews in general would seem to fit this category. Their demographic dynamics are unlike those of nearly any other American group; Hasidic families have, on average, 7.92 children apiece.[61]

To name one example, Kiryas Joel, a village north of New York City dominated by Satmar Hasidim, is indicative as an extreme example of the challenges of sustaining, defending, and representing Haredi life in the United States. The village has the highest poverty rate in the

[58] *Ibid.*, 596.
[59] Kranzler, 212.
[60] Aleinikoff and Issacharoff.
[61] Martin Schick, "A Census of Jewish Day Schools in the United States 2008-2009," Avi Chai Foundation, October 2009, accessed 6 April 2012, http://avichai.org/wp-content/uploads/2010/06/Census-of-JDS-in-the-US-2008-09-Final.pdf.

nation, the largest percentage of residents accepting food aid, and the second-lowest median income of any place in the nation.[62] The median age in the town is under twelve years old.[63]

It is tempting to write off Kiryas Joel as unrepresentative of Haredi Judaism in America as a whole, but those exploring this topic do so at the risk of ignoring trends which will surely require society's attention in the years to come. The stringent religious convictions of Satmar create an excellent example of the implications of Haredi ideology and practice in understanding a society which must still interact in a twenty-first century America. Kiryas Joel's enormous poverty is caused by an enormously high birthrate, lack of education (outside of religious studies), small economic base (since so many occupations are dominated by religious study), and lack of motivation to take up secular work (again, since so much time is devoted to religious study.)[64]

Within Haredi communities, including Satmar, welfare is not so much an available set of benefits as a way of life. In *Hasidic Williamsburg,* George Kranzler writes of a Satmar woman who describes the enormous help that a WIC (Women, Infants, and Children) program provided her family, while stating in the same breath, "We are not poor and don't want charity."[65] She also says, "So, I don't feel bad at all to utilize some of the government programs that ODA and others make available to us, just like the working people in the other ethnic communities."[66] Welfare and public benefits reform has been on the political agenda of American government at all levels in some way since at least the Reagan administration; one would think that, though a small

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[62] Matt King, "KJ highest US poverty rate, census says; Expert on Hasidic communities says large families, poverty linked," *Times Herald-Record*, 30 January 2009, accessed 6 April 2012, http://www.recordonline.com/apps/pbcs.dll/article?AID=/20090130/NEWS/901300361.
[63] Sam Roberts, "A Village With the Numbers, Not the Image, of the Poorest Place," *New York Times*, 20 April 2011, accessed 9 April 2012, http://www.nytimes.com/2011/04/21/nyregion/kiryas-joel-a-village-with-the-numbers-not-the-image-of-the-poorest-place.html?_r=2&pagewanted=1&hp.
[64] King.
[65] Kranzler, 85.
[66] *Ibid.*

percentage of the overall American population, Haredi groups have a significant voice to contribute, even if it contributes to the long-term insolvency of many social welfare programs.

Societal concerns in Kiryas Joel are find their root causes almost universally in religious dicta; the line of separation between reasonable and unreasonable criticism of religious life is blurred when a large (and expanding) group's inflexible adherence to religious tenets creates an unsustainable government mandate. Not only are fewer than 40 percent of Kiryas Joel residents high school graduates (as opposed to yeshiva graduates)[67], poor language skills contribute to an inability among Kiryas Joel residents to get jobs outside of their own community, even if they wanted to. In 2000, nearly 90 percent of over 10,000 residents surveyed reported speaking Yiddish as a first language; of those, nearly half reported speaking English "not very well" or "not at all."[68]

This lack of ability to be productive in the outside world means that the community is very resource-poor. There is simply very little money in the local economy to go around, and, consequently, anybody who wishes to make a significant living must go outside of the community to do so. Most choose not to, even with New York City virtually at their doorstep.[69] B&H Photo Video, a large retail store in Manhattan dominated by Satmar employees, is cited as an example of one of the few secular businesses in which Hasidim of any denomination work.[70] In reality, most residents feel some obligation, whether communal or religious, to continue to work in the community (and consequently earn less money than they might be able to outside of it); almost half of the adults living in Kiryas Joel are employed by local religious schools.[71] The

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[67] Roberts.
[68] "Data Center Results: Kiryas Joel, New York," Modern Language Association, accessed 9 April 2012, http://www.mla.org/map_data_results&SRVY_YEAR=2000&geo=&state_id=36&county_id=&mode=place&lang_id=&zip=&place_id=39853&cty_id=&region_id=&division_id=&ll=&ea=y&order=&a=y&pc=1.
[69] Roberts.
[70] *Ibid.*
[71] *Ibid.*

bottom line is that Kiryas Joel, and communities like it, are closed economic systems; the only substaintial money coming into the community is from government benefits programs; it is therefore difficult to impossible to generate new wealth.

Of equally pressing concern, particularly at the local level, is the question of education. In at least two areas in the New York City suburbs, Orthodox control over local education has become an issue. The United States Supreme Court decision in *Board of Education of Kiryas Joel Village School District v. Grumet,* held that a law crafted together by the New York legislature (with the support of then-Gov. Mario Cuomo)[72], which created a special school district for special education students in Kiryas Joel was unconstitutional as a violation of the First Amendment of the Constitution.[73] Officials in New York state government rushed to craft a new statute which would have ostensibly allowed more groups like Satmar (or government jurisdictions) to form school districts. This seems to have passed constitutional muster.[74] It is notable that the desire to remain electorally competitive for Kiryas Joel's bloc voting led both major party gubernatorial candidates in the 1994 New York election to visibly support the bill. Incumbent Democratic Gov. Mario Cuomo (who was defeated) supported it, and Republican future Gov. George Pataki supported it as a state senator.[75]

On the surface, Haredim are more likely than other Jewish groups to be politically engaged as a bloc; with the exception of one Hasidic group to be discussed later (Chabad-Lubavitch), the opposition of many Haredi groups to Zionism and the existence of the State of Israel (a crucial part of more mainstream American Jewish political action) often disqualifies

[72] *60 Minutes*. Online archive. Directed by Marley Klaus, 1994. New York: CBS, http://www.youtube.com/watch?v=R0q0apw585c.
[73] *Board of Education of Kiryas Joel Village School District v. Grumet,* 512 U.S. 687, 687 (1994)
[74] *60 Minutes.*
[75] *Ibid.*

them from participation in other Jewish political groups.[76] Moreover, bloc voting is tremendously evident in Haredi communities. In the 1989 New York City mayoral election, David Dinkins' victory can be attributed in no small part to the influence of Hasidic communities in the Williamsburg and Greenpoint neighborhoods of Brooklyn. The victory was not attributable to any grand ideological agreement between the liberal Dinkins and the Hasidic communities of New York, but rather to something very simple: Dinkins agreed to enact a moratorium on the construction of a large trash incinerator at the navy yard abutting the neighborhoods.[77] The Hasidic enclave was the only majority-white district won by Dinkins.[78]

The mainstream Orthodox *Jewish Press* supported Dinkins' opponent, future mayor Rudolph Giuliani, a Republican whose values may more have aligned with their concerns, those of the white New Yorkers who comprised Giuliani's base. The racial element to these votes cannot be underestimated. Jewish voters were hesitant to vote for Dinkins, an African-American.[79] Haredi voters may also possess the same reluctance to vote for an African-American as opposed to a white non-Jew (Giuliani) or even for a less religious Jew, but this would be difficult to tell. In any case, Dinkins was able to overcome this and gain the support of a large swath of Hasidic Brooklyn. It is important to consider that, as opposed to the more mainstream Orthodox Jews of New York,[80] Haredim were motivated not by overarching ideological concerns or even the policy distinctions that are usually relevant in elections, but by issues in their own backyard. (One might also guess, that, given the aforementioned dependence on public benefits championed by the modern Democratic Party, the Haredi world might vote for Democrats as a

[76] Kranzler, 211.
[77] *Ibid.,* 215.
[78] *Ibid.*
[79] *Ibid.*
[80] In this instance, it is crucial to avoid using the word "liberal" to describe the non-Haredi Jews, as they, in fact, supported the more conservative candidate in Giuliani.

matter of course, despite the conservative social values inherent to their beliefs. This is also not true. New York's Hasidic communities gave George H.W. Bush his second-strongest margin of victory anywhere in New York City.)[81]

Readers should of course be reminded of Tip O'Neill's aphorism, that "All politics is local," and consider that most elections for offices in a city hinge on local issues. Perhaps, then, Haredim are not so different from average urban voters. In the end, however, the insulation from standard culture that is so crucial to the character of Haredi groups carried the day: the racial concerns brought about by immersion in mainstream media, life, and culture did not influence Brooklyn's Hasidim. Their backyards, however, did.

There is another, more recent example worth noting. John Hall, a New York Democrat and former member of the rock group Orleans, was able to win election to the United States House of Representatives in the notoriously contentious 2006 election (which gave Democrats control of Congress for the first time since the 1994 election), against long-time Republican Sue Kelly. He accomplished this by getting the endorsement of the mayor of Kiryas Joel, Rabbi Abraham Wieder, thereby swinging 88 percent of the village's votes to him. Consider the size of the village (around 18,000 at the time of the election), the fact that Kelly won 67% of the village's votes in the previous election, and the fact that Hall won by only 4,760 votes. It is by no means an exaggeration to state that Hall owed his election to Kiryas Joel.[82] In 2010, Hall lost his second bid for re-election; Kiryas Joel's votes were far more evenly divided in a race that was a landslide for Hall's opponent, Nan Hayworth.[83]

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[81] Kranzler, 199-200.
[82] Josh Kraushaar, "The Secret Behind a Rocker's Election to Congress: Hasidim," *The Jewish Daily Forward,* 19 January 2007, accessed 16 April 2012, http://forward.com/articles/9887/the-secret-behind-a-rocker-s-election-to-congres/.
[83] Vos Iz Neias, "Orange County, NY - Kiryas Joel Voting Block No Factor In Hayworth Win Over Hall," [*sic*], *Vos Iz Neias,* 4 November 2010, accessed 16 April 2012, http://www.vosizneias.com/67737/2010/11/04/orange-county-ny-kiryas-joel-voting-block-no-factor-in-hayworth-win-over-hall/.

While village administrator Gedalya Szegedin notes the Democrats were a "big-tent party" that could welcome the Hasidim despite their social conservatism, in reality, there was a far more salient issue (for Kiryas Joel) at play in this election. Former Rep. Kelly had previously supported a proposal to fund the extension of water lines to Kiryas Joel that would allow it to provide sufficient water to its rapidly expanding population. Amid outcry from within the district, Kelly withdrew her support in 2004.[84] Perhaps the village leadership thought that there was too much to lose in backing either candidate heavily. If Kiryas Joel was seen as having backed the losing candidate in a close election, the village leadership might have rationalized that it would have been that much harder to court the legislator in the future. The stakes were high. Former Democratic President Bill Clinton and future House Majority Leader Eric Cantor (the only Jewish Republican in either house of Congress) both traveled to try and steer village leaders towards their candidate.[85] (Complicating the issue further is that, by the time of the 2010 election, the Satmar community in Kiryas Joel had split into two rival factions, following a succession crisis resulting from the death of former grand Rebbe in 2006.)

Having gained some understanding of, particularly, what Haredi and Hasidic communities have in common in terms of the importance of government support for their way of life, the question now turns on what politicians have to gain by courting the Haredi vote–and how they do so in various communities. An article published in the *New York Times* in May 1989 is instructive. The article compares the annual awards dinner of the Council of Jewish Organizations (COJO), based in Borough Park, Brooklyn, to the Al Smith Dinner, a long-

[84] *Ibid.*
[85] *Ibid.*

standing checkpoint for aspiring politicians to pledge their fealty to New York's Catholic élite.[86] Both events act as sounding boards for the community to get to know the candidates, and, in the case of the COJO dinner, for the candidates to place themselves in contention for the community's endorsement.

Even in 1989, on the heels of Haredi support for George H.W. Bush being taken as a signal of increased palatability of Republican candidates to the community, the article notes that the communities are now in play for Democratic candidates. The political behavior, in particular, of Hasidic communities is noted, "What makes the Hasidic voter unique is the tradition in which the rebbe decides important issues for the community."[87] A Brooklyn politico calls them "the last deliverable bloc in the city."[88] Hasidim, then, might be construed to be politically active in the same way as those under the sway of Tammany Hall at the beginning of the nineteenth century; voters are directed to vote for a particular set of candidates, because they will gain material benefits (in this case, government money steered towards the community) for doing so.

In fact, it is notable that Hasidic voters, in the examples discussed so far, do not consider the overall impact of voting for candidates who support or oppose, in broad strokes, fundamental reforms to the individual entitlement programs; they do not seem to comprehend that a different set of legislators being elected could cause these programs to fundamentally shift in a way that could affect them profoundly. In other words, Haredi voters do not consider the differences in policy most Americans use to distinguish candidates; Haredi voters seem to assume that these programs will always stand. What makes the difference, on the other hand, is individual

[86] John Kifner, "Birth of a Voting Bloc: the Hasidim and Orthodox Organize," *The New York Times,* 2 May 1989, accessed 16 April 2012, http://www.nytimes.com/1989/05/02/nyregion/birth-of-a-voting-bloc-the-hasidim-and-orthodox-organize.html?pagewanted=all&src=pm.
[87] *Ibid.*
[88] *Ibid.*

engagement and "one-off projects," like infrastructure and education funds pushed towards them. Funding for these projects, or lack of it, will have a much more immediate impact on Haredi life.

Ideology does not seem to play much of a role at all in Hasidic communities. Echoing the "Reagan Democrats" known to the mainstream America of the late 1980s, a Gerer Hasidic rabbi said, "Even though I'm a registered Democrat; I still feel the Democratic Party at this time is not speaking our language, I'm a little more to the right, so-called, for family values, on abortion for instance, which the Democratic Party is all the way to the left. I'm very happy with the Reagan Administration...Whenever anyone was good for Israel, they're good for us on local issues."[89] This last sentence is very curious; the article does not address it, but Reagan's advocacy of cuts[90] to the public benefits programs on which Hasidim are so dependent would seem to contradict the rabbi's assertion. In conclusion, Hasidim seem to vote against their broader interests, but towards their narrower interests; in the end, however, the rebbe trumps all.

A political assimilation, in which Haredi voters distinguish candidates using the same ideological cues as most Americans, and in which decisions about voting behavior are made based on overarching issues, rather than the most parochial of concerns, may be beginning at the edges of Haredi communities. After the 2011 fall of disgraced former U.S. Rep. Anthony Weiner, a Democrat, a special election was contested by Republican businessman Bob Turner and Democratic Assemblyman David Weprin. In a heavily Orthodox district, Turner won, with the support of Orthodox communities who were angered by Weprin's support for same-sex marriage[91] and perceived lack of support for Israel–despite the fact that Weprin is himself an

[89] *Ibid.*
[90] Sheldon Danziger and Robert Haveman, "The Reagan administration's budget cuts: Their impact on the poor," 14, accessed 16 April 2012, http://www.irp.wisc.edu/publications/focus/pdfs/foc52b.pdf.
[91] Thomas Kaplan, "Gay-Marriage Foes See Message in House Race," *New York Times*, 16 September 2011, accessed 16 April 2012, http://www.nytimes.com/2011/09/17/nyregion/gay-marriage-issues-role-in-bob-turners-victory-is-debated.html.

Orthodox Jew.[92] Despite this outcome, the unusual circumstances of the special election, as well as the diversity in practice of the Orthodox Jews in the district make this case ambiguous about the present situation.

Unfortunately, there are not enough comparative data to tell with any degree of certainty whether *mitnagdim*–non-Hasidic Haredim–exhibit similar voting patterns to Hasidim, or ones that are radically different in their manner of engagement. However, it is definitely possible to draw some conclusions about how they might be expected to behave different from Hasidim. The paucity of media coverage surrounding the non-Hasidic communities in and around New York City (despite their having relatively similar numbers) suggests their relative inability to swing elections. Moreover, non-Hasidic communities do not have a rebbe, and they lack any sort of leadership structure that has nearly the strength of one.

Consequently, combined with the more intellectually-grounded education found in the Lithuanian-style *yeshivot* of the *mitnagdic* communities, a problem solving-based and philosophically-based education closer to that of modern political philosophy is found. The comparison is, in any case, fascinating, and speaks to both the educational and leadership structures that the divergent ideologies of *mitnagdic* and Hasidic groups. On its own, the exploration of Hasidic groups is valuable, considering the enormous public policy implications of their rapid growth rates, and the possibly disproportionate influence in creating policy gained by their bloc voting. As non-Hasidic Haredi communities grow, and have more potential to become a political force, more research will be necessary to determine if, how, and why they behave like Haredi groups.

[92] Thomas Kaplan, "G.O.P. Gains House Seat Vacated by Weiner," *New York Times*, 13 September 2011, accessed 16 April 2012, http://www.nytimes.com/2011/09/14/nyregion/ny-democrats-try-to-avoid-upset-in-special-election.html?pagewanted=all.

The Ideological Dimension: Chabad – The Outliers

The final exploration that will be conducted as part of this thesis involves a few of the many facets of the Chabad-Lubavitch[93] movement. Chabad is, without a doubt, Orthodox and Hasidic. Their approach to religion–total, uncompromising acceptance of the commandments–is the same as every other group discussed here. What separates Chabad from the groups discussed in the rest of this thesis is Chabad's willingness to be engaged with the greater world. In Sue Fishkoff's crucial work on the movement, *The Rebbe's Army*, she writes, "Unlike other Hasidim, Lubavitchers aren't insular at all. They adhere to a very strict set of Jewish ritual observances, but they live very much in this world and are able to converse with anyone about anything."[94] (This is worth taking with at least a grain of salt, however; the laws of modesty and concerns about exposure to secular culture do limit the ability of Lubavitchers to be conversant about pop culture; in all likelihood, Lubavitchers seem culturally open mostly in comparison to other Haredi groups. Moreover, it is of course the Lubavitchers who perform outreach work who, having experience doing so, are most likely to be able to converse comfortably with outsiders.)

More to the point, Chabadniks are able to converse with secular–that is to say, assimilated–American Jews. The reason for this is that Chabad is ideologically based upon the idea, sparked by the sixth Lubavitcher rebbe, Yosef Yitzhok Schneersohn, that Chabad must dedicate itself to outreach, and to the ultimate purpose of bringing unaffiliated and less observant Jews "back" to a more rigorously and traditionally observant Judaism.[95] This concept was perpetuated even further by the sixth rebbe's successor, Menachem Mendel Schneerson, who

[93] Throughout this section of the paper, the terms Chabad and Chabad-Lubavitch will be used interchangeably to talk about the movement. The terms "Chabadnik" and "Lubavitcher" will be used interchangeably to talk about members of the movement. The adjectives "Chabad" and "Lubavitcher" will also be used to describe things and people associated with the movement.
[94] Fishkoff, 5.
[95] *Ibid.,* 22.

took over following his father-in-law's death in 1950. (The seventh rebbe's stature, even following his death in 1994, is so great within the movement that today, he is simply referred to as just "the Rebbe." This thesis will adopt this convention.)

The centrality of this outreach theology is not to be underestimated; it has roots deep within Chabad's concept of Hasidism, found in central texts like Chabad's *Tanya.*[96] At its core, Chabad theology teaches that every single Jewish commandment fulfilled brings the world "measurably closer to the Messianic era."[97] If such is the reward for the fulfillment of Jewish law, then, how could Lubavitchers not work to bring other Jews into the fold? Distinctly from other groups, even outside of Orthodoxy's right-wing, Chabad accepts people as they come; Chabad views every positive act done as not only having a divine effect, but also bringing the individual, non-observant Jew closer to an idealized form of Jewish observance.[98] Chabad works towards its goals through an intriguingly simple system; simply put, Chabad leadership (based in the Crown Heights neighborhood of Brooklyn) sends young couples out to serve a community, whether it be a neighborhood, a city, a college campus, or even a whole country.[99] Individuals who do such outreach are called *shluchim*, or emissaries. This emphasis on outreach is totally unique to Chabad, and may be why other Haredi groups take great pains to distance themselves from Chabad.[100]

Politically, Chabadniks are sometimes called a "liberal paradox," insofar as they participate in all the structures of democracy, but do not adhere to its values of individual choice. In the words of Jan Feldman, many believe that Chabadniks "do not violate the laws of the

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[96] *Ibid.*, 19.
[97] Levine, 192.
[98] Fishkoff, 31.
[99] *Ibid.*, 5.
[100] Another possible reason for Chabad's isolation within the Haredi world may include other theological reasons, including Chabad's persistent and vocal messianism, with some members of the movement even going to so far as to embrace the late Rebbe as Messiah. (See footnote #13.)

liberal state, but they certainly violate the spirit of liberalism."[101] Feldman goes on allude to the idea that this is a double standard; more concretely, plenty of groups within mainstream politics encourage voting and participating in politics for a specific cause or issue, ranging from the National Rifle Association to Planned Parenthood.[102] Indeed, many interest groups encourage voting for a specific set of issues or candidates. Encouraging bloc voting, for better or worse, is a crucial part of modern American politics. Furthermore, the previous section of this thesis demonstrated that other, more insular Orthodox groups command significant clout based on the fact that their members can and do vote. Moreover, Chabad is a dispersed, ostensibly bipartisan group that professes to have a membership that falls across the political spectrum;[103] the group then more closely hews to a liberal democratic ideal of individual choice, rather than monarchical leadership–and it is this quality that makes it worthwhile to explore here.

What makes Chabad special is that, because of its size and visibility, it can have a great influence on a greater number of people; moreover, its emphasis on outreach removes the stigma that dealings with the secular government have for other Haredi groups. Evidenced by the prestige associated with *shlichus* (outreach) assignments,[104] Chabad's culture is structured in such a way that an ability to navigate the secular world is considered a plus rather than a minus, and, in contrast to other communities, contact with and influence on the secular government are neither bad, nor neutral, but in fact positive.

If Chabad is looking to have an influence on assimilated Jews in America, there are few places better to start than Washington, D.C. Politicians and those associated with them consistently have the ear of the news media, and so Chabad did in fact go to D.C., at the rebbe's

[101] Feldman, 3.
[102] *Ibid.*
[103] Feldman, 47.
[104] Fishkoff, 28.

behest. One organization in particular, American Friends of Lubavitch, works much like a traditional lobbying organization–only more successful. Traditional lobbyists are, in fact, envious of the ability of the group's head, Rabbi Levi Shemtov, to have nearly instant contact with any of the most powerful people in the capital.[105] Fishkoff is able to list a series of political machinations being conducted by Shemtov, ranging from property swaps with a Lithuanian ambassador to kosher food in the Senate dining room.[106]

Linking it all are personal relationships, on one hand, and political clout on the other. Chabad has managed to establish itself as the dominant Jewish presence in far-flung regions,[107] often because it is the *only* Jewish presence at all. (Indeed, Chabadniks are known for serving areas bereft of strong Jewish communities in general, let alone Orthodox communities. Fishkoff's entire book is organized on the diversity of places, ranging from Anchorage to Bangkok, in which Chabad will look high and low for unaffiliated Jews.) What sets Chabad apart politically is that the organization is actually involved in some substantive political issues–ones in which its members, but for theology and ideology itself, have no stake.

One early story which is particularly instructive of the outward-looking nature of the movement begins during the Carter administration, in the late 1970s. In the early years of Chabad's presence in the capital, the Rebbe expressed the wish that a federal Department of Education be created;[108,109] previously, the federal government's involvement with education ended with one department, called the Department of Health, Education, and Welfare. Indeed, according to Rabbi Levi Shemtov's predecessor (his own father, Rabbi Abraham Shemtov), he

[105] *Ibid..,* 186.
[106] *Ibid.,* 187-189.
[107] *Ibid.,* 189.
[108] Dovid Zaklikowski, "Rebbe's "Man in Washington" Tells of Missions to U.S. Capital," Chabad-Lubavitch Media Center, accessed 17 April 2012, http://www.chabad.org/therebbe/article_cdo/aid/938489/jewish/A-Rabbis-Capitol-Hill-Missions.htm.
[109] It is worthwhile to note that the impetus for the inclusion of this particular anecdote came from a Chabad rabbi; who mentioned it as a possible area of research for this thesis.

was placed in Washington mostly "to serve the interests of education."[110] As members of a Hasidic sect which practices serious religious stringency, even while engaging with a non-observant world, Chabad children never attend public schools. It is possible to say nearly unequivocally that Chabad's desire to see a federal Department of Education can only be attributed to their ideological motives of seeing an educational system which, in the Rebbe's words, would place "emphasis on moral and ethical values,"[111] and perhaps, by extension, one which primes Jews within it towards a more observant life.

Chabad's outreach paid off, and the Department of Education came into being in 1979. Interestingly, it is hard to discern what impact this had on the rebbe's end goals for education on other than two things: possibly the legitimization of his push for school prayer (in the form of a "moment of silence)[112], or simply the making of a grand statement. Lest anybody forget Chabad's influence on this issue, since 1978, every President has proclaimed a national "Education Day" (today called "Education and Sharing Day U.S.A.") that takes place on an auspicious date–the Rebbe's birthday, as marked by the Jewish calendar. Even in 2012, the proclamation notes, "On Education and Sharing Day, U.S.A., we reflect on the teachings of Rabbi Menachem Mendel Schneerson, the Lubavitcher Rebbe... As a tireless advocate for youth around the world, he inspired millions to lift the cause of education, to practice kindness and generosity, and to aspire toward their highest ideals."[113]

It is notable that, rather than writing off the public educational system as inherently evil because of Gentile or "secular" influence (as many other Hasidic groups obviously do), Chabad

[110] *Ibid.*
[111] *Ibid.*
[112] Fishkoff, 193.
[113] The White House, "Presidential Proclamation -- Education and Sharing Day, U.S.A., 2012," 3 April 2012, accessed 17 April 2012, http://www.whitehouse.gov/the-press-office/2012/04/03/presidential-proclamation-education-and-sharing-day-usa-2012.

adopts a general approach toward modernity that is best described as "Things are neutral"–their effect is determined more by how they are used.[114] The Rebbe would teach along the following lines: "*Everything* was created by G-d to serve His purpose in creation. Man, who has free choice, might make negative use of a creation, but its intrinsic function remains the revelation of the divine wisdom and goodness."[115] Indeed, it is this very same philosophy that made Chabad embrace the Internet and build a veritable online Jewish empire, despite refraining from nearly all forms of secular entertainment.[116]

So it appears, too, with public education and government itself; government can do evil (as many governments have done to Jews for centuries), or they can do good, by providing an "ethical" education to their citizens. As long as a public educational system is going to exist, of course Chabad will strive to bring to bear whatever influence it can muster to make the most worthwhile one there can be. What is perhaps most remarkable about Chabad as a community is its ideological consistency. Throughout its literature,[117] Chabad expresses the need to find ways in which all types of behavior can elevate an individual or item spiritually. It is a philosophy like this, consistently manifested, that gives Chabad its reputation for being so "non-judgmental"[118] towards the non-Orthodox and non-observant world, even as Lubavitchers remain punctilious in their own practice.

Throughout this thesis, it is very difficult to describe any of the lobbying or politicking that goes on by Haredi groups to be "ideological," based as it is (generally) in a desire to gain material benefits or concessions from government. It is certainly never partisan in terms of

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[114] Moshe Goldman, "Is the Internet Evil?," Chabad-Lubavitch Media Center, accessed 17 April 2012, http://www.chabad.org/library/article_cdo/aid/675087/jewish/Is-the-Internet-Evil.htm.
[115] "Technology," Chabad-Lubavitch Media Center, accessed 17 April 2012, http://www.chabad.org/therebbe/timeline_cdo/aid/62171/jewish/1960-Technology.htm.
[116] Fishkoff, 27.
[117] Aron Moss, "I Ate Non-Kosher Food, Now What?," Chabad-Lubavitch Media Center, accessed 17 April 2012, http://www.chabad.org/library/article_cdo/aid/1614932/jewish/I-Ate-Non-Kosher-Food-Now-What.htm.
[118] Fishkoff, 27.

expressing an alignment with a particular political party. Chabad's involvement is also non-partisan; uniquely among interest groups, Chabad truly does not favor one party's views or another, but rather lets politicians come to it, which most can do, given Chabad's broad-based agenda. Chabad-Lubavitch is, however, profoundly ideological, in its quest to see the return of unaffiliated Jews to Judaism and, as a result, the coming of the Messiah.[119]

Chabad, it would seem, has a staying power that most Hasidic groups do not; even as Chabad's brand of excitement for the Messiah morphed from one of "pain and catastrophe" to one of "promise"[120] in the transition from the sixth to the seventh Lubavitcher rebbe, so, too, has that fervor grown even greater following the death of the seventh rebbe in 1994. Remarkably, Chabad has not seen fit to choose an eighth rebbe, a successor. Without weekly talks and *farbrengens* (festive gatherings focused around Hasidic tradition) where the Rebbe could expound on and expand Chabad philosophy, the movement has become more ideologically bound. Teachings bearing the full gravitas of a rebbe can no longer be created, and so those that existed in 1994 constitute the final addition to the corpus of Chabad thought., from which any further explorations must be based.

In other words, Chabad of the past may have resembled a more traditional structure of a Hasidic movement, in which a *rebbe* was able to tell his devoted followers what they needed to hear in a particular time. Chabad's dynamism, however, fueled by commitment to its outreach mission, gives it a vitality that other groups may not have. The movement seems to eschew myth in discussing its glories and accomplishments; indeed, it is telling that Chabad's own account of its influence in establishing the federal Department of Education conforms nearly exactly to Fishkoff's account in her scholarly text.

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[119] Samuel Heilman and Menachem Friedman, *The Rebbe: The Life and Afterlife of Menachem Mendel Schneerson,* (Princeton: Princeton University Press, 2010), 146.
[120] *Ibid.*

Throughout this thesis, few bases of comparison have been found to determine whether American political culture has had a significant effect on the composition and behavior of Haredi groups; that is, has American life somehow penetrated the seemingly impermeable shell of Haredi life and driven it to be more or less accommodating of political engagement? More to the point, is America special, and can it be instructive in understanding Chabad worldwide? There is little doubt that Chabad has benefitted enormously from the both the nation's positive perception of Jews and its people's strong relationship with religion in general. Moreover the reality of Chabad being, in wide swaths of the country, the only visible Jewish presence, means that the *shluchim* are often able to define Judaism on their own terms. Jews and non-Jews unfamiliar with tradition may appreciate Chabad particularly because Lubavitchers tend to "look the part" of a traditional Jew.[121] Chabad's presence throughout the world means that there is room for comparison among countries. The ideological consistency of Chabad in its approach to, and lack of fear about, political engagement is evident in the former Soviet Union. With the public support of once and future Russian President Vladimir Putin, a Chabad *shaliach*, Berel Lazar, was elected as Russia's chief rabbi–a fight acknowledged to be about the direction of Russia's Jews.[122] Moreover, Russia's famously politically-motivated justice system arrested Lazar's predecessor–right before Putin cut the ribbon at the opening of a new Chabad facility in Moscow.[123]

Interestingly, Chabad calls itself politically neutral. Rabbi Yehuda Krinsky, an important associate of the Rebbe in his lifetime and arguably his hierarchical (though not spiritual) successor, said, "Politics and religion are not soluble. They don't mix. I learned from the Rebbe, my teacher, my mentor... [The Rebbe] gave them [politicians] the time they needed and

[121] Fishkoff, 26.
[122] Feldman, 43.
[123] Fishkoff, 119-120.

discussed whatever they needed to discuss. But he never chose, never gave any indication of whom he favored."[124] This brings forth a confluence of three important ideas: Chabad's acceptance of all Jews (and, to a certain point, all individuals and things) as possible tools of the divine will; Chabad's firm belief that government, like anything else is neutral until used for either good or evil; and the general concept, found in the previous exploration, that certain political goals can be accomplished irrespective of policymakers' ideology.

The first of these ideas hearkens back to Chabad's acceptance of every Jew in its spiritual activities, even those who "eat pork and drive on Shabbat,"[125] because all Jews are "intrinsically, unaviodably Jewish, no matter what their beliefs or ritual practice."[126] In the same way that Chabad is accepting of all individuals but not all religious practice, it is accepting of all politicians, but not all politics; in other words, while Chabad is willing to engage with any politician, it does not endorse them because it could not conceivably find agreement on all of their political positions–and will not compromise its own beliefs. Chabad is, however, willing to engage in issue advocacy; as early as 1962, the Rebbe submitted an *amicus curiae* brief in support of school prayer in the landmark Supreme Court case *Engel v. Vitale.*[127]

Almost, but not entirely, unwittingly, Chabad-Lubavitch has been drawn into political situations involving issues of religious freedom. One of Chabad's signature activities is the erecting of large menorahs in high-traffic public areas around Chanukkah.[128] As one might expect, these displays, along with other (primarily Christian) holiday displays, have gotten the organization into judicial trouble as of late. In court, Chabad's trailblazing efforts, have earned it

[124] Deborah Solomon, "The Rabbi: Questions for Yehuda Krinsky," *The New York Times*, 6 August 2010, accessed 17 April 2012, http://www.nytimes.com/2010/08/08/magazine/08fob-q4-t.html?_r=1.
[125] Fishkoff, 27.
[126] *Ibid.,* 23.
[127] Feldman, 45.
[128] Fishkoff, 289.

the appreciation and respect of Christian groups who are looking to defend the right of their own symbols to be erected.[129] Feldman notes that though Chabad is happy to ally itself with Christian groups and non-Jews where necessary, any such alliance is "superficial and based on opportunism on both sides."[130]

More to the point, Feldman writes, Chabadniks understand that a permanent association with the Christian right is theologically untenable.[131] Accordingly, such alliance is unrelated to Chabad's mission of Jewish engagement, and might in fact detract from it. If Chabad is perceived as being politically-oriented at all, it might lose the support of potential candidates for outreach who are turned off by its associations. (Feldman notes another example of this: when George W. Bush decided to make "faith-based initiatives" a signature of his administration, Chabad stayed out, and did not lend public credence to the president's cause, possibly out of fear of alienating their target populations.)[132] This, as well as other examples explored here, speaks to a profound political shrewdness in the movement.

Indeed, as shown previously, Chabad's issue advocacy has been heavily in the area of education, and, despite an exhaustive search, it is difficult to find a Chabad statement addressing (to give a salient and recent example) same-sex marriage in New York. Perhaps in the organization's desire to engage and embrace all Jews, even those who identify as homosexual or who support same-sex marriage, it decided that it was not worthwhile to try and engage politically on this issue. In a major coup for the organization, it has secured the support of the only openly gay Orthodox rabbi, Steve Greenberg, who notes that while much of Modern

[129] Feldman, 45-46; 51.
[130] *Ibid.*, 45
[131] *Ibid.,* 46.
[132] *Ibid.,* 53.

Orthodoxy has rejected him, Chabad welcomes him with open arms.[133] While Chabad's opposition to homosexuality should not be understated, the politics of outreach supersede the politics against homosexuality; Greenberg says, "They know that the most important thing is to offer people, whatever their sexuality, a connection to [G-d.]"[134] In other words, in Chabad's eyes, homosexuality a sin like any of the other sins they wish their followers to desist from; and, like any of those sins, it does not stop them from fully embracing the individual.

This hypothesis of balancing values with remaining palatable to non-Orthodox Jews shockingly represents itself in another area. While Lubavitchers might not welcome abortion in their own communities, in the absence of a Torah prohibition on it, there is no reason (in their view) why it cannot remain legal in the United States.[135] Perhaps it is this unique ideology which does not remotely fit into either American political party that has earned Chabad the respect, recognition, and support of every presidential administration since Richard Nixon.[136]

The second of these concepts is firmly reinforced in the interview with Krinsky. When asked why Chabad can accept "technological but not social change" Krinsky says, "Why should it be disallowed?... We're using all of it. We are trying to make the world a more [G-d]-friendly place."[137] In other words, the Almighty may be comfortable with the use of the Internet; it is often used as a tool of corruption, but it does not have to be. So, too, with government; while it often serves causes Lubavitchers might abhor, unlike pork or pornography, for example, it is not inherently impure. It can be changed, and Lubavitchers may believe there is nobody better to do it than them. Chabad's political machinations in Moscow are likely to be maddening to anybody

[133] Ted Merwin, "Gay And Orthodox, According To Jon Marans," *The Jewish Week*, 19 July 2011, accessed 17 April 2012, http://www.thejewishweek.com/news/short_takes/gay_and_orthodox_according_jon_marans.
[134] *Ibid.*
[135] Feldman, 47.
[136] *Ibid.*
[137] Solomon

immersed in the milieu of a truly liberal democracy as is found in the United States, but such activities are a perfect example of the group's *modus operandi*. Even Putin can be used as a tool of advancing Chabad's goal of spiritual influence over thousands of Jews. In the final respect, Chabad may be more similar to other Hasidic groups than this exploration has allowed up to this point. Like the other groups discussed here, Chabadniks are not particularly concerned with which party or which politicians they are supporting at any given time. Instead, results count; capitulation on the building of the Brooklyn garbage incinerator is to those Hasidim what the annual declaration of "Education Day" was to Chabad.

Something which sets Chabad apart, then, is that it works in a manner that, at least on the surface, appears altruistic: helping others to achieve a greater level of spiritual elevation.[138] Interestingly, when Chabad's motives are more similar to those of other Haredi groups, Lubavitchers do not fare well, because this perception of altruism does not exist. In fact, Chabad's oft-vaunted visibility may ultimately hurt it in these situations. The most prominent example of this is the ongoing ugliness surrounding the Postville, Iowa, meat processing plant (Agriprocessors), which resulted in a large immigration raid on the plant, run by a prominent Lubavitch family, the Rubashkins.[139] Moreover, the ongoing saga of a Lubavitch community overwhelming a small midwestern town resulted in a clash of cultures over things varying from taxation to parking regulations, and ultimately resulted in a referendum on whether or not to annex the factory and tax its earnings. The whole situation resulted in a book written by local professor Stephen G. Bloom, who, though a secular Jew (and thus a prime candidate for Chabad

[138] As previously discussed, Chabad's belief in the ability of individuals performing good deeds to bring about a Messianic age for all may separate it from true altruism, but such a discussion is beyond the scope of this exploration.
[139] Susan Saulny, "Hundreds Are Arrested in U.S. Sweep of Meat Plant," *New York Times*, 13 May 2008, accessed 17 April 2012, http://www.nytimes.com/2008/05/13/us/13immig.html?ref=agriprocessorsinc.

outreach), came to oppose the Lubavitchers and their way of life in Iowa.[140] (Perhaps this had something to do with the fact that the Chabadniks in Iowa, while welcoming individually to Bloom, were arranged in an inward-facing community that was automatically programmed to be suspicious of outsiders, and particularly the non-Jewish midwesterners with whom Bloom aligned himself.)

A crucial thing which sets Lubavitchers apart is devastatingly simple: style. Every author who writes about Chabad from the outside describes them as welcoming.[141] Both Feldman[142] and Fishkoff[143] note that Rabbi Shemtov's social skills have made him successful in forming a large network that allows him to be profoundly influential in Washington, on issues national and international, left and right. Notoriously combative former House Speaker Newt Gingrich said of the organization, "[They] don't want anything. All they want is for us to be good."[144]

While this thesis has, I hope, presented some reasons why Gingrich is wrong, his perception is telling. The non-judgmental attitude that has allowed *shluchim* to shed any negative perceptions they may or may not have had about persons less religious than themselves proves crucially handy in the world of politics. On one level, *shluchim* can be considered to be above the fray of "politics as usual," but even this is debatable, as they are very good at politics. On a more important level, *shluchim*–and Chabad as a whole–are *perceived* to be above the grind of government–and in politics, perception is everything.

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[140] Stephen G. Bloom, *Postville: A Clash of Cultures in Heartland America* (Orlando: Houghton Mifflin Harcourt, 2000). The text as a whole is excellent way to understand Haredi group dynamics and social patterns, although Bloom comes off at times comes off as vitriolic.
[141] Feldman, *ix;* Fishkoff, 6; Levine, *x*.
[142] Feldman, 52.
[143] Fishkoff, 185.
[144] Feldman, 46.

Conclusion

The exploration of Haredi groups has taken many twists and turns throughout this thesis. It is difficult to sum up, so this conclusion will be written in two parts, but can be summed up in three ways: non-Hasidic Haredi groups are motivated largely by *halacha*, Hasidic communities are motivated primarily by the concerns of preserving a unique society, and Chabad is motivated by the vision infused into the community by the late Rebbe.

It is important to note that, in a classical sense, non-Hasidic Haredi communities are profoundly conservative insofar as they hew as closely as they deem possible to *halacha* as they define it. However, change is definitely apparent in the communities; not possessing a *rebbe* or other ordained spiritual leader, these communities are free to spiral upward in observance, and become even more insular. This is evidenced in this study by the willingness of rabbinic authorities, lest they be accused of being lax, to make harsher and harsher judgments against those who would protect children from abuse–all in the name of isolating themselves further from the "gentile world." It is hard to tell whether or not these communities are motivated more by their skewed conception of *halacha* or their groundless prejudice (bordering on racism) against the non-Jewish authorities. Unfortunately, there is no stopping this trend until it becomes truly unlivable. Within Lakewood, it can only be fervently hoped that the structure of authority (which has proven itself to be unworthy of trust) will break before the molestation scandal reaches epidemic proportions, if it has not already.

The primary factor that distinguishes non-Hasidic Haredi communities from Hasidic communities is that the former lack a master plan. For better or worse, a Hasidic *rebbe* has near total authority over the direction of his followers. He can thus work as something of a central planner and coordinate everything from matches to careers; the spirit of the *misnagdic*

community, then, as opposed to the Hasidic one, is that the *misnagdic* community can be called much more socially entrepreneurial and socially malleable in terms of its power structures and power brokers. The *rebbe*, surrounded by advisors and experts, is generally trusted, for better or worse, to set the boundaries of the community and the rules within it. In Lakewood, for example, much more depends on individuals; the ability to gain power is nearly limitless within them. Indeed, it is telling how little one hears about community action in these communities, as compared to the Hasidic communities elsewhere, which tend to speak with just one or only a few voices.

The Hasidic communities, on the other hand, are much more concerned with preserving an absolute status quo. Changes in *halachic* practice, if they happen at all, are small and do not come about as a result of an actual desire to elevate the community, but as a response to outside stimuli. Moreover, the self-contained nature of the community places much more of an emphasis on happiness; if all members of the community are adhering to similar guidelines, there is little prestige to be gained by trying to claim an edge in observance over another family. Moreover, Hasidic group dynamics present something of a collective action dynamic that is quite noteworthy; once an entire community, or even a majority, agrees to do something or act a certain way, it will quickly become part of the community's social fabric. In other words, a Hasidic community operates as a whole, whereas a *misnagdic* community operates as a series of unpredictable, moving, independent parts.

With regard to the Hasidic communities, this issue of collective action was apparent in their group-driven approach to handling child molestation cases, and it is likewise apparent in their bloc voting patterns. This conclusion about collective action also leads to another idea: the *misnagdic* community is permeable from all sides, and this leads the community to actively

guard against intrusion through greater stringency in observance. A Hasidic community, on the other hand, is much less permeable, and individuals are linked by forces that draw them inward– namely group observance and shared leadership. What this means for political engagement is that things like infrastructure and government benefits (whether distributed to the individual or group) are much more crucial in determining the behavior of Hasidic groups, because they are yet another shared institution that can knit the community more closely together. This explains, to a certain degree, both bloc voting and voting for non-ideological reasons within Hasidic communities.

To the outside observer, this lack of emphasis on ideology might have several startling implications. In a perhaps over-calcuated effort to secure Jewish votes, the candidates who Haredi communities routinely support are hyper-Zionist, despite the fact that some, including Satmar,[145] are ambivalent about or in opposition to the Jewish state. Yet, most of the representatives they elect are in support of Israel. This possibly has something to do with the fact that most of the representatives who can gain election in strongly Jewish New York are likely to be commited political Zionists, regardless of their Haredi constituents. These constituents, no matter how opposed they are to Zionism, view the positions of their representatives, beyond the issues which directly concern them, as mere distractions. This self-interested, highly directed nature of Haredi political involvement manifests itself when Haredi groups accept the government's ability to give them money, but not to prosecute abuse cases within them; secular government is one more tool which is to be tolerated only for the benefits it can award. A minor policy recommendation may be to find a way of tying receipt benefits to dealing with community issues; Haredi communities will react to stimuli, and deal with the government insofar as it allows them to preserve their image of their way of life.

[145] Deborah Feldman, *Unorthodox* (New York: Simon & Schuster, 2012), 58.

Chabad, as suggested at the outset, is an outlier, which shares only the similarity of being willing to use government solely for its own ends. Those ends are, however, radically different from those of other Haredi groups. Chabad-Lubavitch is the only movement within the Haredi world that sees itself as having not only permission, but even a mandate to work with outsiders more for a purpose other than self-preservation. What Chabad teaches will likely never change appreciably, or at least not radically; the fundamental texts, conclusions, and laws remain the same. Chabad's methods for doing so, as well as the variety of Jews to whom they will minister, will be limited only by the available resources in a given place or time and the ideological, social, and geographic dispersal of world Jewry. Since the passing of the Rebbe in 1994, no leader has arose who can command anything reaching his authority. If Chabad were to be fundamentally altered, one could reasonably make the case that *Chabad was no longer Chabad.*

Chabad's political engagement will likewise change with the times; the issue on which Chabad used to advocate most fervently, school prayer and public funding for parochial school education, is no longer as salient as in it was previous decades. Now, its most important role is arguably the annual koshering of the White House kitchen, an initiative started by cooperation Chabad and the Bush administration.[146] Those who would understand the group would do well to conceive of Chabad's involvement as broad-based, ranging from Shabbat tables across the world to the White House.

The goal of this project has been to shed some light on some of the insular and, to the average American eye, mysterious sects that collectively compose Haredi Judaism. It has chosen to do so by juxtaposing groups that are seemingly from a different place and time next to one of the few institutions that can define a relatively diverse country like the United States: its

[146] Jan Hoffman, "Overnight Makeover for a Kosher First Kitchen," *The New York Times*, 13 December 2011, accessed 17 April 2012, http://www.nytimes.com/2011/12/14/dining/making-the-white-house-kitchen-kosher-for-a-party.html?pagewanted=all.

government. It is hoped that this juxtaposition will lead to meaningful questions about the role of religion in government engagement, as well as spark conversation about the crucial policy issues that the impending rapid expansion in America's Haredi population will doubtlessly create.

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