# RITUALS - OF CONFLICT

Religion,
Politics &
Public Policy
in Israel

IRA SHARKANSKY

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## **PREFACE**

As I write this preface, even after the election of a new prime minister, Israel has not completely recovered from its shock over the murder of Yitzhak Rabin by a religious Jew; and the nation is still reeling from three suicide bombings by Muslims that followed within eight days of one another, killing more than sixty and injuring hundreds. Inquiries into the assassination include investigation of rabbis who called Rabin a traitor for transferring parts of the Land of Israel to Palestinians, likened him to the Nazis, and proclaimed him a fit target for killing. Muslim terror appears to be the work of organizations that oppose the efforts of the Palestine Liberation Organization to make peace with Israel and prefer a state for Arabs ruled according to Islamic law.

Religion is important in the Holy Land, and Israeli conflicts over religion provoke questions that also have relevance for other countries. This book focuses on disputes within the Jewish sector but cannot overlook tensions among Jews, Muslims, and Christians, as well as quarrels between Muslims and Christians. Yet while blood continues to be shed for religion in the place of David's kingdom, the Crusades, and the twentieth-century Israeli-Arab conflict, the picture is not one of simple mayhem. There is a combination of religious intensity and moderation in practice that results from competition among religious interests and between the religious and the secular. Religious issues are nearly always on the public agenda, with shrill demands from both religious and antireligious activists. Typically, neither side wins, and both remain frustrated.

Immediately after the assassination of the prime minister, leaders of Jewish religious and secular communities sought accommodation with one another, but their efforts did not stop several thousand ultra-Orthodox men from gathering in Jerusalem to protest the work of archaeologists studying coffins and bones unearthed at a construction site. (The remains were associated with the Hasmoneans, who ruled Judea for about 100 years from 160 B.C.E.) The leaders of the demonstration invoked curses on the archaeologists that they be stricken with disease and deformities.

Until the assassination, many Israelis—including, apparently, those in the security services—saw religious curses as expressions of spiritual intensity and not as operational plans. A friend with a religious education claims that the ultra-Orthodox are harmless. "They are praying that God will bring a calamity upon the archaeologists. They know 'Thou shalt not murder.'" Yet he cannot promise that individuals among the ultra-Orthodox will not absorb only part of their rabbis' message and do the Lord's work by killing an archaeologist.

Political scientists cannot predict the future. Our craft is to draw lessons from the past that have relevance for the evolving present.

Details of the killing will keep conspiracy thinkers busy for decades. The young man who killed Rabin is a religious Jew and was a law student at Bar-Ilan University, which is governed by religious Jews. The act seemed to be the work of educated individuals motivated by doctrine rather than of a marginal, mentally unbalanced character. It is not clear how many of the young and well-educated religious Jews interrogated by the police in the days after the assassination knew about the plans to kill the prime minister and participated in them. The media reported that one religious nationalist who was active in antigovernment demonstrations was a paid informant of the security services and may have contributed to anti-Rabin sentiment as an agent provocateur. Some left-of-center politicians used a broad brush to paint religious Jews, nationalists, and many right-ofcenter secular politicians as indirectly responsible for the crime. Rabbis and right-of-center party leaders said that leftist secular Jews who do not understand rabbinic writings were carrying out a witchhunt that threatened religious freedom and political opposition.

Should the curses of the ultra-Orthodox against the archaeologists be viewed as serious threats or dismissed as just another demonstration in the running conflict between the pious and the archaeologists? Does the confluence of the assassination and the demonstration of the ultra-Orthodox mark Israel as a remnant of the dark ages that should be disqualified as a democratic regime? Or is it similar to the United States, where religious extremists threaten and occasionally kill abortionists, but where state institutions prosecute illegality and maintain a reasonable degree of civil order?

A substantial majority of the Israeli population is indifferent to religion or opposed to the religious agenda. But Israel has prominent religious sectors; those sectors do not agree on issues of doctrine, political strategy, or tactics. Ritualized conflict appears time and again. Religious and antireligious activists both charge that their opponents have violated the declared policy of status quo—no

change in public activities concerned with religion. The conflict may rise from a demand to close a road on the Sabbath and religious holidays, opposition to the sale of nonkosher food, the display of immodest posters in public places, or opposition to the work of archaeologists. The ritual includes demonstrations and counter-demonstrations, with each side accusing the other of anti-Semitism; great noise and terrible curses; a low level of violence with fists, sticks, stones, and garbage; and efforts by religious and secular leaders to calm their followers by referring to ancient civil wars that weakened Jews in the face of foreign enemies. Subsequent stages involve leaders' efforts to reach an accord and a cooling of tempers. The resolution is not likely to satisfy either religious or secular activists, and the same basic issue will surface again in different circumstances.

The stalemate that has marked religious-secular disputes in Israel resembles that in other democracies. Zealous Jews are strong enough to put their issues on the public agenda, create occasional disturbances, and win concessions on individual issues, yet they do not dominate Israel any more than zealous Christians dominate the United States or other democracies.

Like other lessons of political analysis, this one is subject to reexamination and revision. We will know the lesson has been learned only when Israeli governmental institutions prove themselves capable of isolating extremists, and a significant proportion of religious leaders do what they have promised in the aftermath of the prime minister's assassination: emphasize the value of human life in religious education and exclude deadly violence from religious disputes.

At least in the short run, the work of Muslim extremists has helped the Jews deal with their religious problems: Both religious and antireligious Israelis have issued calls for Jewish unity against the common enemy. The government has responded to Arab terrorism by indicating that Israeli security forces will continue to operate in areas transferred to the Palestinians.

Terrorism seems to have been one of the elements in the success of the Likud candidate for prime minister in the elections of May 1996. The election was the first to use a system that provided Israel's voters with two choices: one a direct selection of the prime minister, and one a choice among the political parties contending for control of the Knesset. The change in the electoral system complicates any analysis of why Israelis voted as they did. Issues in the campaign may provide some of the explanation, but also important may have been the voters' response to the electoral reform in a way that added to the strength of small parties, including the religious parties.

Religion per se was not a prominent issue in the campaign, but it may have figured in how some voters viewed the issues of peace and security. Likud was a party with a traditional nationalist appeal, with a historic concern to maintain Jewish control over the Land of Israel. Benjamin Netanyahu won by the thin margin of 50.4 percent of the valid votes (against 49.5 percent for the Labor Party candidate, Shimon Peres). Almost 5 percent of the voters cast blank ballots, indicating dissatisfaction with both candidates. Early analyses indicated that support for Netanyahu was especially strong among "religious" and "traditional" Jews (terms we will clarify in succeeding chapters) and indicated that he outpolled Peres among Jews generally by about 11 percent.

This book went into production just as the prime minister elect was preparing his government and its program for the Knesset's endorsement. Netanyahu's rhetoric promised a continuation of the peace process, but with a more cautious approach than that of the preceeding government. The election results increased the number of Knesset seats held by religious parties from sixteen to twenty-three. The statements of their leaders indicated both a concern to achieve key items on a religious agenda, and a desire to calm secular Jews who feared a threat to their lifestyles. Secular members of Likud, as well as members of other parties likely to be in the government coalition, were poised to resist any far-reaching moves by religious politicians.

It was not a time to risk prophecy, except to predict that religious issues would continue to excite the state created by Jews in the Promised Land.

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# 1

# THE POWER AND LIMITS OF RELIGION

Sometimes, religious Jews have used violence in an attempt to thwart a peace process that was transferring parts of the Land of Israel taken in the Six Day War of 1967 to a Palestinian Authority. And Muslim suicide bombers have acted against Jews, apparently because the Palestinian Authority was willing to accept only part of "Palestine," or because the Palestinian Authority would not be governed as a religious Islamic state. More than sixty people were killed in Jerusalem and Tel Aviv during an eight day period in March 1996. In both Jewish and Muslim sectors, there were religious leaders who condemned violence (or waffled as they expressed understanding for the suffering of killers that led them to violence).

The assassination of Prime Minister Yitzhak Rabin in November 1995 by a religious Jew led some Israelis to fear that violence would overwhelm the already tense relationship between religious and secular Jews. However, what had the potential to begin another religious war in the Promised Land may prove to have been only a blip in a setting where there is much conflict about religion, but where religious interests seem unable to determine major issues of public policy. Religious Jews are themselves divided on the issue of giving up parts of the biblical Land of Israel for the sake of peace; they also encounter strong opposition from secular Jews, some of whom are markedly antireligious.

Conflict about concessions to Palestinians set competing clusters of religious and secular Jews on each side of the debate as to whether Israel should offer more or withhold further agreements pending a cessation of Palestinian violence. It appears that most religious Jews oppose any transfer of the Land of Israel to non-Jews, but some do support such a trade. Many ultra-Orthodox Jews are indifferent to the peace process. They can live under any secular regime that allows them to practice their faith, in homogeneous neighborhoods. Muslim extremists may have settled, at least for a while, the conflict among Jews about the Land of Israel: If Israelis generally come to regard themselves as locked in another struggle with Arabs, the further

transfer of land to Palestinians may come to a halt—and with it the peace process.

Most Israeli disputes about religion do not involve land or international politics. They concern public policy about Sabbath observance, kosher food, opportunities for secular marriage, divorce, burial, abortions and other medical practices, archaeological research at ancient graves, the definition of who is a Jew, and the rights of non-Orthodox congregations and their rabbis. If we focus on the plight of individuals, we can see many Jews who suffer because the state does not enforce religious law strictly enough. Others suffer because the state is too Jewish in character. If the focus is on the society as a whole, we find a standoff between religious and nonreligious activists.

This book concentrates on issues of religion and public policy disputed among Israeli Jews and includes other religious issues in Israel involving Muslims and Christians; and it links the discussion of Israel to what occurs in other societies. Even though Israel's place in the Holy Land and its status as a Jewish state appears to ensure religious activists prominent roles in policymaking, my thesis is that the politics of religion in Israel resembles the situation in many other democracies: Religious activists in Israel are powerful enough to put their demands on the agenda but not strong enough to dictate their outcomes. Disputes repeat themselves often enough to be ritualized. Issues reach a level of considerable intensity, then disappear without a clear resolution. The same basic problem returns again with variations in detail. Both religious and antireligious activists seek to arouse their supporters with claims that their antagonists are gaining control, but neither is able to dominate the other.

### PROCLAMATIONS OF GOD'S DEATH HAVE BEEN PREMATURE

A similar picture appears in other Western societies. While some see religion as outmoded, others recite the laws of God that must prevail. Religious issues are prominent topics of public dispute, and both religious and antireligious activists remain frustrated by the outcomes.

For 200 years academics and commentators have proclaimed God's death. The rise of anticlericalism in eighteenth-century France, the twentieth-century Soviet Union, and elsewhere set increasingly powerful states against religion. What authoritarian governments could not do was to be done by the popular education of democra-

cies. However, in some democracies, biblical literalism had a strong hold, as was confirmed by the verdict in the 1925 John T. Scopes trial in the United States.

Religion is a thriving focus of popular observance and academic inquiry. Much religious research is set in the United States, and it describes and explains the continued vitality of faith. The topic is especially fascinating in a society where official neutrality with respect to religion and economic traits that seem to push the society toward secularism exist alongside a high level of religious belief and practice.<sup>1</sup>

Surveys find that over 90 percent of U.S. citizens profess a belief in God, almost 80 percent say that religion is important to them, more than 40 percent are likely to have attended a religious service within the past week, and about the same number say that they pray daily. Between one-third and two-thirds report that they have witnessed a miracle, felt the direct presence of God, or had one of their prayers answered.<sup>2</sup> Harold Bloom used the terms "religion-soaked" and "religion-mad" for U.S. society.<sup>3</sup> Violence in the name of religious belief occurs not only in the Middle East and Northern Ireland but also in the United States with the killing of physicians and others working in abortion clinics.

The United States has a reputation as an advanced industrial society extreme in its religiosity, and in that regard it is not unique. Table 1.1 is based on data from surveys conducted in the 1980s; the majority of countries studied were Western, economically advanced, democratic societies. In nine countries, more than 30 percent of the respondents claimed to attend church weekly; in seven, at least 65 percent felt religious; and in six, at least 90 percent said they believed in God. Even in the Scandinavian countries, where the level of church attendance was low, over 50 percent of the respondents claimed to believe in God. Emile Durkheim may have been right when he wrote in 1915 that no society is without religion.<sup>5</sup>

Enlightenment is a term used to summarize events marked by the ascendance of science and education and the expected retreat of religion. When discussing the Enlightenment, it is common to focus on the eighteenth century, but important episodes occurred as early as the sixteenth century, and they continue to occur in the late twentieth century. Luther, Copernicus, and Galileo did their work in the sixteenth century; Newton in the seventeenth century; Darwin, Freud, and genetic engineers in the nineteenth and twentieth centuries. Parallel to scientific development has been the achievement of greater individual freedom in the political sphere, such as that gained by the American and French revolutions, and the realization that concepts

Table 1.1 Measures of Religiosity: International Comparisons from 1981–1983

	Percentage attending church weekly	Percentage who feel religious	Percentage expressing belief in God
Australia	17	58	80
Belgium	30	69	76
Britain	14	53	73
Canada	31	74	91
Denmark	3	56	53
Finland	3	51	_
France	11	48	59
Germany	19	54	68
Hungary	11	42	44
[celand	2	67	77
Ireland	82	63	95
Italy	32	80	82
apan	3	24	39
Mexico	54	74	97
Vetherlands	25	63	64
Northern Ireland	52	58	91
Norway	5	43	68
South África	43	69	95
Spain	40	62	86
Sweden	6	32	52
United States	43	81	96

Source: Adapted from Robert A. Campbell and James E. Curtis, "Religious Involvement Across Societies: Analysis for Alternative Measures in National Surveys," *Journal for the Scientific Study of Religion* 33, no. 3 (1994): 215–229.

like *good* and *justice* do not come fully prescribed from the Almighty or ancient religious doctrines but vary in character from one cultural setting to another.<sup>6</sup> The direction of these movements has not been unidimensional; there have been changes in pace and steps backward. We should remember that historians and social scientists describe reality by means of abstractions that are never perfect and vary greatly in their capacity to incorporate all the important details.

It appears that science has gained the upper hand over religion, but its victory is by no means total. There is widespread respect for verifiable material observation that derives from science on the one hand and faith about basic truths derived from religious doctrines on the other hand. If there is a conflict between religion and science, it appears to be a standoff or a game with a chronically tied score.

Reports of religious resurgence seem to be as far off the mark as descriptions about God's death. Some major Western denominations have been losing members, while others are gaining. New religious movements tend to lose many of their affiliates after a year or two. Eastern European churches have shown increased vitality after the Soviet collapse. Rather than a clear trend toward secularism or religion, an overall stability of religiosity, along with indifference toward religion, anticlericalism, revival, and religious creativity, seems to characterize Western societies.<sup>7</sup>

It is part of the U.S. puzzle that religious interests can keep issues of the greatest emotional content on the political agenda but not to achieve their enactment. Shifting alliances of groups with contrasting doctrines occur alongside head-on clashes among opposing camps.<sup>8</sup> Issues of abortion, school prayer, sex education, the teaching of evolution, pornography, and the rights of homosexuals are given religious overtones. A lack of clarity or finality in court decisions about placing a manger scene or a menorah in a public place add to the sense of unresolved tensions among religious communities and between the religious and antireligious. The rhetoric of activists emphasizes a struggle of polar extremes. However, the reality is negotiations, partial victories, and continued frustration rather than stunning achievements of either religious or secular interests.

### RELIGION IN THE JEWISH STATE

Israel is an intriguing site in which to examine the role of religion in politics. In several ways it is a polar opposite of the typical Western democracy. Founded in 1948 and declared a Jewish state, Israel stood against the trend of breaking the church-state nexus that had prevailed for more than a century in Europe and North America. The forms and practices of government render Israel a democracy, but several of its population groups are not Western, or only recently so. Jews who migrated in the 1940s and 1950s from North Africa, the Balkans, and Asia, together with their descendants, now comprise more than one-half of the Jewish population. These groups are called "Oriental (i.e., Eastern) Jews" or "Sephardim" (after the Sephardi, or Spanish ritual followed in their synagogues). Sociologists who study Israeli communities find that these Jews are experiencing a similar acculturation of post-Enlightenment influences in Israel that many European Jews experienced a generation or more before migrating to Israel. Seventeen percent of the population is Arab, and some 10 percent of the Jewish population is ultra-Orthodox (or haredim, meaning

awe-inspired or God-fearing). Ultra-Orthodox youth learn little or no science, mathematics, secular history, or humanities.

Israel's history ensures a prominent role for religion. It is located more or less in the same place that produced the Hebrew Bible and set the Jews on their course. Its independence in 1948 came only three years after the Holocaust, whose religious significance is an issue of dispute and pain. The period 1945 to 1967 saw a change in Jewish fortunes from victims to victors, a mass migration of Jews that recalled the return from Babylonian exile described in the biblical books of Ezra and Nehemiah, and the uniting of Jerusalem under Jewish rule for the first time in two millennia. Believers saw these events in the context of Judaic themes of redemption. Nonreligious and antireligious Zionists also saw parallels with the Hebrew Bible. Even those Israelis who were uncomfortable with the extent of the success viewed it in the context of Jewish history: They worried about the intensity of Arab enmity toward Jewish conquerors and the capacity of Jews to govern non-Jews. 10 Israel's Declaration of Independence defined the state as Jewish and promised equality to Israelis regardless of ethnicity, religion, or sex.

### Religion and Judaism

Religion and Judaism are terms too complex for simple definition, especially when each is viewed in the context of the other. The dictionary defines religion as a recognition or belief of some higher unseen power that is entitled to reverence, worship, and obedience. Scholars quarrel as to whether the power must be supernatural: Must some form of God be involved, or may the unseen power be a moral value, as viewed by humanists, or a dynamic of history, as viewed by Marxists?<sup>11</sup> There are also quarrels about differences between religion, sect, and cult.<sup>12</sup> Another set of controversies focuses on whether the doctrines of religion actually guide their communities' beliefs and behaviors. By one view, culture is likely to be dominant: Religious leaders pick and choose among the variety of doctrines and emphasize those that suit their surroundings.

More clearly than any other major religion, Judaism combines ethnicity with doctrines in ways that challenge simple description. Jewish humanists, agnostics, and atheists are no less at home in Israel than the ultra-Orthodox and mildly religious. A great diversity of doctrine and practice reflects the long history of Judaism and its spread through many cultures. Jacob Neusner claims to identify eight varieties of Judaisms, but he seems to identify at least ten: that which

preceded the Judaism of the dual Torah, which Neusner dates from the fourth century C.E.; the Judaism of the dual Torah; Reform, Orthodox, and Conservative Judaisms; Zionism; Jewish socialism; American Judaism; Israeli Judaism; and a Judaism of "reversion" that advocates a fresh encounter with the Judaism of the dual Torah. The dual Torah refers to the written Torah—that is, the first five books of the Bible—and the oral Torah. The oral Torah is the accumulation of rabbinical commentaries on the written Torah and religious law derived from it. In writing about the Jewish experience in the United States, Neusner confuses his own concepts by asking if it is Jewishness without Judaism. He calls some efforts of American Jews "grotesque" but concludes nonetheless that they represent the efforts of Jews to survive that so far have been successful.<sup>14</sup>

The Hebrew Bible marked the birth of Judaism and is its root document. 15 Many see it as the source of revealed truth, but its truths are plural in the extreme and more likely to be topics of dispute than of agreement. Ancient and modern rabbis assert that a complete Torah (oral and written) was provided to Moses in Sinai and that they only add commentaries on their understanding of Torah. These claims should be viewed as statements of faith and doctrine. Scholars make a persuasive case that the written Torah as well as other portions of the Bible changed over the course of ancient history and that the oral Torah continues to change. A modern rabbi writes that the approaches used to interpret the Bible are too many to summarize and that the concept of the oral Torah serves "the function of keeping the canonical written Bible a fluid text through endless commentary and interpretation."16 A related view is that the Hebrew Bible reflects numerous streams in the evolution of ancient Judaism and that rabbinical Judaism has continued the evolution in a plurality of streams.<sup>17</sup>

The Bible introduces numerous disputes and leaves them unresolved; it is as if the editors agreed to disagree. The text we read emerged from a process of tales that were transmitted orally, written, and rewritten over a millennium or more. The Bible both glorifies and condemns the monarchies of the Israelites. Some books and verses emphasize ethnocentrism (the benefits to be received by God's chosen people), while others are universalistic. Universalistic passages express God's concern for Israel's neighbors, and the roles that converts and their descendants have played in Israel. Scholars have been writing about the Bible since ancient times, seeking to convince one another of their interpretations.

The character of the Bible is a fitting beginning to the Jews' history. From their first appearance in the Promised Land, the people who were first called Hebrews, then Israelites, and then Jews have

had to accommodate themselves to foreign neighbors and outsiders more powerful than themselves. Jewish survival has been maximized by intellectual flexibility, creativity, and a capacity to deal with ambiguities and uncertainties. Several scholars believe the Hebrew Bible and Judaism provide provocative questions without final answers. Gabriel Josipovici writes: "Christianity expresses profound desires and suggests that these can eventually be fulfilled. The Hebrew Bible refuses that consolation." Aaron Wildavsky makes a similar point when writing about Moses' leadership:

[There was not] a series of successful solutions but rather a set of perennial problems that may be mitigated from time to time but can never be resolved. [In his search for the ideal style of leadership] Moses moves through several political regimes, seeking but never finding the ideal balance among them. In the same way, Jews are commanded to seek God, though they will never find him; the journey is as important as the destination.<sup>19</sup>

Since the biblical period, there have been changes in the Jews' rituals, doctrines, communal governance, issue agendas (i.e., the problems that Jews argue about), and styles of politics. Studies of Jewish communal government in different periods and countries show varieties of self-rule, dependence on, and autonomy from Gentile authorities. Jewish communities in ancient times, in both the Promised Land and the Diaspora, began the process of finding in the Bible the themes that served their needs. Lionel Kochan adapts a Talmudic passage, based on a phrase in Deuteronomy, to his own study of Jewish communities in Berlin and London: "The Torah is not in heaven, but it is in Berlin and London, as much and as little as anywhere else."

With hardly less vitality and creativity than their biblical ancestors, modern Jews have adapted to a variety of cultures and have developed numerous perspectives about themselves and their surroundings. According to the U.S. rabbi Abba Hillel Silver:

In the Bible and Talmud the doctrines of Judaism are nowhere presented in the unified form of a treatise. They are broadly diffused in prophetic utterances, legal codes, history, poetry, precept, parable, and drama. . . . Men enamored of compact systems will have difficulty in grasping the essence of Judaism. . . . Judaism is no more the product of any one country than it is the product of any one age. . . . It is the emergent spiritual way of life of a historical people. . . . It possesses the unity not of a system but of a symphony. <sup>21</sup>

The categories of Conservative and Reform Judaism describe most of the Jews in North America. Surveys of Israeli Jews tend not