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INTRODUCTION

GENDER, FAMILIES AND TRANSMISSION IN CONTEMPORARY JEWISH CONTEXTS

MARTINE GROSS AND SOPHIE NIZARD*

For over thirty years, social science research on Judaism has highlighted the fact that a multiplicity of contemporary Jewish worlds exists (Bordes-Benayoun, 2015). The international research group *Socio-anthropologie des judaïsmes* (SAJ) has allowed scholars working in this field to meet and give visibility to their work around a few broad themes¹. These themes shed some light on what Jewish identities can mean in a setting with uncertain borders, marked by globalization, individualization and secularization, caught between the temptation retreat into one's identity and the loss of references to Jewish tradition.

This volume is a sequel to the symposium held in Jerusalem in June 2015, organized by the SAJ members Martine Gross, Florence Heymann, Sophie Nizard and Yann Scioldo-Zürcher, by Cyril Aslanov with the support of the Van Leer Jerusalem Institute, and with the support of the CRFJ (*Centre de Recherche français à Jérusalem*), on the theme "Gender, families and transmission in contemporary Jewish contexts".

Since the end of the 1970s, the transformations of the family and of gender relations have gained momentum and led to a serious "rift" (Segalen, 2006). The so-called "traditional" family – married couples with children raised by non-working mothers – *i.e.* the family model that was prevalent after WW2 in people's representations even more than in their ways of life (Dechaux, 2007), is in a state of collapse. The institution of marriage is no longer the only way to enter family life, and blended families, as a result of separation or divorce – what Irène Théry calls "*démariage*" ("demarrying") (Théry, 1993) – have multiplied.

At the same time, changes in women's condition, especially with the generalization of female employment, new means of contraception and the legalization of abortion (Rocheffort & Zancarini-Fournel, 2012), have considerably altered gender relations in the working world, the public domain and, to a lesser extent, in the sphere of family life.

Due to these evolutions, and to the rise of claims by same-sex couples to the right to found a family, due also to the more frequent use of medically assisted procreation or adoption in cases of infertility, conjugal and family models must therefore now be considered in all their diversity and spoken about in the plural form.

Married couples today exist side by side with people simply cohabiting (*concubines*) or with couples in other forms of partnership (the *PACS*, or civil contract of solidarity in France); families consisting of "a father, a mother, children" coexist alongside single-parent, same-sex, and blended families.

These socio-demographic and cultural changes have considerably modified the "parenting condition" (Martin, 2015). Although work-sharing in the home has not changed very much², the trend for fathers to partake in child-care is growing (Castelain-Meunier, 2006). A new definition of fatherhood is surfacing, making room for an idealized relationship which was lacking in the previous model, where the father was principally a breadwinner. Contemporary ways of living together and parenting question society's definitions of how to be a

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¹ Since the creation of the GDRI SAJ (in 2013), the issues and methods of a Socio-Anthropology of Judaism have been the subject of collective brain-storming and certain themes have come to the fore, each one becoming the main topic of a yearly international conference.

² On these questions, see for the French case, the latest surveys of the National French Statistics Institute (INSEE, *Institut national français de statistiques*) http://www.insee.fr/fr/themes/document.asp?reg_id=0&id=3600

parent, of the family, of descent, and in the end of one's own continuity. That is why transmission is at the core of contemporary concerns.

But despite all the changes, surveys show that the family and marriage remain widespread social values. The family is still vested with the mission to socialize the children, to transmit values, names and property.

In France, the recent polemics over same-sex marriage revealed the antagonism of the main religious authorities, who defend a naturalistic conception of the difference between the sexes (Gross, Mathieu, & Nizard, 2011).

As to Jewish tradition, it has long developed normative models of parenting and of women's place in the family and society. Systems of family and gender normativity have durably influenced the traditional Jewish universe, but the norms and the institutions that embody them are today shaky. Individualization – the essence of modernity – is at work in the Jewish world as elsewhere, and new identities are emerging, giving way to phenomena of *teshuva*³⁴ (Podselver, 2010) the return to religious Orthodox observances or conversely, leading some Orthodox Jews to break with their religious practices or their families (Heymann, 2015). New family arrangements also intrude (Barack Fishman, 2014). Mixed unions (Allouche-Benayoun, 2008; Mathieu, 2009) and conversions (Tank-Storper, 2007, 2013; Scioldo-Zürcher & Cohen, 2010) are shaping the Judaism of today (Schnapper, Bordes-Benayoun, & Raphael, 2009).

Even in the most orthodox milieus, the advent of an individualistic and relational conception of the family has led to reorganizing gender relations. Feminism is echoed in the demands of Jewish women concerning the religious institutions, the possibility to access the texts and their role in the public and religious arenas (Bebe, 2001; De Gasquet, 2011; Las, 2011, 2013; Lipsyc, 2008; Vana, 2008a, 2008b). The religious norms themselves are challenged by the changes in the laws in affairs of divorce, same-sex unions (Gross, 2007a, 2007b, 2008, 2011, 2015) and inheritance (Nizard, 2012; Sartori & Guberman, 2014). Also, rabbinic Judaism is confronted by unprecedented questions in affairs of bioethics (Hashiloni-Dolev, 2006): the headway being made in genetics – prenuptial quest for genetic compatibility or pathologies, pre-implant diagnoses – medically assisted procreation (Kahn, 2000) – *in vitro* fertilization, donation of gametes or embryos – surrogate motherhood (Jotkowitz, 2011; Teman, 2010), and the preoccupation with end-of-life situations.

This volume aims to account for what all these challenges signify socially, religiously and culturally, to grasp how in this context, norms are re woven and the transmission of Jewish identities and perpetuation of Judaism in all its dimensions are thought out (Nizard, 2015).

As a way of reacting to these developments, the various currents of religious Judaism have developed a range of contradictory strategies, from duplicating the existing, normative discourse (even to making it more radical) to accompanying the social and cultural changes under foot (Gross *et al.*, 2011). Renewing the reading of texts, practices and rituals, reconsidering the values appear to some unavoidable – the prerequisites for their transmission to take place (Dalsace, 2012, 2013; Horvilleur, 2015; Krygier, 1999).

Multiplying the ways of belonging to and identifying with Judaism contributes to bring about change; the borders of the group begin to fluctuate (Bordes-Benayoun, 2015). Collective memory – one of the dimensions of identity – allows connecting Jews to a “we” that espouses a temporality linking past, present and future. It is nurtured as much inside the families as by the institutions and has become the object of reconstructions after the tragic, historical upheavals: the Shoah, the exile of Jews from Arab countries, Communism in Eastern Europe. Memory has become a crucial stake in the transmission to the younger generations.

This book seeks to analyse, on the one hand, the transformations under way in gender relations and family models in the Jewish worlds of today and how they affect the sense of identity and continuity and, on the other hand, how religious, ethical, and legal norms are woven and re woven in order to accommodate those transformations – or to keep them at arm's length. The contributions tackle these phenomena in different – though tightly interconnected – locations: Israel (where the legal, political and religious factors are more intricately intertwined than anywhere else) as well as the diaspora, where these factors vary depending on the history, the demography and the relationships that Jews establish in their countries of residence.

Four major themes structure the four parts of the book:

- I- The rearrangements of gender relations in contemporary Jewish worlds
- II- The legal, ethical and religious aspects of changes connected to the life cycle: marriage and divorce, procreation and end-of-life.
- III- The transformations of the family and the couple, the multiplication of family models and reshuffling of norms.
- IV- Identities, transmission and memory as stakes in the continuity of Judaism.

The first part is devoted to the rearrangements of gender relations in three different fields. In her article, Nelly Las considers the second wave of feminism that took off in the United States in the 1970s, and how from

³ We have harmonized the spelling of Hebrew words by choosing the one used by most authors in this book

⁴ Generally rendered by “repentance” or “atonement” (translator's note)

then on, women explored the impact of gender on their multiple identities. A significant number of Jewish women started questioning their place as women in Judaism, as well as within the wider society. It gave birth to a sort of mixture of Jewishness and feminism, called currently, “Jewish feminism”. Many women declared that their feminist commitment has played a central role in their lives and has made them rediscover their Jewish identity. One of the interesting questions raised by this paper is the extent to which Jewish feminists have succeeded in transmitting their feminism and their Jewish identity. In other words, is “Jewish feminism” still a relevant issue, or is it a phenomenon bound up with a specific historical context, and hence an outdated concept? How does the new generation relate to gender relations, ethnic identities, religious and cultural traditions?

Exploiting a qualitative survey she conducted among ultra-orthodox families (*haredi*) in Israel, Dvora Wagner analyses the rearrangements of gender relations that have taken place over the past twenty years in those milieus. She notes that many *haredi* men have become active and essential in performing parental and domestic chores. Haredi men’s embrace of domestic roles normally performed by women has changed the *haredi* narrative, introducing a discourse of feminism and modern psychology into many *haredi* families’ consciousness and practices.

Again in Israel, Naomi Marmon Grumet studies the transmission of sexual mores, norms of procreation and gender expectations. She reminds us that in traditional Jewish society, norms and expectation regarding intimacy and sexuality, as well as gendered expectations in the family realm, were passed on from parent to child, in part through transmission of the rules of ritual bath (*mikveh*). Since *mikveh* immersion was incumbent upon women, they were often taught the laws (often called the laws of family purity) in greater detail than men. Thus, there was a gendered emphasis on women’s responsibility. Interestingly, transmission of knowledge was largely by women to women, despite having a strong Jewish legal (*halakhic*) component. In the last 50 years, a new norm has developed. Fewer and fewer individuals are taught by their parents, and the transmission of these laws, as well as expectations within the realm of sexuality and couplehood, has been transformed into a pseudo-profession – premarital counselling (*hadrakhat kallot*). Additionally, there is a growing trend for men to also go through a learning process, calling upon a male counsellor (*madrikh hatanim*) to instruct them.

This qualitative research paper explores these trends in a small sample of the modern Orthodox community– both the substance of what is transmitted in *hadrakhat hatanim/kallot*, as well as the development of *hadrakhat hatanim*. The author wonders what gender messages are given about roles in the intimate realm and in marriage, as well as whether these norms have changed over the last generation. How are men’s responsibilities in these areas related to in the *hadrakhat kallot*? Likewise, is the impetus for *hadrakhat hatanim* an egalitarian view of marriage that sees both partners as equally responsible for the realms of sexuality and procreation, or an attempt to disempower women in the halakhic realm? Are sexual mores addressed explicitly in these classes or implied by the laws of *mikveh*? How are questions of birth control dealt with? And are men and women taught the same things, or is the emphasis in these sessions different?

The legal, ethical and religious dimensions of the different stages in the life cycle are presented in the second part of the book.

In her paper, Geraldine Gudfin investigates how the reintroduction of civil divorce in 1884, immigration from Eastern Europe, and the separation of church and state in France shaped the rabbinical proposals about the *get* (Jewish divorce). The longstanding controversy over the reform of Jewish divorce demonstrates the extent to which changes in French divorce law led to a far-reaching reexamination of the relationship between French and Jewish laws at the turn of the twentieth century.

Concerning the start of life, the new possibilities provided by medically assisted procreation have unleashed an endless debate over the conundrum of deciding who are the father and mother of a child: those who contributed the gametes or those who first embarked upon a project to become parents? (Porquieres, 2009).

In her paper, Liliane Vana tackles the donation of oocytes and surrogate mothers from the point of view of religious law (*halakha*) and bioethics. Depending on whether it is based on sperm or oocyte donation, Jewish law broaches medically assisted procreation (MAP) differently. When defining the child’s status, the identity of the biological father or mother and the religious rights and obligations of each, each method implies significant legal consequences. The author analyses the new laws that govern oocyte donation and MAP by examining the legal foundations that allow defining the identity of the “*halakhic* mother”. For MAP medical techniques mean that one, two or even three women have participated in the procreation “process”. Liliane Vana thus explores the means by which the *halakha* manages to handle the multiplicity of family models obtaining in our society and the place attributed to the “traditional model” in this new landscape.

Questions pertaining to end-of-life also enter into bioethical thinking. Ruth Levush gives us insights into the Israeli laws that prevail in end-of-life situations and their connections to Judaic norms. Her text bears on the legal evolutions concerning terminally ill patients in Israel. She studies how, to meet the challenge of medical progress that makes it possible to prolong human life, Israel has been obliged to adapt its legal system in order to preserve both its democratic and its Jewish nature. In fact, Jewish law seems to prohibit any act that might curtail a person’s life, but at the same time it does not oblige physicians to prolong life artificially if doing so increases the person’s suffering. How does Jewish law cope with the sacred nature of life, the principle of

personal autonomy and the importance of the quality of life? To answer these questions, the author presents the solution offered by Law 5766-2005 concerning terminally ill patients, adopted by the Knesset in December 2005, and its social consequences.

The third part of the book is dedicated to the transformations of the family and the multiplication of family models. Despite the process of individualization within the family, Sylvie Fogiel-Bijaoui notes that in Israel, institutionalized religious mechanisms provide traditional guidelines in order to produce normative families in terms of marriage, divorce, and children's status. She further offers a tentative explanation for the institutionalization of religious family law in Israel and shows that what it is mainly about is transmitting the idea of nation.

In her article, Martine Gross studies the multiplication of family models from the point of view of homosexual French Jews. Taking off from the history of a gay and lesbian group, *Beit Haverim*, she shows how Jewish institutions in France have moved from "grossly ignoring" simply the possibility of a double identity – Jewish and homosexual – to gradually accepting *Beit Haverim* as an interlocutor. But she also tells the story of the growing awareness among rabbis and the organized community that a compound reality actually exists.

Sophie Nizard takes up the question of the multiplication of family models by examining the case of children adopted by Jewish families in France. She analyses how Jewish families wishing to adopt are perceived by social workers or the physicians employed by the French institutions or agencies in charge of adoption. As soon as it is known that the project to become parents goes along with the will to transmit a Jewish identity to children "from abroad" these perceptions are frequently negative, which can jeopardize the entire adoption process for these families.

Lastly, the fourth part of the book concentrates on questions of identity and memory as being the factors on which the continuity of Judaism in European and American contexts depends.

Joëlle Allouche-Benayoun investigates the "problematic identity" of Muslims having converted to Judaism in France. In her article, the cases of conversion are based on two sorts of sources: testimony in the digital Jewish press (the internet), studying conversion files, and interviews carried out with Muslim men and women who converted or are in the process of converting to Judaism.

In the presently taut context of Judeo-Muslim relations, converted men and women stand by their choice in the name of what they call their "ideological proximity" to Judaism – or to Jews – but they also express their rejection of, or their intention to keep away from, "Islamic excesses".

The problem of the memory of the Shoah is taken up by Laura Hobson Faure from the point of view of its impact on family reconfigurations. She analyses from a historical standpoint the way that Jewish children who migrated without their parents to the United States from Occupied Europe during World War II have received relatively little scholarly attention. Her paper focuses on one group of Jewish children (primarily from Austria and Germany) who experienced multiple migratory experiences: first in France as the wards of the *Oeuvre de Secours aux Enfants* (OSE), and then in the United States, where they lived in foster care. Using a corpus of children's writings and correspondence, this paper questions how multiple experiences of migration in extreme circumstances, in which children were separated from their birth families and then cared for in collective homes and then foster care, reconfigured Jewish families. Was the nuclear family model replaced by a collective familial model, as exemplified in the OSE children homes? If so, how did young child migrants experience their dispersion in foster-care in the US? To what extent did gender influence attitudes on and processes of family reconfiguration? Exploring how family was reconfigured among these children sheds light on an understudied phenomena: the genesis of Holocaust survivor networks in the United States. Exploring how these children coped with losing their birth families and recreated new bonds during the Holocaust allows Laura Hobson Faure to contribute to the larger debate on the reconfiguration of the Jewish family after World War II and in the contemporary period.

Lastly, the circumcision ritual gives Muriel Katz the opportunity to study the psychological processes at work in contemporary "bricolages". As a ritual act accompanied by words, circumcision aims to introduce the baby both into the family group and the community. But, like many other commandments governing traditional Jewish life, the birth ritual is today often subjected to a complex tinkering ("*bricolage*"), apparently a compromise between loyalty to the ancestral, cultural heritage transmitted and the desire to integrate a national community. In mixed couples, these affiliation procedures are made even more complex by the parents' double cultural heritage. Identity markers such as circumcision and given names therefore become the subject of an original mixing process aimed at acknowledging both lineages. Based on a body of interviews with Jewish persons living as mixed couples, the author highlights the main intra- and inter-psychological processes underlying such bricolages and what is at stake in terms of the continuity of Judaism.

Finally, by calling upon various disciplines of the humanities and the social sciences and carefully inspecting the concrete fieldwork carried out in Israel as well as the diaspora, the volume allows us to see the transformations ongoing in matters of gender, family and transmission in the Judaism of today. Our hypothesis is that taking the reshufflings and their subsequent diversity into account is one of the main conditions for continuity to exist.

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