Lesson 7 - Government, Prophets, Monarchy, and the Environment

Government

Only in a just society can justice flourish. Only in a free society can individual liberty be sustained. That is why the Torah is a formula for the construction of a society, not (primarily) a roadmap for the salvation of the soul. How do you honor freedom without creating anarchy and chaos? That is the question to which the Torah, especially the book of Deuteronomy. the Israelites had consented to become a nation under the sovereignty of God. They had agreed to a covenant with God, meaning that they had accepted responsibility for honoring God's laws and becoming a "holy". How, if human beings were to be invested with power, could you protect against the corruptions of power? The answer Deuteronomy gives is simple and revolutionary. There was not to be one leader, but three, each of a very different kind: the king, the priest, and the prophet.

First the king: When you enter the land the Lord your God is giving you and have taken possession of it and settled in it, and you say, "Let us set a king over us like all the nations around us," be sure to appoint over you the king the Lord your God chooses. (Deut. 17:14–15)

The king recruited an army, levied taxes, and was responsible for civic order. It was his task to defend the nation from enemies outside and lawlessness within. He was immersed in the demands of statecraft. He was a civil rather than religious leader. The most obvious emphasis in the Torah's account of monarchy is its insistence on limits. The king must not engage in any of the personal indulgences associated with power. This marks the birth of the idea of constitutional monarchy: the king is not above the law.

The second institution was the priesthood and the wider circle of Levites: The priests, who are Levites – indeed the whole tribe of Levi – are to have no allotment or inheritance with Israel.... For the Lord your God has chosen them and their descendants out of all your tribes to stand and minister in the Lord's name always. (Deut. 18:1–2)

The priest mediated between the people and God. He was also a teacher and adjudicator of the law. He was the guardian of the holy, preserver of the boundaries between sacred and secular.

Yet the priest was not the only kind of spiritual leader in biblical Israel. There was also the prophet: The Lord your God will raise up for you a prophet like me from among your own brothers. You must listen to him.... The Lord said to me..."I will raise up for them a prophet like you from among their brothers; I will put My words in his mouth, and he will tell them everything I command him. If anyone does not listen to My words that the prophet speaks in My name, I Myself will call him to account." (Deut. 18:15–19)

The prophet heard the word of God and conveyed it to the people. Priest and prophet had different sensibilities, different modes of consciousness, and used somewhat different terminologies. The priest spoke the word of God for all time; the prophet spoke the word of God for this time.

In the eighteenth century, the French thinker Montesquieu formulated the principle of "the separation of powers" that played a major part in the development of the modern nation-state. In De l'esprit des lois, he spoke of three branches of government: the legislature, the executive, and the judiciary. More than 2,500 years earlier, the prophet Isaiah had already articulated a similar division. Speaking of God, he said, "For the Lord is our judge [judiciary]; the Lord is our lawgiver [legislature]; the Lord is our king; He will save us [executive]" (Is. 33:22).

Power is so distributed and so organized that whoever is tempted to abuse it finds legal restraints in his way.

Power tends to corrupt; absolute power corrupts absolutely. In Judaism, a king is not a high priest, and a high priest is not a king. The other key distinction was between king and priest, on the one hand, and prophet, on the other. Monarchy and priesthood were hereditary offices in biblical Israel, the former going to descendants of David, the latter to the offspring of Aaron. Prophecy was not hereditary. Their role was to serve as the conscience of the nation, giving voice to the word of Heaven when the people or their rulers drifted from their mission, became corrupt, adopted the practices of their pagan neighbors.

The best defense of liberty is to ensure that not all powers are concentrated in a single institution. An independent priesthood was necessary to ensure that the service of God was never enlisted for purely political ends. Prophets were necessary to "speak truth to power" and expose injustice and oppression. The Torah's deepest and most radical political truth is as relevant today as ever before in history. Power is necessary but not sacred. People do not exist to serve the state. The state exists to serve the people, whose true service is not to man but to God.

True Prophets

"The Lord your God will raise up for you a prophet like me from among your own brothers. You must listen to him" (Deut. 18:15).

Their authority lay in their personality, their ability to give voice to the word of God, their self-evident inspiration.

This is how Maimonides puts it: As to calamities predicted by a prophet, if, for example, he foretells the death of a certain individual or declares that in a particular year there will be famine or war and so forth, the non-fulfilment of his forecast does not disprove his prophetic character. We are not to say, "See, he spoke and his prediction has not come to pass." For God is long-suffering and

abounding in kindness and repents of evil. It may also be that those who were threatened repented and were therefore forgiven, as happened to the men of Nineveh. Possibly, too, the execution of the sentence is only deferred, as in the case of Hezekiah. But if the prophet, in the name of God, assures good fortune, declaring that a particular event would come to pass, and the benefit promised has not been realized, he is unquestionably a false prophet, for no blessing decreed by the Almighty, even if promised conditionally, is ever revoked.... Hence we learn that only when he predicts good fortune can the prophet be tested.

Fundamental conclusions follow from this. A prophet is not an oracle; a prophecy is not a prediction. Precisely because Judaism believes in free will, the human future can never be unfailingly predicted. People are capable of change. God forgives. There is no decree that cannot be revoked. A prophet does not foretell. He warns. A prophet does not speak to predict future catastrophe but rather to avert it.

If a prediction comes true it has succeeded. If a prophecy comes true it has failed. The second consequence is no less far-reaching. The real test of prophecy is not bad news but good.

Israel's prophets were realists, not optimists. They warned of the dangers that lay ahead. But they could also see beyond the catastrophe to the consolation. A true prophet is an agent of hope.

Kings

'Let us set a king over us like all the nations around us,' be sure to appoint over you the king the Lord your God chooses" (Deut. 17:14–15). It is unusual to make a command conditional on the people's request. The Torah actually disapproves of the appointment of a human king. Kings, concludes the midrash, brought catastrophe on Israel: David brought about a plague, Ahab's misconduct caused a drought, and Zedekiah was the cause of the destruction of the Temple. It was this negative approach to monarchy that entered the writings of the Christian Hebraists of the late sixteenth and early seventeenth centuries.

"God the Master of the universe was enough for them, nor did He grant them kings except as a punishment.... It was not the will of the most excellent and most great God that there should be any king in Israel apart from Himself.... For what would an elect nation whose king is the Lord of the universe do with a king who is mere flesh and blood?"

The meaning is that it is a form of idolatry to ask for a king, who demands that he be worshipped and granted honors like those of God. It was not for any man, but for God alone, to rule over men. Monarchy comes close to a worship of human beings instead of worship of God alone.

The English radical Thomas Paine inspired an American public to rise in revolt against the king of England, again citing the Hebrew Bible as his text and justification. "The will of the Almighty, as

declared by Gideon and the prophet Samuel, expressly disapproves of government by kings,"

Hence the irony of ironies: that the very passage in Deuteronomy in which we read of the command to appoint a king set in motion the first two revolutions in the modern world, the English in the 1640s and the American in the 1770s, leading to the execution of one king, and the abandonment, by Americans, of another.

The fact that the Torah links the appointment of a king to a popular request tells us that sovereignty rests with the people. Within the limits set by the Torah, it is they who have the right to choose how they will be governed. Political authority, for the Torah, comes from the bottom up; it is not imposed, top down (as in the doctrine of the "divine right of kings"). "The relation between the Hebrew monarch and his people was as nearly secular as is possible in a society wherein religion is a living force." The king had no special legislative powers. He did not make the law; he, like everyone else, was subject to it. The result of all these factors was that biblical Israel was what Walzer calls an "almost democracy."

Only God has the right to rule over human beings. The remarkable phenomenon that the free societies of Britain and the United States owe their origin to ideas set out in the Hebrew Bible as interpreted by the rabbis. It was ancient Israel, not ancient Greece, that inspired the birth of Western liberty in the seventeenth century. It was their unshakeable belief in the power of Heaven that led Jews, and those who were influenced by their texts, to be critical in their relationship to all earthly powers. For over all earthly powers is the sovereignty of God.

The Ecological Imperative

In the course of setting out the laws of war, the Torah adds a seemingly minor detail that became the basis of a much wider field of human responsibility, and is of major consequence today. The passage concerns a military campaign that involves laying siege to a city: When you lay siege to a city for a long time, fighting against it to capture it, do not destroy its trees by putting an axe to them, because you can eat their fruit. Do not cut them down. Are the trees people, that you should besiege them? However, you may cut down trees that you know are not fruit trees and use them to build siege works until the city at war with you falls. (Deut. 20:19–20)

Do not engage in a "scorched earth" tactic in the course of war. The sages, though, saw in this command something more than a detail in the laws of war. They saw it as a binyan av, a specific example of a more general principle. They called this the rule of bal tashĥit, the prohibition against needless destruction of any kind.

The word "Torah" itself. It means law. But it also means, more generally: teaching, instruction, direction, guidance. The Torah is a law book like no other, because it includes not only laws but

also narratives, genealogies, history, and song.

In Genesis 1 God commands humanity: "Fill the earth and subdue it. Rule over the fish in the sea and the birds in the sky and over every living creature that moves on the ground" (1:28). "Subdue" and "rule" are verbs of dominance. In Genesis 2, however, the text uses two quite different verbs. God placed the first man in the Garden "to serve it [le'ovdah] and guard it [leshomrah]" (2:15). These belong to the language of responsibility.

Genesis 1 tells us about creation and nature, the reality mapped by the natural sciences. It speaks about humanity as the biological species, Homo sapiens. What is distinctive about humans as a species is precisely our godlike powers of dominating nature and exercising control of the forces that shape the physical world.

But Genesis 2, by contrast, is about morality and responsibility. It tells us about the moral limits of power. Not everything we can do may we do. We have the power but not the permission; we have the ability but not the right. The earth is not ours. It belongs to God who made it. Therefore we are not the owners of nature but its custodians. We are here to serve it and care for it.

What the fruit was, why the serpent spoke, and what was the nature of the first sin – all these are secondary. The primary point the Torah is making is that, even in paradise, there are limits. There is forbidden fruit. Not everything we can do may we do.

A similar pattern can be traced almost everywhere human beings have set foot. They have consistently been more mindful of the ability to "subdue" and "rule" than of the responsibility to "serve" and "guard." An ancient midrash sums this up, in a way that deeply resonates with contemporary ecological awareness: "When God made man, He showed him the panoply of creation and said to him: "See all My works, how beautiful they are. All I have made, I have made for you. Take care, therefore, that you do not destroy My world, for if you do, there will be no one left to mend what you have destroyed."

What Shabbat does for humans and animals, the Sabbatical and Jubilee years do for the land. The earth too is entitled to its periodic rest. **That is why a religious vision is so important, reminding us that we are not owners of our resources. They belong not to us but to the Eternal and eternity.** Hence we may not needlessly destroy. If that applies even in war, how much more so in times of peace. "The earth is the Lord's and all that is in it" (Ps. 24:1). We are its guardians, on behalf of its Creator, for the sake of future generations.