CONTEMPORARY RELIGIOUS LIFE AND THOUGHT IN ISRAEL

TRANSLATION OF ARTICLE

POLITICAL AUTHORITY AND STATE IN JEWISH THOUGHT

by

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JEWISH TRADITION AND DEMOCRACY

Does Jewish tradition contain the elements necessary for building a democratic state? There was widespread doubt on this point at the rise of modern Israel. More than seventeen centuries of Diaspora life, though displaying elements of democratic rule, were ill-suited for the development of political concepts. It is ironic that whereas Gentile statemen and philosophers found in the Jewish heritage fertile ground upon which to nurture their political ideologies, the creators of modern Israel regarded themselves as lacking in the necessary ideological tools.

The idea of Covenant peculiar to the political ideology of ancient Israel is contemporary with Abraham who was destined to become a "great and powerful nation," in the knowledge that "he will command his children and his household ... that they shall keep the way of the Lord to do righteousness and justice" (Genesis 18 : 19). Abraham here becomes a partner in the divine judgement of Sodom. The biblical covenant determines the relationship between the God of absolute justice, tempered by mercy toward all his creatures and man bound by moral law striving to sanctify matter by the spirit. In Judaism individual perfection was always matched by the social ideal of "a kingdom ot priests and a holy nation." God himself was conceived as Israel's supreme ruler. It was a daring attempt at shaping reality in the image of the Absolute. Yet, it was the people who constituted the body politic, even if the constitution, being divine, transcended the collective will. At the same time elements of the constitution were subject to the approval in principle of the popular representatives. Judaism thus rejects coercion as a constitutional basis. The universal problem of restricting authority without impairing its efficiency does not exist in a Torah-based society, where autocracy is ruled out by the recognition of a supreme, divine authority. The partnership inherent in the biblical covenant is the result of a freely-

made decision expressed in the declaration, "All that the Lord has spoken we will do and obey" (Exodus 24 : 7). Occasionally the agreement was reiterated, e.g., in the days of Josiah and Ezra. The idea of popular assent is likewise reflected in the rabbinic comment directed to "The Jews resolved and undertook on behalf of themselves, their descendants and all who should join them ..." (Esther 9 : 27). This denoted the renewed popular sanction of the divine constitution.

According to the noteworthy statement of Rav Hai (11th century) it is the popular testimony of Israel which verifies the divine origin of the Scriptures. The oral tradition, Mishna, and Talmud likewise derive their authority from this source (*Otsar HaGeonim* on Rosh HaShana). This is corroborated by R. Abraham ben David (Ravad) and Maimonides. Popular sanction was a *conditio sine qua non* of all legislative activity. Beside being the authoritative expositors of the Torah, the supreme judges of the Temple Court were empowered to supplement it with their own regulations. Such, too, was the prerogative of any "judge who will arise in the latter days," provided popular reaction was taken into account. The midrashic idea that God forced the Torah upon Israel merely meant that national existence, as well as international order, depended upon the rule of law.

The idea of a covenantal partnership is also expressed in "Moses commanded us a law, even the inheritance of the congregation of Jacob. And he was king in Jeshurun when the heads of the people and the tribes of Israel were gathered together" (Deuteronomy 33 : 4 - 5). The Bible does not specify the king in question. Perhaps the kingship here symbolized the rule of law affirmed at the convocation of the people. Biblical influence is evident in the American notion of the supremacy of the constitution over the Presidency, Congress and the Judiciary.

Majority decision with a binding effect upon the minority was the guiding principle followed by the Supreme Court at the Temple in Jerusalem. It likewise guided the Diaspora institutions of Jewry from the 10th century, at any rate. The Talmud has ruled that, "No edict should be imposed upon the community unless the majority can endure it." Human sanction is inherent in the idea of the covenant between God and the people, as in the biblical notion of man being created in the image of God (Mishna Sanhedrin 4 : 5). Though enforcing the majority decision upon recalcitrant individuals, the Jewish community was no less concerned with guaranteeing individual rights, especially those of the unprotected and needy. This is reflected in the Biblical preoccupation with laws concerning slaves and strangers, widows and orphans. The Bible goes as far as exempting from military service the "fearful and faint-hearted" and even takes into account the self-respect of a sinner. Thus "Rabbi Yochanan b. Zakkai said 'God takes into account the honor of his creatures. The indemnity exacted from a thief for a stolen ox is five-fold, since he has not incurred the shame of having to carry it

on his back. But for a sheep it is only four-fold because of the disgrace of having to carry it.'" (Rashi on Exodus 21 : 37). The Talmud goes to great lengths in giving full expression to minority or individual opinions even if these are rejected, as is often the case with these of the School of Shammai. Although it is the School of Hillel which is generally followed, the rejected opinions of the School of Shammai are praised by letting them precede those of the School of Hillel. (cf. *Eruvim* 13) Moreover the majority opinion only carried force when the minority is present. When led by R. Jacob b. Rav, the sages of Safed decided by a majority vote on the renewal of rabbinic ordination, that might have resulted in the reconstitution of the Sanhedrin, the sages of Jerusalem, led by R. Levy b. Habib, who were a minority declined to concur, not having been party to the deliberations.

The majority, though vested with the necessary powers to act, could not override the fundamental rights of the individual Jew, whose allegiance rested on the "oath taken at Mount Sinai." The Biblical admonition, "Thou shalt not follow a majority to do evil," (Exodus 23 : 2) clearly rejected such spurious concepts of sovereignty as produced the Nazi hegemony in 1933 and the dismemberment of Czechoslovakia in 1938.

DIVINE SOVEREIGNTY

There is a widespread misconception that the Jewish ideal of theocracy implied a hierocracy and as such was opposed to the basic notions of democracy. (Note: This view is expressed e. g. in A. Tocqueville "Democracy in America" and J. S. Mill, On Liberty). The Bible, however, plainly declares, "But ye – the nation as a whole – shall be unto me a kingdom of priests." We have the classic rejoinder of Moses, "Would that all the Lord's people were prophets" (Numbers 11 : 29). All Jews being "the royal offspring of Abraham, Isaac and Jacob" (Baba Metzia 7 : 1) possessed equal rights, differing only in their functions.

Jewish egalitarianism based upon the Sinaitic covenant may well have more often been ideal than real. It nevertheless served as a potent tool of social criticism by prophets, elders and sages throughout the ages. Essentially the idea of the kingdom of God repudiated the authoritarian enslavement of man by man in the human quest for a model society. This has, from the days of Plato throughout history, produced more bloodshed than profit. The need of theocracy to counterbalance the darker elements forever lurking in the human soul is potently expressed in the Jewish New Year and the Day of Atonement liturgy.

In the view of M. Buber, the period of the Judges constituted the nearest approximation to the theocratic ideal. The subsequent demand for a monarchy is accordingly seen as a regression. J. Kaufmann, on the other hand, saw in the Israelite monarchy the advent of a golden age that contrasted with the more primitive regime of the charismatic judges.

Divine sovereignty denoted the rule of law, restricting the political preponderance of man. Rejecting Sadducean notions, the Pharisaic High Court accordingly supplemented the criterion of strict justice with that of the divine attribute of mercy. Though vested with a cardinal role in the dispensation of justice, the priesthood shared this task with the Levites, lay judges and elders. Levitic economic dependence upon the rest of Israel was designed to prevent the acquisition of undue power by the former (cf. Communism of the Ruling Classes in Plato's *Republic*). An effective counterweight to hierocratic despotism was furnished by the monarchy, which in itself constituted a deviation from the biblical ideal, as pointed out by I. Abarbanel (15th century). Significantly enough, the biblical portion dealing with the monarchy is largely couched in the negative, warning against the proliferation of horses, etc. The sole positive commandment enjoins the king to write for himself a Torah scroll which he is forever to consult. Rather than being an end in itself, the monarchy is changed with the championship of law against internal or external enemy aggression. In the words of Maimonides (Laws of Kingship): "The primary reason for crowning a king is none other than that he might dispense justice and assume command in the conduct of wars, as it is written, 'Let our king judge us and go forth before us to fight wars.'" The king was to guarantee the Israelite character of the state, hence: "From among thy brethren shalt thou appoint a king." In the view of R. Judah Loewe of Prague (16th century), monarchy was a function of the people and not vice versa.

The royal fiat was to be obeyed and rebellion was punishable by death, but a royal decree could be set aside if it interfered with the discharge of a *mitzva* – a divine commandment. Moreover, a king who fell foul was dethroned and when guilty of a crime must face judgment as in the case of David and Uriah, or Ahab and Naboth, Thus Herod, who had killed the leaders of the insurgents against Rome, was summoned by the Sanhedrin. The Hasmonean combination of royalty with the priesthood was regarded as a sin. In the words of Nahmanides (13th century), "They should have devoted themselves solely to the service of the Lord, rather than assuming regal powers." Similarly King Uzziah was punished when he usurped the High Priesthood (II Chron. 26).

The function of a watch-dog against undue centralism, royal or sacerdotal, was exercised by the Hebrew prophet who inveighed against all forms of corruption and deviation from the spiritual basis of the Jewish polity.*

A cardinal role in the maintenance of law and order was played by the judiciary, headed by the 70 members of the Great Assembly (Synagoga Magna), succeeded in the Hasmonean era by the Sanhedrin. The High Court

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* For the effect of Biblical anti-centralism on Western political thought see John Locke's "Two Treatises of Civil Government" (1690).

originated as a tribal institution, each tribe delegating six representatives, apparently chosen by the people and appointed by Moses: "Gather unto me seventy men of the elders of Israel, whom thou knowest to be the elders of the people (Numbers 11 : 16; cf. also Sanhedrin 17). There was also a system of judges and councillors in the First Temple era consisting of Chiefs of Thousands, Hundreds, Fifties and Tens: "Take your wise men, and understanding, and known among your tribes and I will make them rulers over you" (Deuteronomy 1 : 13). On the other hand, "Moses chose able men out of all Israel and made them heads over the people, rulers of thousands, rulers of hundreds, rulers of fifties and rulers of tens" (Exodus 18 : 5). It is a system of checks and balances wherein a numerically graded leadership could maintain proper contact with the masses of the people.

INFLUENCE OF THE PEOPLE ON GOVERNMENT

The bilateral structure of authority was to provide a solution to a perennial problem of democracy, the limited influence of the man-in-the-street on the choice of his rulers and their political decisions and the lack of contact between ruler and ruled. Over-centralization has been the cause of many an insurrection in history. Significantly enough, the demand for secret elections voiced by rebel soldiers in the English Revolution of 1688, explicitly relied on the Bible. In Bolshevism, however, the Council (Soviet) deteriorated into an anti-democratic instrument wielded by an oligarchy, totally insensitive to the rights of the individual. Following the Biblical ideal, local or professional organizations, rather than displacing central parliamentary authority, ought to supplement it.

Decisive political events, such as the renewal of the covenant or the crowning of the king, involved the masses of the Jewish people and their representatives. In Biblical times popular representatives were referred to as "Am Ha'aretz." According to some scholars these constituted a national council and judicial court vis-à-vis the monarch. They would enthrone the king and decide upon war and peace. Others believed "Am Ha'aretz" to denote the body of free citizens who determined the political, military and religious character of Judah. Thus, also, in the Second Temple : "And the Jews and their priests resolved that Simon should be their leader and High Priest forever until a true prophet should appear and that he should be their general" (I Maccabees 14 : 41 - 42).

The Second Temple Sanhedrin drew its power from the community at large. In this context the Great Assembly denoted a popular institution in the broadest sense, over and above the Sanhedrin. Others believe it to have functioned as a convocation of notables. Later we find "seven leading citizens" in charge of the town communities. They too were answerable to a larger body of citizens. Even before the eclipse of the Second Jewish Commonwealth, the administrative role of the priesthood diminished and was

taken over by the Scribes and Pharisees. The latter's authority, not unlike that of the elders of the Biblical period, rested upon broad popular support as well as scholarship. The Sanhedrin served as the supreme legislative body in civil and religious matters. Taking their cue from the New Testament, Gentile scholars and certain Israeli scholars (for example Yitzhak Baer), mistakenly assumed the Pharisees to have been recluses. Following in the footsteps of the prophets, however, the Pharisaic sage, as a rule, actively participated in political life, straining to expose corruption among the national authorities, which they accepted as such. They opposed the Hasmonean king, Alexander Yannai in order to champion the prerogatives of the popularly-based Sanhedrin, but not as opponents of the monarchy in principle.

The Judean appeal to Pompei for a reconstitution of the priestly authorities aimed at regaining popular rights rather than subservience to Rome. As pointed out by Josephus, the authority wielded by the High Priest and Sanhedrin during the Persian and Greek eras was democratically based, with the High Priest in charge of the Temple and the Sanhedrin functioning as a national administrative body.

THE RULE OF TORAH

The democratic character of Judaism is mirrored in the pre-eminence of Torah scholarship. In contrast to the values of other religions and states, the Jewish polity's foremost preoccupation was the dissemination of Torah knowledge. This is traceable to Ezra and the Pharisees who strove for an intelligent community, independent of the priesthood and other intermediaries. Maimonides assessed the ultimate value of a state in terms of the educational facilities it provided to its citizens. Such was the role of synagogue and Bet Midrash. The very structure of the synagogue displays the dual focus of the Jewish collectivity. Already in the Biblical "Tent of the Meeting" we find, on the one hand the gold-plated ark with its golden wreath, symbolizing the Torah crown (see Rashi), and on the other hand the gold-plated table bounded by a golden wreath, symbolizing the crown of kingship. So, too, in the synagogue from the earliest times there is the ark on the one hand and the *Bimah* (platform) on the other. The former's facing Jerusalem is meant to elicit man's devotion to God, whereas the *Bimah*, where the Torah is read out and the public is addressed by the preacher, highlights the importance of the congregation. The synagogue as a venue of learning and public meeting as well as prayer is particularly evident in the inner architecture of the Sephardi synagogues.

The Biblical quest for freedom and equality also denoted economic independence. Each was apportioned a share in the land, but individual ownership was limited. Anyone forced to sell his property might redeem it, and the institution of the Jubilee guaranteed ultimate restoration. Agricultural produce was free for all during the sabbatical year. Individual bankruptcy

was a social concern: "And if thy brother be waxed poor, and fallen in decay with thee; then thou shalt relieve him; yea, though he be a stranger or a sojourner; that he may live with thee" (Leviticus 25:35). The Torah frowned upon a social order allowing for exploiter and exploited. The Biblical commentator O. Seforno (Italy. 1470-1550), dealing with "I am the Lord your God who brought you forth ... to be your God" makes the following incisive comment: "This important aim ought to be reached by all of you. Accordingly you must institute a system allowing all of you to live together and help one another in attaining this objective."

The Biblical ideal has no room for charismatic dictatorship. Divine sympathy is with the lowly and downcast rather than with the men of force and power. Moses, the ideal leader, is held up as the meekest of persons. Judaism rejects the cult of personality. Neither does it whitewash sins or omissions even when it comes to Moses or King David. According to Rashi, when Moses asked the Lord to appoint a successor to himself, he pleads as follows, "You know very well the minds of men, each being so different from the other. Do therefore appoint a leader capable of suffering each according to his own mind."

The Midrash makes Moses accountable to the people for public expenditure, to counteract the charge of misappropriation. Kings, princes and communal leaders throughout the generations are admonished against arrogance and squandering. They are called upon to display devotion and courage so as to provide a personal example. Negative symptoms in the community were charged to the leadership. Such is the message drawn by the rabbis from the verse, "Take your wise men ... and I will make them rulers over you" (Deut. 1:13).

The Jewish polity bore a unique character. In the words of Professor I. Baer, "It entered the gate of history as a community striving to fulfil specific ideals in the social and religious realms of this world. "According to Baer, the Hasmonean period saw the rise of a model society of *hakhamim* (sages) and *chassidim* (saints) bent on realizing the human ideals of justice, equality and a simple life, inspired by the divine. Indeed the followers of Aristotle regarded the Jews as a philosophical sect when they first met. Fulfilment of the Torah is the primary function of the Biblical statement: "That the land vomit you not out also when ye defile it" (Leviticus 18:28). Comparison with the Platonic ideal is revealing. Permanent class distinction was a pillar of the Platonic republic. Change is ruled out and the rulers renounce all privacy. Plato envisaged a rationally perfect society based on constant metaphysical principles which could not be impaired, without taking into account the basic element of human imperfection. The Jewish prophet, on the other hand, saw failure, if only temporary, lurking on the doorstep.

For several centuries after the destruction of the Second Temple, Jews continued to form a majority in their country with a considerable measure of local autonomy. The Patriarchs who presided over the Sanhedrin and claimed Davidic descent, symbolized historical continuity and the hope of eventual restoration. A similar function was exercised by the Exilarch in the Babylonian diaspora. Occasional disagreements between the two, e.g., that between Rabbi Yehoshua and the Patriarch, Rabbi Gamliel, or between Sa'adia Ga'on and the Exilarch David ben Zakkai, were settled by traditional Jewish compromise. This in accordance with the Talmudic dictum, "The force of compromise is superior to the force of judgment" (Sanhedrin 5). According to Gedalia Alon, the post-Destruction period produced a formula for the co-existence of freedom and discipline, communal interests and the principle of monarchy as well as the divergent viewpoints of the spiritual and national leadership.

The Kingdom continued in Israel in the form of various patterns of political organization adapted to prevalent circumstances. As pointed out by so eminent an authority as I. Baer, medieval Jewry though lacking a territorial basis, persisted in following a political direction of its own. To be sure, this differed vastly from that of the Gentile nations. The difficulty this poses to the scholar, rather than being discouraging, ought to rouse him to a more thorough investigation of the collective will of Diaspora Jewry and its effect upon the unfolding of Jewish history.

The classical-political notions of Judaism gave rise to the peculiar structure of the *Kehillah* – the local community, the ultimate link in the chain of representative Jewish institutions in the Diaspora, exemplified by Patriarchate, Exiliarchate and Gaonate. If anything, the absence of centralized authority strengthened national unity. The unique character of the *Kehillah*, with its roots in pre-Exile times, proved a match to the most varied challenges of history.

This form of organization persisted down to modern times both in Eastern Europe and in the Islamic countries. As pointed out by Baer, little is heard of it during the Talmudic era, though it must have existed both in Palestine and in Babylonia – witness the prayer "Yekum Purkan" and the designation "Kehilla Kedosha" (holy congregation), as well as extant synagogue inscriptions from this period. This was the heyday of rabbinic authority, which matured during the Babylonian Gaonate until its eclipse in the 11th century. Babylonian centralism spilled over into Spain, whereas the Palestinian Jewish community retained its democratic character. This, in turn, influenced the Jewish communities of Germany, by way of Italy. It is reflected in the royal edicts as well as in the response literature of leading rabbis. The latter displays a marked preoccupation with moral problems and the restriction of the community's power of coercion over the individual.

Of the two prevalent views on this question, one denied the Kehillah the status of a legal personality. Accordingly, the residents of the town constituted a partnership based on a "social contract," which alone provided for the basis for individual liability. [Note: thus Rabbeinu Tam, grandson of Rashi – 12th century]. Most authorities state, however (e.g. Rashi, R. Ascher b. Yehiel (Rosh), Nahmanides and especially R. Shlomo b. Aderet (Rashba), that with the eclipse of the supreme national authority, the majority of each town constituted a High Court. The Kehillah was thus regarded as a successor of the Sanhedrin or Patriarchate. Rabbi Eliyahu Mizrachi (Istanbul, end of the 15th century) considers the authority of the High Court to be perennially based upon public consent. Leading rabbinic authorities sought to prevent the suppression of individual rights by arbitrary majority rule, but at the same time insisted on the priority of communal concern for the public weal over individual interest. Individual rights of appeal persisted in the democratic custom, enabling any person who felt wronged to interrupt the public reading from the Torah in the synagogue, in order to plead his case, Annual or triennial elections of communal leadership were likewise calculated to minimize any exploitation of authority.

JEWISH AUTONOMY IN THE MIDDLE AGES

The autonomous character of Jewish communal life in medieval Germany was based on social religious cohesion as well as geographic considerations. Only towards the end of the 15th century do we find the organization of communities on a national basis in Moravia, Poland, Galicia, Lithuania and other places. Regional representatives were vested with administrative rights, whereas legislative authority rested on representatives of all the Kehillot. Thus sprung up centres of Jewish autonomy with lay leaders, local rabbis, and leading scholars at their head. From the pen of N. N, Hannover, author of "Yeven Metsula," who described the disastrous Chmielnicki massacres of Jewry in 1648, we have a glowing account of Jewish community life in Poland. "The leaders of the four lands were like the Sanhedrin at the Chamber of Hewn Stones (in the Temple), having the power to judge the whole of Jewry in the kingdom of Poland, to institute restrictions and public measures, to punish men according to their judgement, and all difficult matters were brought to their notice that they might pronounce judgement." We learn of the strict enforcement of authority, as well as of the measures that were taken to render it effective. There was, according to Prof. H. H. Ben Sasson, a division of functions following the classical patterns of monarchy and Sanhedrin, with the lay leadership – the *Parnassim* – drawing on the former and the rabbinate following the principles of the latter.

Alongside the central authority of the Kehillah there arose a miscellany of voluntary societies devoted to the pursuance of social and religious

aims that generally devolved on the Kehillah. Within this framework, men who did not belong to the leadership strata might find openings for communal activity on a popular basis. To be sure, there were tussles for power here too, but the judiciary as a rule remained impervious to vested interests and did not turn a blind eye to the pleadings of the weak and lowly.

Running as a thread through Polish-Jewish life was the effort to establish communal life and to unify all elements of Jewry on the basis of *Halakhah*, in anticipation of the moment when Israel must be redeemed by being gathered in their own country.

Spanish Jewry, though considerably involved in the social and political life of the host country, did not ignore its peculiar political position. In a letter supposedly written by Hasdai Ibn Shaprut to the King of the Khazars, Judah Halevi (10th century), expressed his embarrassment at Gentile taunts that, unlike other nations, Jews lacked a country of their own. But Yehuda Halevi (11th century), the author of "The Kuzari" and poet laureate of Spanish Jewry was second to none in expressing his people's longing for divine redemption. Diaspora existence, in his view, was the result of infidelity to the national goal, rather than the outcome of external circumstances.

In the view of Maimonides, the Torah regards the state, first and foremost, as a tool for achieving justice and human perfection. The restoration of the Jewish monarchy during the Messianic era is seen as an evolutionary development in the establishment of a Torah polity and international order, rather than as a miraculous event.

The longing for messianic redemption played a significant part in the minds of the Jewish exiles from Spain after the 1492 expulsion. Don Isaac Abarbanel, a high-ranking official at the Spanish and Portuguese courts, continued to render important service to the republican regime of Venice. In his Biblical commentary he expresses opposition to the monarchy and preference for the republican regime. "The state in itself represents evil interference with the ways of God and nature. Judaism has no place for a human sovereign forasmuch as God is their king." To mitigate evil, Abarbanel suggests maximum participation of the popular strata in state administration and large-scale local autonomy. A mystic at heart, and forerunner of subsequent messianic movements, Abarbanel's mind was fixed on a miraculous redemption.

The great 16th century Jewish thinker and leader, R. Judah Loewe, known as Maharal of Prague (d. 1609), opposed over-centralization in the Jewish community and did much to encourage the establishment of voluntary societies. He expressed the view that every nation possessed the right of independent existence and that the subjection of one nation by another was immoral. The Maharal's anticipation of subsequent liberal thinking has not yet been fully recognized.

According to Maharal, exile did not reflect Israel's inferiority, but was rather the result of history's superior demands on the Jewish people. An independent land of Israel was the natural home of the Jewish people, but proper social organization, communal prayer and the study of Torah, enabled the Jewish people to retain its own distinct identity even under foreign rule. The reconstituted divinely-inspired kingdom of Israel is to evolve from a kingdom lacking in holiness, much like fruit ripening within its shell.

THE IMPACT OF MESSIANISM AND EMANCIPATION

The ideas of Abarbanel and Maharal grappled with the messianic yearnings of storm-tossed Spanish Jewry. The warring nations, the Turkish conquest of Palestine and accounts of far-off Jewish communities related by travellers, provided a fertile background for stories about the continued existence of the ten lost tribes of Israel. Salvation was not so remote after all. Christians, too, believed in these stories. When David Reuveni (16th century) presented to the Pope his fantastic plans for attacking the Moslems from the rear with the vast army commanded by his brother the king, for which the Vatican was to supply modern equipment, his story found in the beginning credence with the Pontiff. Typical for this age was the combination of mysticism and practical politics, the right-hand man of David Reuveni being Shlomo Molcho, an influential kabbalist. Among those whose imagination was fired by Molcho was R. Joseph Karo, the towering *Halakhic* authority, who with his friends made his way to Safed in 1536. He was party to the ill-fated attempt at reviving rabbinic ordination, a step that might have led to the reconstitution of the Sanhedrin. Karo's concern for the unity of the Jewish people that underlay this venture was likewise the basis for his monumental works of legal scholarship, *Beit Yosef* and *Shulchan Aruch*.

The combination of mysticism and political pragmatism also characterized the activities of Don Joseph Nasi. He planned to build up Tiberias and its surroundings and unlike Reuveni, he sought to protect Jewish interests with the vast military potential of Turkey in opposition to the Christian powers that had caused so much suffering to his kinsmen.

Menasseh ben Israel (Amsterdam, 17th century) drew inspiration from the messianic fervour of Don Isaac Abarbanel. History seemed set on an apocalyptic course. A leading argument in his plea for the return of the Jews to England, was that the advent of the Messiah depended upon Jewish dispersion reaching the far-off corners of the earth. It was an instance of *Kabbala* taking on a "geographic" aspect.

The disastrous failures of pseudo-Messianism coupled with rationalist Enlightenment, threatened to tear down the protective walls on Judaism. The following statement issued by a meeting of Frankfurt rabbis in 1845 re-echoes a new spirit of optimism: "Everywere men are striving to liberate humanity,

to guarantee a life of purity and sanctity upon earth ... Before our very eyes the Kingdom of God upon earth is beginning to take shape in accordance with the ideals of humanity." Integration in the host state was now deemed a practical solution. In 1846, the heyday of Emancipation, the leading Jewish historian Graetz, pointed out the central importance of statehood in Judaism. This had a marked influence upon Moses Hess, author of "Rome and Jerusalem," a forerunner of Zionism. In his work "The Religion of Reason from the Sources of Judaism," Hermann Cohen (1842 - 1918) attempts to harmonize German idealism with Judaism's view of statehood. Religion expressed itself in man's regard for his fellowman as a divinely created being. Religious fulfilment thus depended on the existence of a state bent on eradicating injustice and poverty. As against the liberal theology of the 19th century, Hermann Cohen sees monotheism inextricably bound up with all aspects of reality: ethical, legal, religious and political. The prophets were statesmen rather than philosophers. Though steeped in liberalism, Cohen considered Jewish nationhood to be the basis of Judaism. Though out-dated in some respects, the philosophy of Hermann Cohen still provides a pertinent answer to the question of Jewish identity in the context of international progress.

THE INFLUENCE OF ISRAEL'S POLITICAL HERITAGE ON WESTERN SOCIETY

Israel's political heritage anchored in both the written and oral Torah has had a seminal effect on the political development of western society. The idea of political authority rooted in the people was for the first time extensively employed by none other than the Catholic Church in the 11th century as a weapon against recalcitrant kings. Samuel and Saul, as also the Hasmonean Mattathias, demonstrated the popular right – nay, duty – to depose rulers who spurned the law. The Church resurrected the Biblical notion of a "contract" between ruler and ruled who in turn owed allegiance to God. Sovereignty lay with the people and hence the popular right of choosing and, if necessary, deposing a king. As a result of these ideas the first popular movement arose in northern Italy under the aegis of the Roman Catholic Church during the early Middle Ages. The rise of the Swiss against the Habsburg dynasty in the early 14th century and the subsequent establishment of the first political association based on direct popular authority, was likewise inspired by Biblical ideas. Witness the Swiss declaration in 1315 in which political independence, freedom and justice are related to the kingdom of God. In the peasant movements of the latter Middle Ages associated with the names of Wyclif, Hus and Muenzer, Biblical revivalism and a quest for the origins of Christianity went hand in hand.

The sixteenth century scholarship that produced translations of the Bible into the local vernacular had a marked social as well as religious effect. Whereas Luther's Protestantism relegated religion to the realm of the

individual, that of Calvin and his disciples laid considerable stress on Biblically-inspired human and national rights. The Calvinist regard for the principles of the ancient Hebrew polity as a prototype for modern society, had a considerable influence on the French Huguenots and penetrated as far as Holland, Scotland, Cromwell's England and the founding colonies of the United States of America. Cromwell's Puritans saw in their struggle against royal oppression, a re-enactment of the ancient Israelite's confrontation with Pharaoh. Milton, who was Cromwell's secretary, pleaded for freedom of expression on the Biblical notion of man's being accorded the faculty with which to distinguish between good and evil. James Harrington (17th century), whose ideas are reflected in the American Constitution, envisaged an England patterned on the spirit of ancient Israel, with a Sanhedrin, Biblical land laws, and the separation of authority.

America's Pilgrim Fathers who sailed on the Mayflower in 1620 to found a New World were likewise inspired by Biblical notions of freedom and justice. Some of the early Puritan settlers sought to establish a community based on Israel before the monarchy and even intended to revive the Hebrew language. In 1641 a constitution referred to as "The Laws of Moses" was drafted in Massachusetts, largely based on the Pentateuch, without the mitigating element of the Oral Torah. Both the rigid Calvinism of Massachusetts and the ideal of tolerance pursued in Pennsylvania had the Bible as their direct source. In their opposition to the British Crown, they regarded themselves as "Israel" owing allegiance to God alone. Ancient Israel's struggle against its Pharaonic task masters, its exodus into the Promised Land and its establishment of a polity based upon the laws of God were the prototypes emulated by the American insurgents and by those who drew up the Constitution of the U. S. A. They were also influenced by such as Cicero and Rousseau, but the latter, too, drew on the Bible. In their emulation of ancient Israel, the American Puritans placed the accent on communal responsibility rather than individual salvation, thereby re-echoing an important element in the messianic ideology of Judaism.

In retrospect, the founding fathers of the U. S. A. may well appear to us a trifle over optimistic on the fruits of human liberty. They did not share the restraining solidarity and the realism of the Hebrew legislator, prophet or sage.

Strangely enough, the modern Israeli, often due to lack of familiarity with his own heritage, has failed to draw upon a spiritual treasure that has so much enriched Western society. It is within the wider perspective sketched out in these lines that the rising generation in Israel and abroad may regain a lost horizon which it can ill afford to ignore.

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