

## Problems with Current Orthodox Approaches

The current orthodox approaches appeal to only a very small percentage of Jews. Why is that? Is there something wrong with most Jews or is there something wrong with orthodoxy? I see a lot of problems with the latter. These will be discussed under the headings:

- *The Oral Law and other rules not contained in the Five Books of Moses*
- *Reasonable bounds on human activity*
- *Crowding out ethics*
- *Crowding out national duties*

I believe that Judaism was intended to feel and look very different than what is currently seen in orthodox communities. For an entire society, such as current and ancient Israel, a widespread orthodox lifestyle would not work, most individuals and institutions could not function properly. I will gradually explain why that is, but first let's go back to the fundamentals of orthodoxy and examine these.

### *The Oral Law and Other Late Legislation*

One of the basic principles of orthodoxy is that the Oral Law (today known as the Talmud) is divinely authored and therefore has the same authority as the Written Law (the law contained in the Five Books of Moses). I disagree with this. The Oral Law was transmitted orally for centuries. Then it was collected, written down, and became the Talmud, a large body of discussions and conclusions regarding the laws we received during the days of Moses. The many books of the Talmud contain thousands of decisions, in the form of majority and minority opinions, by a panel of very learned and well-intentioned scholars. These volumes contain very much wisdom and are extremely worthy of our study, but they are not given by G-d, in my opinion. I don't believe that the Jews at Mt. Sinai or later were deluged by regulations from G-d that covered their every waking minute.

Depending on whether you regard the Oral Law as divine or not is crucial to your attitude toward this massive guide to behavior. Since I do not believe that the rulings are divine, I take them as recommendations. I take them seriously because the scholars who offered them knew so much more than I do and were generally brilliant but I do not take them as mandatory. This is different than my regard for the Five Books of Moses. I am in awe of its Written Law, in awe of the justice and compassion for man, beast, and the rest of nature; and much still eludes my understanding.

According to orthodoxy, much of the Talmud and later rulings are supposedly like fences that keep us from even coming close to breaking the Written Law. I must say three things about this analogy. First, adding to the Written Law is, I feel, as presumptuous as subtracting from it. Do some religious leaders have the audacity to think they can improve the Written Law or that the Written Law needs their protection? I believe some do have this kind of chutzpah (effrontery).

Second, their outlook suggests a low opinion of humanity, an opinion that says people are either wicked, stupid, or childish and need to be controlled from the moment they wake until they sleep again.

Third, too many fences make the beauty of the Written Law harder to appreciate. They hide the beautiful simplicity and sensitivity of the Written Law. They take attention away from the basic ideas of Judaism which have to do with ethical behavior.

### ***Reasonable Bounds on Human Activity***

Many thousands of laws, instead of a few hundred, are enough to govern all human activity, from the most general to the most detailed. The many thousands are enough to create a great deal of stress and guilt. They are enough to make it almost impossible even for an orthodox person to feel confident. Most importantly, for the many Jews today who mistakenly believe that orthodoxy knows best what Judaism was intended to be, it is an overwhelming and hopeless task to be Jewish.

I find these thousands of rules that govern every activity, and therefore every minute of the day, to be unreasonable from the point of view of human psychology. We just were not meant for this type of stress. I don't think G-d wanted us constantly worried about omitting some detail.

We were definitely not meant to suffer the kind of guilt, i.e. inadequacy, that comes from not being able to obey all the huge mass of later legislation. So, I think orthodoxy makes it practically impossible for Jews to feel satisfied with their side of the covenant. They are much more likely to feel terribly flawed. All these rules are not a promise of happiness; they are a guarantee of shortcoming.

### ***Crowding Out Ethics or Even Contradicting the Written Law***

Human beings can only have so much on their minds. If they are spending all their concentration on the thousands of laws related to ritual or the microscopic details of daily life, they cannot focus on the most important ideas, namely, again, ethical behavior on a personal and community scale.

What happens then is that ethics can slip. For example, a person might think that he/she is doing very well in observing a large number of ritual or other late legislation and therefore should be excused from missing a few laws in the ethics area. Are all laws equally important? Does it matter which 90% you obey? Can the 90% all be from the domains of ritual or microscopic vigilance ....while the neglected 10% be in the ethical and macroscopic areas?

Sometimes rulings seem to be contradicting the Written Law. An example might be the employment of non-Jews on Shabat. It's black and white in the Five Books of Moses that not only Jews were required to rest on the Shabat but also their servants and even their animals. So how can we justify having non-Jews doing work for us on the Shabat. We can't. It is no wonder that sometimes when orthodox condone this practice, the rest of the Jews just shake their heads. Where is genuine respect for the words of G-d.

### ***Crowding Out National Duties***

Another troubling example of orthodox rulings actually being contrary, in my view, to the Written Law is the avoidance of army service. Many rabbis have taken the position that members of their congregations do not owe Israel the same military service that other young men are asked to perform in defense of the country. My reading of the Five Books of Moses did not reveal any exceptions to participation in war based on a man's desire for religious study. It's an orthodox ruling of self-interest, and the fact that it obviously contradicts the Written Law is explained away by the usual circuitous arguments. Many Jews look upon this shirking of military service and see hypocrisy; and they are right. It brings disrespect to orthodoxy and ultimately it brings disrespect to the body of laws that really is G-d's gift to us.

## ***In Conclusion***

Judaism was not meant to be a super-complicated covenant. Its wisdom is for the most part self-evident. We should not need a lot of expert opinion but if we wish to seek it out, that's fine. If a person contemplates, for example, the law that requires us to abstain from work on Shabat and then goes for some help with regard to specific activity choices, that's fine; but if he/she decides eventually that turning on a light is not work or that driving a car in some situations is not work, or that carrying a key or handkerchief is not work, that's ok also. **WHAT'S IMPORTANT IS A SINCERE DESIRE TO OBEY THE WRITTEN LAW, TO STUDY IT, AND TO DO OUR BEST** to rest on Shabat. Except for the activities specifically forbidden, we are free to enjoy our holidays.

G-d didn't want to remove all our choices with regard to behavior. It is part of realizing our potential as human beings to exercise our wonderful intellects and empathies. We are supposed to think and make decisions, we are supposed to feel, in the context of the Written Law.

I am sorry, but there is a big difference in my mind between turning on a light in my house and starting a fire. There is a big difference between carrying a heavy load and carrying a handkerchief or key or prayerbook. No wonder most Jews cannot be orthodox. They are being asked to act contrary to their common sense, contrary to their desire to enjoy rest after a week of work. These extreme rulings have hurt and still do hurt Judaism.

There are so many examples. We have some dietary rules. Does that mean that we need to get microscopic and orient our whole life around food chemistry? If you do want to make diet a major life pursuit, fine; but don't look down on Jews as sinful who do not follow your extreme example. We are told that a couple should not have contact at certain times. Does that mean that we must always maintain great distances between men and women? Should we be creating countless fences for guarding modesty and preventing even normal human thoughts of desire? If you want to live that way, fine; but if another Jew does not go to your extremes, he is no less Jewish than you. I simply can't believe that these are the kinds of things with which G-d wants us preoccupied.

We can only concentrate on so much, we can only do so much. This is a fact of human nature and not a weakness. Therefore concentrate on the Written Law and do the ethical thing before you do anything else.

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