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Shammai Vs. Hillel: The Angel Is In The Details

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In the second chapter of the first book of *The Politics*, Aristotle asserts that man is a social animal who only thrives in the presence of others. This claim has survived the passage of time. Human beings have always lived in groups, and this is evident even today when one sees how people organize their lives. At work or play, they define themselves by the teams that they belong to.[1] These teams take on greater meaning when they have direct competitors, rivals for their sense of identity and purpose – Yankees versus Red Sox fans, early risers versus midnight oil people, East versus West Coasters. We attribute opposing characteristics to these teams and then align ourselves according to our own self-perception. Strikingly, even the world of the Talmud is defined by teams of rivals – Rabbi Akiva versus Rabbi Yishmael, Rava versus Abaye, Rav versus Shmuel, Rabbi Yochanan versus Reish Lakish. By far the most famous of these competing teams are Hillel and Shammai, and the two schools of thought that they developed.

The depiction of Hillel and Shammai in the Talmud, and the common perception of these two men, fits entirely within the model of rivals as polar opposites.[2] Shammai, the contractor and builder, is depicted as an irascible disciplinarian and strict legal interpreter who is totally fixated on his

[1] Howard Trachtman, "suPAR and Team Nephrology," *BMC Med*. (2014): 12:82.

[2] Adin Steinsaltz, *Talmudic Images* (Maggid, 2011), 126. See also Gershom Bader, *The Encyclopedia of Talmudic Sages* (Aronson, 1988), 87.

mission, with nary a second to pay attention to anyone outside his focused field of vision. In sharp contrast, Hillel is portrayed as a patient, accommodating halakhist who welcomes outsiders warmly and with empathy. The picture of Shammai berating the wiseguy who asked to be taught the entire Torah while standing on one foot and chasing him off his property, while Hillel patiently responds and teaches him the Golden Rule, is indelibly etched in the Jewish consciousness. This view is reinforced by the conclusion of the Gemara (*Eruvin* 13b) that the law follows the rulings of Hillel because of the graciousness that he and his disciples displayed towards their halakhic interlocutors.

This picture jives with the image created when one stands back and looks at the big picture of Hillel and Shammai and their legal rulings. However, just as a closer inspection of an impressionist or Chuck Close painting reveals irregularities and uneven surfaces on the canvas, looking more closely at specific topics in *halakhah*, namely their rulings regarding the legal status of women and their financial dealings, demonstrates that Hillel and Shammai do not always align with the high altitude picture. In particular, close examination of their rulings about women do not match our preconceived expectations. My objective in doing just that is not to critique the specific views of Hillel and Shammai on this topic, as that has been done before. Rather, I hope to demonstrate that attention to details can complicate our initial assumptions about how others think and that the nuances can delineate areas of common ground for conversation and action.

In the ancient world, women were very unlikely to own property, have independent resources, or hold jobs outside the home. There were exceptions to be sure. There are talmudic descriptions of women of means and others who routinely entered the marketplace to sell their wares.[3] Women certainly worked hard, but it was usually their domestic interior labor centered around their role as wives and caregivers for the whole family that earned praise (see *Mishlei* 31). Thus, how a marriage could be consecrated, the nature of the intimacy between wife and husband, how to deal with marriages that did not work out, and what to do if a husband disappears without a trace, speak volumes about how the Rabbis viewed women. When examining these issues through the lens of Hillel's and Shammai's legal ideas, a surprising pattern emerges.

The first *mishnah* in *Kiddushin* discusses how women can be "acquired" in marriage. One of the three methods is with money. In this regard, Hillel and Shammai differ on the minimal amount required to actualize the marriage. Whereas Hillel only requires giving something worth a *perutah*, the smallest talmudic monetary denomination, Shammai requires the prospective husband to present to his prospective wife something with a value of at least a dinar, 192-fold more than a

[3] Gila Fine, *The Madwoman in the Rabbi's Attic: Rereading the Women of the Talmud* (Maggid, 2024), 249.

perutah. It would seem that Hillel allowed a husband to enter into a marriage with minimal financial stress, good from the man's perspective. But it is equally plausible to assert that Shammai placed a higher value on women and wanted to be certain that men did not enter marriages frivolously, without setting aside real money and resources, thereby demonstrating a genuine commitment to their wife-to-be at the start of the relationship.

Once a couple gets married, sexual intimacy is a key component of a successful relationship. It is one of the three things that a husband must provide to his wife, along with sustenance and clothing, based on the rabbinic interpretation of the biblical verse in *Shemot* 21:10 (see Rashi ad loc.). However, marital relations, like everything else, are governed by *halakhah*. According to Jewish law, sexual intimacy is not permitted at all times, and it is expressly forbidden when a woman is menstruating, when she has the status of *niddah*, until she immerses in the *mikveh*. If spouses have sex when the wife is menstruating, it is punishable by *kareit* (*Vayikra* 18:19 and 20:18). The first *mishnah* in *Niddah* addresses the question of the timing of the onset of menstruation and the state of being *niddah*. Hillel and the Rabbis extend the period retroactively from the moment when a woman first sees menstrual blood back to the last time she confirmed her "clean" status based on the absence of blood on self-examination (Hillel), or to the last clean examination or 24 hours, whichever period of time is shorter (the Rabbis). In contrast, Shammai asserts that she only becomes a *niddah* at the moment she first sees blood without any backward look in time. In the discussion of this topic, the Rabbis make clear that this debate applies only to a woman's status of *niddah* with regard to her transmission of *tumah* to other objects and food items, not to its impact on sexual intimacy (*Niddah* 2a-3b). R. Uri Brilliant offers an explanation of Shammai's opinion that is direct and psychologically astute. Even though all agree that a woman's retroactive *niddah* status has no impact on the permissibility of sexual intimacy that may have occurred during that period, Shammai wanted to go a step beyond this. By defining *niddah* as the first sighting of blood and refusing to add any rabbinic stringencies on top of this, Shammai wanted to make sure that there would not be any anxiety about potential *tumah* in either partner's mind when couples engage in sexual relations.[4] The simple humanity of this approach, and how it encourages a healthy attitude toward sexual intercourse, flies in the face of the image of Shammai as a stern unfeeling patriarch.

The Rabbis valorized marriage and family. But they were realists and acknowledged that not all marriages succeed. A whole *massekhta*, *Gittin*, is devoted to elaborating the laws of divorce, a procedure that is mentioned cryptically in the Torah in *Parshat Ki Teitzei*. The first eight chapters

[4] Uri Brilliant, *Kol ha-Talmud al Regel Ahat* (Dvir, 2019), 465-479.

and nearly all of the ninth chapter of *Gittin* deal with all of the details of the writ of divorce, how it should be written and delivered to the woman, and the nature of witnesses required to validate the procedure. Lastly, in the very last *mishnah* of the ninth chapter, the Rabbis finally get around to asking the question lurking in the background: what circumstances serve as valid grounds for divorce? Hillel states that a man is free to divorce his wife for even a minor flaw, e.g., if she spoils his soup. In sharp contrast, Shammai requires *devar ervah*, a concrete sexual or behavioral misconduct. Would any self-respecting man who at one time loved his wife feel justified in sending her on her way for something as trivial as faulty culinary skills? Did such a man ever truly respect his wife as a genuine life partner? Shammai does not prohibit divorce, and he does not force people to stay married under all circumstances. But he defines incompatibility upward, in a way that preserves the integrity of both the husband and wife, and tries to ensure that the decision to divorce is not an impulsive or cruel move on the man's part.

Finally, husbands can die before their time. This must have been much more common in the times of the *tanna'im*. The Rabbis were ahead of their time in developing the *ketubah* and looking out for the wife's financial wellbeing in such circumstances. But if the husband's death occurred in a distant or isolated place and was unwitnessed, this could create problems for a woman who requests payment from her deceased husband's heirs. Again, Shammai steps in on behalf of the woman, declares her a widow, and allows her to collect the *ketubah* based solely on her own testimony of her husband's death (*Mishnah Yevamot* 15:2). Hillel demurs out of concern for rare events and intrafamilial quarrels.

It would be a mistake to present this picture of Shammai's leniency towards women as totally uniform and consistent. Specifically, with regards to grounds for divorce, according to the legal position of Shammai, men might be trapped in failed marriages so long as their wives did not commit adultery, not a recipe for happy families and not a dignified approach to women – or men for that matter. In the last circumstance, although Hillel was strict in his ruling on payment of the *ketubah*, he was willing to accept indirect evidence of a husband's death to allow the wife to remarry. Shammai adopted a harder line and required the appearance of witnesses with direct testimony to release the woman from her *agunah* status, potentially prolonging the woman's agonizing limbo position. Nonetheless, the overall picture that emerges of Shammai vis-à-vis women is unexpected in light of the biographical sketch that most students of the Gemara have imprinted in their mind.

As I said at the outset, the impetus for writing this essay was not to formulate another brief in support of an expanded status of women in *halakhah*. Moreover, I am not the first person to call attention to the greater sensitivity that

Shammai displays towards women's predicaments and his respect for the individual autonomy of women compared to his contemporary Hillel.[5] Rather, this broader analysis of Hillel's and Shammai's respective positions on legal issues surrounding women is meant to guide the conversation when assessing the positions of rival teams, opposing schools of thought, and competing social identities.

The most powerful – and dangerous – configuration of teams is the in group, "us," versus the out group, the "other." These two teams, us versus them, in various guises, fuel most conflicts around the world. It is across this line of demarcation that the most intense battles are fought – for individual rights, personal status, allocation of resources, and the privileges of membership. Because the stakes are so high, there is a strong temptation to draw a two-tone picture of the teams – one black and one white, one right and the other wrong.[6] Examining the details blurs this sharp two-tone distinction.

Beit Hillel and Beit Shammai were powerful intellectual forces during the Second Temple period, and they exerted profound influence on the culture of their time. History and the Jewish legal tradition has declared Hillel the winner in their halakhic battles, and Hillel's victory has been promoted by painting a particularly harsh and unyielding picture of Shammai and his followers. But close scrutiny of Shammai's rulings on women reveal an unexpected openness to the reality of the lives of the women of his time and an effort to see them as autonomous human beings who warranted respectful treatment by the law. That is not to say that followers of Beit Hillel did not view women similarly. However, because Shammai is often portrayed as a conservative thinker *versus* Hillel's more liberal approach, Shammai's positions catch us off guard and give us reason to pause.

There is a dissonance between our rapid, global assessment of these two *tanna'im* and the in-depth evaluation of their views about women, a recurring feature in human reasoning. It has been highlighted by Daniel Kahnemann and Amos Tversky's Nobel-prize winning research, which focused on the cognitive basis for common human errors that arise in judgements and decision making. They identified two encompassing mental processes through which people assess incoming data from their surroundings. System 1 is immediately triggered and is characterized by rapid, totalizing, and intuitive appraisal of the information. This is followed by the activation of System 2, which is a slower, more deliberative mode of thinking and which achieves a more rational analysis of the facts at hand. Applying this model to our thinking about these two competing legal schools, Beit Shammai and Beit Hillel, an initial assessment based on System 1 poses a risk that we will not appreciate the full breadth of Shammai's social and legal positions on women.

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[5] https://jwa.org/encyclopedia/article/bet-hillel-and-bet-shammai

[6] Jonathan Haidt, *The Righteous Mind: Why Good People Are Divided by Politics and Religion* (Vintage Books, 2013).

Activating System 2 and taking into account the nuances of all of Shammai's and Hillel's rulings makes us more aware that the big picture is composed of disparate facts that do not exactly fit with what we initially thought the big picture looked like.[7]

Details that play against type are a hedge against prejudicial thinking.[8] They alert us to the need to look past the simple banners that teams march under and find the unexpected positions and views that are against type. Attention to details is likely to reveal ideas that may be shared, attitudes that are held in common across declared lines of combat. The details create a shared space to talk and reconsider our ideas and received notions. No one has to switch their team, renounce membership, or change their allegiances. But people who can see the complicated and nuanced features of their opponents may be less likely to demonize the members of the rival team and be more likely to let them be, perhaps even to learn from them.

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[7] Daniel Kahneman, *Thinking Fast and Slow* (Farrar, Straus, & Giroux, 2013).

Tablets Shattered (And Restored?): Jewish Identity Here and Now

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Review of Joshua Leifer, *Tablets Shattered: The End of an American Jewish Century and the Future of Jewish Life* (Dutton, 2024)

> *"For most liberal young American Jews, God isn't an option, halacha isn't an option, making aliyah isn't an option. Tell me, what is?"*
>
> -Shmuel Rosner (as quoted by Leifer in *Tablets Shattered*, 228)

Joshua Leifer and I grew up parallel to one another. Both of us were raised in Bergen County, New Jersey, educated within the Jewish Conservative Movement's strongest institutions, had Orthodox relatives, and took part in the same Jewish supplementary program while attending public high schools. We also both began to re-evaluate our religious priorities at the same time in our lives. The key difference was that I grew up with access to an Orthodox community that quickly embraced a countercultural high schooler and set me on a trajectory toward American Modern Orthodoxy while he went on a more tumultuous journey, detailed in the recent conversation he and his wife, Shaindy Ort, had with R. Dovid

[8] Robert Wistrich, *Demonizing the Other: Antisemitism, Racism and Xenophobia* (Routledge, 1999).

Bashevkin on the *18Forty* Podcast. In some ways, this is less of a typical book review and more of a letter from me to him. Our lives diverged at some point, but we are products of the same Jewish community which we, in our own ways, now strive to give back to.

In his recent book, *Tablets Shattered*, Leifer argues that while American Jews have never agreed on much, the mid-twentieth century produced three "core pillars of mainstream American Jewish identity": Americanism, Zionism, and Liberalism (8). America promised newly immigrated Jews that "even if they would need to work hard until the day they died, they, and certainly their children, would have a greater chance at a better life than in the old country." The return on this investment ingrained American Jews with "a belief in the inherent and exceptional goodness of America, at home and abroad" as well as a sense that "the American spirit and the Jewish ethos were providentially matched" (9). The flip side of this, however, was "a significant and ultimately devastating cost" in which "fully joining the American project entailed the suppression and surrender of what had been the dominant forms of eastern European Jewishness: traditionalist Orthodoxy and left-wing Yiddish radicalism" (10).

Zionism's entrance into the American scene allowed this trend to continue. In Leifer's words, "Difficult questions about theology or the adaptability of halacha (Jewish law) to postwar realities diminished in significance or could be sidestepped with the material fact of a sovereign state at the center of Jewish life" (10-11). American Jews looked to "Israel as a moral beacon and Zionism as the secular fulfillment of the religious faith in which they could no longer really believe." Furthermore, it "provided a unifying framework for American Jewish organizations to lobby, like other ethnic groups, for what they took to be their group interest." Zionism and Americanism came to complement each other, with American Jews seeing "the United States not simply as Israel's most important guarantor but as an exemplar of the values Israel embodied in miniature" (11). Like Americanism, though, Leifer argues that Zionism took a heavy toll on American Jewish commitment in that it "imagined the Jewish state as the telos of Jewish history and the culmination of its religious development" and "substituted an ancient ethical tradition of divine commandment with the profane imperatives of a modern nation-state" (11-12). This is not helped by the fact that much of American Zionism is "a *kishkes* Zionism. Blunt, passionate, reactionary… Two states, negotiations, compromise—these were not part of the lexicon, let alone words like 'occupation,' 'siege,' or 'military rule.' I can hardly recall hearing the word 'Palestinian' unaccompanied by the word 'terrorist'" (4).[1]

[1] This matches my own Zionist educational upbringing and, anecdotally, that of many who grew up within the Conservative Movement when Josh and I did.

Finally, liberalism allowed American Jews to fully participate in the country they loved so much. "With no established church or state religion, the modern liberal constitution did not make citizenship contingent on confession or creed. With its emphasis on the rights of the individual, liberalism claimed to diminish the significance of ethnic or religious background and group belonging" (12). American Jews quickly adopted the values of "pluralism, individualism, and voluntarism" and went on to "fit Judaism into the mold of their suburban, middle-class lives, and whatever could not fit they cast aside" (12-13). In Leifer's lamenting words,

> religious practice became, like Pilates or yoga, just another consumer good. In a world of infinite choice and limitless growth, the kind of commitment and restraint required to sustain community increasingly appeared as an unjustifiable and unpalatable anachronism. By the late twentieth century, American Jews had become such good liberals that they could no longer give themselves compelling reasons for why they should live Jewish lives in terms other than those American liberalism furnished for them. (13)

The dilution of Judaism by the strong currents of Americanism, Zionism, and Liberalism was, according to Leifer, a feature rather than a bug of those three pillars. Now, however, the pillars find themselves quickly crumbling. Leifer articulates this at length:

> Now, in the third decade of the twenty-first century, the pillars that once defined American Jewish life have ceased to be viable. The reemergence of antisemitism in U.S. politics… has ended any last illusions about America's exceptional goodness. So, too, has the eruption of antisemitic sentiment against the backdrop of the 2023-2024 Gaza war. At the same time, the so-called national reckoning on race has prompted a reconsideration of once overlooked parts of American history, casting new light on past injustices that continue to shape the present, blemishes now thought to be irrevocably woven into the national design. At home, a divided, polarized polity has begotten new species of collective delusions and violent extremisms; each attempt to reform a broken system is met with a more ferocious backlash. Abroad, two decades of a disastrous war on terror revealed the projection of U.S. power to be not a heroic and liberatory force but a deadly and destructive one. The world that gave rise to Americanism in the twentieth century is gone.

Zionism, likewise, is cracking. For an older generation of American Jews, a mythologized vision of a progressive, social democratic Israel served as a source of moral inspiration. That view is much less prevalent today. While there are still young Jews—mainly those who grew up in mainline affiliated communities like mine—who continue to view Israel as a spiritual beacon, increasing numbers of young American Jews have only known Israel as an authoritarian state and regional military power hurtling down a path of ever more extreme ethnonationalism. At the same time, Palestinians have found new platforms for describing their ongoing dispossession and oppression… Among the non-Jewish public, too, the Zionist narrative is weaker than at any time since the 1960s.

The imagined perfect compatibility of Judaism and American liberal capitalist culture is also unraveling. Unadulterated liberalism has begun to erode the Jewish communities whose flourishing it once enabled. Jewish organizational leaders lament endlessly about rising rates of disaffiliation and intermarriage, seemingly unaware that the

> decline of religious participation is not a unique Jewish phenomenon but a feature of life in most postindustrial Western democracies. Desperate to reverse these sociological trends, they propose futile and shallow outreach efforts—singles events, Birthright Israel—that reduce Judaism to a frivolous ornament. They plow vast sums of money into superficial programming in the hope that pro-Israel hedonism can restore the mid-century status quo. (14-15)

Leifer argues that what Jewish institutional leaders "fail to realize is that their institutions are declining, not because Judaism has been insufficiently liberalized, commodified, or sanitized, but because individual fulfillment, gratification of the sovereign self, has replaced communal and familial obligation as the basis for the good life" (15). This all, coupled with the facts that memory of the Holocaust continues to grow more distant and that Israel has largely overtaken the diaspora as the center of global Jewish life, has led to a contemporary reality of the "collapse of an ossified and fatally obsolete consensus" (17)—his titular shattering of tablets. The core question is where to go from here. On that front, the answer that Leifer found in his own life serves as a basis for the thesis of his book:

> There was no singular moment of definitive rupture with the

> dogmatism of my Zionist upbringing. I did not wake up one morning and believe myself to have been brainwashed. Instead, there was a slow, yearslong process of wrestling. I do not feel it was something I chose or willed, but more like it was something that happened to me, that I even tried to resist at times… To lose the kind of Zionism with which I was raised was to lose my religion. Which meant that as it fell away I would need to return to the sources of the tradition and observance, to Torah, Talmud, Jewish philosophy, to reinforce my Judaism on more solid ground. (148)

Leifer's rejection of Zionism-as-religion, in other words, led him to re-examine Judaism as a religion. It is clear to Leifer that "the practices of sovereign Jewish power generate as much ambivalence, even disgust, as celebration." Therefore, "[h]aving outsourced nearly all its content to Israel, American Jewish life can no more evade Israel and Zionism than choose to dissolve. If it doesn't find a new foundation on which to stand, it might anyway collapse" (229). In the absence of Zionism, the question is "whether liberal Jews can build and sustain vibrant and substantively committed communities, or if the future of non-Orthodox Judaism will resemble occasional aesthetic experiences with Jewish themes" (236). Leifer's prognosis, unfortunately, is rather bleak. He notes about our shared denominational motherland, for example, that "[a]s Conservative Judaism has jettisoned more of its traditionalist trappings, its decline has only accelerated" (252).

Interestingly, Leifer determines that "Haredi [ultra-Orthodox] Judaism constitutes perhaps the strongest and most viable alternative to the now fading American Jewish consensus" (276). Indeed, Haredism is inherently immune to the trends negatively impacting Liberal Judaism:

> Haredi life rests on entirely different pillars from the old communal consensus, and that may well be the reason for its comparative vitality. Whereas non-Orthodox American Jews typically view their lives and culture as synonymous and in sync with the broader American culture, most Haredi Jews understand the values to which they are committed as distinct, and often diametrically opposed, to the currents of secular American life. Of course, ultra-Orthodox Jews seek to be tolerated, even respected by their fellow Americans. But they also seek to keep secular America—in particular its materialism, its sex obsession, its liberalism—at a great distance from their homes. (277)

Leifer is not naive about the risks of American ultra-Orthodoxy, noting that many such

communities have aligned themselves "with the anti-liberal and Trump-y American right" which itself threatens "the elements of American society—its openness, its tolerance, and, indeed, its liberalism—that have enabled religious Jewish communities to flourish here" (278). He also lauds the *hesed* system within ultra-Orthodox communities, which "is far more generous than the American welfare state, and far more expansive than anything my leftist friends who talk about mutual aid could ever dream of" while extending, "for the most part, only to other Jews" (279-280). This, in addition to the conformity, collectivism, and patriarchy inherent in such communities, causes many to leave or at least feel significant friction in identifying with Haredism. This left him with several questions:

> I was also left wondering if the social conservatism and the thickness of community required each other, whether the closedness and the emphasis on obligation needed to go together. Could a community expand its circle of concern to those outside its boundaries, to the broader world, without sacrificing its cohesion or its unity, the organicness that gives it strength? Can only faith in God and devotion to one's people enable the kind of attention to the well-being of others and the generosity on display every day in Haredi communities? Can a community that seeks to protect its way of life ally itself with other minority communities on the basis of solidarity instead of with xenophobic forces, if only because they seem to share the same enemies? I want the answer to be yes. I'm not sure. (306)

These doubts notwithstanding, Leifer writes that "for now, Orthodoxy remains the only living Jewish alternative to liberal capitalist culture on offer" (307). This leaves, in Leifer's estimation, four "political-religious tendencies" which "coexist uneasily," and "sometimes they conflict directly" (316): the dying establishment of mainstream organizations locked in their ways; "prophetic protest" in the forms of organizations like IfNotNow, JVP, and the like; Neo-Reform actively seeking to bring politics into the synagogue; and the Separatist Orthodoxy explored above.

Leifer is most sympathetic to the Orthodox approach, though he reframes it as "the radical potential of traditional Judaism," which is to say that "a life centered on the commandments, on mitzvot, is a good life in and of itself" and that "in our current moment, it is also a profoundly and radically countercultural one" (330). Indeed, he goes so far as to argue that

> the ambient culture of many progressive spaces and, in particular, progressive Jewish spaces has felt inadequate to the ends that they hope to pursue. Progressives talk frequently about

> community, but we also want to feel free to opt out of what doesn't speak to us or what seems inconvenient, archaic, or demanding. We say often we're proud to be Jewish, yet we want our Jewishness not to require too much, or even to ask anything of us at all. For all our posturing about mutual aid and ending capitalism, when was the last time any of us gave *ma'aser*, tithing the religiously required tenth of our salary to charity, or, much more uncommon, fulfilled the mitzvah of taking the poor stranger into our home? (331)

Leifer, however, does not believe that embracing traditionalism must necessitate giving up on "important progressive commitments like feminism, anti-racism, or opposition to the occupation of the West Bank and Gaza." Indeed, he notes that there are "many people committed to living out their progressive values, to fighting for them, from within the normative framework of traditional Judaism,"[2] and that his hope is not to answer but to provide a framework to begin formulating key questions stemming from that reality:

> Is it possible to live a life defined by Judaism and, at the same time, guided by progressive values? How does one maintain one's Jewishness while grappling with the gruesome reality in Israel/Palestine? What does it take to sustain community in an era of disintegration and flux, at the start of a new cycle of large-scale geopolitical turbulence and war? (331-332)

Leifer sees this tension as not only important but fundamental. In his words, "A living community is a community that finds things worth fighting over. When we cease to fight, we begin to die" (333). His community of traditionally committed progressive Jews certainly has what to fight for. But is there an alternative to the Separatist Orthodox approach that Leifer is simultaneously so sympathetic to and uncomfortable with?

One prominent non-Orthodox figure certainly thinks so. R. Elliot Cosgrove is the Senior Rabbi at Park Avenue Synagogue in New York City. He is perhaps the leading Conservative rabbi in the United States, preaching from the pulpit of what is perhaps the Conservative Movement's flagship synagogue. Cosgrove's recent book, *For Such a Time as This: On Being Jewish Today*,[3] is meant to address those like Leifer who are potentially interested in what a Conservative rabbi has to say by dint of their background but have gradually

[2] One such current example is "Halachic Left."

[3] Harvest, 2024.

drifted away from what the Movement stands for.

Like Leifer, Cosgrove acknowledges that "American Jews continue to wrestle with the idea of a Jewish state that is an *extension of*, but not *interchangeable with*, their Jewish identity" and that the contemporary "push away from and the pull toward the land of Israel inform the hearts of the Jewish people."[4] He even acknowledges the irony in the fact that, as a non-Orthodox Jew, "[m]uch of my energy is devoted to supporting the Jewish State—which does not recognize the Judaism I teach and preach as Judaism at all. This state of affairs can make American Jews feel that the Israel they love does not love them back, or even care that we exist."[5] Indeed, Cosgrove notes explicitly that there is "a limit to the self-flagellating exercise of supporting a state that neither recognizes you nor represents your values" and that "[f]or the coming generation of American Jewry, the loyalties of yesteryear no longer suffice."[6] This acknowledgement even comes from a similar place to Leifer:

> Whatever justifications (theological, security-related, or otherwise) have been and continue to be marshalled in support of Israel's ongoing presence there, in the eyes of a liberal-leaning American Jewry, the West Bank settlements and the illiberal policies they represent pose a threat to Israel's founding promise—its commitment to democracy. For American Jewry, it cuts close to the bone to see its most prized liberal value in peril. As the thinking of progressive American Jewry goes, if the project of Israel is to provide a homeland and security to a historically vulnerable Jewish minority, then how can the state not respond to the needs of the vulnerable minority in its midst? Leaving aside the role of historical revisionism and progressive identity politics, the unresolved status of the Palestinians—lacking as they are in freedom of movement and access, self-determination, and other accouterments of sovereignty—forms a wedge issue between an increasingly liberal-leaning American Jewry and an increasingly right-leaning Israeli Jewry. The mainstreaming of Jewish fundamentalism in Israeli society and government further compounds the problem. The fact that the same government fails to recognize American Jewry and also fails to recognize the Palestinian

[4] Ibid., 28.

[5] Ibid., 41.

[6] Ibid., 41-42.

> right to self-determination increases American Jews' sense of estrangement.[7]

On top of this, Cosgrove is willing to vocalize the fact that "Judaism is not Zionism, and Zionism is not Judaism," and he is very much aware of the "long history of non-Zionist Jews, not self-hating Jews or messianists for whom the establishment of the State of Israel can happen only once the Messiah has arrived."[8] He even agrees with Leifer that "[f]or Jews unfamiliar with the traditional language of Jewish ritual practice, this advocacy provides a civic form of Jewish practice. We have our slogans, we march in our parades, we buy Israel Bonds, we plant trees, and we write checks—acts important in themselves but also a rallying cry and bonding agent for American Jews. It didn't happen all at once, but yes, somewhere along the way American Zionism became… a litmus test of loyalty to the Jewish community and cause."[9] Unlike Leifer, however, and unsurprisingly given his position, Cosgrove is unwilling to abandon establishment Zionism. He does, however, cast a wide net of what constitutes that establishment and calls for all to find involvement within it. In his words,

> Israel is now in crisis. Are you going to exit—walk away and stand on the sidelines? Or are you going to use your voice—leverage your moral compass and the piercing clarity of your conscience to effect change, fight for your values, and help not only Israel but all the nations of the world realize a vision of national identity that does not oppress others? In Israel's case, given the ideals you champion, given the age you are, why on earth would you cede the discussion of what Zionism is and what it should be to those who are our people's true enemies or to your own Jewish kin who would corrupt Zionism, making it into something it is not and never should be? Encounter, T'ruah, Zionness, Seeds of Peace, Roots, Israel Policy Forum—there is no shortage of organizations fighting the good fight, and I know they would welcome your engagement.[10]

Cosgrove acknowledges, however, that the "future of American Zionism is contingent on the future of American Judaism—not the other way around." This means that, "for the sake of our Jewish and Zionist future we [Liberal Jews] must prioritize efforts to cultivate rich Jewish identities: synagogues, schools, and Jewish summer camps filled with Jews living intentionally and joyfully, capable of producing the next generation of

[7] Ibid., 42-43.

[8] Ibid., 178.

[9] Ibid., 180.

[10] Ibid., 184-185.

American Judaism and training of the next generation of rabbis, cantors, Jewish educators, and professionals."[11] Further, Cosgrove is aware that "nonreligious expressions of Judaism… are entirely insufficient to transmit the riches of Judaism from one generation to the next. In many cases, the secular commitments of Jews serve as compensatory guilt offerings, hiding paper-thin religious identities. In all cases, they presuppose a commitment to Judaism that, for much of diaspora Jewry, is not as vital as we would care to admit."[12]

Again like Leifer, Cosgrove demonstrates concern that "Judaism without the foundation of religion will prove to be our undoing, a giant sinkhole into which the hard-earned superstructure supporting diaspora Jewry will collapse"[13] and writes that it is only through positive Jewish language and behavior that our religion can truly survive. He writes that "a life of mitzvot remains the most assured means to inspire individual and collective Jewish identity and continuity—a connection to the Jewish people by way of religious expression. We light the same Shabbat candles, we sing the same (or similar) prayers, we read the same books, and we observe the same festivals as the Jews who came before us, those who are alive today, and those who will come after us."[14]

Observing mitzvot, for Cosgrove, "is the means by which one expresses pride in one's Jewishness—where one has come from and the hope that those who come after will feel and do the same. There is no greater act of Jewish self-assertion, empowerment, and hope than the performance of a mitzvah. To do a mitzvah is to take agency for one's spiritual life."[15] He then goes on to offer a four-pronged suggestion for bringing greater mitzvah observance to Liberal Jewish communities:

> HEAD. For the vast majority of American Jews, the language of mitzvot is a closed book. What are the rhythms of the Jewish year? How has Jewish practice developed over the ages? What are the great books of our tradition? This is not creation ex-nihilo—generations of Jewish educators have devoted careers to creating accessible curricula. The task of our time is to update and recast the efforts of our predecessors in a manner consistent with the best practices and platforms by which educational content is accessed today.

[11] Ibid., 193.

[12] Ibid., 130.

[13] Ibid.

[14] Ibid., 131.

[15] Ibid., 133.

HEART. Our lives have a limited and indeterminate length. How can they best be filled with meaning and purpose? How am I connected to those who came before me, and what is the legacy I leave to those who will follow? How shall I balance the particularism of my Jewish identity with my universal commitments to a shared humanity? What is it that the Lord requires of me? Rabbis and Jewish educators (and the institutions that train them) must inspire contemporary Jewry to adopt mitzvot as the historic and ever-evolving toolbox for exploring the existential questions within all our hearts.

HOW-TO. The greatest impediment to Jewish practice is neither theological nor ideological, but practical. How do I recite kiddush—the Sabbath blessing over wine? When exactly do I bow in a synagogue service? Where can I learn Hebrew? How do I host a discussion on the Torah reading at my Shabbat table—or host a Shabbat dinner at all? The gap between American Jewry's vaunted secular educational achievements and its anemic Jewish literacy is daunting but not insurmountable. Instructional TikToks and YouTube videos abound for everything from cooking to yoga, so why not populate the internet with how-to content on the greatest spiritual practice of all—Judaism? Such curricula must be judgment-free, affirming the varied paths by which individuals today seek entry into the tradition.

COMMUNITY. Critical as the aforementioned three rubrics are to motivating Jewish observance, only communal reinforcement will make it all stick. One-on-one mentorship, interconnected *havurot* (small communities), online engagement, and intensive, retreat-based education can together provide the ecosystem to nurture and sustain the desired outcomes in Jewish practice. Intentional communities (modeled after the success of programs such as One Table and Honeymoon Israel) should be conceived and implemented in partnership with the existing structures of American communal life. Synagogues, Hillels, and other legacy institutions are already poised to serve the needs of contemporary Jewry, and they stand to be the primary

> beneficiaries of reinvigorated religious practice.[16]

Looking at the state of today's Liberal Jewish community, however, one must ask whether it is possible for a critical mass to heed Cosgrove's important words. Even the brightest beacon is ineffectual if it remains unseen, and much of the current Jewish community outside of Orthodoxy seems unprepared or even unwilling to accept mitzvot into their lives in a serious and consistent manner. This is likely, at least partially, due to the reality that Cosgrove himself acknowledges elsewhere in which mitzvot are viewed merely as "volitional lifestyle choices, not commanded deeds existing within the totality of a halakhic system" and in which "Judaism has become a buffet prepared to serve the individual tastes of the contemporary Jew." Without the binding provided by Orthodoxy, consistent Jewish living cannot truly be an expectation. Cosgrove himself notes that the unifying bond of mitzvah observance commanded by God, "once the scaffolding by which Jews throughout the world could transcend differences of geography, culture, and intellectual inclinations by way of shared religious practice, is tattered." And thus, commitment to living Jewishly becomes "episodic, voluntary, and more often than not, a matter of mere nostalgia."

Leifer may ultimately be correct, then, that Orthodoxy is the only guaranteed antidote to the liberalism which has so effectively transmuted religious obligation into personal hobby. Need Orthodoxy be separatist, like Leifer assumes, though? At least three alternative models come to mind.

First is what we might call the "Postmodern Orthodoxy" or "Authentic Haredism" of Rav Shagar (R. Shimon Gershon Rosenberg). In an essay entitled "Religious Life in the Modern Age," Shagar asked a series of questions to his Israeli Religious Zionist community: "Is the adoption of modern values by the national religious public, and their integration into our religious world, behind the rampant secularization in our communities? What sets us apart from Reform Jews, or at least Conservative Jews, who have also adopted these values? And finally, are we still capable of faith?"[17]

Before answering those questions directly, Shagar praises the traditional—but not necessarily fully observant—Israeli Jew:

> The traditional Jew is rooted in his belonging. Because he both lives within tradition and is borne upon it, he feels no need to update it or justify it to the zeitgeist. His lack of awareness keeps his tradition from ossifying into orthodoxy, a cult of the right deed. Only someone aware of the relationship between

[16] Ibid., 134-135.

[17] Rabbi Shagar, *Faith Shattered and Restored: Judaism in the Postmodern Age* (Maggid Books, 2017), 41.

> changing times and his way of life and native context will attempt either to prevent the familiar from changing along with the times or to formulate synthetic adjustments. Thus, tradition is, first and foremost, belonging. Those who question tradition, who are compelled to justify, defend, or preserve it, no longer belong to it, for it is, by definition, a function of self-identity rather than reflexivity.[18]

For Rav Shagar, "halakhic commitment bereft of the rootedness of traditionalism is soulless," and "the source of halakha's conservatism is intimacy and rootedness in tradition. The moment it loses its intimacy and rootedness, halakha becomes a lifeless body, and conservatism morphs into religious fundamentalism."[19] This conception of halakhic rootedness, he argues, is what separates authentic Orthodox Judaism (as opposed to the fundamentalist, or what Leifer called "Separatist," varieties) from Liberal Judaism. This is particularly clear in Shagar's comparison between his approach and that of the Conservative Movement:

> Conservatives [as opposed to Reformers] do not disown halakha, but in practice have not retained its characteristic inhibitions, thus preventing the "halakhic game" from progressing according to its own rules. In practice, they are unwilling to accept and play the halakhic language game as is, instead subjecting it to external criticism and an external values scale, in light of which they update it. Ultimately, they destroy the soul of halakha and, on a profound level, prevent it from evolving while retaining the rules of its game.[20]

In an accompanying footnote, Shagar clarifies that Orthodox Jews also must accept halakha's historicity but in a way that "is performed rather than stated. It is not a parameter that emerges explicitly in our deliberations, but rather a stance that must remain implicit."[21] Healthy Halakhah, in other words, must stem from a natural sense of rootedness rather than looking over one's shoulder.

Of course, Orthodoxy can be guilty of looking over its shoulder as well. Haredi Judaism, Shagar writes, is so rigid due to its "delegitimization of all other modes of life—Jewish or otherwise," which "runs counter to the spirit of traditionalism, which does not require, when embraced as a lifestyle, a

[18] Ibid., 46.

[19] Ibid.

[20] Ibid., 55.

[21] Ibid., n33.

comparison to other ideas and traditions."[22] This leads to his articulation of an "Authentic Haredism" which transcends the weakness both he and Leifer have flagged:

> I yearn for a different haredism, an authentic haredism that maintains the compartmentalist approach—currently the movement's only possible approach, to my mind—but is not motivated by the rejection of other cultures or lifestyles or the attempt to identify them with haredism. I pin my hopes on a haredism driven by an acceptance of multiculturalism that enables it to choose itself without rejecting or delegitimizing other cultures, and without becoming rigid. Such a haredism will excel at creating gaps between various frames of reference in a manner that retains the truth of each, and prevents the distortions that arise from attempted syntheses, while rigorously empowering and maintaining the boundaries of its own truth… Only a religious outlook that succeeds in positioning itself as a hard, unconditional truth, while remaining open—absurdly—to the existence of other truths that contradict it, will be able to persist without losing its soul to rigid dogmatism or self-deception.[23]

Quoting Rav Yehuda Amital that "youth who reject the religious lifestyle generally suffer from a deficiency in *kneidalach* (matza balls) and noodle kugel," [24] Rav Shagar explains the value of rootedness via authentic haredism. It is precisely those sorts of things which "make one's lifestyle cozy and intimate, Shabbat-like, such that one cannot step outside it, just as one cannot truly leave home—one belongs to it, wherever he may be."[25]

A second approach was offered by R. Lord Jonathan Sacks, who wrote that Jews of different backgrounds and worldviews have been able to engage so successfully with one another due to the "cross-cultural community" created by keeping Halakhah. In his words, there is "no alternative basis of Jewish peoplehood. The

[22] Ibid., 58.

[23] Ibid., 59.

[24] Ibid., 46.

[25] Ibid., 62. Shagar's vision of a "Postmodern Authentic Haredism" is admittedly rather abstract. One might say that it better represents an aspirational goal as opposed to practical advice on how to live. On the other hand, as is the case with much of postmodern thought, it is meant to be experienced by individuals rather than articulated by a group. If enough people individually reach this goal in their own ways, then such a community will come into existence by default.

Jewish family is as strong as its shared religious heritage. The renewal of Torah in the life of Jews is the only route to the renewal of the Jewish people."[26] Earlier in the same book, Sacks wrote that many types of Jews have many different roles to play in mending the rifts between Jews and Judaism across the globe, "some by being living examples of religious intensity, others by being courageous advocates of religious reconciliation, some by rejecting secular culture, others by imaginatively appropriating it, some by building yeshivot, others by building society, some by their courage in war, others by their advocacy of peace."[27] Nonetheless, R. Sacks was clear that the goal of an ideal Orthodox Jew is to serve as a "voice of hope in the conversation of mankind."[28]

Elsewhere, Sacks argued that Orthodox Judaism is "not a denomination" but rather "a boundary, defined by halakhah and the principles of Jewish faith, within which many types of philosophy and piety are possible."[29] Within that, Sacks advocated what he called an Inclusivist approach built on ten values: First, "a deep sensitivity to the language in which we speak of other Jews";[30] Second, "the inclusivist would not seek to use coercive means to bring Jews back to tradition";[31] Third, "the inclusivist understands the supreme importance Judaism attaches to education" and "recognizes that education must speak to the cultural situation of the student";[32] Fourth, "the inclusivist seeks to apply halakhah to its widest possible constituency";[33] Fifth, "the inclusivist seeks a nuanced understanding of secular and liberal Jews";[34] Sixth, "the inclusivist strives to recognize the positive consequences of Jewish liberalism and secularism even as he refuses to recognize their truth or ultimate viability";[35] Seventh, "the inclusivist, because he sees the shadings, not just the black and white, in contemporary Jewish life, calls on liberal and secular Jewish leaders to act responsibly in the context of the totality of Judaism and the Jewish people";[36] Eighth, "the inclusivist makes a parallel plea for understanding to exclusivist Orthodoxy";[37] Ninth, "the inclusivist calls on all Jews to respect the sanctity of the

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[26] Jonathan Sacks, *Arguments for the Sake of Heaven: Emerging Trends in Traditional Judaism*, rev. ed. (Maggid Books, 2023), 244.

[27] Ibid., 220.

[28] Jonathan Sacks, *Future Tense: A Vision for Jews and Judaism in the Global Culture* (Hodder & Stoughton, 2011), 231–252. See also here.

[29] Jonathan Sacks, *One People? Tradition, Modernity, and Jewish Unity* (Littman Library of Jewish Civilization, 1993), 216.

[30] Ibid., 217.

[31] Ibid., 218.

[32] Ibid., 219.

[33] Ibid., 220.

[34] Ibid.

[35] Ibid., 222.

[36] Ibid., 223.

[37] Ibid., 224.

Jewish people, collectively and individually."[38] Finally, "the inclusivist calls on Jews to hear the divine call in history."[39] This approach, like Shagar's, is far from the Separatist approach that Leifer highlights.

Another strong Orthodox alternative to Separatism is the Modern Orthodoxy of Rabbis Norman Lamm, Aharon Lichtenstein, and others. In his famous book *Torah Umadda*, Lamm noted that "[r]eligiously committed individuals who participate in our contemporary society and culture are beset by a conflict of values and perceptions that is of the greatest personal consequence." This often leaves "deep scars on the psyche of the individuals and the ethos of the community" but also "holds the promise of fascinating creativity, of new syntheses, of renewed efforts to grasp elusive insights."[40] So too, R. Aharon Lichtenstein argued that "out of our Centrist perspective, out of our sensitivity to the moral and the intellectual, to the spiritual in every respect… we have the tools, the desire, the energy and the ability, in spite of all the difficulties—and I know that they are great—that exist in the field, to move towards building the kind of richer Torah reality that can and should animate us."[41] This, necessarily, must lead one to a sense of concern for others: "If you understand the situation—and there is no reason or excuse not to—then you hear the cry that emanates from every part of the country, from every corner of the globe, expressed in the spiritual dangers surrounding and threatening us on every side. Someone who cares knows what is going on, and once he knows he must ask himself: What significance does this knowledge have for me?"[42]

While Rav Lichtenstein wrote this only about concern for world Jewry, his student R. Gil Perl suggested that Modern Orthodox Jews are uniquely prepared to "take the treasure chest of wisdom, guidance, and instruction that comprises our *mesora*, proudly place it on the proverbial table of global discussion, and help others, unfamiliar with it, to understand its content… to make sure that their heritage is on full display in this unprecedented marketplace of ideas, and that its reach extends well beyond its local audience."

Here is where I now address Joshua directly. The three examples of Orthodoxy engaged with the world that I've just articulated are only the tip of the iceberg, and their absence from *Tablets Shattered* is striking to say the least. I understand all too well how their absence may come about—if one grows up without immediate contact with Modern Orthodox people and communities then

[38] Ibid., 226.

[39] Ibid., 227.

[40] Norman Lamm, *Torah Umadda: The Encounter of Religious Learning and Worldly Knowledge in the Jewish Tradition*, 3rd ed. (Maggid Books and Yeshiva University Press, 2010), 2.

[41] Aharon Lichtenstein, *By His Light: Character and Values in the Service of God*, rev. ed. (Maggid Books, 2016), 219.

[42] Ibid., 180.

it is easy to overlook the entire way of life. Even having such contact from an early age does not guarantee identification with it. Despite my own early engagement with and acceptance within my local Modern Orthodox community, I did not consider it to be an ideal way to live until I first experienced and ruled out life in Haredi society. It often takes rejection of the extremes to find comfort in the nuance. Regardless of the reason, the result is a book which ultimately struggles to reinvent a model of Judaism that already exists and provides spiritual nourishment for hundreds of thousands of people, many of whom come from the same place as us.

Of course, one might imagine the following response: Modern Orthodoxy, in all of its forms, is too thoroughly entrenched in Zionism to serve as a safe landing zone for progressive Anti-Zionists or even Non-Zionists. At this moment in time, it is hard to argue against that. Many of the most forward thinking and liberal-minded Israeli religious institutions are located in settlements over the Green Line and thus off the table for progressive Americans. [43] Furthermore, many Modern Orthodox day schools in North America begin the day singing both *The Star Spangled Banner* (or *Oh Canada*) and *Ha-Tikvah* every morning and explicitly celebrate Israel in both secular and religious ways.[44] This response may currently be valid, but it seems to be far from a given, especially in light of the observation made on the *18Forty* podcast (backed up by my own anecdotal evidence) that many who grew up as we did and retain progressive views ultimately find themselves within Modern Orthodoxy while continuing to affiliate with progressive causes and organizations. Since the Modern Orthodox community is already relatively small, one must ask what it will look like in a generation or two if this trend continues. It may well (against its own will) become precisely the home that so many progressive religious seekers want.

At the end of the day, *Tablets Shattered* is a book of many genres. It is part memoir, part history, and part op-ed. What is consistent is Leifer's commitment to calling attention to the ways in which contemporary institutional Judaism fails young progressives like himself and the search for a viable way to maintain Jewish affiliation regardless. This is a deeply important task, and the Modern Orthodox community must ask itself how to respond. Can it afford to tell a generation of progressive Jews, who are just now rediscovering what it has to offer, to look elsewhere for religious

[43] Some examples include Yeshivat Har Etzion and Beit Midrash Le-Nashim—Migdal Oz in Gush Etzion; Yeshivat Siach-Yitzhak in Efrat; Yeshivat Otniel; Yeshivat Birkat Moshe in Ma'ale Adumim; and more. It was also pointed out to me that many progressives may view the strong support among Israeli Religious Zionists and their American Modern Orthodox counterparts for settlements deemed illegal and unethical by the international community as reflective of core values they find morally problematic.

[44] Another potential concern is that the socioeconomic reality of Modern Orthodoxy tends to price out many would-be fellow travelers.

meaning?

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The Myth of the Judaic Puritans

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Reports of the Puritan minister cosplaying as a rabbi have been greatly exaggerated. In the 1980s, historian Arthur Hertzberg bizarrely claimed that the eminent clergyman Cotton Mather (1663-1728) "took to wearing a skullcap in his study and to calling himself a rabbi."[1] Several scholars have cited Hertzberg's anecdote as a fact, and the story has even survived the scrutiny of academic peer review.[2] But sometimes, it turns out, fiction *is* stranger than the truth. Hertzberg misleadingly interpolated the claim while paraphrasing a diary entry written by Mather in 1696, but the text never mentioned these details.[3] Hertzberg, who elsewhere carefully rejected characterizing Puritans as philosemitic,[4] perhaps mistakenly conflated a similar story attested about a later Christian Hebraist, Calvin Ellis Stowe (1802-1882).[5] Regardless of his intentions, Hertzberg's error exemplifies a broader trend. The myth of Puritans embracing Judaism has a long history, and it still captures the imagination of American Jews. It deserves a critical examination.

In recent years, such ideas have gained new traction. In his popular history book *Making Haste from Babylon* (2010), Nick Bunker relates with poetic license that "the first Thanksgiving in America…took place at the instant of arrival, at the moment on Cape Cod when the Pilgrims fell on their knees to say the Jewish prayer." As evidence, Bunker notes that Governor William Bradford (1590-1657) cited verses from Psalm 107 in his manuscript history of Plymouth colony. In a gloss on that biblical passage, the commentary of Puritan Hebraist Henry Ainsworth (1571–1622)

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[1] Arthur Hertzberg, "The New England Puritans and the Jews" (1987), reprinted in Shalom Goldman, ed., *Hebrew and the Bible in America: The First Two Centuries* (Hanover, 1993), 105; Hertzberg, *The Jews in America: Four Centuries of an Uneasy Encounter* (1989; 2nd ed., New York, 1997), 39-40.

[2] See, e.g., Michael Hoberman, *New Israel/New England: Jews and Puritans in Early America* (Amherst, 2011), 71; Rachel Wamsley, "'A Pure Language (or Lip)': Representing Hebrew in Colonial New England," *Studies in American Jewish Literature* 37, no. 2 (2018): 117-144 (at p. 121).

[3] Hertzberg, "New England Puritans and the Jews," 108; Hertzberg, *The Jews in America*, 41; *Diary of Cotton Mather, 1681-1724*, 2 vols. (Boston, 1911), 1:199-200.

[4] Hertzberg, "New England Puritans and the Jews," 106; Hertzberg, *The Jews in America*, 33.

[5] Edmund Wilson, "Notes on Gentile Pro-Semitism: New England's 'Good Jews,'" *Commentary* (October 1956); idem, *Patriotic Gore: Studies in the Literature of the American Civil War* (New York, 1962), 64; Annie Fields, ed., *Life and Letters of Harriet Beecher Stowe* (Boston, 1897), 336, 340-341.

had cited Maimonides' list of criteria for reciting *birkat ha-gomeil*.[6] Based on Bunker's book, an oft-cited essay by Moshe Sokolow argues that Jews should celebrate Thanksgiving because the holiday had Jewish origins.[7] But Bradford did not write that the colonists had recited Psalm 107 upon their arrival; instead, he quoted the passage in the context of imagining future generations of Plymouth Puritans memorializing that moment.[8]

Despite their fascination with Scripture, Puritans viewed Judaism as erroneous. Like nearly all Christians, Puritans believed in the doctrine of supersession: that a new universal covenant through Jesus replaced the Mosaic covenant with the Jews, and that the New Testament abrogated much of the Old Testament, as they called it. It is inconceivable that the *yarmulke*, an article of clothing through which Jews have long distinguished themselves from Gentiles, sat atop Cotton Mather's wig. Similarly, Ainsworth and other Puritans would have shuddered at the thought of reciting Jewish liturgy.

The conflation of Puritanism with Judaism is an old canard that dates back to the movement's origins in the early modern period. When Elizabethan Puritans advocated for eliminating all extra-biblical rituals, defenders of the religious status quo accused Puritans of Judaizing.[9] In New England, the dissident Roger Williams (1603-1683) criticized a document composed by the Massachusetts clergy that in his view "wakens Moses from his unknown Grave, and denies Jesus yet to have seene the Earth."[10] These jabs persisted long after Puritans lost political power; as one poem put it: "New-England they are like the Jews, / as like, as like can be."[11] In a few rare cases, such as the sectarian leader John Traske (1585-1636), some fringe radical Puritans did embrace Jewish rituals, but they remained beyond the pale for nearly all Christians.[12]

In the late nineteenth century, the Judeo-Puritan paradigm emerged more prominently, perhaps prompted by the onset of mass immigration to the United States. In 1889, an anonymous contributor

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[6] Nick Bunker, *Making Haste from Babylon: The Mayflower Pilgrims and Their World: A New History* (New York, 2010), 65-67; Maimonides, *Mishneh Torah, Hilkhot Berakhot* 10:8.

[7] Moshe Sokolow, "Thanksgiving: A Jewish Holiday After All" (*Jewish Ideas Daily*, 11/23/2011).

[8] Kenneth P. Minkema, Francis J. Bremer, and Jeremy D. Bangs, eds., *Of Plimoth Plantation: The 400th Anniversary Edition* (Boston, 2020), 180.

[9] See, e.g., John Whitgift, *The Defense of the Aunswere to the Admonition Against the Replie of T.C.* (London, 1574), 120.

[10] Roger Williams, *The Bloudy Tenent, of persecution, for cause of conscience, discussed, in a conference betweene truth and peace* (London, 1644), 118.

[11] Peter Folger, *A Looking Glass for the Times* (1763), 12.

[12] Aidan Cottrell-Boyce, "John Traske, Puritan Judaizing and the ethic of singularity," *Journal of the Irish Society for the Academic Study of Religions* 6 (2018): 1-37.

to *The New England Magazine* described Bradford's *Plimoth Plantation* as "our New England Old Testament."[13] A year later, amid rising nativism, an article in *Jewish Quarterly Review* outrageously described the Puritans as born to "the wrong race, Aryan when they should have been Semitic."[14] A historian of fasts and thanksgivings in New England deemed it "obvious" that the "Jewish ceremonials" influenced Puritans.[15] In 1922, James Truslow Adams' Pulitzer prize-winning book declared that "in spirit they may almost be considered as Jews and not Christians."[16] This claim prompted correctives that sought to demonstrate the primacy of the New Testament in Puritanism.[17] Yet, over the next few decades, scholars continued to exaggerate Puritanism's purported Judaic dimensions. Philosopher Herbert W. Schneider asserted, "Only the remoteness in time and space of the ancient Israelites…prevented Puritan law from becoming more Jewish."[18] Puritanism received such descriptive phrases as the "rebirth of the Hebrew spirit in the Christian conscience," a "kind of new Judaism…transposed into Anglo-Saxon terms," and a "translated Judaism."[19] Such perspectives, which paralleled post-Holocaust notions of the American melting pot and cultural pluralism that sought to reaffirm Jewish continuity after enormous devastation,[20] seriously distorted the degree of cohesion between Puritanism and Judaism.

Eventually, however, the historiographical pendulum temporarily swung in the opposite direction. In the December 1967 issue of *The New England Quarterly*, historian Eugene R. Fingerhut published a polemical and footnote-free article entitled "Were the Massachusetts Puritans Hebraic?" No, Fingerhut emphatically answered. He showed numerous ways in which Puritans deviated from literal understandings of the Old Testament as well as various aspects of Jewish

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[13] "Round About Scrooby," *The New England Magazine*, new series, vol. 1, no. 1 (Sept. 1889): 31-40 (at p. 31).

[14] John G. Dow, "Hebrew and Puritan," *The Jewish Quarterly Review*, vol. 3, no. 1 (1890), 52-84 (at p. 77).

[15] William DeLoss Love, *The Fast and Thanksgiving Days of New England* (Boston, 1895), 40-41.

[16] James Truslow Adams, *The Founding of New England* (Boston, 1921), 80.

[17] See, e.g., Kenneth B. Murdock, "The Puritans and The New Testament," *Publications of The Colonial Society of Massachusetts: Transactions, 1922–1924* (Boston, 1924), 239-243; Isidore S. Meyer, "Hebrew At Harvard (1636-1760): A Résumé of the Information in Recent Publications," *Publications of the American Jewish Historical Society*, no. 35 (1939): 145-70 (at n. 4).

[18] Herbert W. Schneider, *The Puritan Mind* (Ann Arbor, 1930), 27.

[19] Abraham A. Neuman, *Relation of the Hebrew Scriptures to American Institutions* (New York, 1943?), 6; Clifford K. Shipton, "The Hebraic Background of Puritanism," *Publications of the American Jewish Historical Society* 47, no. 3 (March 1958): 152; Wilson, "Notes on Gentile Pro-Semitism."

[20] For this historiographical context, see Brian Ogren, *Kabbalah and the Founding of America: The Early Influence of Jewish Thought in the New World* (New York, 2021), 187-195.

practice.[21] Yet Fingerhut arguably extended his argument too far, setting up somewhat of a strawman position; his outright dismissal of Puritan Hebraism belied the undeniable ubiquity of Old Testament sources in early New England.

Scholars should acknowledge the potency of Puritan biblicism without exaggerating its significance. As I argue in my recently completed PhD dissertation, the Old Testament flourished in the political theory and, to some extent, legal practices of the New England colonies.[22] The Puritans were not *Judaic*, but they were *Hebraic*. Political theorist Gordon Schochet distinguishes "between Jewish and Judaic, on the one hand, to refer to things directly about or internal to Judaism itself, and Hebraic, on the other, to refer to things about or external to Judaism and/or the uses of Judaic 'things'—Judaic language, history, sacred writings, practices—for purposes that are not necessarily Jewish."[23] Puritans decisively fell under the latter category; they made use of Judaic texts for Christian purposes, but they were not Jewish.

The persistence of the Judeo-Puritan paradigm in Jewish communal discourse exemplifies what Jonathan Sarna has famously termed "The Cult of Synthesis." As he notes, American Jews have long sought to harmonize their religious values with general culture. This phenomenon has often manifested with patriotic celebrations, especially on holidays such as Thanksgiving.[24] By appropriating the founders of the New England colonies, Jews seek to write themselves into America's origin story, much like the myth of Columbus' secret Jewish identity or Haym Solomon's supposedly saving the American Revolution. Instead of embracing these false narratives, we should study and remember the early American past on its own terms.

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[21] Eugene R. Fingerhut, "Were the Massachusetts Puritans Hebraic?" *The New England Quarterly* 40, no. 4 (December 1967): 521–31.

[22] Israel Ben-Porat, "Hebraic Puritans: Old Testament Politics in Early New England' (PhD diss., CUNY Graduate Center, 2024).

[23] Gordon Schochet, "The Judeo-Christian Tradition as Imposition: Present at the Creation?" in Gordon J. Schochet, Fania Oz-Salzberger, and Meirav Jones, eds., *Political Hebraism: Judaic Sources in Early Modern Political Thought* (Jerusalem, 2008), 279 n. 1. See also Dru Johnson's similar definition of "Hebraic thought" as including the New Testament.

[24] Jonathan D. Sarna, "The Cult of Synthesis in American Jewish Culture" (1998), reprinted in idem, *Coming to Terms with America: Essays on Jewish History, Religion, and Culture* (Philadelphia, 2021), 3-27.

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