

Thank Goodness for Bar Ilan

by: Rabbi Jeremy Rosen

I was studying in yeshiva in Israel in 1956 when Bar Ilan, which had been founded the year before, opened its campus. It was, at the time, a sort of Junior College built on American lines and with the support of American rabbis together with the Mizrachi Religious Zionist party in Israel. At first it was not taken very seriously by the snobbish Hebrew University in Jerusalem, the scientifically high flying Haifa Technion, or the renowned Weizmann Institute in Rehovot (other prominent universities in Israel emerged later).

In those days when antireligious sentiment was far more aggressive and rampant than it is even today in Israel, it was looked down on simply because it was openly and proudly religious, and it was mocked for insisting its male students wear a kippah on campus, and students were seen removing them the moment they left. It was assumed that rabbis would control its ideology and it would become an intellectual backwater. The ultra-Orthodox reviled it because it offered women equal academic opportunities, and because Talmud was studied academically as well as by traditional methods.

I visited Bar Ilan again in 1967 with my mother who had been asked to consider becoming the dean of women after she left Carmel College. By then it had already grown into a serious campus and institution. It was in the 1970's that Bar Ilan really grew beyond the ideological and parochial visions of its founders. It defied its critics and, with some major new departments and faculties, became one of the most important academic institutions in Israel, where both Jewish and secular subjects were taught to the very highest levels.

Of course, no institution is perfect and every academic centre in Israel is criticized for one aspect or another of its ethos, politics, or policies. Bar Ilan's association with Mizrachi became something of an albatross, because the National Religious movement that once was politically and religiously enlightened moved further and further to the right. It was this right-wing mood on campus that was blamed for producing the fanatical students from whom Rabin's assassin came. As a result of this bad publicity, Bar Ilan took further steps to distance itself from politics and focus on academic growth.

Today Bar Ilan contains (not without a struggle) the sort of open-minded religious academic environment which is an antidote to the closed, constipated fundamentalism of the sort that wants to deny women an advanced education and which thinks that censoring science is the way either to protect or enhance spiritual values and respect for Torah. Bar Ilan's contribution to Israeli life in almost every aspect is today inestimable and invaluable. No, I am not a paid apologist for Bar Ilan, or connected in any way. It is just that I believe, and have often repeated, that only the freedom of academia can now save Torah and Orthodoxy from complete submersion under the weight of obscurantism and conformism.

Recently a furor that erupted in the Orthodox world over the issue of sex before marriage. It is common knowledge that even within ultra-Orthodoxy there is hanky panky before marriage—this against a halachic background that forbids premarital physical contact, let alone sex. Of course some rabbis will deny this as strongly as they will deny that anyone lived on earth 6,000 years ago.

It was left Professor Tzvi Zohar of Bar Ilan University, a researcher in Jewish studies, to bring this issue out from under the rug with the publication of an article in the academic journal *Akdamot* in which he argues that leading rabbinical authorities have traditionally sanctioned sexual relations before and outside of marriage as long as the woman immerses herself in a mikvah and the couple have mutual respect. Such relations come under the rubric of a *pilegish*, concubine. This is like having a wife but without the obligations of a marriage certificate, *ketubah*.

The great Chacham Zvi (1658-1718) was asked in the eighteenth century about reviving the idea of the concubine, to deal with the increasing sexual looseness of the Jewish community in Holland. This, it was argued, was better than prostitution or illicit affairs because at least this way one would know the identity of the offspring. The universal reaction of the rabbis of Europe was to reject this solution publicly because it would appear to be formally recognizing extramarital sex, something that was and is inconceivable officially. Indeed some argued that anyway concubinage was something the Biblical tradition reserved for kings only. But what is conceivable, and indeed does happen, is that individual rabbis, when faced with “*faits accomplis*”, find ways of dealing with them. Many marriages are sanctioned in the Orthodox world (certainly in Britain) even where the prospective bride and groom give the same residential address on their application form. And even then the bride is officially described in the *ketubah* as a “*virgin*”. Regardless of the merits of Zohar’s article, what is important is that someone within the Orthodox community has the guts and the independence to raise these sorts of issues from within Orthodoxy. The fact that Bar Ilan offers this possibility and has this atmosphere of open and free expression is absolutely invaluable to the Jewish world today.

A similar furor was created when an Orthodox gynecologist, Dr. Daniel Rosenak, gave an interview in the Israeli Orthodox paper *Hatzofeh* in early November, in which he called for “rethinking” the rabbinic additions to the rules of *niddah* which prevent couples from having intercourse during the menstrual period and for a week thereafter, and which are amongst the most important of Jewish religious laws. Rosenak suggested waiving a 1,500-year-old religious strictness across the board, thereby cutting a couple’s monthly period of sexual abstinence by half, from two weeks to one.

To non-Jewish or secular ears this might sound trivial, but then any religious discussion does. For the religiously observant, however, it represented a revolutionary suggestion. Although Rosenak emphasized that he did not presume to give a religious ruling, he quoted halachic precedents, which suggest that because the added severity of a religious practice derives from custom, rather than law, it may be easier for rabbis to reverse it officially.

Now anyone vaguely familiar with rabbinic ways knows full well you do not reverse laws that easily. But, on an individual basis, rabbis often do find ways of ameliorating difficult situations on a specific rather than a general basis. This is how the system of "She'eylah" works, the tradition of going to a rabbi to ask a question to deal with a specific problem. The answer may well vary from person to person and from situation to situation. In neither of these cases can there be any expectation of change in Jewish law. It would be like expecting rabbis to declare that Judaism does not require one to try to have children in order to accommodate those women who choose not to get married, for whatever reason.

I find it terribly important that such discussions should be held and publicized and the debate be engaged. I know it will not move those with closed minds any more than years of debating the Agunah problem have produced results. But it is important to show that Orthodoxy is not monolithic or monochromatic. It is this tradition that Bar Ilan represents. It is this, in addition to all its other great academic activity, and in addition to the contribution of other academic institutions in Israel, that gives me greatest hope for the sanity of our religion and the future of thinking Orthodoxy.

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