UNDER REVIEW

AN EXTRAORDINARY ACCOUNT OF A HASIDIC ENCLAVE

A new book, "American Shtetl," charts how a group of ultra-Orthodox Jews created a separatist territory in upstate New York.

By Gideon Lewis-Kraus

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Photograph by Jackson Krule

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In an old joke, a secular Jew sits down on a park bench next to a man with a large black hat and a long black coat. The secular Jew turns to the darkly garbed man and says, "What's the matter with you Hasids? This isn't the Old Country—it's the modern world. You people are an embarrassment to the rest of us." The man turns around and says, "Hasid? I'm Amish." The secular Jew immediately replies, "It's so wonderful the way you've held on to your traditions!"

The joke turns, most obviously, on the tension between assimilated Jews and their sectarian counterparts, the same dynamic that inspired the black comedy of Philip Roth's early short story "Eli, the Fanatic." But, in the decades since Roth's story was published, the changing American context has given the joke a broader, secondary drift. What resonates in the exchange now, beyond its Jew-vs.-Jew antagonism, is the insinuation that ultra-Orthodox Jews somehow don't count as legitimate traditionalists.

Contemporary critics of the political order—most often from the right, though also from precincts of the left—have gained purchase with an increasingly bold case for the spiritual or moral bankruptcy of liberalism. Such figures as Ross Douthat, Adrian Vermeule, Patrick Deneen, and David Brooks share, to varying degrees, the conviction that the axioms of liberal thought—an emphasis on individual rights and individual prerogatives, a definition of freedom as negative liberty, and a corresponding faith in market mechanisms to serve and regulate the interests of the private sphere—have undermined the values of traditional communities, and thus have corroded the civic virtues that ought to make liberalism function; liberalism, in other words, contained the seeds of its own undoing. They survey the cultural landscape and see, in the absence of strong, shared moral commitments, an ignoble free-for-all of decadence and rot.

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What, then, is to be done? At the end of the book "Why Liberalism Failed," Deneen, a conservative political scientist at Notre Dame, suggests that those who seek to renovate a bygone moral decorum are best off if they "avoid the temptation to replace one ideology with another. Politics and human community must percolate from the bottom up, from experience and practice." A modest, pastoralist localism might outcompete the depraved cosmopolitans; rather than attempt to raze Sodom, we could instead choose to live in "intentional communities that will benefit from the openness of liberal society. They will be regarded as 'options' within the liberal frame, and while suspect in the broader culture, largely permitted to exist so long as they are nonthreatening to the liberal order's main business." Vermeule, a conservative scholar at Harvard Law School, agrees with Deneen's assessment but considers his prescription altogether too quietist, proposing instead the cultivation of clandestine agents who might "come to occupy the commanding heights of the administrative state," where they "may have a great deal of discretion to further human dignity and the common good, defined entirely in substantive rather than procedural-technical terms." (One can't help but think of jurists like Amy Coney Barrett.) Brooks, a commentator, has fewer qualms about liberalism per se, and thinks the focus ought to be on the renewal of a culture of civic righteousness.

None of these diagnoses are new, which is in part the point. Their proximate antecedents can be found in the late seventies and early eighties, with the rise of

communitarianism, a family of related ideas that describe how liberalism fails, philosophically and practically, to generate and sustain the kinds of moral communities that provide society with structure, the self with grounding, and life with meaning. Part of the current appeal of communitarianism is that it was always a big-tent phenomenon. Religious critics can draw on Alasdair MacIntyre, who decried a culture dominated by "the rich aesthete, the therapist, and the manager"; cultural conservatives have Robert Bellah; more pragmatic moderates can reach for Michael Sandel; and dirtbag-left types have helped to resurrect the work of Christopher Lasch, who contrasted the dignified fraternity of workers with the preening vulgarity of restless "élites."

What's odd about this recent nostalgia for a previous generation's nostalgists is that, in roughly the time since the publication of MacIntyre's "After Virtue" (1981) and Sandel's "Liberalism and the Limits of Justice" (1982), one group of people has managed precisely the trick that liberalism is understood to thwart—and they have done it, no less, with the tools of liberalism itself. They live in a close-knit intentional community in a rural county; they are scrupulous in the maintenance of a highly restrictive moral code; they have their own representatives in the municipal government; and virtually all of them vote, not only in national elections but in every electoral race that might plausibly affect their lives. They welcome visitors to their community with a sign that requests long skirts or pants, covered necklines, and sleeves past the elbow, and which further stipulates "gender separation in all public areas." They are the Satmars, among the most exacting and most successful of the Hasidic dynasties, and they have built, within a daily commute's distance from New York, their own village, Kiryas Joel.

And yet their separatist model, which has not only been tolerated under the aegis of a liberal state but has flourished within it, and which, in its historical particularities, undermines the airy laments of conservative critics, doesn't seem to register as relevant. In a response to Deneen's book from 2018, Vermeule identified the ideal cynosures for his administrative reactionaries as "Joseph, Mordecai, Esther, and Daniel, who in various ways exploit their providential ties to political

incumbents with very different views, in order to protect their own views and the community who shares them." Like the secular Jew on the bench, Vermeule seems to believe that the twenty-five thousand living Mordecais and Esthers who make their home in Kiryas Joel simply don't count.

"American Shtetl: The Making of Kiryas Joel, a Hasidic Village in Upstate New York," a new book by Nomi M. Stolzenberg, a professor of law at the University of Southern California, and her husband, David N. Myers, a professor of Jewish history at U.C.L.A., is an extraordinary and riveting account, based on fifteen years of research, of what has been, with the arguable exception of the state of Utah, the most triumphant separatist enclave in American history. As the authors write in their prologue, the aspects of Kiryas Joel "that appear to be most at odds with American values, most separate from American culture, and thus most indigenously Jewish arose because of, not despite, the American political system." The community's insularity, homogeneity, and political empowerment "were not present in the Jewish communities of Europe, even in their most strictly Orthodox precincts. They are characteristics that have been actively fostered by America's political, legal, and economic institutions."

The Satmar dynasty was founded by the charismatic and indefatigably quarrelsome Joel Teitelbaum, who was born in 1887 in a region of Eastern Europe that was, in the course of his life, traded between Hungary and Romania. In 1934, he came to serve as chief rabbi of the village of Satu Mare, or Szatmár. Stolzenberg and Myers point out that Satu Mare bore little resemblance to the shtetl of myth; Jews made up only about a quarter of the city's population of some fifty thousand people, and the Jews themselves were hardly an integrated bloc. As a child, Teitelbaum was obsessed with the rituals of cleanliness, which he turned into a lifelong intolerance for any spiritual "impurity"; he had special tutors for his Jewish education, which consumed his waking hours, but he studied no secular subjects and was even protected from familiarity with the local vernacular

languages. (His mother had to teach him how to sign his name in Latin characters.) As an adult, he spent most of his energy waging campaigns against other Jews—Zionists, modernizers, and even his ultra-Orthodox co-religionists of sects and dispensations that he considered wayward or compromised. He was, however, happy to compromise with the secular authorities, under the third-century principle, developed in Babylonian exile, of "dina di-malkhuta dina," the equivalent of the dictate to render unto Caesar what is Caesar's; in a famous photograph from 1936, he is shown bowing to the Romanian king, Carol II. This doctrine "undergirded his belief in the benefit of allying with government power in order to promote his community," Stolzenberg and Myers write. "It was this belief that Teitelbaum carried with him as Europe entered into the darkest of historical epochs."

During the Holocaust, however, the rebbe was unable to protect the Jews of Satu Mare, almost all of whom were deported, in the span of twelve days in May, 1944, to Auschwitz. Teitelbaum's deliverance from the Nazis is a source of dispute and considerable controversy—his personal freedom was purchased by a Zionist, who many people believed was an opportunist—and he spent a few months in Bergen-Belsen before travelling to Switzerland, and then Palestine. He arrived in New York, during Rosh Hashanah, in 1946, and made a new home for himself and his remaining followers in Williamsburg, Brooklyn. But he dreamed of the establishment of a walled orchard outside the city, where the Satmars could live and study alone, unscathed by the temptations of secularism and vice.

Despite Teitelbaum's calls for absolute separatism, the men who made up the fledgling community's lay leadership were not only free but encouraged to pursue commercial opportunities—usually import-export, factory production, and real estate—and to develop relationships with local officials, who came to depend on them as a reliable voting bloc. These lay leaders operated as a channel to the outside world, protecting the community's interests without and, within, collecting

and distributing funds for the creation of Satmar institutions—schools, houses of worship, ritual baths.

By the fifties, the Satmar community in Williamsburg was expanding rapidly, and Teitelbaum became convinced that future growth—and the maintenance of stringent observance—required a self-enclosed satellite elsewhere. Other Hasidic groups had begun to demonstrate the viability of the model, in New Jersey and in upstate New York, and Teitelbaum instructed his lieutenants to pursue the same path. The existing enclaves did not seek to establish themselves as political entities. "But they did dwell as more or less isolated pockets within the established boundaries of their towns," Stolzenberg and Myers write. The authors connect the Satmars to broader trends in American life: "In this way, they were an indicator of the postwar pattern of suburbanization that fostered a high degree of residential segregation"—a pattern that developed along racial and economic lines, "one of the defining characteristics of the American suburb."

In 1967, a group of doctors bought a parcel of land in Monroe, New York, about fifty miles northwest of the city, and spent the next five years seeking the necessary approvals—for such municipal necessities as water and sewers—with the town board. In 1972, the land was resold to Monfield Homes, an innocuous name for a front organization owned by Satmar leaders. They knew the locals would be skeptical of an ultra-Orthodox incursion, and they carried out their infrastructural plans in secret. As far as Monroe officials were concerned, they were just developing another subdivision of standard single-family houses. It wasn't until 1974 that the Monroe town board was made aware of flyers in Williamsburg that advertised suburban dwellings as two-family homes. The town board tried to block their infiltration with an invocation of local zoning regulations. But, by then, struggles over exclusionary zoning had become the flash point in civil-rights campaigns to desegregate the suburbs.

The Satmars, Stolzenberg and Myers write, "occupied an ambiguous place in that controversy. In many ways they fit the profile of the typical excluded minority; they were viewed as different, poor, and in need of high-density housing. But they also differed from the typical excluded minority, especially people of color, and shared key characteristics with the typical suburban excluders: they were white, politically favored, able to purchase property, and desirous of living apart from people who were different from them." What was at stake, in the legal conflicts that played out over who was allowed to claim the privilege of collective self-assertion and why, was the very definition of a "group" in a meaningful political sense. "As a community whose difference was not racial but rather cultural in character, they represented an early instance of a conundrum that would bedevil the American courts and American politics for years to come: whether 'lifestyle' differences should be treated as akin to racial groups or religious beliefs, which governments are legally forbidden to exclude—or rather as cultural or economic choices that governments are presumed to be free to promote."

The attempt to answer these questions put the Satmars in a paradoxical position: the path to an existence at a remove from American life necessitated a messy and prolonged engagement with American law. They were, however, quick studies of secular legal strife; they hired the canniest lawyers and shopped for congenial courtrooms. One of the running themes of "American Shtetl" is that the Satmars, even if they remained innocent on a conscious level, were subject to the "unwitting" absorption of American norms, values, and tactics. As the authors put it, "Orthodox Jews who moved to the suburbs may have been largely unaware of the segregationist governmental policies that led to their creation. But they quickly found themselves confronting exclusionary zoning laws, first as victims, when town residents tried to exclude or limit them—and then as beneficiaries, when they learned to control the laws of local government themselves." In November of 1976, they threatened to file a religious discrimination suit, on the ground that the enforcement of exclusionary zoning was anti-Semitic; the local government capitulated, and the Satmars called a vote to incorporate as a village—

which was permitted, in certain circumstances, under New York state law. On March 2, 1977, Kiryas Joel was officially created. The state had bestowed upon the Satmars a legal jurisdiction of their own.

An audience of Satmar men and boys gathered to hear R. Aaron Teitelbaum. Photograph by Jackson Krule

If the Satmars thought their legal travails were at an end, they had another thing coming. The bulk of "American Shtetl" is devoted to the intricacies of the following forty years of legal disputes, one of which—a debate over the fact that the state, in an effort to satisfy the mandates of disability law, had allowed for the creation of what was effectively a wholly Satmar public-school district—went as far as the Supreme Court, in 1994. And just as their exogenous legal battles were getting under way, the rebbe died, appointing his nephew, Moshe Teitelbaum, in his place; in the absence of the founding rebbe's charismatic authority, dissident factions emerged. These dissidents disapproved of the ruling party's hold on both religious and municipal power in the village, which they viewed as a concession to worldly arrangements that the rebbe never would have made, and availed themselves of the legal tools at their own disposal. When they were denied access to the community's public resources, like schools and cemeteries, as punishment for their insolence, they brought their leaders to court on the ground that Kiryas Joel, as a theocracy, was in breach of the establishment clause of the First Amendment.

As the Satmars, inadvertently or otherwise, adopted legal arguments and norms from the American mainstream, the American legal mainstream was moving in the direction of the Satmars. With the election of Ronald Reagan and the rise to prominence of evangelical organizations like the Moral Majority, the tendency in American law began to shift, gradually and then suddenly, away from a strict separation of church and state. The initial phase of the civil-rights movement,

which stressed integration as the prerequisite for equality, gave way to a strong multiculturalist prerogative in favor of equality in difference. At the same time, the Satmars were the legatees of a libertarian influence on deregulation and the protections of property law, as well as principles of local subsidiarity and privatization. Contemporary communitarians, from both the right and the left, maintain that free-market principles inevitably corrupt such traditional values as group solidarity, but Stolzenberg and Myers argue that the Satmars owed the solidification of their separatist agenda to a coalescence of all of these ostensibly divergent factors. As the authors put it, "The American political game both encourages the pursuit of individual self-interest through the exercise of individual rights *and* facilitates the creation of private associations, which enjoy what are in effect collective rights exercised in pursuit of a group's collective self-interest. These rights endow groups with the ability to maintain their separate cultures, live according to their own rules, and exclude people who are not members of their communities."

In other words, the success of the Satmars, in which the crucial liberal distinction between the public and private spheres was almost wholly erased, or at the very least blurred beyond recognition, was a result not of communitarian activism but of the very liberal principles—"individual rights, liberty, and freedom of choice"—that communitarians ostensibly abjure. And they have exploited those principles in exactly the way Deneen exhorts his reader to attempt—from the bottom up. With this insight, Stolzenberg and Myers put their extremely detailed, quasi-ethnographic case study in the service of a broad theoretical end. Although communitarianism and liberalism have often been seen as hostile to each other on the level of abstraction, "in practice American communitarianism has always been intertwined with liberalism. Indeed, at the very same time that communitarian philosophers were lamenting liberalism's baleful influence on groups with nonconforming cultural values, many such groups were using economic and legal tools provided by America's liberal regime to build their own separate communities." Kiryas Joel is now a town of twenty-five thousand people; by 2040,

according to one estimate, it might approach a hundred thousand, making it the world's first Hasidic city. Each year, the town planners know exactly how many additional housing units they will need by counting the number of women graduating from high school, and the village continues to annex new land to support families of twelve or fifteen. As the authors put it in their epilogue, "The Satmars' story offers compelling counterevidence to the communitarians' frequent lament that living in a liberal society makes it difficult, if not impossible, to uphold group boundaries and traditional values."

But, if "American Shtetl" provides an unambiguous historical refutation of the idea that liberalism renders meaningful community impossible, it can also be read as a cautionary tale about exactly how these dynamics are wont to unfold. For one thing, the Satmar ability to secede was predicated on the sect's access to the capital they needed to purchase real estate, a privilege out of reach for many minority communities. For another, the liberal ideal of a healthy community requires that associations are voluntarist—that individuals retain a foundational right to exit; the Satmars have used access to resources, including the custody of children, for the illiberal purposes of coercion, and, though in theory anyone can leave, in practice a departure comes at a tremendous personal cost. (The refusal of Stolzenberg and Myers to linger on these issues is perhaps a nod to how luridly these "liberation" stories tend to be told in melodramatic pop-culture fare like Netflix's "Unorthodox"; the major exception is the Israeli drama "Shtisel," in which characters struggle to reconcile themselves with the community's demands but almost no one soaringly aspires to "freedom.") Hasidic communities are not, after all, bowling leagues.

During their first decade of work on "American Shtetl," Stolzenberg and Myers could reasonably claim that the Satmars' political interventions were largely pragmatic and nonideological; both Mario Cuomo, a Democrat, and George Pataki, a Republican, played important roles in their legal saga, and for the most

part the Satmars' attitude was that one Caesar was the same as any other. In the past few years, however, the community the authors had been studying allied itself en masse with the sweep of American nativism. In 2016, fifty-five per cent of Kiryas Joel's citizens voted for Trump; in 2020, in the wake of their frustration with COVID regulations, Trump received ninety-nine per cent of their votes. "It would be hard to imagine a more imperfect vessel of political expression for the Haredi community than Donald Trump in terms of ethics and comportment," they write. "But he was an agent of empowerment and an assertive leader whose defiance of liberal norms resonated with many in the community." This, along with a "growing affinity between the Satmar community and white Christian conservatives," represents a new epoch in the Satmars' political development. Stolzenberg and Myers wonder whether it will continue or whether the Satmars will revert to their earlier political pragmatism. Perhaps, like many conservative communitarians, they believe that, now that they have exhausted the perks of liberalism, it's the right time to seek a stronger tonic.

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