Who is Orthodox? Who is Religious? Who is Just Observant?

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Before questioning the usefulness of the word “Orthodox,” let’s first acknowledge the need that this term serves. Congregations, like individuals, find benefit in affiliating with congregations of similar direction. Such affiliation provides the weight of numbers when larger issues, such as intermarriage and conversion, separation of church and state, recognition of homosexuals as congregants, and political positions on national and international issues, need to be addressed. Umbrella organizations also facilitate the establishment of religious standards for prayer, the ordination of rabbis, and the certification of teachers. They streamline fundraising. So, inevitably, groups such as the Union of Orthodox Jewish Congregations, the United Synagogue of Conservative Judaism, and the Union for Reform Judaism have come into being. The assumption that all individuals whose congregations are served by one of these umbrella organizations subscribe to the general standards of that organization is false.

That said, when used to categorize individuals, the word “Orthodox” (and its cognate, “religious”), its flavor of piety notwithstanding, is often a troublemaker: In the misconceptions it generates, in the provocation and divisiveness it engenders. In English or in its Hebrew equivalent, dati, it often conveys unintended meanings.

The term Orthodox is misleading because it hints at a uniform standard of religious conduct that, in reality, does not exist. When used to enforce exclusivity—the holier-than-thou phenomenon—it can become haughty, condescending, downright mean: ‘I am more Jewish than you.’

My brother, who is not at all ignorant when it comes to things Jewish, but who grew up in a Conservative home, with somewhat limited contact with Orthodox Jews, asks frequently if A or B is Orthodox, citing some degree of observance or dress. I, who belong to an Orthodox synagogue and have more extensive contact with Orthodox Jews—both in the United States and in Israel—am hard pressed to provide a sharp answer.

Outer appearance parameters vary too greatly to be instructive: head covered or not (yarmulke in all its forms or black hat for men; kerchief, hat, or wig for women); beard or clean shaven; tsitsith (prayer fringes) for men (worn inside one’s pants, outside, or not at all); slacks or floor-sweeping dress; how much of a woman’s arms are covered.

Is a man with an untrimmed, straggly beard more Orthodox than one who keeps his beard well groomed? What about a woman who doesn’t cover her head, who wears pants, who exposes her shoulders? Can she still be considered “Orthodox”?

Over the past winter, I spent a few days at Kibbutz S’de Eliyahu, an established Orthodox kibbutz in Israel’s Jordan Valley. Confused by the menagerie of women’s attire at the kibbutz, put this question to Beni Gavrieli, a transplanted American, with Conservative roots, who has lived at the kibbutz for two decades and has adapted to the Orthodox way of life. He proved sensitive to the question.

Beni told me that at S’de Eliyahu you find four types of women: those who cover their heads and wear long skirts, those who don’t cover their heads and wear long skirts, those who cover their heads and wear pants, and those who don’t cover their heads and wear pants. What is the conclusion? That women who don’t cover their heads and wear pants are not Orthodox? That S’de Eliyahu is not a religious kibbutz? That, when it comes to dress, Orthodoxy has no definable criteria? Nadia Matar, the noted Israeli activist and founder of Women in Green, an observant Jew by all standards, keeps her head uncovered at home, and, perhaps in deference to others, dons a baseball cap when she leaves the house.

An Israeli cousin with an Orthodox pedigree (graduate of Netiv Meir Yeshiva High School in Jerusalem and the hesder religious study-army service program), told me that the kerchief that Orthodox women wear on their heads “looks like a rag.”

A year later, he got married. And what does his wife wear on her head? Right.

The unattractive (some call “dumpy”) dress of religious women, as much as anything, molds the negative image that the non-Orthodox (Jew and Gentile) carry of Orthodox Jews. Before meeting my cousin’s wife, from her picture alone, I had this same gut feeling of unworldliness. It turns out that she has two university degrees and is well traveled. I wonder whether her dress is out of choice or out of a need to meet standards of family and friends.

Whether or not one wears a yarmulke at all times is one of the most reliable outer dress indicators of whether a man is Orthodox. And if you are a perceptive observer, you can draw useful conclusions about the religious inclinations of the wearer by what sits on his head (broadcloth yarmulke, knitted yarmulke with bobby pins or clips, large knitted yarmulke, black yarmulke without pins, hats—black and otherwise).

But all who tend toward an observant lifestyle do not wear yarmulkes full time. Many take their skull caps off when not praying. Orthodox lawyers sometimes go bareheaded in court so that their religious preference does not influence the proceedings. Other times, people are just inconsistent. Some eat with their heads covered on the Sabbath, but not on weekdays or when eating out. A Reconstructionist rabbi I know puts on a yarmulke whenever he goes into a kosher restaurant, but not when he goes into a non-kosher restaurant. If at my Orthodox synagogue all who removed their yarmulkes after prayers (and by common perception are not Orthodox) were disqualified, there would be no minyan (quorum) at many weekday services.

Nowadays, particularly among rabbinical students, there are Conservative Jews who walk around with knitted yarmulkes on their heads all the time. They would bridle at being described as Orthodox. Yet, in behavior, if not in philosophy, they differ little if at all from Orthodox Jews.

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The degree of Sabbath observance is usually very predictive of whether or not one is Orthodox. Those who call themselves Orthodox Jews do not use electricity on the Sabbath; they don’t answer the phone, watch television, or listen to the radio; they don’t write or use computers. But you don’t know what they do in their own homes when no one is watching. The wife of a cousin in Israel once told me that occasionally her husband, who prayed daily, and was very careful with what he ate when traveling overseas for his work, would flip on the light by his bed on

Friday night to read. Is he alone among those who call themselves Orthodox?

And there are practical considerations. My late uncle, an Orthodox Jew, who at the most inopportune moments could be seen drifting into a corner to pray and kept his head covered at all times, routinely returned home after dark on Friday afternoon in the winter. He ran a small business and could find no alternative. Many religious Jews fit into that category.

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With Sabbath observance, eating kosher food is certainly the most instructive parameter of being a religious Jew. But what does keeping kosher mean?

Even if you were given free access to poke around in someone's kitchen and cupboards, you might come away with the wrong conclusion.

Orthodox kitchens customarily have two sinks, to maximally separate meat and dairy. But some families who live in small spaces suffice with one sink and separate sink boards. Others use one sink and two drainboards. Some don't worry about sinks and drainboards.

It is usually permissible for drinking glasses to be used interchangeably for meat and dairy. But what about glass plates, which are no more absorbent?

Some of the food in the pantry or refrigerator you are exploring might lack kosher certification, but be perfectly kosher. The manufacturer might not be willing to be blackmailed by the certification agency. Or the foods—tea, coffee, spices, pasta, oils, sugar, salt, frozen vegetables—might be intrinsically kosher and the household unwilling to submit to nonsensical certification, which stretches to aluminum foil, wax paper, and plastic bags. And there is the concept of glatt kosher, which has no halakhic or logical basis. You cannot be more kosher than kosher.

Where and what Orthodox Jews eat outside of their homes often tells little about their Orthodoxy. There are those who will not eat in a kosher certified restaurant that is not Sabbath-observant, oblivious to the fact that it is the food that is being certified, not the restaurant or its workers. Some religious Jews will eat cold food in a restaurant serving non-kosher food; some will only eat salads; others will eat fish. Some will have a cup of coffee and no more. An Orthodox lawyer friend of mine, the former president of a prominent Orthodox congregation, will not eat in Fine & Schapiro, a noted kosher restaurant in Manhattan with a letter of certification in the window, because the restaurant is open on Saturday. But he

will order a tuna fish sandwich in a non-kosher restaurant. The patterns of compromise and inconsistency are endless.

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Understanding the wide variation of Orthodox practice is crucial because the larger American Jewish population, not to speak of non-Jews, cannot differentiate between shades of Orthodoxy. The image that they carry of Orthodox Jews is of the narrow, judgmental, uncompromising, holier-than-thou segment that sees itself as the savior of the Jewish people.

No one knows what percentage of Orthodox Jews falls into this “holier-than-thou” category. But they are sufficient to blur the image of observant Jews. Such holier-than-thous will take pains to straighten the tefillin on the head of a visiting parishioner, claiming that it does not meet the hairline criteria; remove the light bulb from the refrigerator of a home that they are visiting before the onset of the Sabbath; scrutinize the mezuzot on doorposts and comment if they do not contain real parchment; turn an upward pointing etrog (citron) downward just as someone is reciting the lulav benediction on Sukkot. They are boorish, intolerant, unable to look you in the eye as equal Jews. Their way is the only way.

In our family, my father, whose name is known to many of all religious stripes for his best-selling, non-judgmental books on Judaism, was uninvited from taking part in the wedding ceremony of his niece at the last moment because, as a Conservative rabbi, he was deemed insufficiently Jewish.

Surprisingly, in my experience, the holier-than-thou attitude is more common among a segment of the American Orthodox population than among those who call themselves religious in Israel (and know on average a great deal more about Jewish religious practice than their American cousins). Perhaps it is the siege mentality of being a remnant minority in a sea of non-Jews.

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You can’t delve very far into a discussion of religious practice without confronting the question of consistency. Few Orthodox Jews fulfill all of the religious duties they think they should all the time. Inconsistency is what makes Orthodoxy such an elusive concept.

If a practicing Jew expects others to be tolerant of his religious customs, which are not adhered to by most Jews, he cannot refuse to eat in a friend’s home because it is not kosher while routinely eating a dairy sandwich in a non-kosher

coffee shop. He cannot be absent from work on religious grounds one Sabbath and show up for work on the next. Onlookers get confused. Jews are as susceptible to this confusion as non-Jews.

My frequent trips to China and Japan over many years frequently put me face-to-face with this dilemma. My travel purpose is to mix with the people and see how they live. No daily activity is more important to Chinese than eating. Whether at home or in a restaurant, you can't interact with Chinese very long without eating. I have explained hundreds of times what "kosher" means, without using the word. Often, that leads to differentiating between kosher and Moslem halal practices. Asians have a hard time understanding all these distinctions, but go a long way toward accommodating them. When the chief chef at a Chinese sports camp heard that potatoes were okay, potatoes baked in their jackets appeared every night at the table. A Tibetan woman made me a special cornmeal cake that she had milled herself.

From time to time, I meet up with some of these Chinese friends in larger Chinese cities such as Beijing and Shanghai, which have safer eating alternatives: vegetarian restaurants, which are close to 100 percent kosher without the certification. Why I eat vegetables and noodles at a sports camp in Kunming but would prefer a vegetarian restaurant in Beijing often confuses them.

My uncle, who has read my writings, asks with more than a little annoyance why, if I eat vegetables at a non-kosher restaurant in China or Japan, I insist on kosher or vegetarian restaurants back home. My answer is that here I have a choice.

There are two active Jewish concepts embedded in inconsistency that merit attention: mar'it ayin, how things appear to an outside observer; and b'farhesia, in the public domain.

Invoking mar'it ayin, Rabbi Moshe Feinstein ruled that a Harvard student could not participate in his graduation exercises on Shavuot because, although walking to the ceremony incurred no desecration of the holiday, it might appear to others that he drove to the ceremony. Rabbi Joseph Caro, the compiler of the Shulhan Arukh, ruled that "milk" made from almonds could not be served at a meat meal, because it might be misconstrued as mixing dairy with meat. Walking in the street in work clothes on the Sabbath, though no work is being done, would fall into this category. The implication is that behavior which with certainty will go unobserved is less objectionable according to Jewish law than public actions.

B’farhesia refers to actions performed in the public domain. Though the opposite may be expected, transgressions, Sabbath or otherwise, that are committed in one’s own domain, out of public view, and thus shame-proof, are no less contrary to Jewish law than the same prohibitions performed in public. Nevertheless, many religious Jews continue to make the distinction between private and public domain.

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The argument here is that if the word Orthodox were to be purged from the lexicon, and every person stood tall beside his own persona, we would have a more cohesive Judaism. That is why, when asked if I am Orthodox, I respond that I am observant, which allows for more differences, without a need to specify them. When they prospect over-intrusively for details, I paraphrase in Hebrew from the words of the havdalah prayer that ends the Sabbath: “Ani mavdil bayn kodesh leHol, I differentiate between the sacred Sabbath and the secular workweek.” That usually quiets them.