

Resistance, Tradition and Social Change:
Orthodox Jewish Women Activists Fighting to Free Agunot in Israel

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I dedicate this dissertation to the memory of my grandfather

OPA Rabbi Dr. Moshe Sachs z"l, 1920-2009

Educator, activist, spiritual leader, eternal student.

For a lifelong commitment to the *mitzva* of making the world better and a deep belief in human dignity.

For teaching by example how to seek and confront injustices wherever they may be.

For doing so with ultimate dedication and fearlessness,
an open heart and sensitive ears,
and a good dose of down-to-earth self-deprecating humor.

For unending curiosity and for owning, reading and annotating more books than any bibliography could ever hope to contain.



1945



2014

And in honor of

Wim Wassink

of Eibergen, the Netherlands

for his childhood courage
and fearless determination to do the right thing
even when faced with great personal risk

and for his family's ongoing tradition of protecting all God's beings
and opening their hearts and home to those in need
despite religious differences.

Were it not for Wim, a brave young boy,
and his mother's fierce home-made activism
in rural Holland during WWII,
I would not have existed.

ABSTRACT

This is a study of Orthodox Agunah activists in Israel, religious women struggling against gender inequity in the field of Jewish divorce law. These activists support Agunah women and aim to abolish *Get* refusal, a rampant form of gender discrimination and abuse enabled and perpetrated by the IRC (Israeli Rabbinic Courts), religious courts given sole control over Israeli Jews' marriages and divorces by the State. Agunah activism is thus situated in overlapping fields: gender politics, Jewish/Orthodox politics, and national politics. My research provides a local case-study of religious women's activism that highlights and challenges the contentious intersection between religion, gender and politics, an issue of global significance and burgeoning scholarly interest.

This qualitative study was conducted from a feminist, critical, and hermeneutic perspective, which is reflected in its focus on gender, narrative, relationality, power relations and social change. This epistemological and methodological choice is also aligned with my own standpoint as researcher/activist and is expressed in my ethical commitments and practices of reflexivity. The findings are based on the narratives of Orthodox Agunah activists, collected via 33 semi-structured in-depth interviews and one group conversation. My analysis utilized and integrated diverse tools from grounded theory and narrative analysis, and was attuned to exploring the multi-vocality, content, form and contexts of the narratives.

The questions driving this research are: how do religious women who are embedded in a specific socio-cultural setting which they belong to, believe in, critique and challenge, create potentially far-reaching cultural and political change? What enables them to do so? How do they go about it? And how do activists understand their multiple selves, relationships, strategies of change, and the consequences of their activism for the broader socio-cultural context and political structures with whom they interact? A second research question addresses the connections – if any – between social movement activists' identities and their actions; between private and public spheres; between the character of activism and its cultural and political contexts; and between these actors and other players in the Agunah arena. To answer these questions, I adopt the novel expanded cultural-agency approach and the interactional strategic action perspective of social movements. My case study enriches the empirical data supporting this theoretical perspective, diversifying its analytic uses and proposing a few new concepts, explained below.

I argue that Agunah activism is a form of high-risk/cost activism, in the sense that the field is portrayed as riddled with risk, that the activism is itself often understood as a protective measure in response to a high degree of risk, and that engaging in such activism risks activists' embodied emotional and spiritual wellbeing and their relationships. This is exemplified, among other things, by activists' portrayal of the field. I show activists make sense of the IRC, the Agunah arena, and their embodied emotional experiences within it, via three key metaphors or interpretive frames, depicting it as a: (a) petrified and anachronistic time warp; (b) chaotic, abnormal and murky backwater; and a (c) contaminating and abusive war zone. I further claim these images reflect the interrelatedness of players in the arena on a conceptual and experiential level.

I posit Agunah activists' willingness to take risks, their perceptions of what is at risk and of who poses it, all derive from their deep embeddedness in Orthodoxy, Jewish tradition, and the national collective. Activists enter the public sphere in general, and the risk-laden Agunah arena in particular, as "connected critics"; their cultural critique and political resistance are fueled and facilitated by their connectedness. I innovatively conceptualize this political agency as "devoted resistance" wherein Agunah activists voice a moral critique of tradition and its agents precisely because they are devoutly devoted to them. They practice feminist resistance as religious women working towards religious ends. I identify four interconnected modes of devoted resistance: (a) modest politicians, (b) reluctant activists, (c) religious reformers, (d) visionaries. All involve negotiating and transforming cultural meanings and resisting within, and for the sake of, relationships; thereby incorporating interpretive skills and "relational-autonomy" skills. I argue this form of agency draws upon capacities informed and shaped by the activists' cultural and social connectedness; which, in turn, provides them with a certain measure of legitimacy and power to create extensive change. Analytically, "devoted resistance" highlights agentive capacities, specific grammars, and relationality; thereby introducing nuance and multiplicity into the oft dichotomous or secular logics of current scholarship on religious women's agency.

Agunah activists act not only as gendered religious actors, but also as mothers since "family" and "motherhood" are a crucial component of their citizenship, religious belonging, and national identities. I claim that via their relationship to motherhood, activists instigate and embody some of the political and cultural transformations they wish to bring about. Though varied, their formulations of the activism-motherhood axis subversively blur and contest separations between private and public spheres, strategically deploy and/or challenge gendered understandings of

motherhood and/or political activism, and promote politics based on a relational ethic of care. I show how activists construct the relationship between motherhood and activism as contrasting or complementary: Activists' motherhood serves, limits, enables, and/or expands the meaning and scope of their political activism; while their activism is perceived as a source of threat and hazard and/or a source of empowerment and enhancement to their myriad definitions of good mothering. Furthermore, activists' constructions of motherhood and activism as complementary tasks (e.g., involving protection, maintaining connection and continuity, caring and educating), provide another example of how they interact with other players since these roles are negotiated in relation to rabbis, often construed as failing fathers.

In terms of their strategies of change, I identify Orthodox Agunah activists' practices as falling under two primary categories – “change from within” and “radicalization”: The “change from within” strategy adopts a multi-focal perspective consisting of both “avoiding the red lines” (practices of modulation and moderation) and “maximizing the possible” (practices of steering and stirring). This “tempered radical” strategy, I suggest, is an indivisible fusion, not a combination of two contradictory isolated elements. The other central strategy relates to activists' “processes of radicalization” (practices of pushing the envelope) wherein they experience and deploy dislocation, detachment, and a reframing of power relations; or, alternatively, negotiate with this viable threat. I demonstrate how even amongst those who have gone “too far”, there is a yearning – and ensuing action – to maintain or regain some form of connectedness.

I claim Agunah activists do not occupy distinct and dichotomous points on a linear spectrum. Rather, I problematize the notion of “within” and demonstrate *all* activists continually “map” themselves and their surroundings, situating themselves within an interrelated and dynamic process of tempering and radicalization. I show that these strategies are complex, dynamic, and linked – both conceptually and experientially – to one another; as well as being shaped by activists' ongoing relation to, and interactions with, themselves, other players in the arena, and their contexts. These strategies of change do not follow dichotomous models which typically differentiate players' agendas, social locations, and tactics using a polarized lens made up of us/them, within/without, pro/anti, reform/revolution, fortify/deconstruct, conservative/radical, religious/secular, or care/hate binaries. Thus, analysis via a relational approach shows these models of strategic action are mutually constitutive, clarifying that each political strategy is distinguishable but they can also act as reverse-mirrors of one another, blur into each other, or be strategically

incorporated. I also argue the multiplicity of strategies and their relational interplay exists both on the micro-level– within Agunah activists’ and amongst them – and characterizes the general dynamic of the Agunah movement (on the meso- and macro-level).

Overall, this study points to the many relational and interactional aspects of Agunah activists’ narratives. I argue Agunah activists’ practices – who they are, what they do, and how these intersect – entail carrying a heavy “workload” of meaning making, identity-work, emotion-work, boundary-work, and “risk-work”. I propose this notion of “risk-work” to emphasize my argument that the degree of “risk/cost” (as well as its nature) should not be considered an all-or-nothing or fixed attribute attached a-priori to certain forms of activism; nor should it be viewed through the lens of a purely rational cost/benefit analysis. Rather, more attention should be given to the processes and mechanisms by which risks/costs are assessed, mitigated, strategically deployed, interpreted, and experienced. Agunah activists’ “risk work” is apparent in their wariness, intense emotion-work, and reflexivity, as well as in their creativity, resilience, and ability to transform alongside, and within, a volatile arena. Using the case of Agunah activism, I show how risk relates directly to activists’ emotional and cognitive “work”, is highly contingent on context and shifts in light of specific interactions between players, and probably exists to some extent in any arena of social contention.

I further propose that this case-study of religious women’s activism highlights the need for a theoretical focus on the dynamic “interplay” between these various forms of “work”, and on activists’ interactions with others and with the contexts shaping, and shaped by, their lives. In sum, I claim relationality provides a key to understanding the contours, constraints, and transformational power of Agunah activism. Furthermore, given that the political and cultural forces that make up the Agunah arena are currently shifting, contested, and diversifying, I posit dynamic interconnectedness is a defining feature of its actors, their actions, and of the arena itself.

I can only answer the question 'What am I to do?' if I can answer the prior question 'Of what story or stories do I find myself a part?'

(MacIntyre, 1981, p. 216)

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If we understand ourselves as free and independent selves, unbound by moral ties we haven't chosen, we can't make sense of a range of moral and political obligations that we commonly recognize, even prize. These include obligations of solidarity and loyalty, historic memory and religious faith – moral claims that arise from the communities and traditions that shape our identity. Unless we think of ourselves as encumbered selves, open to moral claims we have not willed, it is difficult to make sense of these aspects of our moral and political experience.

(Sandel, 2009, p. 220)

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One who can critique the people of his household yet does not protest [their misdeeds] – is held accountable for his household; the people of his city – is held accountable for his city; the whole world – is held accountable for the whole world.

(Babylonian Talmud, Shabbat 54b)