

Separate but (Un)Equal: Gender Segregated Bus Lines of Jerusalem

Written by Julie Duggan

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JULIE DUGGAN, JAN 19 2010

'I am invisible, understand, because people refuse to see me...it is as though I have been surrounded by mirrors of hard, distorting glass. When they approach me they see only my surroundings, themselves, or figments of their imagination – indeed, everything except me. Nor is my invisibility exactly a matter of bio-chemical accident....that invisibility to which I refer occurs because of a particular disposition of the eyes of those with whom I come into contact. A matter of the construction of their inner eye.

Ralph Ellison. Invisible man

Summary.

The purpose of this treatise is to examine the practice of gender segregated transport in the Ultra Orthodox communities of Jerusalem. Our main protagonist throughout is American born Jewish author Naomi Ragen, who first came to the authors attention in February 2007. In a BBC interview she talked openly of her mistreatment at the hands of Haredi men for sitting at the front of a bus. Subsequent correspondence with Ms Ragen, and the team at the Israeli Religious Action Centre led to a deeper investigation of the message this sent out to Israeli women, and the issues that Israel faces as a result of its endorsement of the practice of gender segregation. We should indicate from the outset, that this is not a study of multiculturalism, rather an assessment of a specific religious cultural practice and its impact on gender equality in an advanced state purporting to be a secular democracy. We explore the way in which knowledge is imparted differently to men and women and support Tamar El-Or's argument that Ultra Orthodox women are educated to maintain their ignorance, which has a profound impact on the way Ultra Orthodox men and women have come to understand their respective roles in a patriarchal society. The treatise also sets out to test some of the core assumptions inherent in feminist curiosity by suggesting that the Ultra Orthodoxy's pathological curiosity and hypervigilance of the female body underpins some of the more discriminatory practices that disempower women.

1

Introduction

'Gender equality is more than a goal in itself; it is the prerequisite for development'

Kofi Annan

There is a tendency when viewed from the summit of western feminism, to equate the metaphor of travel and mobility with emancipation and the ability to move freely between cultures or continents. Airports, train stations, even bus stops are historically romanticised spaces often looked on with affection. Indeed, in our opening chapter we see how a romanticised vision of the black American Freedom Rider of the 1950's is utilised in an attempt to establish historical and cultural chains of equivalence between the emancipation of one group of subjugated and oppressed people in a particular historical period, and the experiences of contemporary Haredi women. The example of segregated public transport is the thread that ties two seemingly unrelated incidents to the concept of different but

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equal, encased in what is an essentialising and binary discourse. Throughout this treatise we intend to argue that for the Ultra Orthodox Jewish woman living and travelling through Jerusalem's Hassidic neighbourhoods, notions of fluid identities, partly constituted by place – but also by the ability to exceed it[1] – quickly dissipate in the harsher world where their identity and choices are strictly contained by a patriarchal religion. The purpose of this work therefore, is to examine the implications of gender segregation in Ultra Orthodox communities of Jerusalem, by looking more closely at women's experiences of the journeys made (both actual and allegorical) between the public and private spheres. It is not a study of multiculturalism, rather a view of a specific cultural practice and its impact on gender equality by developing an understanding of the values Ultra Orthodoxy promotes and what it scorns. Throughout this exposition, we will endeavour to expose the mechanisms that set Ultra Orthodox women apart from and in conflict with, not only Ultra Orthodox men, but also their secular Israeli sisters. To stretch our thinking on the relationships between gender, feminism and oppression, we set out to underline the multiple identities of Ultra Orthodox women and to acknowledge the interlocking categories of religion and culture[2].

This work seeks to shed some light on Ultra Orthodox women's marginality and difference and by drawing attention to it, challenge the patriarchal nature of Jewish Ultra Orthodoxy. The theme of women's use of space, both public and private is illustrated throughout by the text by the experience of Naomi Ragen, an Orthodox Jewish author, who was abused by Haredi men whilst travelling home from the market on a publically funded Egged bus. During the course of this research the author constantly struggled with the dearth of information on the subject of Israeli women's use of public transport, and a reluctance from the many politicians canvassed for their views[3], to speak openly about the issues of gender segregation that seem to have an effect beyond the boundaries of Jerusalem's Hassidic communities. This is indicative of the politically sensitive nature of this issue and illustrates the social, economic and political invisibility of Ultra Orthodox women, the implications of which are clearest when examining the limited, but concrete experiences of their daily lives. Issues of poverty, education, fertility, and the rigors of balancing paid employment with caring for a large family, not to mention the biological toll of multiple births, that occur within a normative patriarchal discourse, isolates and sets them apart from their Ultra Orthodox husband's brothers and fathers, and other non Orthodox Israeli women. Similarly, we would argue that aware neither of their socially constructed power nor of its abuse, pious Ultra Orthodox men presume to speak for all women, and in doing so, inevitably deny them the right to develop their individual consciousness. Therefore, when a patriarchal Ultra Orthodox ideology speaks of the differentiation between men and women and expounds the virtues of a different but equal social order, feminism hears only inequality. It is of course important to recognise the proliferation of identities and loyalties to multiple communities and the way in which Ultra Orthodox women's identities expose the more poignant relationship between equality and difference.[4] Of course, the inherent danger in feminisms claim to epistemic privilege – which is invariably a social product emanating from a particular standpoint – is that it carries with it the potential to render women mere objects of scrutiny.[5] Indeed Ruth Halperin-Kaddari[6] has examined the multiplicity of Israeli women's lives, and has rejected feminisms monolithic portrayal of 'the woman's point of view', which she contends is an essentialist outlook that needs to be brought to book. Therefore, within this work we are sure to acknowledge that whilst feminist curiosity can reveal the manifold layers of marginality experienced by Ultra Orthodox women in Israel, the blanket application of this approach has its drawbacks and cannot be absolved of its role in the perpetuation of this marginality.

The positioning of women and the study of corporeal identity has become the mainstay of feminist enquiry, as has the contested notion of ubiquitous human rights. However, we believe that the increasing international acceptance of the Human and Civil Rights agenda has not given rise to a concomitant assertion of feminine agency within the Ultra Orthodox world, and issues of male privilege and prejudice continue to reproduce asymmetric relationships of dominance and subordination. Notwithstanding this, Mouffe[7] recognises that a person can be subordinate in one relationship and dominant in others and suggests that we resist the temptation to immediately characterise all gender segregation as discriminatory. It is context sensitive and highly dependent on the social meaning attached to it by the subject.[8] Agency is never truly fixed in a system of differences where the identity of the subject is contingent, temporary, and precarious.[9] This is evident in the strict codes of modesty, which sees the Ultra Orthodox man embroiled in contradictory efforts to render women invisible so that he may not be distracted by her presence, whilst displaying an obsessive interest in observing and controlling her every movement.

Mouffe therefore offers an important insight into the ways in which women's interests are expressed within a system

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that ostensibly devalues them. She identifies that within a secular society, liberalism has reduced citizenship to a legal status and common political identity. It is she suggests the articulating principle of numerous subject positions[10] although she acknowledges that little has altered for closed (Ultra Orthodox) communities, where the liberalism of the secular world is perceived as a threat. David Novak points to a theology that promises to rescue the Ultra Orthodox from the dangers inherent in the liberalism of the secular world by accepting some fundamental assumptions about the nature of men and women[11]. Novak's argument that the most solid foundations of Human Rights are to be found, not in Rousseau's social contract, but in the covenant between G-d and the people of Israel, stems from Orthodoxy's ontological assumptions about the inerrancy of the Torah which will be explored throughout this discourse. Therefore when our protagonist (Naomi Ragen) appeals to a more conventional (secular) understanding of her Human Rights, her plea is not recognised by those adherents of Ultra Orthodox Judaism she seeks to influence. 'It would seem that the Jewish political tradition has no place for the modern notion of rights'[12]. Similarly when the Israeli Religious Action Centre – who have taken up Ms Ragen's cause and challenged the Israeli Supreme Court – calls for religious pluralism, it is viewed by the Ultra Orthodox Leadership as having done more harm than good. The recognition of multiple forms of Judaism would reduce the Haredi to a denominational status and dilute the Ultra Orthodox claim to the one true religion. Thus whilst their secular counterparts embrace modernity by engaging in economic activity, and having fewer children in order to prosper, Ultra Orthodoxy stubbornly defies all rational (secular) assumptions by increasing the stringency of its religious practices, having large families and abstaining from participation in the labour market.[13] However, Israel's Ultra Orthodox Jews are a fast growing organised political entity that has held virtual veto power over public policy for more than two decades and are often viewed as having the space to fall back on the kind of behaviours that would at first glance appear to be the product of impulses long since suppressed by modernity. The dilemma for the Israeli state is therefore how to balance the Ultra Orthodox vision of a pre modern Jewish state with the secular vision of an advanced and affluent society.

Naomi Ragen's case introduces the reader to our initial exploration of the ownership and use of public space and the way in which Ultra Orthodox ontology has rendered even the bus, a conquered and sacredised place. This work also explores the paradox of a democratic state that espouses equality for women, whilst frequently failing to challenge many of the decidedly illiberal religious and cultural practices that discriminate against them. Suggesting that Israel's reluctance to curtail the religious practices that discriminate against and disadvantage women is indicative of the authority invested in the different but equal discourse and an acceptance of the disproportionate political influence held by Ultra Orthodox political parties[14]. This section also undertakes a comparative analysis between Rosa Parks' experience of racial segregation in 1950's America and gender segregation in contemporary Israel to reveal the emergent theme of women's mobility between the margins and centre of society. The control of women's mobility is made possible by a rabbinic discourse that confers a set of negative characteristics and reiterates the danger that their polluted bodies' pose to the pious man. Arguably the manner in which knowledge is controlled by this discourse has significant consequences for Ultra Orthodox women who are educated to maintain their ignorance as they are only provided the knowledge that allows them to recognise a single patriarchal voice[15]. Conversely the divinity of the pious man is underlined in his extended Yeshiva study. Haredi men will typically continue to study until well into their forties, whilst their lesser educated wives bring up large families, and take up paid employment to support the family. Therefore, in our second chapter we explore the value invested in different types of knowledge and conclude that the Yeshiva knowledge of men has a far higher coinage within the Hassidic community than the more practical knowledge of home making imparted to women. Also discussed in this chapter, are the inventive ways women find to claim and apply religious knowledge.

Chapter three contrasts the privatised view of Judaism with an analysis of the communicative nature of the physical environment and the collective action of a hyper-masculine Ultra Orthodox leadership. Here we contend that the symbolism inherent in the public display of Judaism means that the simple act of boarding a Haredi segregated bus conveys a world of social meaning that is defined by the needs of the religious man whereby the role and function of women is to remain hidden, out of the sight of the pious man so that he need not be concerned by her. This lies in stark contrast to our penultimate chapter where the hyper vigilant religious male gaze and its preoccupation with the female form are discussed. It is here that we contrast Enloe's paradigm of the Curious Feminist with the relentless surveillance, over examination, and exploration of every movement, body part, and function of the female body. In an attempt to placate men's fears, women's dangerous and seductive bodies are to be controlled and subjugated so that the religious purity of the community can be preserved. Similarly, women are educated to understand their

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bodies as potential sources of contamination in need of continuous scrutiny. Purification is achieved through meticulous, male defined rituals that set her marked body apart from the community, until it is declared – by a male Rabbi – to be safe. This system is underpinned by the assumption that women are not capable of interpreting their own bodies, and must seek male validation before they can achieve religious fulfilment. Thus we contend that although Enloe encourages us to take issue with the lack of curiosity of those in any power structure[16], the Ultra Orthodox Jewish male's pathological curiosity about where women are and what they do has a deleterious effect on women. Finally this thesis is drawn to a close with a discussion that seeks to draw together the threads of the preceding discourse and examine the relationship between Ultra Orthodox women and Feminism. To assist us with this analysis we have utilised, developed and challenged concepts emanating from academics such as Chantal Mouffe, Lynn Resnick Dufour and Cynthia Enloe and concluded that the development of an Ultra Orthodox variant of Feminism would come at great spiritual and emotional cost for Haredi woman as she would without doubt have to run the gauntlet of rejection by her community.

2

The Jewish Rosa Parks?

I knew someone had to take the first step, and I made up my mind not to move.

Rosa Parks 1955

On December 1st 1955, seamstress Rosa Parks boarded the Cleveland Ave bus heading for home after a long days work. She sat in the first available seat behind the area reserved for 'whites' only to be told by the driver to relinquish her seat to allow a white man to sit; Mrs Parks, having quietly refused, was forcibly removed from her seat and arrested. As the word of Rosa Parks arrest spread, leaders from the black community were quick to join forces to raise her bail. Reverend Ralph Abernathy and later Dr Martin Luther King Jnr. became central to the ensuing protests and bus boycott. However, it is of interest to note that a month earlier fifteen year old Claudette Colvin had also been arrested for refusing to give up her seat to a white man, although this did not provoke the same level of response from the black community. Revisionists now claim that this was because the NAACP discovered that Colvin was pregnant, with a less than upstanding history that would not have fared well under the glare of the media spotlight. However, despite her Christian credentials and her community work, the media were equally quick to note Mrs Parks' association with NAACP members, suggesting that she was 'planted' to raise a mass protest. When asked to comment on the incident Dr. Martin Luther King stated that *'ho one could understand Mrs Parks's actions unless they first recognised that, she became anchored to that seat by the accumulated indignities endured by generations before her, and that eventually ' the cup of her endurance ran over and she cried out' I can take it no longer.'*[17] The overriding humiliation felt by generations of black Americans was encapsulated in this one event, and the simplicity of her voice made their story all the more compelling. Rosa Parks' action was [both] the individual expression of a timeless longing for human dignity...and the Zeitgeist of the time.[18]

Some fifty years later, Naomi Regan, an American born Orthodox Jew, feminist, and author now living in Jerusalem, boarded a bus, this time to be told by a male passenger that *women* were not permitted to sit at the front of the bus. Ms Regan pointed out to her fellow passenger that the front of the bus was relatively empty and that he did not have to sit anywhere near her. Despite his insistence, Ms Regan stood her ground and refused to move; as other male passengers boarded the bus, she was shouted at, humiliated, and physically attacked by three Ultra Orthodox men whilst the driver did nothing to protect his vulnerable female passenger. This was not the first instance of Ultra Orthodox men threatening women for failing obeying the rules of segregation and this event, like all those that went before it, passed relatively unnoticed; no political or religious leaders passed comment or felt moved to support her in any way. Indeed, the lack of political leadership is a great source of despair to Ms Ragen who remains, *totally disillusioned with everyone now in the political arena.*" [19] Furthermore, the state funded Egged Bus Company, on whose bus she was travelling failed to reply to any of Ms Regan's letters of complaint with anything approaching an apology. In subsequent interviews[20] and articles published by Ms Regan, she instinctively linked her experience on this gender segregated bus line to the racial segregation of 1950's America, commenting that the treatment she received from the Ultra Orthodox men on the bus made her *'feel like Rosa Parks'* and that her human rights were

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flaunted by the Egged bus company who failed to protect her. It would seem however, that unlike her American counterpart of yesteryear, and given the ambivalence of Jewish and Israeli leadership, Ms Regan did not symbolize the Zeitgeist of the time.

How then was Naomi Regan able to make the connections between Rosa Parks refusal to give up her seat on a bus in Montgomery Alabama in December 1955, and *her* refusal to sit at the back of a bus in Jerusalem in February 2007? Whilst both women were subjected to abusive treatment from men, and both have contributed to the debate about issues of segregation, each is equally distanced by the signifiers of history, and consequence. The fact that both our protagonists are women would at first glance seem coincidental, as for Parks it was a matter of racial equality and personal dignity, whilst for Regan it was a human rights issue (the bedrock of which is the concept of dignity). Regan's inclination towards a Human Rights discourse and her central positioning of Rosa Parks, cannot be isolated from the unquestioning acceptance of the universality of rights as a normative discourse arising from her particular (Western) view of dignity[21] and a cultural indicator of her American roots. However, it is here that Ragen's appeal to humanity is undermined, as Israel has not fully embraced the Universal Declaration of Human Rights precisely because of Ultra Orthodox opposition to some of its provisions. In much the same way as Dufour[22] suggests that the religious feminist tends to *sift* out those elements of her religion that most challenge her feminist credentials, so the Israeli Government has developed its Basic Law of Human Dignity and Liberty (1992). In its articulation, the '*recognition of the value of man, the sanctity of his life, and the fact that he is free* [23]' is acknowledged, as this is more palatable to the Ultra Orthodox leadership upon which political tenure is so often dependant. Thus, for women located within the precepts of Ultra Orthodox Judaism and its undoubted influence on Israeli domestic policy, the presumptions of an internationally accepted ideal rarely override the normative force of a localised religion that renders talk of women's Human Rights moot. The chasm between understanding that one has rights, and being in a position to exercise them is illustrated in both Rosa Parks and Naomi Regan's humiliating ejection from their respective bus seats. In reality the repercussions of Ragen and Parks experiences merely serve to contest Ragen's analogy as the levels of support and hostility experienced by each of these women was contingent, although in each instance, equality and its underpinning ethos of dignity was met with indifference from those in power.

However, whilst Rosa Parks is celebrated as a cultural hero who brought black America to the front of the bus, Naomi Ragen is met with disdain and the Ultra Orthodox woman demanding her seat at the front of the bus is branded a kvetch.[24] It is the passage of time that has revealed the wider context in which Rosa Parks made her stand. Riding the tide of Brown versus Board of Education, where the mantra of separate but equal was put to the test and found wanting, the black community was ready to rise to the challenge spurred on by rhetoric rooted in Americanism, Christianity and the law of God – a comparable discourse of Judaism, Torah and Israeli nationalisms, in favour of Naomi Ragen failed to materialise, rather the opposite is true and Ragen is presented as a threat to the deeply entrenched value base of Orthodoxy. There is nevertheless, an impasse between the recognition of plurality and the expression of one's religious identity, and the abuse of culture and religion to legitimise the arbitrary exercise of power by men over women. To this end, Tzvia Greenfield[25] suggests that as with all cultural minority groups, Jerusalem's Hasidim manipulate the rules of the secular democratic game by testing the limits of liberal forbearance of cultural identity. However, this implied game of 'cat and mouse' falters when one side is perceived to have exceeded the limits of the others tolerance. This is feasibly where the Naomi Ragen case could make the biggest impact. By reiterating the message that segregation based on ontological rather than rational grounds can no longer be tolerated, she highlights the fact that the practice of gender segregated transport is not a cultural costume[26] devoid of any social significance. It carries with it a set of discriminatory beliefs about the nature of women and is therefore an act of enforcement rather than something that women would voluntarily enter into. Clearly, there was a certain contradiction felt when Ragen collided with the belligerent face of fundamentalism that required her feminist self to embrace the seemingly incoherent theoretical positions of Human Rights and her religious and cultural identity with the Orthodox Jewish community. Once again Dufour's work proves a useful tool for understanding the apparent schism between the tacit acceptance of the more patriarchal elements of Judaism, such as having to sit at the back of the bus, and Ragen's feminist instinct to reform such structures. It would appear that for many Ultra Orthodox women, the proliferation of identities, subject positions, and loyalties to their community, their religion and their country means that the rules of the game can easily shift from a discourse of human rights and legality to the vicissitudes of fundamentalist Ultra Orthodox identity and authority[27].

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Furthermore, Ultra Orthodox male gender identity – which it is argued argue in subsequent chapters, stems from a sense of separatism – has constructed a negative identity based on what it is not[28] by denouncing all things secular, liberal or progressive and adopting an aggressive defence in the face of what it perceives to be a feminist onslaught over issues such as gender segregated bus lines. Little wonder then, that Ragen's attempts to combat this ontology by using the precepts of secular law, and engaging the Israeli Religious Action Centre (IRAC)[29] to represent her case in the Supreme Court, has been met with a degree of hostility from the Hasidic community. Conversely, Ultra Orthodox female gender identity could be conceived as relational[30] and therefore open to be viewed alongside issues such as race or class. It is only in the recognition of such intersectionality that we can start to see the chains of equivalence between the Ragen and Parks incidents as they have both come to symbolise the manner in which a privileged group controls the social reality of another and as such, it may be more useful to our understanding of both events if we were to look instead at constructions of dominance and subordination. The simple act of taking ownership of a public space, defining how it can be used, and (physically) positioning the *other* within that space reduces the ideological distance between Rosa Parks and Naomi Ragen and reveals much about the ways in which power is situated in the shared meanings of given communities[31]. However, in adopting this approach we would be required to view these cases alongside competing structures of oppression. This could potentially risk overlooking the particular understanding of oppression that is wholly contingent on Parks's and Ragen's respective emotional attachments to an identity based on their innate drive to belong and in doing so, each subject position is subverted in its articulation. Furthermore, we contend that in Parks's case gender was peripheral to the issue of race, and that it is only when reflecting through a feminist lens that gender comes into focus. Similarly, Mouffe[32] would suggest that the category 'woman' has no intrinsically unifying value and that we should first set out to understand how each of our subjects is constructed. This raises some fundamental questions about how 'woman' is conceptualised in different discourses, how Ragen's case has made gender difference a relevant distinction in social relations and how this informs a particular relationship of subordination.[33] As an Orthodox Jewish feminist committed to the ethos of religious pluralism, Ragen is not immune to the edicts of a rabbinic discourse which maintains that difference justifies differential treatment[34], and does little to alter gendered relations of inequality that are couched in the language of theology[35]. Clearly, the valorisation of difference as a strategy is as problematic as the endeavour to deny it altogether[36] and Ragen's human rights dialogue is therefore open to a plurality of subject positions.

Law's study on geographies of gender offers an explanation of the array of self protection mechanisms adopted by women using public transport, all of which impact upon their mobility, access to services and representation in public spaces[37]. Law's analysis exemplifies the trip to work as a metaphor that bridges private and public spheres and her focus on the low paid roles that women frequently occupy does much to demonstrate the economic factors that affect how women travel. Law is sure to acknowledge that for most researches the gendered use of transport is peripheral to larger transport concerns and is rarely a consideration in the design and planning of public transport services – where passengers are often reduced to little more than trajectories in transit[38] – nor is it as prevalent a field of research as for example the study of gender and healthcare. There is indeed a dearth of research in this area; however a significant body of work emanating from embodiment and disability theorists looks more carefully at the social coding of bodies. Here researchers bring to our attention issues such as the physical variation in women's bodies throughout their life span – for example as adolescents, during pregnancy, menopause, or old age – and recognise the fact that women often travel as an escort for another dependent person. We therefore contend that gender segregated transport controls Ultra Orthodox women's spatial mobility by rendering the bus a conquered and sacredised space, controlled and dominated by religious men who determine how it may be negotiated. Rabbinical transportation committee members frequently distribute brochures to Beit Yaakov's (girls' schools) urging young women to ride the busses in a *Halakhic manner* and to advise their friends that if they are strict about their modesty, they should consider themselves privileged to sit at the back of the bus[39]. Furthermore, this mindset is confirmed when civic leaders such as Jerusalem city councillor Shlomo Rosenstein argue that this [gender segregated bus line] is about positive discrimination in women's favour. These are typical of the strategies exemplified in Law's analysis that valorises segregation as a means to 'protect' women. Harel takes this line of thought further and infers that having been socialised not to sit near men on the bus, these young women continue to be reluctant to voice an opinion in mixed company[40]. Therefore, the inescapable use of Ultra Orthodox bus lines to navigate through certain areas of Jerusalem is what bridges the public private divide for Haredi women and challenges the crude associations of women's space (the private home) and men's space (the public Yeshiva, synagogue or rabbinical

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courts).

Vital to the economic survival of the Ultra Orthodox way of life, women's use of state subsidised public transport is a constant reminder to Ultra Orthodox men that their divinity rests on secular shoulders. The only scope for control is to define where women can be visible and to whom they may be visible. Access to economic activity and the secular world is both despised yet indispensable, and Naomi Ragen's case merely encapsulates the unhappy mix of shame and invisibility embedded in Haredi codes of modesty. This is reiterated in an Ultra Orthodox essentialist view based on a metaphysical system whose claims to truth are constantly undermined by the sense of contradiction experienced when Haredi women engage with the secular world. Tovi Fenster argues that Halakhic laws that place modesty and piety over a woman's need to work and earn money to support the family, equates to the denial of a woman's right to the city[41], and adds to the patriarchal concept of citizenship. Notwithstanding this, Orna Blumens study of the dissonance in Israeli women's commuting describes the journey to and from work as a psychological buffer that allows women to make the transition from the secular (public) sphere to the (private) home[42]. However, for those women compelled to use the Ultra Orthodox segregated bus lines, this buffer zone merely serves to confirm their subordinate position in society.

Nonetheless, Naomi Ragen has brought gender to the fore rather than issues of modesty or religion – although we do acknowledge that both these concepts make assumptions about the place of women that cast them in a subordinate role. It is equally clear that the category man or woman is little more than a marker of convenience that bares only a fleeting correspondence to Ultra Orthodoxy's understanding of masculinity or femininity that supports the gender differentiated roles[43] which will be explored throughout this treatise. Consequently when Naomi Ragen enters into a human rights discourse, she does not extricate herself from her religion or culture and so, for our contemporary protagonist, both the Human Rights Act and the Torah form the architecture for the more specific area of Jewish women's rights in Israel[44]. Similarly, despite Rosa Parks' assertion that she was just plain tired after a long day at work, she was unable to divorce her actions from the wider aspirations of racial equality held by black communities throughout the US. Both cases can therefore be perceived as encounters with power relations within and between cultures. However, Ragen's appeal to her Human Rights, although far more than a legal precept and capable of evoking a moral authority, remains a relatively poor political tool whilst Ultra Orthodox women do not have easy recourse to the law (Halakhic or secular), and Knesset Committees are dominated by male elites. For example the Ministry of Transportation Committee set up to investigate this issue originally comprised seven men (all Egged employees). It is only with intervention from IRAC who filed a motion to change the composition of the committee that it now has three women (two of which work for the Ministry of Justice). Despite the fact that we argue its limited utility, it would seem that IRAC attorney Orly Erez-Likhovski intends to utilise elements of a Human Rights discourse supplemented with an appeal to Israel's multicultural make-up to apply pressure to the Israeli Government to at least equal the number of non segregated routes available at the same subsidised rate[45]. She is clear that the prevalence of gender segregated bus lines is 'against the law, against democratic rules of equality and against freedom'. [46] In correspondence with the author, Erez-Likhovski also reveals an incredibly pragmatic understanding of the situation when she indicates that the Egged bus company's decision to develop gender segregated bus lines was primarily for economic reasons, 'had they not instituted segregated lines, the Ultra orthodox would have boycotted them and started to operate illegal private bus lines[47]'. Notwithstanding this, Harel contends that we should not impose a set of values alien to the Hassidim, in an attempt to resolve intra-cultural conflicts, and therefore the secular courts are unlikely to settle the disjuncture within and between Haredi culture[48] and secular Israeli society.

The paradox within Israeli society is that, as a democratic state that espouses equality for women, it frequently fails to challenge many of the decidedly illiberal religious and cultural practices that discriminate against women. Historically, allegiances forged between religion, nationalism and the state have exploited women's labour as a means of production and reproduction, and Israel's reluctance to curtail the religious practices that discriminate against and disadvantage women is indicative of the authority invested in the different but (*un*)equal discourse. In contrast to late 1950's America where the racists battle cry of different but equal was silenced. Furthermore, Jill Steans warns us of the inherent danger emanating from the increasing influence of the politically astute Ultra Orthodox fundamentalists who seem determined to roll back women's human rights agenda[49]. However, others such as Alon Harel[50] and Tzvia Greenfield[51] challenge the claim that gender segregated bus lines necessarily equate to gender

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discrimination. They refute feminist accusations of discrimination and offer a critique of gender segregation from the basic stance that there are acceptable and unacceptable practices of gender segregation that rest on two conditions. Firstly there must be rational justification for the practice, and secondly it should not cause harm or oppression to individuals or groups. However, it cannot go unnoticed that throughout Greenfields treatise, the practice of gender segregated transport is consistently referred to as an *innocent* or *natural* custom never intended to disadvantage women, only to protect them, whilst the prospect of state intervention in this area is held up as a 'colonial' activity. Feminist conjecture indicates that we must first understand the cultural meanings implied by the practice of women sitting at the back of the bus and therefore question Greenfields choice of semantics which seems to confer a childlike quality to the Hassidim (and a Freudian feminisation of the Jewish male) and implies a patriarchal state. We also question whether Naomi Ragen felt protected or whether by associating such acts of violence against women with a particular culture, the act becomes depoliticised by traditional Jewish values thereby playing into the hands of the Ultra orthodox separate but (*un*)equal mindset. Suggesting instead, that this event and others like it, confirms Tamar El-Or's evaluation of the Ultra Orthodox practices and her assertion that the standard of modesty renders all women targets.

What does seem to be an emergent theme between the two cases, is the mobility of women between the centre and the margins of society so often romanticised, and the gendered power relations aimed at constraining it, that are so often glossed over. By looking not at the two women per se, but rather the hierarchical relations of subordination and dominance, both Ragen and Parks emerge as gendered political subjects denied agency and opportunity. Indeed Naomi Ragen herself, believes that the issue of gender segregated public transport is but a small part of a far wider, more menacing pattern of behaviour towards secularism, modernity and women, and that Ultra Orthodox women in particular suffer greatly from.[52]

3

Educated to Maintain their Ignorance

"Knowledge spoils a woman by distracting her from her most sacred duties"

Badinter : 1985:p 8

The words of the Torah should be burned rather than given to women.

Talmud, chapter 3, law 4.

The reliance on a cultural knowledge that assumes that all know and understand, without having to question why or how certain behaviours occur, and a simplified set of shared values underpin the gendered roles and social relations within Judaism, that privileges of men over women. However we contend here that Ultra Orthodox men and women engage in a *particular* rather than a common cultural knowledge that defines the Ultra Orthodox self, and that Ultra Orthodoxy's approach to education is the vehicle through which such relationships are reproduced. Thus the way in which literacy is taught, used, handed over or withheld[53] affords it a political and ideological significance that should not be underestimated. In this chapter we intend to probe the consequences of Ultra Orthodox education for both men and women, in an attempt to reveal the growing restlessness within Jerusalem's Ultra Orthodox community when it confronts head on the taboos and dangers of the secular Jewish nation state. We explore also the modality by which male dominance is situated in a rabbinic discourse that underpins the rationale for gender separation, the denial of women's access to religious text, and the hegemonic curriculum that reinforces the cultural capital of Haredi men. Within the exclusivity of the Yeshivas fellowships of pious men receive Talmudic wisdom, reinterpret sacred codes, and withdraw from the corruptive influences of modernity and secularism[54]. Women who work to provide for the material needs of the family are inherently tainted by the cultural pollutants of the secular world, and by the very fact that they are negotiating a space outside their accepted gendered place[55]. Thus they are portrayed as 'polluted providers' and the conduit for temptation and sin. Segregation therefore serves to valorise the sacredness of men and provides shelter from the profligate secular world. Notwithstanding this, evidence suggests that male notions of piety are being reconstructed in response to the challenges of modernity which are beginning to penetrate

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some of Jerusalem's Yeshivas, forcing their students to reconsider the gendered division of labour. For example, Yeshiva timetables have been altered so that fathers are now free to collect their children from school whilst their wives are at work. This accommodation to the changing role of Haredi women has had a particular consequence for Ultra Orthodox education as we begin to see an emerging trend in the domestication of masculine piety outlined in Stadler's work on Yeshiva fundamentalism[56]. Others such as El-Or also maintain that female literacy is controlled by men who determine what is required knowledge and how it is to be applied. The Haredi woman, El-Or argues, is educated to maintain her ignorance, and provided only with the knowledge that allows her to recognise a single patriarchal voice[57]. We would seek here to examine the extent of Ultra Orthodox literacy and the context within which it is taught, relinquished or withheld[58] to support a particular Ultra Orthodox social order. Indeed throughout this chapter, we will deliberate the different types of literacy based on both religious knowledge and competency in the activities of daily living that are primarily within the private domain and thus the knowledge of women, in an effort to exemplify the disparate ways in which knowledge is imparted to men and women, the relative values placed on male and female knowledge and the creative ways in which women reframe their knowledge vicariously through the status of their pious husbands.

The history of Ultra Orthodox female education is a fairly recent one that has evolved primarily in response to the growing demand for women to support their husbands' extended Yeshiva study by taking paid employment outside the cloisters of the Ultra Orthodox world. In the modern urban society surrounding the Ultra orthodox enclaves of Jerusalem, where secular influences threaten to bombard the unprotected, Yeshivas and Beit Ya'akov's (house of Jacob where Haredi women are educated) are where the young become Haredim[59] and where young men and women first develop a sense of the quality and quantity of religious knowledge expected of them[60]. In *Beit Ya'akov*, young girls are trained to support their future husbands, find appropriate work and bring up children steeped in the culture and traditions of Judaism. Halakhah is taught by Rabbis who impart only those laws that relate to dietary practices, modesty, Shabbat, morals and the family, thus ensuring that in matters relating to the private where women are supposed to be preeminent, the learning experience is enveloped in a male presence. They are acceptant of the fact that their future husbands will devote themselves exclusively to more transcendental activities, and will not provide for their families for many years[61]. The rabbinical limitations place on women's religious education are justified thus: *women do not have the necessary cognitive adjustment for the study of sacred text; and such intensive learning could morally harm the innocence of women* [62]. Instead she must cleave, unquestioningly to a destiny of motherhood. There are those such as Judith Hauptman[63] who, adopting a revisionist view, argue that rabbis are in fact anti misogynist, benevolent patriarchs seeking only to ameliorate the situation of women by relieving them of the onerous religious obligations assigned to man. Furthermore, Jonathan Frankel contends that male religious leaders are eminently capable of adequately articulating the interests of women[64]. It is unsurprising then that the vast majority of Ultra Orthodox women do not engage in a demanding process of study, when they are unlikely to gain any sense of empowerment from it in a community that restricts their application of knowledge[65]. Clearly there is an expectation placed on Ultra Orthodox women early on, that they will reproduce, provide, and care for the entire household. They are as Judith Plaskow asserts, socialised as enablers[66], and peripheral Jews[67] caught within the claustrophobic hinterlands of Jerusalem. The dialectic bond between the curriculum and the social reality created for the female learner, and her status as a learner means that women are ill-equipped to provide a commentary on Jewish life. Women therefore, stand in a particular relationship to Jewish culture, and suffer the double bind of biological determinism and the legacy of a nonexistent history of women as readers of the Torah. The level of literacy accessible to women is therefore determined by rabbis who invariably take the view that engagement in sophisticated study should be restricted, as this will not assist them in their duties as wives and mothers. A woman should instead look to her husband to provide this level of knowledge to the family. According to Rabbi Wolff, (headmaster and founder of a large Orthodox Jewish girl's school), the *'education of Ultra Orthodox women can only be deemed successful when girls reach the level of their grandmothers who never attended school'* [68]. Given the inherent difficulty of establishing oneself as a knowledgeable or pious woman, it is often easier to bend to the religious dimensions one finds too difficult to escape[69]. Within this framework, education for Ultra Orthodox women is far from emancipatory, rather it serves to reiterate El-Or's thesis and maintain the relationships of dominance and subordination.

Although many Ultra Orthodox women continue to study in their limited free time, fitting in one or two evening lessons (*shiurim*) a week, the social usage of their literacy is ultimately controlled by men. Shiurim are the most popular

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evening gatherings for Ultra Orthodox women and are concerned mostly with the pragmatic interpretations of religious law and their applications in everyday life. The classes reinforce *Balebatishkeit* (the culture of home keeping) as woman's most important role. Caring, and providing for others is defined as their participation in G-d's work, and thus divinity and oppression are conjoined. Theoretical knowledge is rejected as too dangerous a field for women to enter, and whilst women are allowed to display their knowledge in *Balebatishkeit*, it is clearly a knowledge that delineates their intellectual limits. The religious woman has thus become socialised into Judaism and has internalised its gendered messages about the value of community and family. She is able to contextualise her relationship with the divine[70] by accepting male defined physical and scholarly[71] parameters for her spiritual expression. The iterated use of knowledge mediated by man's experience, socialises women into accepting their different but (*un*)equal contribution to Ultra Orthodox life. For these women, any notion of an Ultra Orthodox variant of feminism would need to conform to Elshain's model of 'maternal thinking' in which women's identity as mothers and their role within the family lays claim to a sense of moral superiority over the public realm of man, purely because of its appeal to common humanity – an argument, which we would suggest explains the ambivalence toward a rabbinical order enshrined in the language of piety that validates the social injustices experienced by women. Thus Elshain's focus on maternal virtues gives a particular voice to the asymmetric relationship between woman and man, and we would therefore question the validity of *filial thinking* by juxtaposing it with the real and concrete experiences of Ultra Orthodox womanhood.

Tamar El-Or argues that women recognise the rather shaky logic governing their lives. However, they also recognise the coinage of 'men's' knowledge, which cannot be dismissed. Her research describes the social kudos afforded to women who marry Torah scholars and the ways in which this is manifested in the *Shiurims*. Here in highly coded utterances, the Ultra Orthodox wife will refer to her husband's knowledge as a means to express her intellect. Relying wholly on a patriarchal interpretation of Torah she will never use language personal to herself, by saying 'it seems to me that this sentence means....' choosing instead to present herself as incapable of such interpretation, she will use phrases such as '*my husband told me...*' or '*in his Yeshiva they always do...*' [72] to reaffirm her social capital vicariously through a reliance on male knowledge. Her religious credentials are embedded in the notion that she is an extension of her husband and not in her authentic self[73]. This author's own experience of discussions with the wives of Ultra Orthodox rabbis revealed similar attitudes[74]. When asked more direct questions about their views on gender segregation, the women spoken with often denigrated their own knowledge, claiming not to understand the issues as well as their husbands – this was especially the case when the conversations with the author took place in the presence of the Rabbi. Although, in some instances a level of interpretation was offered, it was evident that in order to express an opinion the women involved had first to insert the caveat that it was not a particularly informed one. In this way educated women are able to demonstrate their familiarity with the material and their access to divine knowledge without directly challenging the subordination inherent in the gendered hierarchy of Orthodoxy. Anything that challenges the Haredi value base is sifted out as either too hard to accept or as something that would cause them to be reprimanded by their peers and is quickly labelled 'men's knowledge' and therefore too sophisticated, for women to fully comprehend, for their expertise is in more earthbound subjects. Dufour[75] tells us that through the process of '*sifting*' the religious woman is able to accept the practices that fulfil her spiritual, feminine or Jewish identities, often recoding ostensibly patriarchal practices in the process. Amongst the women who congregate in *Shiurim* or *Rosh Hodesh*[76], such narratives also allow them to reveal the gender tensions within Orthodoxy so that they may understand how to comprehend their situation. Concepts of agency and identity are consequently framed by a male defined religiosity and particular Jewish culture that places women in a negative theological position, and unabashedly excludes them from both scholarly and sacred domains[77].

Conversely, in the rejuvenated religiosity of the burgeoning state of Israel, Haredi men are steered towards a life devoted to the study of the Torah, in an effort to restore the Jewish lifestyle destroyed by the Holocaust. *Bnei Torah* (Jewish scholars) are thus regarded as the last bulwark of Talmudic wisdom and follow a path that delineates them from the pollutants and distractions of modernity and secularism[78]. Clearly then, to be Haredi requires more than proximity to like minded people with whom one has a shared value base. It requires a degree of sacrifice and separation from the outside world[79] that paradoxically can only be achieved through the willingness of a secular majority to fund autonomous religious schools that are impervious to Israeli Ministry of Education and Culture regulation. Hence we encounter a unique situation whereby the majority group yields its power and supports religious schools that constantly contests the nature of a secular Israeli state. Indeed the Zionist dream of a common

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education for all Israeli citizens was abandoned early in Israel's quest for independence, when the longer term implications of conceding to the demands of the Ultra Orthodox were not apparent, but were viewed instead as a necessary compromise for the survival of a Jewish state. Stipends for Ultra Orthodox Yeshiva study began in earnest in the 1980's, with the arrival of Ultra Orthodox political parties, whose influence as a 'swing voting bloc'[80] had steadily grown over time[81]. Increased state subsidies facilitated a rapid rise in Yeshiva attendance, which brought with it huge increases in demand on the state benefit system and a groundswell in economic inactivity amongst Ultra Orthodox men[82]. Instead of perusing an education that would permit some degree of economically productive activity (and pay back), Haredi men are encouraged to study Torah until well into their forties, and to have large families so that they and their wife's can restore an ideal of piety to the Holy land. Furthermore, Ultra Orthodox concepts of Jewish masculinity are viewed only through the lens of submission and excellence in the study hall where secular notions of production, toughness and breadwinning are problematised as being in direct tension with the teachings of the Torah[83]. Long hours spent in the study halls ingesting Talmudic knowledge are punctuated by distinct body movements and gestures that indicate piety and manhood in the Yeshiva world. Thus, within Judaism the act of learning for men is reduced to the performance of a complex pattern of study designed to reproduce a particular reality rather than the assimilation of new information. It is a matter of culture, and not an intellectual act of learning,[84] and the Yeshiva, a place of isolationism where the Torah is the best merchandise[85]. It is the physical space where Haredi values, beliefs and social hierarchy are endorsed through a curriculum, which is both explicit and hidden[86]. Here students do not study *secular* subjects, and the secular Israeli is cast as an 'empty vessel' without culture or values preoccupied with sating his / her most basic needs[87]. Interviews with younger Yeshiva students conducted by Shmuel Shanai in 2000 reveal the degree of othering of the secular world that takes place within these state funded religious enclaves. It was not uncommon for young men to have been taught by their Yeshiva rabbi's that 75% of secular society are drug addicts or criminals[88]. Furthermore, Yeshiva students are discouraged from eating or socialising outside their immediate community[89], including contact with Reform, Sephardic or other Jewish sects deemed alien to the Haredi culture. Clearly then, Ultra Orthodox education system advocates an anti-secular curriculum and does not prepare its male students for engagement with the secular world. It is equally unlikely then, that this intolerance of other cultures will encourage the level of forbearance required for the achievement of peaceful solutions to domestic policy issues [90] nor does it lend itself to redressing the relations of subordination and dominance between Ultra Orthodox men and women.

This focus on religious knowledge produces defenders of the faith, unsullied by compromise[91] rather than scholars, and therefore serves only to prepare both men and women for an unequal future by ensuring their underdevelopment[92] compared to their secular counterparts. Eli Berman further suggests that the real purpose of the long years of Yeshiva attendance is to signal a commitment to the Ultra Orthodox community born of a rejection of liberalism and its intellectual antecedents[93]. Yeshiva attendance is thus a means to evidence to the community one's willingness to incur sacrifice so that the religious integrity of the wider group is upheld. It is an institution, defined by segregation from enveloping secular world, whose effectiveness is made real in the published materials, books and manuals transmitting a particular notion of piety experienced beyond its walls. However, Yeshiva education, although prized in the Haredi community, is of low value to the world of work, and can be seen as an effective method of ensuring that Ultra Orthodox community members cleave to each other[94]. Israeli state subsidies merely induce more and more economically wasteful signals of commitment and sacrifice, the consequences of which are evident in the low percentage of Ultra Orthodox children supported by the fruits of their fathers labour. This situation is further compounded by the limitations placed on women's education that confines them to the low paid work that provides a meagre 18% of the family income. Even with 70% of the household revenue coming from government stipends, the average monthly income of a large Ultra Orthodox family is 42% of the average nuclear Israeli family of two parents and 2.1 children[95]. Evidently, the repercussions of the autonomy afforded Ultra Orthodox religious education in the late 1940's has become a costly issue for Israeli society.

However, Stadler would suggest that far from maintaining this pre industrial vision of religiosity, somewhat untouched by the winds of feminism, a new generation of *bnei Torah* are challenging the effects of such atavism on Haredi culture. The dichotomy between the idealised images of their religious forefathers and their experiences of everyday life, has thrown a different light onto the intransigence of the Ultra orthodox version of piety. So much so that they believe it is alienating them from the Israeli mores and creating uncertainties in their minds about family life, gender roles and their relationship with the state, its institutions and civil society. Increasingly, more enlightened students,

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torn between the spiritual world of the Torah, and the economic benefits of participation in the labour market, are seeking to combine their aspirations with a reconstructed notion of piety[96]. Nurit Stadler suggests that, by concentrating on feminisms quest for change, much is missed as we discount the possibility that men also have a desire to rethink and challenge the precepts of patriarchy. This parody of Enloe's treatise on feminist curiosity cares not only where the women are, but also what the men are doing. However, so deeply ingrained is the concept of work as an obstacle to salvation, and so contested is the pious man by his reliance on his wife's income and the 'othered' state benefits that support his religiosity, that he now feels he must forgo the solitude of the Yeshiva and seek new ways to achieve piety. In Stadler's revised model of Yeshiva fundamentalism, men are encouraged to recognise both the contribution their wives make to the household and the risk her interaction with the secular world presents. He is to be attentive to her needs and to be the pillar of spirituality for his family. However, in contrast to Stadler's model we suggest that the wellspring of manuals emerging from 'modern' Yeshiva's imploring men to bring the Yeshiva into the home, reinforces rather than challenges male dominance, and that the reconstructed Haredi male seen escorting children to school, in playgrounds, or shopping in supermarkets is merely extending the authority of the Torah and its patriarchal messages to the domestic sphere in response to the supposed dangers presented by the polluted provider in their midst.

The educated Ultra Orthodox woman, although a rarity, strides the intersection where religion and tradition run square into the axioms of modernity. Indeed the paradox of Jewish education is that Hasidic communities recognise that women who receive no religious education are equally susceptible to secular influences, and have therefore constructed an elaborate yet contradictory education system that provides them with sufficient knowledge to function in the secular world of work – and with it the potential to bring about undesirable change – whilst simultaneously ensuring their strict adherence to the status quo. However the necessity for women to work is also a tacit acceptance that Ultra Orthodox women are inescapably embedded in a secular context[97] which brings with it an emphasis on the dangers women present to the integrity of the pious Ultra Orthodox man. Although her economic activity opens the door to new possibilities, when juxtaposed with the patriarchal, gravitational pull of her religious beliefs, in her domicile, her world of possibilities can be *folded up to fit inside the womb*. Performative identities, grounded in local narratives and symbolism[98] have limited the space within which new opportunities can be explored. There exists instead a compensatory ideology, constructed and used as a powerful rhetorical device to conceal the subordination of women and ensue the illusion of joyful acceptance of tradition[99]. Is it possible then, to visualise a different future for the observed woman in view of her literacy and its context, or to override the significance of place, localism and indigenous interpretations of what is valued as, or constitutes knowledge? Viewed in these terms, female literacy has very low fungibility both within the cloisters of Ultra Orthodoxy and secular Israeli society. Change for any suppressed groups can only occur if some liberating space is made available to them and to some extent, Naomi Ragen's legal action against the Egged Bus Line could be construed as an attempt at defining a small, but liberated public space in which she could use a different voice to express her subordination, for clearly her intellect alone did not afford her the agency to do so. Ultra Orthodox women operating within male defined parameters, have either to accept and internalise men's knowledge without the benefit of their own reading, or resist, challenge and deconstruct it as a priori knowledge[100]. Furthermore, the creation of a counter culture would necessitate the development of different interpretations of the Torah to cast off the spell of patriarchy and the beliefs that strip all female agency. For Haredi women the development of an alternative model of womanhood would also need to transcend the emotional and physical boundaries of their community, and the patriarchal lexicon used to describe womanhood. However, Haredi women are unlikely to gain the social legitimacy or intellectual preparation required to do so from their experiences in Biet Ya'akov or Shiurim where they cannot begin to engage in a dialogue with, or question the inerrancy of sacred text let alone reconstruct the relations of power, gender and knowledge. We therefore contend that the notion of burning the village in order to save it has little coinage in this context. Despite Virginia Woolf's call for women to be outsiders, and to experience alternatives, for the Ultra Orthodox woman, notions of choice or strategy have been stymied by a curriculum that keeps them unaware of their situation and institutionalises the 'rules' that from their sense of identity, what they should believe and how they should behave[101]. They are however, finding new and innovative ways redefining what knowledge is and how it is used.

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In mere solicitude, man remains essentially within himself, even if he is moved with pity and in action inclines towards the other (woman)...he does not accept any real mutuality; in fact he probably shuns it. He is concerned with the other but he is not anxious for her.[102]

In a society where Judaism is seen as a major social and political force, the primary locus for the study of this religion by Israeli political and social scientists – most of whom appear to be secular Israeli's or foreign born Orthodox Jews[103] [104]– tends to converge on the issues of the family, sexuality and reproductive rights – phenomena that are limited to the private realm, where religion is viewed as a voluntary activity. Similarly, the areas of life most scrutinised by Jewish Ultra Orthodoxy are also those of intimacy and family life. Religiosity therefore exerts a strong influence of the mores relating to the privatised division of sex roles[105]. However, we intend in this chapter to contrast this privatised view of Judaism in Israel with an analysis of the communicative nature of religion in the public sphere[106]. We will examine the way in which this has been shaped by the collective action of hyper-masculine Ultra Orthodox leadership, is buttressed by legislation, and consider its impact on the everyday lives of Ultra Orthodox women in Jerusalem. Indeed the study of women's mobility within an urban space is particularly relevant to the ensuing discourse as the marked bodies of women are placed in sharp relief, and used to define how public space is used and who is excluded from it[107]. In subsequent chapters, we will further expand the notion of living through the body and corporeal identity when we challenge Ultra Orthodox Judaism's hyper-vigilance of the female form. Notwithstanding this, we seek here to develop an understanding of the social significance communicated by Ultra Orthodox Judaism's governance of public space, and in doing so, not only do we add to the debate about Israeli secularism, but we are also compelled to rethink the plurality of women's experiences of Judaism in an ostensibly, democratic state. In this context, we do not examine two diametrically opposed entities of 'man' versus 'woman', but instead we see revealed before us, multiple social relations that expose the more poignant relationship between equality and difference.[108] We should however, be equally mindful that the dissection of analysis into the private and the public experience of religion is also problematic, because it begins with it, an assumption that the state does not compel its citizens to believe in, or practice a particular religion.[109] This same delineation between private and public spheres serves to obscure discrimination against women, who hidden in the private sphere and nonexistent in the public sphere, are denied a space of their own in which to form an awareness of their oppression[110]. Indeed Enloe describes the dichotomising of private and public as one of the most potent mechanisms for silencing women[111]. We would contend that whilst the state may not coerce its citizens into practicing Judaism, Judaism is fundamental to Israeli national identity, and throughout this chapter, we will seek to illustrate the myriad of ways in which a 'privatised' religion is intrinsically linked to Israel's Jewish credentials and continues to integrate and influence a wider public.

Steve Bruce supports this argument when he suggests that the fundamental difference between the public and private practice of religion is the level of agency the individual is able to exercise[112]. The more public the context, the less able one is to refrain from the practice. We would suggest that Bruce's somewhat unadorned understanding of agency can be enhanced by incorporating the contextual richness of Mouffe's construct of agency, which she suggests is an ensemble of subject positions never truly fixed in a system of differences – it is contingent, temporary, and precarious.[113] Reinforcing religious 'meaning' for the individual by placing it in the public realm (albeit on a symbolic level) allows the state to locate itself within the master narrative[114]of an integrated system of meaning whilst maintaining its claim to secularism and the advancement of all Israeli citizens rights. The duplicitous state permits the abuse of women on public transport and within the marital home, whilst proselytising the advancement of women through parliamentary acts and committees – that do not or will not apply themselves to the Haredim. Thus, Judaism's tangible presence in the public spaces of the Western Wall, Synagogues, state supported public services such as the Egged bus line, and in the clearly defined Ultra Orthodox towns and villages, shops and public buildings, is able to coexist alongside a secularist Israeli society. However, this has also triggered a degree of uncertainty for both secular and religious Israeli's, and is a constant reminder of the inequalities within Judaism. An inequality that is especially evident for Haredi women who, deemed essential to the economic sustainability of Ultra Orthodox religious life, are confronted head on with the cultural time lag of their religion and the accelerated modernisation of the secular world that resides outside the parameters of their religious enclaves[115]. Their identity as Jewish women is subjected to a *gestalt switch*[116] with the realisation that their experiences of womanhood are the exception in the secular world. Indeed, Israeli women are eminently aware of their marginal position in both secular and religious worlds, where they frequently fall foul of both Zionist and Ultra Orthodox mythical visions of the Jewish woman. The

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arbiters of Zionism and the Torah have cast her in a well-defined role[117]. Mythologized by a patriarchal religion as being content in her different but (*un*)equal position, rationalised by a belief which puts her, not on a pedestal, as some fundamentalists would have us believe, but in a cage. This asymmetric discourse emphasises a one sided responsibility, where woman becomes the weaver of a network of relationships in which she cannot be visible. Orthodoxy has educated her to believe that, being more a spiritual creature than her male counterparts are she is free from the obligation to study Torah. However, the value placed on a religious knowledge that women can never attain because access to sacred text is restricted, or is mediated by men, is a question that will be addressed in subsequent chapters. Their location in the private realm ensures that women remain in a timeless universe, bound by the life cycle of man, while man himself is free to celebrate his passage from a state of nature to a higher state of divinity[118]. Therefore the performative construction of woman within the material practices of Ultra Orthodox Jewish culture, reveals the 'mark' of woman as being part of the hegemonic signifying economy of the masculine that operates through self elaborating mechanisms[119] determined by a particular Ultra Orthodox Jewish ontology that excludes the feminine.

This binary opposition is given a twist in the age-old dialogue between one's individual (religious), and one's national identity, revealed in the cacophony of voices competing for pre-eminence in Israeli society. Carol Gilligan's[120] *In A Different Voice* documents the disparity between women's experience and the often-implicit adoption of the male as the life norm. Women's lives and values are, Gilligan suggests, judged as deviant, and are devalued by their otherness. Grimshaw contends that this is because the different voice of women is often based on the contextual and concrete aspects of their lived experiences, which are seldom recognised by men[121] and are considered of lesser importance. Such abstractions reinforce the different voice of women, which is either dismissed as not valid or relegated to an immature[122], ill-informed narrative. Naomi Ragen is a case in point when, using a different voice (although still one of a religious woman), she expresses her protestations at the injustices metered out to women using the Ultra Orthodox bus lines, she is deemed a 'trouble maker'. Ragen also understands that, were she a secular woman her views would be dismissed as Godless and ignorant[123]. Her religiosity and her feminism signify not only the restlessness of someone persecuted, but also the responsibility she feels to give a voice to the groaning of her wounded foremothers. Such characterisations of women's religiosity (or non-religiosity), are often used as the justification for their exclusion from the public realm. Furthermore, the absence of Haredi women in public life is so pervasive that their confinement to the realms of the private is often perceived as an indication that this is the natural place of women, rather than it being a cultural product of the politics of gender segregation [124](the cage).

We would question therefore, whether Israel (still a very young state) is merely demonstrating a narrowly secularist understanding of the role of religion and the dichotomous relations between its secular and devout citizens in an essentially pluralist society. It is possible that some answers may be found within Luckmann's social constructivist work *The Invisible Religion* [125] where he develops the threads of a theory that points to the communicative power of religion and the social significance appointed to religion in the secular world. Whilst the secular nature of the state is a necessary precondition to guarantee religious freedom for all its citizens, using Luckmann's framework, we can see that the 'invisibility' of religion within the Israeli state apparatus has the effect of protecting its Jewish character. Israel's claim to a unique position as an economically developed democracy in the Middle East, is therefore belied by government attempts to maintain an equally unique cultural tradition and religious identity. Between such uncomfortable bedfellows, authors such as Steans contend that well-meaning liberals, reluctant to condemn religious practices inadvertently align themselves to Ultra Orthodox Judaism[126], thereby replicating rather than changing power relations. The reality of these competing affiliations is that many Israeli domestic policies such as the Department of Transport's funding of over thirty Ultra Orthodox gender segregated bus lines, compounds the inequality experienced by Israeli women, and often falls short of compliance with the ethos of international Human Rights. By espousing equality for women at a declaratory level, whilst simultaneously divorcing itself from mundane (private) areas of everyday religious and family life, and failing to publically recognise the impact of religion on the lives of women, or to engage in a Human Rights discourse where for example women are refused equal access to services, education, or protection from violence, discrimination against women has become so enmeshed in the Israeli gestalt, that it is invisible and therefore uncontested.[127] Leaving Israel's soft theocratic underbelly exposed. An underbelly that is at once the source of Israeli national identity and its enduring vulnerability as increasingly, secular Israeli's are protesting against the disproportionate influence and state support afforded to the Ultra Orthodox Jews. Yuval-Davis points out that a primary source of division between secular and Ultra Orthodox Jews (male and

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female) centre on secular accusations that the Ultra orthodox community is not fulfilling its patriotic duty to participate in an otherwise compulsory military service. This claims Yuval-Davis, was a concession made to Ultra Orthodox leaders who feared for the modesty of Haredi women, who would be exposed to corrupting influences[128]. Equally, for men, leaving the Yeshiva too early risks draft into the military, placing him in the secular world where he must conform to a version of Jewishness abhorred by the Haredi[129]. Stadler's[130] interpretation of the Torah offers an insight into another major tension between religious and secular Israeli's – the abstinence of Ultra Orthodox men from economic activity, and the view that work is an obstacle to salvation. Put simply, Stadler points to key religious text that separates work or toil, from salvation and an absolute belief in G-d's control over one's destiny. To engage in work says Stadler, suggests that you doubt whilst abstaining from toil and devoting oneself to the study of the Torah, is the ultimate declaration in the belief that G-d will provide Manna from Heaven[131]. We would suggest that the Manna comes, not from Heaven but from the toil of Ultra Orthodox women and a raft of stipends from the state, all of which are major contributory factors in the disintegration of social bonds between the Ultra Orthodox and secular Israeli citizen. In both these examples, we would contend that it is a particular concept of 'woman' that resides within the Ultra Orthodox male psyche, rather than the lived and concrete experiences of women that are being thrust to the fore to justify a religious ontology that lionises man's evolution to a state of divinity.

However, Enloe would suggest that by not paying closer attention to the lives of women, and dampening our curiosity about where women are, we contribute to the privileged position of patriarchal values, structures and practices[132]. By focusing our attention on the absence of men from economic activity and concentrating on their devotion to the study of the Torah, Ultra Orthodox life is understood and experienced vicariously through a male interpretation of religious text, where gendered roles are based on an idealised vision of the pious man and his dutiful helpmate who, unencumbered by the obligation to read the Torah, is able to dedicate herself, selflessly to her husband and children. Women's use of public space is further contested by regulatory exclusions in the form of Halakhic laws that place modesty and piousness over a woman's need to work and earn money to support her family[133]and codifies other spaces including Rabbinical Courts, Yeshiva's and the front of the bus as forbidden to women. The extent of their invisibility is evidenced in reports found in the Jerusalem Post (June 2006)[134], of Feldheim Publishers (an Ultra orthodox publishing house) who blur the faces of women and even of baby girls, appearing in catalogues, magazines, adverts, and book covers. In April 2009 newspapers aimed at the Ultra Orthodox reader digitally altered the inaugural photograph of the Israeli Cabinet to erase female ministers Limor Livnat and Sofa Landver, whilst campaign posters of Tzipi Livni were defaced because Ultra Orthodoxy considers it immodest to print images of women. Whether seated at the back of the bus or obliterated from publications, women are positioned quite literally, out of the sight and consequently out of the minds of men. This rejection of the female face is underlined by Emanuel Levinas suggestion that to see the face is already to hear, and to enter into a discourse whose first word is obligation. The face of the 'other' Levinas contends, presents itself, and demands justice, we are not free to ignore it and its presence is not an imposition, it does not limit our freedom, it promotes it[135]. Failure to see the face of the other, thus removes all obligation to recognise its human condition and we are therefore free to reduce the uncomfortable difference to the familiar. Thus Levinas observations extended to the inevitable concessions made to ontology and tradition evident in the private realm of the home which can be viewed as a culturally constructed space, with the realisation that needs of the pious husband are paramount and often dictate the daily routines of the household. These beliefs are bolstered by a grand narrative that reinforce the anomie of the secular world and creates the conditions for subordination and a splendid isolation replete with rules that define the roles of men and women, and ensures that the imperfections of women's use and claustrophobic experience of private and public space remains unseen[136]. Viewed in these terms it is not religion that is invisible but religious women whose selfhood is expressed in their invisibility and muteness[137]. The necessity to reconstruct femininity as that which supports the divine work of men, is brought about by Orthodoxy's clash with modernity, and gives sustenance to the performative identity of Ultra Orthodox men. Here the pious male is a product of the very femininity it vilifies as a Lilith[138] figure, and corruptive influence over men, such that man and woman should not sit side by side for fear that she may infect the pious man with her impurity. The events that led to Ragen's attack illustrate that in Jerusalem, and neighbouring Mia Sharim public transport is simply one more sacredised and conquered space, controlled and dominated by Ultra Orthodox men. Indeed, the recurring features fear and sexuality influence all manner of rituals and beliefs about how men and women interact, and the ensuing emphasis on female modesty, demands a mode of dress that obscures the body shape, and removes all distinctive physical characteristics of the female form. This distinct appearance and behaviour of Ultra Orthodox men and women demands no requirement for second thought or the development of an

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appreciation for the individual, but forms part of the collective knowledge of what a person is and their way of life. By standing out from the wider society, Haredi women become the creators of a religious space wherever they are by 'othering' the modern world around them[139]. Ritualising the use of the city in this way, renders the corporeal appropriation of space by masking the female form an iterated activity whereby women's spatial mobility can be controlled by the restricted dress codes imposed by Haredi modesty police[140]. Furthermore, the deliberate choice of men to dedicate their time to the study of the Torah symbolises a dissonance between the representation of productive, modern Israeli masculinity[141] and Israel's relationship with the religion that is core to its national identity. Therefore, the degree to which men and women are *visible* in any public space communicates the power relations within the Ultra orthodox culture. In this way, Ultra Orthodox women who take paid work in the secular world (to support their husbands Yeshiva study), are not a reflection of the public private divide, rather they demonstrate the continuation of the private into the public realm. Stadler contends that this fulfils the same function as physical domination[142]. This is especially evident in the gender segregated Ultra Orthodox bus lines that are essential to women's access to paid employment, where, under the jurisdiction of Halakhic law, she remains seated at the back of the bus, hidden from the gaze of the pious man who reinforces the message that she is a passive observer of her own life and '*in mere solicitude, man can remain essentially within himself and need not be concerned...*' [143]

Jacqueline Rose extends the argument by suggesting that the visibility of women within a patriarchal religion reveals the levels to which identity is constructed around the concept of prohibition[144]. Contending that Ultra Orthodox patriarchy is best understood as a means to prepare the ground for potential insurrections[145] within the Hasedim emanating from the dangers inherent in any encounter with modernity[146]. This paradigm has increased its coinage throughout the twentieth century, bolstered by the shifting political conditions since 1967, when Israel gained political control over the Western Wall. Since its inception as a nation state the assertion of Israeli power and Ultra Orthodoxy's physical presence in Jerusalem, has enhanced both Jewish national identity and masculinity, and exacerbated the suppression of women[147]. However, such patriarchy does not emerge wholesale inside people's heads, nor is it the exclusive province of religious institutions[148]. It is the product of interaction and communication of the social significance of ritual and space, complicated by the largely unarticulated function of Jewish Nationalism, and a political and legal system that implies a restrictive view of women's place, and finds it difficult to respond to them. Furthermore, Butler suggests that the language of patriarchy is maintained by both institutions and the collaborative action of individuals in an effort to restrict the production of identities to the binaries of man-versus-woman[149]. Lacan's phallogocentrism, however would dispute this, and instead suggests that both masculine and feminine are fictive constructions in which the masculine is the subject whilst the feminine is signified by lack or absence of the masculine which validates the economy of exclusion[150]. This raises some fundamental questions about how gender difference is made a relevant distinction in social relations and how these interface with relationships of subordination.[151] It is important that this discourse does not confine itself to the cliché of religious-versus-secular Jew, but includes the more nuanced notions of power and control as identity and gender related concepts that dictate and affect the way men and women use public spaces and participate in urban life.

The city and surrounding Ultra Orthodox communities of Jerusalem also presents a challenge to received wisdom espoused by academics such as Bellah[152] whose interpretation of the privatisation of religion, maintains that it does not have any direct consequence for the character of a society. From interviews conducted throughout the course of this study, Jewish men and women living in Wales, consistently described the experience of being Jewish as far more meaningful during times in their lives when they had visited or lived in Jerusalem. This researchers findings are also reiterated in Tovi Fenster's[153] work on the different formations and expressions of belonging in the narratives and interpretations of Jewish residents of London and Jerusalem. In both Fenster's and this authors interviews it was evident that the intensity of the individuals' relationship with Judaism was experienced differently in each location. This was accredited firstly to the religious symbolism of Jerusalem and secondly to the physical environment of the City and its historic and religious sites, which have a tangible presence in public spaces and substantiate the very public and communicative nature of Judaism so much so, that any woman simply walking the streets, or using one of Jerusalem's thirty gender segregated bus lines, would encounter a set of social relationships mediated by Judaism, and a world of social meaning defined by the experiences of men. Clearly then, a conceptual gap lies between the construction of private and public experiences of Judaism, that is in part explained by recognising the ways in which the communicative nature of the physical environment is socially consequential[154]. The social significance of religious meaning cannot therefore be divorced from the secular world around it. Rather

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religion sits within a Maslow like nested hierarchy of significance, where shared meanings and practices point to a binary social order where the role and function of women is hidden in the private realm of the home and gendered workplaces[155], compared to the world of religious observation (occupied by men), which transcends the such mundane things. The privatisation of Ultra Orthodox women's experiences is therefore a corollary of the privatisation of religion and, incarcerated in the private, women are not present in the discourses on issues such as morality and the basis for social order, agency and the right to use public spaces.

5

Hypervigilance and the Religious Male Gaze

'The panoptical male connoisseur resides within the consciousness of (Ultra Orthodox Jewish) women; they stand perpetually before his gaze and under his judgement'

Bartkey (1998), p 34

There are moments when theoretical perspectives that set out to liberate women actually serve to bind them to a world of assumptions[156]. We suggest that one such compelling paradigm is that of the 'Curious Feminist' and that in its blanket application, we risk privileging the feminist recounting of Ultra Orthodox women's lives over their own understanding of their real, and concrete experiences. In this authors limited experience in this area of research, Enloe's primary central question of 'where are the women?' is frequently posed by the feminist researcher in one form or another, often with little acknowledgement that for the Haredi woman her every action is observed and interpreted by both Ultra Orthodox men and women to such an extent that she is systematically over covered, undressed, contained, exposed, and denigrated to placate men's fears[157]. Thus, whilst Enloe accuses us of not looking hard enough at what women do and where they are located, we contend that Ultra Orthodoxy's hypervigilance of the female form has invested women with range of negative characterisations which are controlled by the calculated manipulation of their time, space and movements. Control this rigid and precise cannot be maintained without minute and relentless surveillance aimed at inducing in the Haredi woman a state of conscious and permanent self surveillance of her docile body.[158] Hers is a marked body, on which an inferior status is permanently inscribed, no matter how assiduously she works to master the male defined corporeal drills of Niddah[159]. Moreover, we will seek to demonstrate that the absolute knowledge and control of female purity is important to Ultra Orthodoxy because it provides the vulnerable Haredi man with a safe haven from what he perceives as the rapaciousness of a dissolute secular culture. Acts of hypervigilance are therefore turned ever outward and performed by women, on behalf of men. We intend to argue here that the pervasive Haredi male gaze has significant corporeal consequences for all Israeli women, who internalise the self regulating mechanisms that signal both their gender and their place[160] within a patriarchal religion that assumes women's orientation towards the needs and weaknesses of men. Indeed Gonen contends that hypervigilance of the female body is a defensive reaction that reflects Judaism's preoccupation with contaminated women and fragile men[161]and argues that this insecurity leads to the subjugation the female body. Within this discourse, women inhabit and move through an ancient landscape that has obscured their presence and reinforced their spatial confinement[162]. However, her obscurity does not negate her significance to the security of that landscape. Thus we contend that the female body remains a powerful symbolic surface on which the central rules of the Haredi culture are inscribed.

The justification for the scrutiny of women's bodies is intrinsically linked to a sense of raw physicality whereby women are the embodiment of chaotic sexuality and shame[163]. The sense of shame induced by rabbinic text stems from the original sin of Eve – who tempted Adam to eat from the tree of good and evil – and has had a transformative effect on the essential condition of womanhood. However we contend that this representation of women in Jewish culture is distorted by the hypervigilance of the Ultra Orthodox male gaze, which only allows for a particular interpretation of the sexual difference between man and an eroticised 'other.' The notion that women's bodies have the power to call man back to his animal nature confers a responsibility upon women to mute the arousing effects of their femininity[164]. Hartman points to the Foucaultian irony in Ultra Orthodoxy's incessant musing over a woman's body only to decry the effects of its lascivious inroads on Haredi culture[165]. Within this controlling discourse, women are the objects of the gaze, never the possessors and as such experience a life of spectacle. Furthermore, Susan

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Sered's treatise on the ritualised body contends that by definition, culture is above nature, and that the process of making and defining Ultra Orthodox culture is equally the process of conquering nature[166]. Thus, the containment and regulation of women's bodies is the mechanism through which the pious man is protected from his own naturalness by placing him in control of all things physical[167]. Consequently, the significance of the female body, its boundaries and integrity is met with an unrelenting curiosity that envelops women in mysticism[168] and primordial shame. Each part of the female body is meticulously examined and systematically problematised. The collar bone for example warrants covering because it indicates an increasing state of undress and points to the neckline's seductive plunge. Whether to cover one's head only when leaving the house or to keep it covered even when inside the house is often a source of angst and debate in shiurim. Similarly, the (Yemenite) iconic collective bride's dress and head covering is so heavy that it is difficult for her to move. Unable to run, her clothing transforms her into a passive visual platform for others to explore[169]. The covering of her face by the groom so that she cannot see, represents her total submission to her husband to guide her through her married life. Therefore, the framing of women's bodies in specific dress codes and spatial practices is indicative of the hyperawareness of women's spiritual and physical location within the Ultra Orthodox community. The religious male gaze denotes an ethos that says 'cover up so that I will not be led into sinful thoughts.'[170] Women are thus encouraged to look upon their individual body parts as capable of endangering the religious integrity of men and the community. Therefore we contend that the all encompassing male gaze defines not only what men believe of women, but also what women have come to understand about womanhood.

However, the ritual performances that equate to more direct expressions of power and subordination evolve around the multi layered laws of contamination and purity (*Niddah*). *Niddah* ascribes many negative values to menstruation, equating it to death[171] or the loss of a potential life. Menstruation is also embedded in a Halakhic ideology that binds every woman to a relationship with Eve and is a monthly reminder that women are naturally more sinful than men. This ontology is expressed through explicit rituals devised by men and suggests that women's spiritual transgressions are experienced through their polluted bodies. During menstruation women do not have any physical contact with their husbands and are obliged to check for emissions of blood twice a day, for seven days after menstruation has ended – if she sees a stain on the testing cloth she (or her husband) will take the cloth to the Rabbi for a ruling on her status. This suggests that women are viewed as passive practitioners of ritual, who having petitioned the Rabbi for menstrual validation is divested of personal power and knowledge of her own body. A combination of pseudo medical *knowledge* and Jewish Law is manipulated to illustrate the toxins contained within menstrual blood and the dangers it may present to men who have contact with women during *Niddah*. For example a popular leaflet distributed at Mikveh's suggests that intercourse during *Niddah* causes cancer, damages the production of semen and that menstrual blood contains enzyme's that can stop wine from fermenting, or bread from rising. Similarly, Rabbis will instruct women whose cycle is less than twenty-five days to go to a doctor and get hormone treatment to regulate her periods to the prescribed twenty-eight day cycle[172]. Because of the requirement to have seven *clean* days before sexual relations can recommence, cycles of less than twenty-five days result in a ritually induced reduction in female fertility and something that to the Ultra Orthodox Rabbi, warrants treatment[173]. Moreover, many doctors collude with these rabbinic edicts and issue hormone treatments to healthy women. Clearly the obsessive attention to the cycle of ovulation and menstruation produces a distorted concept of health and illness and both religion and medicine compete for authority over women's bodies. The way that women's bodies are portrayed as diseased, frail, and in need of special treatment leads Susan Sered to conclude that Ultra Orthodox women tend to think of themselves as always on the verge of ill health[174]. Male concern for women's health does not however extend to other areas such as breast care. Israeli women's health organisations have been refused access to women at Mikveh's and are not permitted to leave breast awareness leaflets for them to read on the basis that this would distract women from the rituals of purity. Women it would seem are trained to be constantly vigilant about those body parts that directly relate to their ability to reproduce. However, implicit in the rigors of religious scrutiny of these particular body parts is the assumption that women are not sufficiently self-aware of the condition of their own bodies. Men on the other hand, who in rabbinic tradition are accorded far greater sensitivity, must alienate themselves from the female body until such time as it is deemed pure. In this way the stringent rules of *Niddah* dictate when intercourse is permitted and binds the physical act of sex into a regulated and highly ritualised performance of religious significance.[175] Whilst the responsibilities of maintaining purity fall on women, real authority in matters of *Niddah* resides with pious men. Therefore we suggest that one of the effects of Ultra Orthodoxy's hypervigilance is that it sets women as objects of a religious male gaze and ensures that her body is

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vicariously his body.

It would seem that rabbinic discourse feels compelled to ensure that women develop a self awareness of their inherent impurity through precise and regulated routines. This ubiquitous religious male gaze not only evaluates women but it affects the relationship women have with their own bodies: their ability to act spontaneously, their posture and gait, where and how they sit on public busses and travel through public space, their intellectual and creative potential, are all defined by their gender and prescribed to them from birth. As is the Ultra Orthodox conceptualisation of them as a constant risk to the religious security of their community. Therefore the burden of defence of Judaism (and by association the Jewish nature of the state), resides within the female body[176]. Mikveh attendance ensures the purification of this body, and is therefore an attractive option to mitigate the consequences of their corporeal malady. However, purity rituals are predicated on the shared assumption that women's bodies are of legitimate interest the religious community and essential to the collective. Although clearly, women are the conduits through which collective narratives of gender and purity are expressed, they are not the makers of meaning. We contend that the value of Niddah to a patriarchal religion lies in its ability to evoke feelings of loyalty through an expression of a unique religious identity. Moreover, many Orthodox women regard Niddah observance as one of only a few opportunities to take part in a religiously meaningful act. Here Niddah is more commonly viewed as part of the overarching concept of living a life of sacrifice,[177]and within this framework women perceive Mikveh attendance as a profound statement of their identity as Jewish women. Indeed, women often describe an uplifting experience as they materialise from their immersion in the waters of life[178] feeling clean and pure. Such feelings arise from a particular construction of the female body in which the physical state is believed to change in response to a spiritual experience. Dufour believes that the rituals of purity allow the Ultra Orthodox woman to reclaim a room of her own in the Mikveh.[179] Here the tenure of a woman's body in different spaces becomes the link between the private and the public. Similarly Leora Batinsky suggests that Mikveh attendance is one way that women are able to carve out a space of their own in which to define themselves outside the context of the private[180]. We would suggest that women therefore have a vested interest in preserving the practice of ritual as a way of internalising a particular resonance to inequalities they experience. We would further suggest that the Jewish woman's agency (or lack of it) in the practice of purity rituals, is part of a more general impulse of loyalty, voluntarism and the innate drive to belong. All of which is underpinned by constantly re-enacted rituals and patterns of surveillance.

As discussed in previous chapters the secular Israeli state grants Ultra Orthodox religious authorities, exclusive jurisdiction over all marriages in Israel, which in turn has created a host of dilemmas for secular Israeli women. This means that prospective brides have first to comply with the rituals of the Mikveh – no matter how meaningless or offensive they may seem to the individual – including the inspection of her body by her prospective mother-in-law and having to obtain a note from the Mikveh attendant to demonstrate to the Rabbi that her body is unmarked and healthy. The main purpose being to ensure the groom that his bride can be entrusted to bear him healthy sons. Thus women, watching and judging each other's bodies' gate keep a patriarchal religion. Once more state equality, rights and citizenship based rhetoric fails Israeli women when they encounter traditional Judaism. Despite any secular legal provision the state may have in place to protect women from discrimination, within Judaism's framework the reproductive status of women is regarded as legal chattel, and once acquired by man; woman has no further jurisdiction over her biological functions[181]. Evidently the lack of any rational questioning of such rituals is a potent framework in which relationships of subordination can thrive. This is compounded by the apparent lack of a parallel enquiry into the implications of hypervigilance for men. This is not to say that the question is unanswered, but that, within the confines of this author's research at least, it was difficult to find instances when the essential question was even asked. Being curious, Enloe informs us, takes a lot of energy[182].

Although the main focus of this chapter has been on acts of ritual purification performed under the male gaze, we are equally clear that aside from synagogues and Mikveh's, the entire built environment of Jerusalem's Ultra Orthodox enclaves remains unmistakably sensitive to men's emotional needs and responses to the female form. It assumes that women's use of public space is something to be controlled. The parameters of these areas are littered with signs in both Hebrew and English that instruct women to limit their use of the streets unless dressed to the required Ultra Orthodox codes of modesty. The power asymmetries inherent in the spaces inhabited by men and barred to women[183]are therefore in plain view for all to see and any woman, no matter how she is dressed becomes an object of mistrust for all (men) to scrutinise. Thus Ultra Orthodox neighbourhoods such as Mia Shearim have an

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association with discomfort for women who are constantly aware of the fact that both their appearance and their mobility are subject to the scrutiny of vigilant modesty guards and the social coding of bodies as female simultaneously draws attention to their physical vulnerability and the threat they pose to the pious man. Notwithstanding this, Ultra Orthodox women moving from the centre to the margins are seemingly unaware that both realms are created by a dominant patriarchal entity, whether that be the state or the religious community in which they function. It is important to note that such patriarchy not only defines the margins, but is also able to render the centre a movable feast, so that residence at the centre remains beyond the reach of women[184]. The more effort put into maintaining women at the margins, the harder it is for them to raise their voices over the patriarchal din. For example, we have demonstrated throughout this treatise that the Israeli State claims to secure the advancement of women and protect them from discrimination through a number of government agendas. However, where hard choices are to be made, an otherwise powerful and pervasive state gives way to an Ultra Orthodox interpretation of women's status, and allows the violation of its own policies[185]. It is doubtful then, that whatever our understanding of the construction of Haredi women's corporeal identity, or however we protest about the more deleterious effects of Ultra Orthodox ontology, that we will find ourselves in a position to affect the disproportionate influence Ultra Orthodoxy has on Israeli domestic policies and the impact this has on the everyday lives of Israeli women. Clearly, the rabbinic ideal is a world of shaped distinctions in which holy and secular, pure and impure stand in fixed and eternal opposition. However others such as Judith Wegener contend that women present an anomaly to this because their biological cycle ensures that their status is never fixed, it fluctuates from a state of purity to impurity, permitted and forbidden, visible and invisible and represents a perplexing blurring of established boundaries[186]. Furthermore, we are able to expose the paradox of Haredi rhetoric relating to the inner beauty of the religiously observant woman by the inordinate amount of time and resources Ultra Orthodox men dedicate to her external appearance. Clearly they do not fix their gaze inwardly to see beauty and purity; instead we contend that the gaze is superficial and sees only the sexualised bodies with the potential to draw them into sin. Moreover, by exposing the extent to which Haredi women live, voiceless in the margins we are able to reveal the fragility behind the edifice of Ultra Orthodox society. Similarly State endeavours to marry the rhetoric of democracy with an Ultra Orthodox discourse of obedience, ritual and Halakhic law[187] leaves the issue of women's rights ambiguously balanced between the religious and secular, private and public spheres.

Although Enloe encourages us to take issue with the lack of curiosity of those in any power structure[188], we believe that the Ultra Orthodox Jewish male is pathologically curious about where women are and what they do. We do not however, believe that they are surprised at what they find, simply because it was they who fashioned it.

6

Discussion

'Every man I meet wants to protect me.... I can't figure out what from'

May West

The debate thus far has centred on issues of prohibition, patriarchy and control that define how Ultra Orthodox women and men understand the meanings and symbolism of their religion and its function in maintaining the Jewish nature of the Israeli state. We seek here to pull together the strands of the preceding chapters and to develop an appreciation of the perceived threats and opportunities open to Jerusalem's Hassidic community. We seek also to offer some insight into the relationship between feminism and the Ultra Orthodox woman. We believe that there are some emergent themes throughout this discourse that centre around Haredi women's mobility within and between the margins of two discrete communities – the secular and the religious. However, on her journeys between these margins she is not traversing a horizontal plane, rather she clammers vertical relationships, and is often silenced by the weight of the hierarchy above her[189]. Never fully belonging to either, always an observer on the sidelines, the Haredi woman is a culpable outsider who is responsible for the purity of a faith she can never fully engage with, or understand to the same level as her Ultra Orthodox male counterpart. The expectations held of her are twofold. She must be open to the constant scrutiny of the community who have a vested interest in her movements, and behaviours, and she must also be invisible, and should not expect to achieve a state of divinity outside of mundane

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domesticity. Her isolation is in part justified by the underpinning rationale of protection, modesty and the threats inherent in any engagement with the secular world. The paradox for her is that she constantly skirts the boundaries of what is permitted and forbidden. She is *othered* within her community, and is in daily contact with the realities of the secular world that her community vilifies. The dilemma she poses to the Ultra Orthodox world is resolved only by concerted attempts to rationalise her mobility between these two spheres and to exert tight control over her presence in each of them with the doctrine of the Torah -which she herself is forbidden to read – a binary social order ordained by man, the glorification of the Ultra Orthodox variant masculinity and the devaluation of the feminine. In this discourse both men and women are highly compromised beings, with men portrayed as tainted goodness that retains its potential for messianic good, whilst femininity embodies sin, from which redemption is only possible if woman is totally subjugated by man[190]. Furthermore, when the religious character of the state rests on the purity of women, man is exhorted to defend and protect it, and norms of modesty are masculinised, founding myths of Jewish fundamentalism are institutionalised and female obedience to the rules of patriarchy, legitimised. Thus Haredi women endure the consequences of prohibitions designed to protect lustful men from the dangerous seduction of women[191] – gender segregated transport is but one way of resolving the problematic connections within the Hassidic understanding of sexuality and control.

Even though many Ultra Orthodox men and women would contend that the intent behind gender segregation is to protect and not to cause harm, we must be clear that the consequences of the action, no matter how well intended, do in fact remove the elements of agency and choice from women based on an ontology that necessitates '*othering*' them. Separation is therefore the means by which men are protected from the seductive nature of women. The issues of sexuality and the public display of women's bodies evolve around male defined codes of modesty and the reaffirmation that women are the gatekeepers of the spiritual wellbeing of men. The rhetoric supporting this runs the spectrum from exaltation of the sanctity of feminine virtue to the threat of punishment if rigorous modesty standards are not upheld[192]. The spectre of the uncovered woman's body is believed to be explosive to men, therefore covering female flesh and limiting the visual presence of women's bodies are critical elements in the purification of public space. Women's purity thus becomes symbolic of Ultra Orthodoxy's sovereignty over both public and private spaces. Therefore codes of modesty and the Haredi men that police them, function as a means to protect the territorial enclave of Mea Shearim from secularism. This of course demands that we view woman as the source of the problem, segregation as the result and apportion no responsibility upon man to curb his lustful nature[193]. The Ultra Orthodox man is apparently susceptible to Portnoy's complaint[194] and is thus absolved from any responsibility for his actions. The institutionalisation of gender segregation and the physical removal of women from sight – by locating them at the back of the bus, or obliterating their faces from publications – amounts to a tacit acceptance that women do not hold an equal share of social capital in society. Furthermore, by failing to live up to the rhetoric of the advancement of women in Israeli society that the state espouses, a protective ethos that legitimises masculineist practices and gender injustice is perpetuated. Stopler contends that this dichotomy is underpinned by a familial ideology that recognises the family as the basic unit of society and the gendered context of the family as an inappropriate arena for state intervention[195]. Ultra Orthodox men have therefore taken it upon themselves to defend this patriarchal order against the incursions of secularism, whose co-educated, gender mixed society and eroticised commodities are understood to erode the solidarity of the religious family and threaten the pious man. Despite Orthodoxy's claim that the male prescribed codes of female modesty are intended only to reclaim what the secular woman has lost – that is honour, dignity and integrity – we would contend that the modest Haredi women is no less free of the pervasive male gaze or the continual and painstaking observation and compulsive discourse about their bodies than the most liberal of their secular sisters.

The incorporation of Ultra Orthodox values into state law has promoted a plethora of pro natal policies and a general reluctance amongst legislators to acknowledge gender as a *discrete* category of discrimination. This is bolstered by Israeli militarism, which relies to some extent on the patriarchal drive to protect the women and mothers of the nation for whom reproduction is their main civic function. Meanwhile, Orthodoxy eulogises the role of women in their '*proper*'[196] sphere and maintains that there is an intrinsic dignity in gender segregation. Rarely are women consulted or afforded any degree of autonomy or offered a place in which the female voice can be heard without first being filtered through the edicts of the Torah. Sharoni builds on this thesis and reiterates the point that the only legitimate voice permitted to women seems to be that which is intrinsically linked to their status as mothers, carers and protectors of national and religious identity that comply with the Ultra Orthodox notion of femininity[197]. Hence,

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when a woman argues about her status, she is not transformed by the rhetoric of equality and citizenship. Similarly, belligerent feminist rhetoric and assertiveness is depicted as an attack on the religious security of the nation[198]. Thus we contend that for any form of Orthodox feminism to survive it must at the very least strive to protect Jewish culture from the more pernicious effects of fundamentalism[199].

No matter how feminist discourse views the control over women, many Haredi women maintain that there is an inherent dignity within the practice of separate spheres[200]. Indeed we are mindful of the fact that many of the perceived benefits of tradition, even some that have originated in false and stereotypical assumptions regarding the nature of women and women's spirituality, have been genuinely internalized. *Halakhic* definitions of modesty are for many not just an excuse for keeping women from the centres of power or denying them their rights to ownership of public space. They engender virtues that are truly cherished, and many women feel that such aesthetic and spiritual benefits may not endure in quite the same way if forced to undergo a radical feminist transformation. The image of women that feminism appears to encourage is, by comparison, quite simply unattractive in the eyes of such women. The primacy given to the family, and the affirmation of familial duties as a religious obligation – although resolutely patriarchal – are attractive to women as it offers them a mechanism of social control over men. It also gives women the opportunity to occupy the sacred status of motherhood which is a refuge from the prospect of worthlessness faced by their secular counterparts for whom they see only the opprobrium of immodest dress, pre marital sex, illegitimacy, infidelity and increasing divorce rates. Others subscribe to a view of the ideal religious woman as one who disciplines herself to obey authoritative decrees even when they do not concur with what she regards as her true spiritual interests or deeply felt moral intuitions. The Torah is not a bill of rights; it is a bill of obligation[201]. The emphasis on modesty is a deeply cherished virtue considered by many to offer the type spiritual benefit unachievable by their secular sisters. Respect for the authority of religious leaders and the oral law handed down for generations is indication of their discipline and their 'acceptance of the yolk of heaven'.

Inherent in the Jewish faith is the belief that holiness is achieved through sacrifice, therefore ones relationship with G-d is experienced through a life of restrictions and limitations. However, if Orthodox life is marked by such boundaries for all its adherents, why are the limitations placed on women different and more restrictive than those of Jewish men and why do women continue to choose to affiliate with those that define them precisely in opposition to values of equality and opportunity for women? We contend that the notion of choice a misnomer, for Judaism is integral to their identity, it is their founding belief system and the value base that binds them to their foremothers, it is their past and their future, and is therefore no more of an option than their sex. There is however a difference between choosing a life of limitations and having limited choice, and for the Ultra Orthodox woman issues of choice solely revolve around how to live a fulfilled life within the Haredi system. Here Derrida would argue that Judaism is a response and a responsibility that is prescribed not chosen freely in an act of pure and autonomous will[202]. In these circles, feminism is perceived as a radical movement that will destabilise Jewish culture and violate the sanctity of the Jewish family. It is merely the smokescreen of Israeli liberalism that gives credence to the myth of choice. Given the option between loyalty to the Ultra Orthodox community or one's right as an Israeli woman and citizen, tradition is wielded as a patriarchal club to maintain a status quo, often at the expense of women's fulfilment.

Clearly the tectonic plates of loyalty and rights are perceived as having the potential to challenge Orthodoxy's foundations and the more strident feminist advocating equality and women's rights risks alienating herself from the value base of her Haredi sister. However, whether they desire it or not, Haredi women face the more practical problems of discrimination when their husband's extended study forces them to reinvent ways of merging their experiences in the secular world, from which they would have been sheltered in the past, with a very different construction of their Ultra Orthodox Jewish reality. Such experience does not allow them to maintain the customary divorce between the inerrancy of religious text and the world of possibilities of their secular sisters. For women such a Naomi Ragen, electing to define themselves as both Orthodox and feminist, the exploration of ways to expand their spiritual life so that they no longer skirt the periphery of Judaism, the ability to access the Torah unmediated, and to travel between secular and religious worlds freely and without fear of abuse remain the central and most burning issues to be addressed[203]. Much like the Islamic concept of *Fitna* (decency from within), the real challenge to Ultra Orthodoxy comes not from feminism, but from those Orthodox women who seek to develop their religious identity by navigating their way between the public and private spheres. Undeniably there are many misconceptions held about the power of feminism to threaten the Haredi way of life, amongst them is the belief that feminism will result in the

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breakdown of the traditional Haredi family. We would contend that the economic imperative for women to work, western ideals of democracy and the secularism of surrounding society are not the result of feminism and should not be read as indicative of feminist political ideology at work. Nor is feminism a monolithic or undifferentiated movement[204] incapable of adjusting itself to the real and concrete lives of women in a myriad of subject positions which cannot be reduced to a single theoretical representation of 'woman'[205]. Feminism has long since descended from its Olympian vantage point and no longer views those who fail align themselves precisely with a narrow view of the feminist project as little more than the naive dupes of patriarchy, whipped into a false consciousness by their male oppressors. Therefore Ultra Orthodox women's relationship to the f-word (feminism) can equally be located in the belief that women are innately subsidiary to men and should live out their lives in a hierarchical framework, achieving their interests [206] through Halakhic obedience and the creation of a just society in the service of G-d and Torah[207]. Although this would seem a rather fragile position from which to argue equality, we believe that Haredi women hesitate to cast their lot completely with the feminist cause, partly because of the emotional and spiritual cost to the single-minded woman trying to affect change in a closed society, and not because of her lack of commitment to the precept of feminism. Moreover, Tamar Ross argues that there are definite advantages to be gained from keeping a low profile and not challenging Judaism as a wounded system in need of repair. One needs not only to be right, but also to be smart in order to achieve ones vision. More strident feminists would be very critical of this Pollyannish facade claiming that it merely masks the problems, and permits a patriarchal religion to throw bones to women that neither liberate nor improve the status of Ultra Orthodox women.

Radical Israeli feminist groups are therefore kicking against a deeply entrenched ideological basis for women's oppression, in a way that makes it difficult for feminism to enter Orthodoxy's bloodstream[208]. The validity of such groups is also hampered by a number of mutually reinforcing factors. Politically active women's groups are typically made up of (university) educated women, who push only for moderate improvements in the status of women[209]. Many organised women's groups – the two most popular of which are the Israeli Women's Network (IWN) and Na'amat – also have institutional and financial ties to the state, which has resulted in a somewhat schizophrenic attitude towards feminism. Na'amat for example provides subsidised childcare with the intent of supporting women who work. However, the childcare is extended only to those women with large families which, indicates a consensus on the Jewish nature of the state and an acceptance of the reproductive role assigned to women. In this authors view they represent a curious combination of female liberation and the values placed on the traditional role of women as wives and mothers.

Clearly, for Orthodox Jewish women, the tension between loyalty to their tradition and their community and the desire for greater involvement in new roles and responsibilities brings with it and array of questions. Orthodox women must reconcile their fundamental adherence and fidelity to the *Halakhic* system, with its unequal impact on women's lives and its moral deficiencies. Talk of Haredi women's rights is therefore the site of an ideological struggle in which women have learned to become identity contortionists.[210] This bifurcation of identity is the constant paradox in Ultra Orthodox Jewish women's lives; as they straddle the boundaries of secular and religious worlds they are advised by organisations such as Jewish Orthodox Feminist Alliance (JOFA) to be a feminist at work and a Jew in the home.[211] To integrate these two halves' women need opportunities to exercise choice within Judaism, choice over what women learn, how women use knowledge, the division of domestic labour and how women express their religiosity. In other words they can no longer be passive observers of their own lives, and the limitations of their life's can no longer go unchallenged. Beyond *Halakhic* limitations, and creative theological re-envisioning, we must therefore discuss, in practice, how Orthodoxy can assimilate the social changes demanded by the feminist critique. This speaks to a particular vision of society and how Ultra Orthodox men and women intend negotiate moral equity, spiritual access, differences and distinctiveness. We would however, cast some doubt over whether the precepts of Ultra Orthodoxy in its current form is able to develop to a stage where it is capable of seeing the feminist face, let alone hearing a feminist voice. Furthermore, the notion of a variant Ultra Orthodox Feminism is always going to be restricted because it must function within the boundaries of a religion premised on concepts of sacrifice, difference and restrictions in order to retain its Ultra Orthodox credentials. Once the Ultra Orthodox feminist moves outside these boundaries, her feminism ceases to become relevant to Haredi women for whom their religious identity is paramount. It is transmuted into something else, and rebranded as a godless and ignorant view point by those in power who are able to isolate her different voice and are thus liberated from taking the challenge seriously[212]. Therefore the Ultra Orthodox Feminist is caught in the double bind of never seeming to fulfil the aspirations of her

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feminist secular sisters for fear of isolation from her Haredi family. Always the outsider, she cannot expect her sisters- whatever side of the religious secular divide they reside – to be grateful for her efforts.

Notwithstanding this, Naomi Ragen's efforts to deploy a human Rights discourse has gone some way towards revealing the tensions and challenges associated with the Ultra Orthodox setting, but it has also raised the question of what human rights can realistically be expected to add to the struggle for gender justice when the everyday realities of Haredi women are characterised in the formidable obstacles of internalised gender inequalities, poverty and plural legal systems. Naomi Ragen's case is not however with the Haredi community, indeed she is eminently aware that her protestations are unlikely to have an impact on such fundamentalism, she takes issue with the government and the Egged bus company who allow and support gender segregated bus lines and who turn a blind eye when women try and exercise their right to choose not to sit at the back of the bus.

Clearly, the ways in which cultural codes of masculinity and femininity are built into public institutions is evident in the Ultra Orthodox influence on state policy which has in this authors opinion recast the gendered nature of politics and normalised practices that are inherently discriminatory against women. Furthermore, feminist efforts to challenge Ultra Orthodoxy's influence both on state policy and that of the Egged bus company's gender segregation, has only served to mobilise religious fundamentalists into political action. We have also sought to demonstrate throughout this treatise that for Ultra Orthodox women Haredi neighbourhoods, as well as the wider secular spaces of Jerusalem have become culturally constructed spaces to such an extent that we doubt that the Haredi woman could feasibly be said to have found her 'room of her own'[213] Instead we see Naomi Ragen's case as being perched on the edge of a nascent movement to bring gender equality to Ultra Orthodoxy by contesting the control and domination of the female body in both private and public spaces. What has become clear is that gender segregated transport amongst Haredi communities cannot be viewed in isolation from other relations of power and subordination which should in this authors opinion, also include the perceptions of the wider populace and the law representing it. We have also critically examined the robustness of feminisms challenge to the ontological difference between Ultra Orthodox men and women, and indeed between the Hassidic community and the surrounding secular society. Lastly we would suggest that Ragen's gender blind appeal to human rights will not address gender specific issues. Instead we need to return to Mouffe's analysis of the ways in which our protagonists' subject positions have been constructed and then to understand the ways in which institutional biases work against women in any number of subject positions

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[3] *The author sought out those Knesset members sitting on the Committee on the Status of Women, who were listed as speaking English and emailed them for their views on the impact of gender segregated transport on Israeli women. Those e-mailed were, Lia Shemtov (chair), Tzipi Livni, Nadia Hilou, Benyamin Elon and Israel Katz (Minister of Transport). Unfortunately the author did not receive a reply from any of the politicians canvassed. The author did however enter into correspondence with Naomi Ragen and various members of staff from the Israeli Religious Action centre – see appendices.*

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- [13] Berman. E. *Sect, Subsidy & Sacrifice: An Economist's View of Ultra Orthodox Jews* . The Quarterly Journal of economics, p 905 – 907.
- [14] *Of 109 Knesset seats Shas holds 11 (with 4 seats in Government) ; United Torah Judaism 5; National Union 4; The Jewish Home 3. Although none are able to form a majority, they hold the balance and which party they align to can sway who retains power.*
- [15] El-Or. T. *Paradoxes & Social Boundaries: Ultra Orthodox Jewish Women & Their World* , found in Ester Fuchs (Ed) (2005). *Israeli Women's Studies: A Reader*, p 133
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- [19] Conversations with the author.
- [20] The author first became aware of this issue when listening to a BBC Woman's Hour interview with Ms Ragen. (12.02.07)
- [21] Steans. J. *Debating Women's Human Rights as a Universal Feminist Project: Defending Women's Human Rights as a Political Tool.* *Review of International Studies.* Vol 33 (2007), p 13.
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- [23] Taken from Knesset web site, the Basic Law of Human Dignity & Liberty 1992, was reworded later that year and the reference to man were replaced with the phrase human being / person.
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- [25] Greenfield. T. *Is it Really so Benign? Gender Separation in Ultra Orthodox Bus Lines.* *Journal of Law & Ethics in Human Rights.* Vol. 1. Iss.1 2007.
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- [177] Wasserfall. R. (1999) Women & Water: Menstruation in Jewish Life & Law, p 42
- [178] Mikveh pools are filled with rain or natural spring water which is believed to have restorative powers to cleanse women of their natural state of impurity
- [179] *The Mikveh's are run by women but under strict rabbinical control, and ultimate decisions as to the purity of women attending the Mikveh rest with the rabbi. For some it is seen as mans control over over women's bodies as it symbolises the point at which a woman is pure enough to recommence sexual activity with her husband..*
- [180] Leora Batinski found in Tirosh-Samuelson. H. (Ed). (2004). Women & Gender in Jewish Philosophy, p 134.
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