

Jewish Political Theory

by: Rabbi Jeremy Rosen

It is often said that neither the Bible nor Judaism has a theory of politics or, indeed, of political systems. Neither is true.

For two thousand years, Jews lived under political systems where, even when they had a degree of communal political self-rule, it was always subservient to the ruling powers and systems of their host lands.

After all this time, Israel has given the Jews an opportunity for self-rule and the resurrection of a specific Jewish way of political government. But Israel today is a secular democratic state which runs according to other non-Jewish systems and models of practice (with a small element of Jewish Law – mainly on personal issues). So, what do I mean by a Jewish political theory or system?

The Torah, which many like to describe as containing a Jewish constitution (and much more), has moral and civil codes. But it gives a range of different models of political leadership systems. Moses (and Joshua who succeeded him) was an absolute dictator appointed by God. And although he was able to call on Divine support, he had to face constant challenges and rebellions. It was his father in law, Jethro, who first suggested he appoint a council of seventy elders to help him govern. Which was, of course, the model for the Sanhedrin – meritocratic appointments based on sterling character and expertise (in theory).

Yet Moses welcomed dissent so long as it was framed respectfully, and the motives were not a selfish grab for power. In the Book of Numbers, Chapter 11, when Eldad and Medad started prophesying outside the Tabernacle, Joshua wanted to get rid of them. To which Moses replied, “Don’t be zealous for me. I wish God would give prophesy to all the people and give some of His spirit to every one of them.” A refrain echoed by Miriam, Aaron and, in another context, Korah in Chapter 16.

But the Torah also gives other models: the aristocratic and hereditary priesthood, tribal leaders, judges, kings, priests and prophets. It is as if the Torah is intentionally saying that there are different models of governance that may be suitable at different times and conditions. And that there is nothing wrong in borrowing systems of rule from other peoples and

civilizations so long as the Torah remains the touchstone. And indeed, over the years, the Israelites experienced all of these at different times.

Even a thousand years ago, Maimonides tried to impose a single model – that of the male king. Previously Jewish states were ruled over by females, by councils and by judges and prophets. Where appointments were hereditary or decided by men, they tended to keep them to themselves. But in the realm of prophecy, where a person was not appointed or elected but emerged on the basis of charisma and personal qualities, you can find female representation. We don't have prophets anymore. I wish we had a woman prophet telling some of the rabbis that they had misunderstood the Divine Will.

In 2017, Moshe Halbertal and Stephen Holmes published "The Beginning of Politics: Power in the Biblical Book of Samuel." It analyses the emergence of a specifically Israelite political system as expressed in the Books of Samuel. It is well worth reading. To quote from them...

"Whenever retaining holding on to high office, rather than realizing an ideological vision or implementing a political program, becomes the dominant aim of politics, sovereign power becomes for its wielder an end in itself, even while being publicly justified as a means for providing collective security. Although power is always justified to subjects as a means of repelling foreign conquest and attaining other collective goods, for the one who exercises it, sovereign power may easily turn into something desired for its own sake. This inversion of a means into an end, all too common now as then."

In the Ancient and Near Middle East, the King was God on earth. The ancient pagan gods had other concerns. The king's palace, the temple and the judiciary were part of one system and located in proximity under the control of the king. Which is why, in the Bible, so much of the language of God's control and authority is framed in a contemporary style borrowed from surrounding monarchial promises to protect and benefit the loyal while threatening dire consequences of rebellion.

The Mosaic model was that God was the King. Any human leader was subject to His authority. Moses and Joshua were simply His agents. "Don't complain to me. Turn to God." The Judges who came after all claimed to be God's representatives and servants but, as the Bible says, "In those days each person did what he thought was right." The transition to a monarchy, as described in the Book of Samuel, introduced Israelites to a new reality where kings acted to protect their own power and authority often in contravention of the Torah. As, sadly, had many of the Judges and Priests.

The Torah transitioned from the pagan (the king is a god) to the Biblical God as the only authority. Human kings were supposed to uphold God's law. The split into rival kingdoms after Solomon's death accentuated the division between pagan Israel and faithful Judea (though not always). The rule of King gave way in exile to the influence of councils. During the Second Temple came the transition from Ezra's meritocratic councils to rule by a self-serving priesthood followed by the Hasmonean experiment that started so optimistically but descended into corruption. And the end of autonomy.

After the Roman wars, Jews were confined to running their own communities. And this was when the Babylonian Shmuel introduced the principle of *Dina DeMalchuta*, the "Law of the Land is the Law" in civil matters, as an accommodation. In many communities both in the west and the East Jews ran their own affairs. The best known and documented example was the Council of the Four Lands. From 1580 till 1764 it was an authority of Jews governing their own communities of Greater and Lesser Poland, Galicia and Volhynia. But all such councils or committees were circumscribed and subject to superior authority and abolished when it suited the powers. Which explains why no philosophical theories of Jewish autonomy were either needed or allowed.

The late Daniel Elazar (1934-1999) was prominent amongst those scholars who put the study of Jewish political philosophy on the map. As well as my contemporary Professor Stuart A. Cohen. In recent years, innovative thinkers have continued the task. Joshua I. Weinstein of the Herzl Institute just published a fascinating book "Plato's Threefold City and Soul" (Cambridge, 2018). In an earlier essay "Yishuv Medinah and a Rabbinic Alternative to Greek Political Philosophy" he says that:

"The Greek tradition of political philosophy, with its prominent focus on the forms of government, should be distinguished from the discourse typical of many rabbinic sources, with its concern for collective goals. This discourse commonly deploys broad, mid-level goals to mediate between abstract theology and practical law. Among these goals, *yishuv medinah* (statecraft) focuses on the economic and social development of a region or district, articulating the character of local needs. This is compared to related goals such as *yishuv ha-olam* (human settlements and interaction) and *tikkunha-olam* (an orderly society) are contrasted with Aristotle's approach, which in many ways typifies the Greek tradition.

In general, the Biblical and Rabbinic world views always emphasized the idea of *Kedusha* (holiness, doing the right thing) which was much more of a personal commitment to follow God rather than the State. Obligations rather than rights. Although *Mishpat* is a commitment to Law, it is still modified by the greater commitment to *Hessed*, or *Tsedaka*, doing the ethical. Which I

think we could do with a dose of in our current political climate where we seem to focus on our own needs and have lost the value of both integrity and objectivity as we cluster in our little mental ghettos!

I do not believe the Bible would have adopted any specific modern political theory of the right or the left in its entirety. All political institutions need to accept moral constraints. But the Torah places personal responsibility for society and the welfare of its members of all classes, on the shoulders of all its citizens whether rich or poor, gifted or not. Everyone has a part to play. That is the ultimate goal of humanity. Regardless of any temporal panacea that history, political philosophers or ideologues have, or may in the future, throw up. Which is probably why, so far, it has yet to be achieved.