Dedicated by Simcha Fishbane to:

Eric Levine

Dedicated by Eric Levine to:

Tamar Levine

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Contributors

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Simcha Fishbane, PhD: is a professor of Jewish studies at the Touro College Graduate School of Jewish Studies. He has been a rabbi, scholar, and educator serving the Jewish community for many years. He is the founder of a Jewish university in Moscow, Russia, a branch of Touro College, and served as its dean for three years. He has also been instrumental in establishing similar programs in

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Alan Kadish, MD: is President of the Touro College and University System, the largest Jewish-sponsored educational institution in the United States. Dr. Kadish distinguished himself as a prominent cardiologist, dedicated teacher and researcher, and experienced administrator. Under his leadership, Touro opened the Touro College of Dental Medicine, the first dental school operating under Jewish auspices outside of Israel, and also acquired and assumed operations of New York Medical College. As well, Dr. Kadish oversaw the founding of Touro College Press, which has released over a dozen volumes since its establishment. A graduate of the Albert Einstein College of Medicine at Yeshiva University, Dr. Kadish received postdoctoral training at the Brigham and Women's Hospital, an affiliate of Harvard Medical School, and at the Hospital of the University of Pennsylvania, where he was a fellow in cardiology. He is board certified in internal medicine, cardiovascular disease, and cardiac electrophysiology. Prior to joining Touro in 2009 as Senior Provost and Chief Operating Officer, Dr. Kadish taught at the University of Michigan and held a 19-year tenure at Northwestern University. He served Northwestern as the Chester and Deborah Cooley Professor of Medicine, Senior Associate Chief of the Cardiology Division, Director of the Cardiovascular Clinical Trials unit, and sat on the finance and investment committees of the Northwestern clinical practice plan. An accomplished and prolific research scientist as well, he has published over 250 peer-reviewed papers, contributed to several textbooks, and received numerous grants, including from the National Institutes of Health and the National Science Foundation. Dr. Kadish sits on the executive board of the Jewish Book Council, is a past chair of the Clinical Cardiology Program Committee of the American Heart Association, and has been elected to prestigious scientific research and education societies, including the American Association of Professors, the American Society for Clinical Investigation, and the American Society of Physicians.

Zvi Jonathan Kaplan, JD, PhD: is Professor of History and Chair of the Department of History at Touro College. He has published on Moses Mendelssohn, Hungarian Ultra-Orthodoxy, and modern French Jewish history. He is the author of *Between the Devil and the Deep Blue Sea? French Jewry and*

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Eric Levine, DSW, LMSW: is Director, Social Work Alumni Engagement, Continuing Education and Financial Resource Development, as well as a faculty member at the Touro College Graduate School of Social Work. He has held leadership roles for major not-for-profit organizations with recognized expertise in communal planning and policy, organizational and communal change, and fundraising. He also taught as an adjunct professor for over 20 years at Yeshiva University's Wurzweiler School of Social Work, teaching courses in ethics, social policy, organizational theory, ethnicity, administrative practice, and community relations. Eric has authored numerous articles, book chapters, and papers and is the managing editor of the journal, *Studies in Judaism, Humanities and the Social Sciences*. His current research interests focus on contentious politics, organizations, and social movements. He coedited with Simcha Fishbane the two-volume work, *Contention, Controversy and Change: Evolutions and Revolutions in the Jewish Experience*, published by Touro College Press in 2016.

Pnina Mor, CNM, PhD: is a nurse/midwife focusing on women's health. She is assistant director of the labor and delivery department at the Shaare Zedek Medical Center. Mor founded and directs a clinic for women who have a predisposition for hereditary breast and ovarian cancers (*BRCA* gene mutation carriers) at Shaare Zedek. She also heads an RN-to-BSN program at the Faculty of Nursing at the Jerusalem College of Technology. Her major research focuses on *BRCA* gene mutation carriers. Dr. Mor serves on the advisory board for the *B'Shvilyach* women's health center. She received her PhD in nursing genetics from the University of Calgary Faculty of Nursing in 2008.

Nissan Rubin, PhD: is a professor emeritus in the Department of Sociology and Anthropology at Bar Ilan University. His main areas of interest include ritual in modern society, sociology and anthropology of Talmudic texts, and rites of passage in ancient Judaism. His published books include *Research Methods in Social Science—Strategy, Design and Measurement* (Tel Aviv: Dekel, 1978, with Ernest Krausz and Steven H. Miller), *The Beginning of Life: Rites of Birth, Circumcision and Redemption of the First-Born in the Talmud and Midrash* (Tel Aviv: Ha-Kibbutz Ha-Meuchad, 1995), *The End*

of Life: Rites of Burial and Mourning in the Talmud and Midrash (Tel Aviv: Ha-Kibbutz Ha-Meuchad, 1988), *The Joy of Life: Rites of Betrothal and Marriage in the Talmud and Midrash* (Tel Aviv: Ha-Kibbutz Ha-Meuchad, 2004), *Time and Life Cycle in Talmud and Midrash* (Boston: Academic Studies Press, 2008), and *New Rituals, Old Societies* (Boston: Academic Studies Press, 2009). He has published numerous papers on rites and rites of passage in contemporary Israeli society and studies applying social scientific methods to the understanding of Late Antiquity Judaism.

Preface and Acknowledgments

While the oft-quoted saying *plus ça change, plus c'est la même chose* or "the more it changes, the more it's the same thing" seems to aptly describe the nature of social life, the reverse may also be equally accurate: the more things stay the same, the more they change. Indeed, the recognized institutions of human society, of which religion is a primary example, are both sources of stability and continuity as well as innovation, controversy, and conflict.

This book presents a group of distinguished scholars from the fields of sociology, history, medicine, religion, and Jewish studies. The authors examine key cases and themes in religious life, emphasizing the continuities and discontinuities of tradition and its confrontation with trends pressing for transformation. Their essays revolve around the intersections and dynamics of Jewish religious continuity and change, forces that operate simultaneously, at times mutually reinforcing and at times in opposition to one another.

The research in this volume demonstrates the importance of rich, detailed case studies and historical, ideological, and philosophical surveys in order to understand the practical actions of individual and organizational or communal actors attempting to create, maintain, evolve, or disrupt religious life and institutions. The themes and cases explored in this volume cut across geographical boundaries and time frames. Furthermore, these studies have the potential to promote and positively affect thoughtful discussions in many quarters. They seek to generate greater understanding and dialogue among those who study Jewish life or who work in Jewish organizations, as well as those who live and function in religious communities. Indeed, the book brings forth sophisticated presentations and interpretations of Jewish law, religious texts, communities, and institutions. The contributors insightfully investigate the interplay of internal and external social and ideological forces, of the impact of organizations, and of the potential for individuals and groups to shape their religious environments.

Briefly, the opening chapter of the book by Eric Levine also serves as the overall introduction; the volume is then divided into three segments. Part I presents sociologically and anthropologically oriented analyses of contemporary and historical themes. In the opening chapter, Eric Levine employs organizational and social movement theories to discuss the role of religious organizations as platforms for either promoting or fending off innovation and change. He studies two recent examples of religious change movements, one of which is currently quite active. Simcha Fishbane analyzes the halakhic treatment of the concept of the *bat mitzvah* ceremony. He compares and contrasts the leading *piskei halakha* in his timely examination of an evolving but potentially controversial "ritual" innovation. The essay offered by Calvin Goldscheider provides a very important macro-level view of Jewish life in light of massive technological, social, political, and demographic forces at play. He traces these global trends and their significant effects on the Jewish community, its vitality, and future prospects.

Part II presents historical case studies of Jewish communities and their leaders debating religious change and the accommodation with outside society. Benjamin Brown examines the challenges to faith and theological and ideological responses in nineteenth-century ultra-Orthodox communities. He traces the continuities and discontinuities operative in different kinds of faith commitments. Judith Bleich studies fascinating debates around Christian and governmental influences on Jewish clerical customs and styles of dress in nineteenth- and twentieth-century Europe. Zvi Jonathan Kaplan reviews a failed attempt in France to change halakhic treatment of "chained" wives. It is an insightful and sobering look back at an endeavor in halakhic innovation. To close the section, Nissan Rubin provides an excursus into evolving religious mourning practices, drawing from extensive rabbinic sources. But even more—by associating such practices as marriage, *halitzah*, *yibum*, and inheritance—he also sheds light on the changing rabbinic view of family, community, relationships, and interpersonal obligations.

Finally, Part III looks at halakhic and ethical issues emerging as a consequence of modern scientific advances, medical technology, and treatment. Alan Kadish provides a sweeping overview of evolving halakhic approaches to medicine and scientific discovery as well as a penetrating analysis of the consistencies and inconsistencies in how various communities address these challenges. The research of Mor and Greenberger explores the potential ethical and halakhic implications of caring for those afflicted with extreme illness. They make an important contribution by offering conceptual and practical expansions of the framework for resolving cases of *pikuach nefesh.*

In sum, these essays examine critically important issues for all those concerned with understanding and leading Jewish communities and organizations today. The contributors demonstrate the complexities, contradictions, and nuances around the dynamics of Jewish religious continuity and change. Indeed, their chapters show how the Jewish tradition navigates between promoting continuity and stability and responding to or even embracing transformations in philosophy, ideology, ritual, law, and institutions. This volume offers rich research with both historical and contemporary relevance and interest. The collection has meaning and value as an academic contribution for teaching and research purposes, and potentially as a guide for organizational leaders and communal members. Typically, these discussions have remained limited to the halls of academia. Our hope is that this work will help lead to a more compelling application of research and ideas into non-academic circles and Jewish religious and communal life.

The editors, Simcha Fishbane and Eric Levine, would like to thank Dr. Alan Kadish, President and CEO of the Touro College and University System, for his support of this project; Dr. Michael Shmidman, coeditor of the Touro College Press, for his wisdom and guidance; and the gifted authors who contributed their scholarship in order to make this volume a reality. Many thanks as well are extended to the talented and devoted team at Academic Studies Press, including Alessandra Anzani, Acquisitions Editor, Eileen Wolfberg, Editorial Coordinator, and Sara Libby Robinson, copy editor. Of course, we extend our gratitude to Kira Nemirovsky, Production Editor, and Dr. Igor Nemirovsky, Director and Publisher.

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Simcha Fishbane

I would like to thank my wife, Joanne Fishbane, for her support and assistance in all of my scholarly projects. I also wish to dedicate this book to my friend, co-editor, and colleague Eric Levine. In addition, I want to thank Dr. Lynn Visson for her ceaseless support, advice, input, and editorial assistance. Dr. Visson, without hesitation or consideration of time, is always available to discuss my theories and review my work. Her contribution has been and is a basic essential factor in my scholarly work.

Eric Levine

I would like to express thanks to Dr. Steven Huberman, Dean of the Touro College Graduate School of Social Work for his support and leadership and to the entire Graduate School of Social Work family for providing a nurturing, inspiring, and exciting academic home.

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Finally, and most important, I am dedicating this book to Tamar Levine, my daughter. My earlier publications have been dedicated to my life's partner, Roxanne Huberman Levine. Every day, our daughter uplifts our family and brings us tremendous pride, joy, and love. She is a blessing and a treasure and we are eternally grateful and fortunate.

Movements, Institutions and Organizations: Mobilizing for Religious Change

ERIC LEVINE

INTRODUCTION

Humor often serves to caricature human experience and plays off of some of the more laughable aspects of behavior. Cultural and ethnic humor, in particular, frequently functions that way as well. For example, Jews smile at the oft-repeated line that where there are two Jews, there are at least three opinions. Or the well-known joke about the Jew marooned on a desolate, uninhabited Pacific island. When finally rescued, the castaway escorts his rescuers around the island and excitedly shows off how he survived alone for many years. He proudly exhibits two structures he has built—two synagogues—the one he will and the one he won't attend. However silly, the joke points to something very real in Jewish life: Jews debate, Jews disagree, Jews create institutions, and then often break away from them to form new ones.

The North American Jewish community has had a penchant for creating organizations. Many have been created anew and numerous synagogues and other organizations are the result of breakaways or mergers. And for good reason—organizations are critical vehicles for pursuing collective and shared meaning, needs and purposes. They are carriers of tradition, platforms for maintaining social stability and continuity, while at the same time providing the frameworks for change. Organizations are powerful forms of collective enterprise, serving as essential vehicles for social life at all levels of human endeavor.

Ironically, despite the impact that organizations have had and continue to make on Jewish life, there has been infrequent analysis of the formal Jewish organizational structure. There have been important scholars in the field of Jewish organizational analysis, notably Elazar, Windmueller, and Burstein, but this is largely an untapped or inconsistently researched field. This chapter benefits from their work in understanding the role and importance of organizations in the Jewish community, with particular interest in Jewish religious organizations. Therefore, this chapter has a series of objectives. The first is to explore the centrality and nature of organizations in American Jewish life. The discussion, of necessity, will examine the shifting landscape of the Jewish organizational scene. The second objective is to explore how organizations serve as platforms for promoting or resisting change, particularly regarding religious innovation. To approach this goal, we will review two contemporary examples of Jewish religious movements responding to the demands for religious change: the Union for Traditional Judaism (originally the Union for Traditional Conservative Judaism) and the emerging organizational network of "Open Orthodoxy." We often think of religious change in terms of legal discourse, rabbinic pronouncements, policy positions, or ritual evolution. These cases help to demonstrate that movements seeking religious change, in opposition to their parent systems or organizations, often split off and create new organizations and networks of organizations to pursue their agendas and to build constituencies. Moreover, the contention here is that the Jewish religious organizations in question tended to mimic the form, function, and structure of other religious organizations and systems in the community, especially the groups they broke from, thus lending credence to the notion of isomorphism in organizational behavior. Finally, this essay will examine the organizational forms and repertoires adopted by contemporary change efforts and how isomorphic pressures limited the range of options in structure and activity that these organizations employed. The discussion will also lend support to what various observers have termed the realignment of the American Orthodox Jewish community. In the view of this writer and others, religious schism in Orthodoxy is in the offing.

The chapter draws upon two important theoretical frameworks: social movement theory and organization theory. The complementary nature of the two fields has been observed by a number of scholars, as has been the mutual borrowing and sharing of concepts, tools, and methods.[1] This essay continues

1 Sarah A. Soule, "Bringing Organizational Studies Back into Social Movement Scholarship,"

this writer's ongoing research interests in studying organizations, community, and collective action, as well as religious and social movements, especially in the Jewish experience. In particular, it draws upon the theoretical approach of institutionalism in organizational theory. The present study is important in at least two ways. As a member, professional, and student of the Jewish community, these issues are of intense personal and academic concern. As will shortly be discussed at greater length, from a communal standpoint, the theory and cases discussed are instructive in ways that can help us understand and respond to the continuing shifts occurring in the Jewish community overall and in the religious sector.

Organizations and Collective Action

In American society today, social and communal life has been, for the most part, synonymous with organizational life. Organizations come into being as people identify and seek solutions to their common interests or problems. Organizations provide the framework for regular, sustained contact among people. To have sustaining power beyond the mere coincidental, people need vehicles that can provide structure, regularity, stability, security, continuity, and shape to social life. The benefits of organizing formal groups are evident; groups that desire impact and longevity need to create structure and establish leadership, policy, and protocols.[2] Furthermore, people generally gravitate toward others who are like-minded, who share similar values, attitudes, and lifestyles. Even in the digital age dominated by social media, organizations remain as powerful vehicles for organizing social life, whether virtual or in person, ongoing or short term, conventional or unconventional.

> A great deal of what people wish to accomplish cannot be achieved alone, either by private, individual action or through markets and the modern instrument for aggregating private interest, the corporation. Only through some form of *collective action* can people realize important individual and group goals and produce the myriad shared benefits associated with social life … Collective action can involve advocating for causes or goals, recruiting others, and banding together to gain

in *The Future of Social Movement Research: Dynamics, Mechanisms and Processes*, eds. Jacquelien van Stekelenburg, Conny Roggeband and Bert Klandermans (Minneapolis, MN: University of Minnesota Press, 2011), 107 and 116.

2 Jo Freeman, "The Tyranny of Structurelessness," accessed May 8, 2017, www.jofreeman.com/joreen/tyranny.htm.

> voice and representation before public institutions, corporations, and other bodies, or it can entail producing something of value that is shared beyond those who created it. Whether the goal is the creation of public parks or pathways, health care or human rights, environmental sustainability or electoral accountability, or information databases and communications systems, the need for at least two people to act together toward the establishment of some shared "public good" is an enduring fact of human life.[3]

The banding together of people to accomplish shared goals denotes collective action and encompasses a wide array of human endeavor, "from raising an army to raising a barn; from building a bridge across a gulf separating states to building a faith community that spans the gulf between races; from organizing a business cartel to organizing a small partnership to compete in a crowded market; from the food riots of revolutionary France to the progressive dinners of charitable New York."[4] In other words, collective action is any and all activity aimed at producing a collective good: that is, "actions taken by two or more people in pursuit of the same collective good."[5]

Examples abound of collective action and organizational activity.

> Football teams engage in collective action, but so do churches, voluntary associations, and neighbors who clear weeds from a vacant lot. When you go to school or to work for a big company, you enter an organization that is carrying on collective action. But most of the collective action involved occurs with no significant contention and no government involvement. The bulk of collective action takes place outside contentious politics.[6]

Even in the realm of unconventional politics, social movements rely on and are composed of, in part, formal organizations.[7] They are springboards for

3 Bruce Bimber, Andrew J. Flanagin, and Cynthia Stohl, *Collective Action in Organizations* (New York: Cambridge University Press, 2012), 1.

4 Gerald Marwell and Pamela Oliver, *The Critical Mass in Collective Action* (New York: Cambridge University Press, 1993), 1–2.

5 Ibid., 4.

6 Charles Tilly and Sidney Tarrow, *Contentious Politics* (Boulder, CO: Paradigm, 2007), 5.

7 Beth Schaefer Caniglia and JoAnn Carmin, "Scholarship on Social Movement Organizations: Classic Views and Emerging Trends," *Mobilization*, 10, no. 2 (2005): 202.

mobilization, incubators of talent, and collectors and disseminators of critical information.[8] In other words, "the more organization, the better the prospects for mobilization and success."[9]

The scholarly literature attests to the central, dominant, and powerful influence of organizations in contemporary society. Presthus asserts that "Contemporary organizations have a pervasive influence upon individual and group behavior, expressed through a web of rewards, sanctions, and other inducements that range from patent coercion to the most subtle of group appeals to conformity."[10] He goes as far as to work from the assumption that values and institutions mold personality and behavior. Organizational influences significantly change the conditions under which people make choices and behave. They impose socialization and act as miniature social systems in which the mechanics and consequences of socialization are defined, inculcating ideals, attitudes, and behavior, often merely to enhance the organization's competitive chances.[11] Crozier adds that

> We are all aware of the importance which large organizations have assumed, and will increasingly assume, in modern society. Most of us are employed, more or less directly, by large organizations; most of the goods we consume are mass produced by these same organizations. Our leisure and even our cultural life are dominated by other large organizations: the cities in which we reside are themselves large organizations whose complexity is beyond our understanding. In order to exercise effectively our rights of dissent and representation we must employ, at least in part, the large organization—a mode of action essential to modern man.[12]

Corwin also captures the essence of the organizational phenomenon.

> Organizations have furthermore assumed a predominant role in contemporary life. Society takes concrete form through organizations that carry out its major functions. As a society evolves, organizations increase

8 Ibid., 204.

9 Elisabeth S. Clemens and Debra C. Minkoff, "Beyond the Iron Law: Rethinking the Place of Organizations in Social Movement Research," in *The Blackwell Companion to Social Movements*, eds. David A. Snow, Sarah A. Soule, and Hanspeter Kriesi (Malden, MA: Blackwell Publishing, Ltd., 2007), 155.

10 Robert Presthus, *The Organizational Society* (New York: Vintage Books, 1962), 3.

11 Ibid., 7.

12 Michel Crozier, *The Bureaucratic Phenomenon* (Chicago: University of Chicago Press, 1964), 1.

> in number, scale, and formality, and become important sources of power penetrating all sectors of life. Modern society has come to rely heavily on collective action. It follows in a very real sense that the main constituent members of society are not individuals, but organizations.[13]

So it is quite clear that we live today in an organizational world. It is only in modern life that the organization has become the dominant characteristic of society, appearing in large numbers and performing nearly every task a society needs in order to function.[14] And while they display common or generic features they also exhibit staggering variety in size, structure, and operating processes.[15] Scott and Davis offer a three-part definition. Organizations are:

- Collectivities oriented to the pursuit of relatively specific goals and exhibiting relatively highly formalized social structures.[16]
- Collectivities whose participants are pursuing multiple interests, both disparate and common, but who recognize the value of perpetuating the organization as an important resource.[17]
- Congeries of interdependent flows and activities linking shifting coalitions of participants embedded in wider material-resource and institutional environments.[18]

Bottom line, over and above any definitions, descriptions, lofty goals, or mission statements, organizations have the primary goal of survival and self-perpetuation.[19]

While nonprofit groups represent only one part of the American organizational scene, a brief examination of this ever-important and growing sector helps to amplify the point about the dominance of organizations in contemporary life. From 2003 to 2013, the number of nonprofit organizations registered with the U.S. Internal Revenue Service (IRS) rose from 1.38 million

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13 Ronald G. Corwin, *The Organization-Society Nexus* (Westport, CT: Greenwood Press, 1987), 3–4.

14 W. Richard Scott and Gerald F. Davis, *Organizations and Organizing: Rational, Natural, and Open System Perspectives* (Upper Saddle River, NJ: Pearson Education, Inc., 2007), 2.

15 Ibid., 1.

16 Ibid., 29.

17 Ibid., 30.

18 Ibid., 32.

19 Jeffrey Pfeffer, *New Directions for Organization Theory* (New York: Oxford University Press, 1997), 8–9.