SOME PRELIMINARY OBSERVATIONS ON THE JEWISH POLITICAL TRADITION

The Jewish national revival of our times led first to the restoration of Jewish political consciousness, then to the reestablishment of the Jewish polity. The next step in the process is the rediscovery of the Jewish political tradition. For there is indeed a Jewish political tradition with all that it implies in the way of a continuing dialogue regarding proper or acceptable modes of political behavior, institutional forms, and political cultural norms. That tradition can be understood by exploring the central principles which animate it and its parameters.

This article is based on my work in connection with the Workshop on the Covenant Idea and the Jewish Political Tradition, cosponsored by the Center for Jewish Community Studies and the Department of Political Studies of Bar-Ilan University. As such, it is in the way of a preliminary report on the efforts of the workshop and draws on the ideas and concepts developed in the 3 years of the workshop's existence. I gratefully acknowledge my debt to my colleagues in the workshop (who are listed in Appendix B). It should be read in conjunction with the first working papers produced by the workshop (see Appendix A).

Another important influence on this article was the colloquium on "The Jewish Political Tradition and its Contemporary Uses" sponsored by the Institute for Judaism and Contemporary Thought in 1975. The Jewish Political Tradition and its Contemporary Uses, the volume that emerged from that colloquium and is now in the process of being published, will offer further elucidation of many of the points contained in this article. Its contents are listed in Appendix C.

Finally, as part of the workshop's research program, I have availed myself of the extraordinarily valuable resource represented by the Bar-Ilan Responsa Project. Through the use of the computerized "key word" retrieval system, I and other members of the workshop were able to examine important political concepts and usages as reflected in 1000 years of responsa literature. The use of the responsa for this purpose is still in its infancy but promises to be of great import.
Rediscovering the Jewish Political Tradition

The suggestion that there is a Jewish political tradition is not to suggest that there is a single, uniform, monolithic "Jewish way of politics." A tradition by its very nature is multifaceted, even dialectic. Like a river, it has currents within it that are united because they are within the same banks and, except for occasional eddies, flow in the same direction.

A political tradition develops around shared expectations as to what constitutes justice in public affairs, a common sense of the proper uses of power in the pursuit of political goals, a shared understanding of the reciprocal relationship between power and justice in the body politic, and a common view of the proper relationships between the governors and the governed. It is built around an enduring consensus—a thinking together (consentio)—on the part of the members of a particular political community or body politic about common questions over generations. The answers to these questions need not be the same for all consenting members of the body politic. Were they the same, we would have a political doctrine, not a tradition, for implicit in the existence of a tradition is a continuing dialogue, or "great debate," based on a shared formulation of fundamental questions. In a real sense, a tradition develops around the tension that exists between its different expressions, that remain within the same dialectical framework because of the way in which those questions are formulated even as they allow for a range of answers as long as they do not diverge beyond a certain point.

The Jewish political dialogue began with the emergence of the Jewish people as a body politic over 3200 years ago, at which time certain common questions were formulated for the political and other realms. It has continued ever since, at times—particularly when the Jews have lived independently in their own land—resonating strongly and at other times less so. Ironically, after surviving constitutional changes and changes of regime, exile, and dispersion, the Jewish political tradition has been nearly lost in our time, precisely at the threshold of the renewal of full Jewish political life. The emancipation of the Jews in the modern era, bought at the price of virtually adjuring Jewish corporate identity, nearly brought it to a close, but precisely at its weakest moment it was revived operationally as the political character of the Jewish people became clear once again. Now its intellectual dimension needs to be recovered by systematic effort so that it may fill a vital and needed role in contemporary Jewish life—both in Israel and in the Diaspora.
Lest it be assumed otherwise, let it be said at the outset that a political tradition does not simply include the good qualities present in the political life of a people; it includes vices as well as virtues (in many cases, the vices reflect excesses of what otherwise are virtues). While one would hope that the explicit values of one's own particular political tradition would be good (and that is not always the case, by any means), human frailties mean that the behavioral dimension of any tradition is necessarily mixed. Some political traditions, indeed, are gravely deficient in every respect.

The existence of the Jewish political tradition is particularly important because of the character of Jewish political concerns. Were Jews to derive their political ideas from philosophy (in the classical or technical sense of the term), perhaps it would be appropriate to talk about a Jewish political philosophy or competing Jewish political philosophies which would manifest themselves in ideologies derived from philosophy. This is the way of most European polities and, indeed, is characteristic of many peoples who have undergone a revolutionary break with their past which they must ground ideologically. However, since Jews do not derive their framework from philosophy and are not dependent for their existence on ideology, they cannot rely on philosophy to provide a grounding for Jewish political life. The Jews' revolutionary break resulted in the Bible and was expressed through midrash and halakhah, broadly understood, which, as Leo Strauss has pointed out, is an alternate system to philosophy. Jews philosophize (i.e., use the tools of philosophy) but ground them in a different set of assumptions, methods, and results.

As in the case of other peoples whose grounding is not philosophic or ideological, tradition has always occupied an extremely important role in Jewish life. (The Hebrew word for tradition, masoret, literally means bond and is closer to the original meaning of the word religion, whose Latin root also means bond.) The Jewish political tradition is an integral part of the whole fabric of Jewish tradition, a sine qua non of that tradition given the Jewish commitment to peoplehood and the attainment of redemption through the creation of the good commonwealth on earth.

Perhaps a reference to the American example will help clarify this essential point. The Americans are another nonphilosophic and nonideological people. While Americans have, on one level, grappled seriously and well with philosophical questions and have derived great benefit from using the tools of philosophy, their polity was not a product of philosophy; it was born out of a political persuasion that, in turn, reflected a common political experience.
tion and experience together created an American political tradition. Since its founding, the United States has used its political tradition, particularly as mediated through the decisions of the U.S. Supreme Court and the actions of American political leaders, to provide the framework for considering its own political reality. Similarly, the Jewish political tradition was born out of a common persuasion and experience and provides continuity through a common perspective through which Jews deal with their continuing political concerns. The maintenance of a political tradition, then, is the key to political continuity which, in turn, is a necessary part of the continuity of Judaism.

A tradition persists on two levels: the formal and the subliminal. To be a fully living tradition, its bearers must be somewhat conscious that they are part of it and somewhat aware that they are expressing it in their ideas and actions. Yet, even under such conditions, a tradition is like the proverbial iceberg—the greater part of it is not a matter of conscious (or self-conscious) articulation but influences thought and behavior unknown to its bearers. Under the worst conditions, a tradition can survive on the subliminal level for considerable time after it has been formally suppressed or abandoned. It is fair to say that even while the Jewish political tradition declined as an articulated one in the modern era, it continued to persist subliminally in more ways than most people would be likely to notice.9

What is perhaps most compelling, then, about the need to rediscover the Jewish political tradition is the fact that Jews continue to function in the political arena in no small measure on the basis of their political tradition, albeit without conscious awareness that they are functioning within a living tradition of their own or any tradition at all. The striking similarities in the structure of Jewish institutions in Israel and the Diaspora, present and past, the basic characteristics of Jewish political behavior, the fundamental beliefs and practices embedded in Jewish political culture, all attest to the persistence of a Jewish political tradition that remains for the most part unrecognized.9 In part, this tradition is expressed formally in the political ideas of Jewish thinkers, but it is even more fully expressed in the institutional and behavioral dimensions of Jewish political and communal life, sometimes set down on paper and sometimes not. That, indeed, is what makes it a tradition rather than a systematic body of knowledge or wisdom.

The revival of political concern among contemporary Jews reflects an implicit understanding, however obscured, that the validity of
Jewish teaching can only be fully tested in a political setting, through a polity in which Jews have the responsibility for building the "kingdom of heaven" (Hebrew: malkhut shamayim)—the good commonwealth—on earth. Accordingly, it becomes vital for Jews to rediscover the Jewish political tradition in order to pursue the Jewish vision and to root their institutions, including the State of Israel, more fully within it. Indeed, it is precisely because contemporary Jewry has lost so much of the organic character which shaped Jewish life in the past and has moved increasingly toward self-definition in political terms that a significant part of the search for roots and meaning must take place within the political realm.

The enduring foundations of the Jewish political tradition are to be found in the Bible. In one sense, this is because the foundations of all Jewish tradition are to be found there. In many respects, however, the Jewish political tradition has been even more enduringly influenced by that source. While all of the tradition has been filtered through the Talmud, the efforts of the sages to diminish the active or conscious elements in the political tradition in the wake of the disastrous Roman wars—the effort in itself was a political act of the first magnitude—meant that the political dimension of Jewish life was transformed by them into an undifferentiated part of the halakhic tradition, so much so that with the revival of explicit political inquiry in the Middle Ages, Jewish thinkers and leaders who otherwise relied on the Talmud for all things went back to Biblical sources for ideas with regard to proper political behavior and even institution building, even where they relied on Talmudic precedents for establishing local institutions. Centuries later, we find an echo of that process in the way that Zionists sought to base their quest for Jewish statehood in the land of Israel on Biblical sources.

Some Elements of the Jewish Political Tradition

Every political tradition rests on certain assumptions about the nature of man, government, and politics, the nature and role of law, and what constitutes justice. Central to the dialogue that constitutes every political tradition are questions such as what constitutes political authority and obligation, what is political responsibility, who governs, who gets what, when, and how from the polity, and a terminology in which these questions are phrased. Both the questions and the terminology have many ramifications which need exploration in order to understand any particular political tradition. The exploration itself is an exceedingly ambitious task. In order to facilitate that
task, we have attempted to summarize key elements of the tradition in a series of propositional sentences which can be used as the basis for closer study of the tradition's dimensions and behavioral implications. What follows are some initial formulations which should not be considered either final or exhaustive.¹⁶

Man, Government and Politics

1. Humans have both good and evil inclinations but are more good than bad in that their behavior can be improved by proper institutions (especially laws). Hence humans are capable of becoming partners with the Sovereign of the Universe (Ribbon HaOlam) in the development and governance of this world, which partnership is established by covenant (berit). At the same time people, when unrestrained, are capable of utilizing government and politics for the institutionalization of their evil inclinations, thereby greatly increasing their capability to do evil.

2. Government and, concomitantly, politics are necessary parts of human existence in every case but, necessary and important as they are, government and politics are merely tools for the achievement of more sacred goals and not ends in themselves.

3. Politics, then, is a universal and serious human activity but only as a means to achieve holy purposes. Since politics is part and parcel of the way of man (derekh ha'adam), it is a mixture of the petty as well as the grand. Its importance must be recognized (but always with a certain ambivalence given its propensities to serve unwarranted ambition).

4. Because Judaism emphasizes God's sovereignty, Jewish peoplehood, and the building of the holy commonwealth, political motifs permeate Jewish ideas and ways and are often found where modern man would least expect them.¹⁷

Law and Justice

1. Law, in the sense of the Divine constitutional teaching (Torah), provides the foundation of human polity. Divine law is comprehensive and immutable, but properly constituted human agency has been granted broad powers of interpretation. This strong commitment to constitutionalism and the rule of law tends to
elevate judges to a position of special authority within the body politic. In its most narrow application, this commitment tends to encourage hair-splitting legalism. On the other hand, it can be coupled with an equally strong operational commitment to the idea that every individual must ultimately decide for himself to what extent the law applies in his case (i.e., a kind of rule of law by repeated acts of consent). In certain ways, law is understood as a norm to be attained as much as a fixed rule or boundary.

2. Justice is intimately associated with Divine law, but the association extends beyond a simple one-to-one relationship to involve practical considerations of covenant obligation (hesed) and mercy (rahamim). This often leads to a paradoxical condition whereby legal requirements for doing justice establish the strongest penalties for unjust acts, which penalties are rarely if ever applied on grounds of tempering justice with mercy.18

Political Authority and Obligation

1. The universe and all its parts are under Divine sovereignty (malchut shamayim); hence all human institutions possess only delegated authority and powers. That is the essence of Jewish theocracy. In fact, the good political order is a complex of interlocking authorities whose legitimacy is derived from the covenant-established partnership between God and man.19 In some cases, the former elects and the latter ratifies and, in others, the process is reversed, but in every one the two sides of the partnership are somehow represented. This can lead to power sharing at its best or, in extreme manifestations, to near anarchy. Part of the theocratic character of the Jewish political tradition is reflected in a constant tension between the Divine (theo) and rule (cratos), which must be reconciled by federal or covenantal linkage.20

2. The basis for political authority is invariably covenantal, and political obligation flows from that covenantal base.21 Covenanting makes Divine sovereignty concrete and human self-government possible in this world but, if the former is removed, it can lead to the institutionalized expression of Faustian ambition on the part of humans.22

The Polity (Especially the Jewish People)

1. Polities (medinot) are extensions of the covenantal relationship,
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constituted consensually by compact, as partnership or metapartnership of their constituents. There is no "state" in the Jewish political tradition in the sense of a reified political entity complete in and of itself. The very term medinah refers to a political unit with its own jurisdiction (din) within a larger entity (e.g., a province). While the term is used for state today, its classical echoes still remind us that polity would be a better translation. The latter term offers wider and narrower expressions of meaning consistent with the Hebrew original—wider in that all entities with their own political-legal jurisdiction are polities (compare the Arabic medinah, meaning city) and narrower in that no polity exists apart from its component elements nor does it possess absolute sovereignty. Both dimensions are vital elements in the Jewish political tradition. In fact, the Jewish political tradition does not recognize state sovereignty in the modern sense of absolute independence. No state—a human creation—can be sovereign. Classically, only God is sovereign, and He entrusts the exercise of His sovereign powers to the people as a whole, mediated through His Torah-as-constitution as provided through His covenant with Israel. 23

2. The Jewish people (Am Yisrael) is fundamentally a polity of equals, a commonwealth (edah), with all that implies for the organization and conduct of Jewish political affairs. 24 While no single form of political organization is mandated by Jewish law or tradition, any form chosen must embody this basic republican (res publica = a public thing) principle. 25 Jewish regimes have not necessarily been democratic republics; because of the emphasis on the Divine role, they have aristocratic tendencies that often have degenerated into oligarchic patterns of rule. But with very few exceptions, they have not been autocratic. The republican foundations of the Jewish political tradition have prevented that.

3. A proper Jewish polity is one which embodies a proper set of political relationships rather than any particular structure or regime. 26 This emphasis on relationships is particularly relevant to a covenantal polity and helps reinforce Jewish republicanism, but it can also lead to ignoring structures unless confronted by extreme difficulties with them.

4. The Jewish people as a polity begins with a strong commitment to bargaining as the basic mode of political decision making. In its best sense, this leads to negotiated cooperation based on covenant obligation; in its worst, it leads to willingness to subject everything to haggling without regard to norms or accepted procedures. 27
Political Responsibility

1. The basis of Jewish political responsibility rests on the collective Jewish self-perception as a special people that is shaped by its combined religio-political character which, in a certain sense, transcends time and space, although always focused on the land of Israel as the center for maximum Jewish individual and collective self-fulfillment. At best, this has facilitated the maintenance of the unity and survival of a people in exile for millennia and dispersed throughout the world. It has also led to periodic attempts to deny the political dimension of Jewishness.

2. Responsible policymaking rests on the collective self-perception which the Jewish people shares as a perpetually small minority, usually isolated from the larger world when its own interests are involved, which must develop and pursue survival strategies accordingly. This set of perceptions encourages a wide variety of strategies, both accommodationist and hostile, integrationist and isolationist.

Our research shows that each of these elements recurs in one form or another in every period of Jewish history and, in fact, the changing modes of their expression can be used to identify and demarcate the various periods of Jewish history from a political perspective.

Political Tradition and the Language of Political Discourse

A very useful starting point for understanding the Jewish political tradition is the language of political discourse among Jews, the recurring basic terminology that creates the conceptual and perceptual framework for considering and dealing with public affairs. In Kadushin's terms, the exploration of this dimension of Jewish tradition is possible through the identification and explication of value concepts, in this case terms and phrases bearing political content. Here we can do no more than list a sampling of that terminology and indicate some of its implications for understanding the Jewish political tradition.

The Bible is rich in political terminology, as any close reading of the text in context reveals. Indeed, it remains the prime source of Hebrew political terms, many of which have been transmitted with minimum change in meaning over the millennia. The terminology as such and in context has substantial implications for understanding the sources of the Jewish political tradition and deserves full treatment on its own. Among these terms and phrases are several that are
of special importance because they give and continue to give meaning to fundamental political relationships and the regimes they shape. In essence, they are the Hebrew equivalents of the classic political terminology of ancient Greek and Latin. The classic character of this political terminology can be illustrated through the device of the "mapping sentence" as devised by Guttman as the basis for hypothecation in social research. The Biblical political world view can be summarized as follows.

The family of tribes descended from Abraham, Isaac, and Jacob which God raised up to be a nation (goy) became the Jewish people (Am Yisrael) through its convenant (brit) with God which, in turn, laid the basis for the establishment of a Jewish commonwealth (edah) under Divine sovereignty (malkhut shamayim) and hence bound by the Divine constitutional teaching (Torah). The am so created must live as a community of equals (kahal) under the rule of law (hukah, hok), which applies to every citizen (ezrah), defined as a partner to the covenant (ben-brit). Every citizen is linked to his neighbor (rea) by covenant obligation (hesed). Within these parameters there is wide latitude in choosing the form of government or regime as long as the proper relationships between the various parties just referred to are preserved. That, in turn, requires a system of shared authorities (reshuyot)—what today would be termed "checks and balances." Moreover, since the full achievement of its religiopolitical goals requires redemption (geulah), the Jewish political world view is messianic in orientation, looking toward a better future rather than a golden past.

Our workshop has begun the examination of these terminological leads and their relationship with the elements identified here. What follows are examples of the results of that examination in the case of the key terms: brit, hesed, edah, and kahal.

Brit and Hesed: The Covenant or Federal Base

The Jewish political tradition, like every political tradition, is concerned with the question of power and justice, but it differs from the political traditions growing out of classic Greek thought in that it begins with a concern for relationships, rather than structures. More specifically, it is less concerned with the best structure for the best regime than with the proper relationships between power and justice, the governors and the governed, God and man, and so on. This orientation is embodied in the principle of covenant that lies at the root of the Jewish political tradition and gives the tradition its form.
A covenant in its very essence deals with the definition of relationships; hence the Jewish covenantal orientation properly serves as the basis for defining all political relationships within the Jewish tradition.34

Covenant theology has become sufficiently common coin in the last decade or two in Jewish circles, so that the idea itself is hardly foreign even to those who were brought up in a different generation of Jewish intellectual endeavor when that vital aspect of the biblical teaching was overlooked.35 What is suggested here is that there is a strong political dimension to the covenant idea and that covenants themselves have consistently been the principal instruments for shaping Jewish political institutions and relationships.

Like all great ideas, the basic simplicity of the covenant idea makes important complexities. The term brit (covenant) conveys the sense of both separation and linkage, cutting and binding.36 A covenant creates a perpetual (or at least indefinitely continuing) bond between parties having independent but not necessarily equal status. That bond is based on mutual obligations and a commitment to undertake joint action to achieve certain defined ends which may be limited or comprehensive, under conditions of mutual respect in such a way as to protect the fundamental integrity of all parties involved.

A covenant is much more than a contract—although our modern system of contracts is related to the covenant idea—because it involves a pledge of loyalty beyond that demanded for mutual advantage, often involving the development of a certain kind of community among the partners to the covenant, and ultimately based on a moral commitment. In its classic form, it is also more than a compact in the sense that God is either a party to it or is its witness and guarantor. In that sense, a covenant creates a holy or Divinely—sanctioned community or partnership based on a firm, constitutionally defined relationship delineating the authority, power, and integrity of each of the partners.

The prophet Ezekiel referred to Masoret haBrit—the covenant tradition (or bond)—as the central thread of Jewish existence (Ezekiel 20:35-37). Malbim offers us a good summary of the covenantal relationship in his commentary on the covenant between God and Abraham in Genesis 17:

This covenant will be “between Me and thee,” meaning that the binding obligation rests on both parties to the covenant, because Abraham also obligated himself to be a partner with God in the act of creation by perfecting what was created and by participating in its improvement. (Meir Leibush Malbim, HaTorah vehaMitsvah, 1, 68.)
This deceptively simple idea is of great importance because of what it offers in the way of building relationships. The Bible develops a whole system of relationships based on covenants, some of which, it is suggested, were actual covenants between God and mankind and some of which seem to be figurative covenants between God and inanimate objects such as the heavenly bodies. Inevitably present within the covenant idea is the sense of a contractual partnership in which the partners must, by definition, share in the implementation of certain common tasks and, at the same time, are able to preserve their respective integrities while doing so. In some cases the partners are equals. In some cases they are unequals—obviously covenants between God and man, even between God and Israel, are covenants among unequals, but the very idea that a covenantal relationship can be established between God and man is quite radical. The covenant idea inevitably suggests that God limits Himself drastically by recognizing the freedom of humans to contract an obligation with Him and to maintain their own integrities while doing so, not simply to respond to Him in the fashion of obedience. Indeed, covenanted people are then required to choose whether or not to live up to the terms of the covenant. The Puritans understood this when they developed their interpretation of the covenantal basis of the Biblical world view as the federal theology ("federal" is derived from the Latin term foedus, meaning covenant), which emphasizes that the same covenant that tightly binds man to God, on one hand, also radically emancipates humanity and enables it to act on its own accord as well.

The covenant as a political instrument resembles the social compact theory of the seventeenth-century philosophers except that it is not secular in character. Indeed, the seventeenth-century philosophers developed the social compact theory by taking the covenant idea and secularizing it. Both represent initial political acts which create the conditions of polity under which constitutions and regimes can be instituted. The Sinai covenant, for example, transformed the Jewish people from a family of tribes into a body politic which could then proceed to develop a constitution and a regime. Parashat (the weekly Torah portion) Yitro (Exodus, Chapters 18-20) provides us with a clear picture of this process. On one hand, it describes the covenant that institutionalizes the fundamental relationship between God and Israel which is necessary actually to create a new body politic in which God assumes the responsibility for direct rule over Israel. On the other hand, the form of the regime is portrayed as coming from a distinctly non-Divine source. It comes partly from the
inherited tradition of tribal government and partly from Jethro, Moses’ father-in-law, who suggests the form which the national
government should take.

That these two stories are intertwined and placed parallel to one
another is of the utmost significance. It suggests that the political
basis for the constitution is the covenant, which is the equivalent of a
social compact. But the covenant did not dictate or establish the form
of the regime. The latter was derived from a human source who was
not even Jewish on the basis of necessity and convenience. This is the
pattern of interaction between regime and covenant throughout
Jewish political history. On one hand there is the continuity of the
fundamental covenant and the constitution which flows from it, the
Torah, with the oral Torah building the body of constitutional law.
On the other, within the latitude established by the Torah, Jews are
free to adopt the form of regime they wish and have adapted
themselves to different historical situations and conditions ac-
cordingly. Thus the interaction between the two elements is a continuing
one. The first of many examples and the model of this post-Sinai in-
teraction is to be found in the Book of Joshua, Chapter 24, where a
covenancing act takes place and the regime is reestablished after the
conquest of the land. The Bible itself contains at least four others.

Needless to say, the covenant and its implications run like a thread
through Jewish thought, including Jewish political thought. Even
more important for our purposes, Jewish political institutions and
behavior reflect this covenantal base in the way they give expression
to the concepts of political relationships as the embodiment of a part-
nership based on a morally grounded compact and, like all partner-
ships, oriented toward decision making and policymaking through
negotiation and bargaining. Here the concept of hesed (covenant
obligation) plays a crucial role in providing the basis for the opera-
tional dynamics of the covenant relationship, requiring a wide and
generous response among benei brit (covenant partners) and blocking
a natural human inclination in contractual situations to interpret
contractual obligations as narrowly as possible.

Beyond that, wherever the possibility has existed, Jews have
organized their political institutions on a federal basis, whether in the
form of the ancient tribal confederacy; the Hellenistic politeuma and
the loose confederation of Diaspora communities in the Roman em-
pire; the medieval confederations of local communities; the Council
of the Four Lands; the communal federations of the contemporary
Diaspora based on country-of-origin communities, the internal
political structure of their countries of residence, or federations of
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functional agencies; or the party and settlement federations in modern Israel—to cite only a few of the most prominent examples.39

Thus the Jewish political tradition can be said to be federal in its fundamental orientation.40 Federalism—the covenant—emphasizes relationships over structures. For that reason, a great variety of structures are animated and informed by federal principles. Jewish history attests to this. In many cases these structures were characterized by a lack or minimum of central institutions, but this did not prevent a great deal of unified action because of common interests and, most important, a shared law, constitution, and political tradition. Federal arrangements are, by their very nature, multicentered and do not rely on the kind of centralized mechanisms associated with the modern nation-state.41 (This is true even in the case of modern federations which do so to a greater extent.)

Edah and Kahal: The Republican Base

The covenant not only transformed a goy into an am but the am—a kinship group—became an edah—a body politic based on consent. The term itself literally implies an assembly that meets at regular or frequent times. Even in the earliest period it became the Hebrew equivalent of “commonwealth” or “republic” (in the original sense of res publica—a public thing—rather than the private preserve of any person) with strong democratic overtones. The idea of the Jewish people as an edah has persisted ever since.

Weinfeld has argued that the term edah actually described the regime prior to the introduction of the monarchy.42 In this respect it parallels (and historically precedes) similar usages of landesgemeinde in Switzerland and town meeting in the United States. What is crucial is that it continued to be used to describe the Jewish body politic in every period down to the present. Only in contemporary Israel has the term lost its authentic meaning to become a sociological expression intentionally devoid of political content.

The documentary literature of every age is full of the classic usage. Moreover, the edah was invariably defined as including all adult males as participants in fundamental decision making. At the very least, the edah as a whole was responsible for actions of a constitutional character whether electing kings in ancient Israel, constituting the Council of the Four Lands in medieval Poland, or forming communities in the modern United States. The edah offered a variety of adaptations of covenantal principles, with a new one for each new era of Jewish political adjustment. A high point was reached in the Jewish communities of the Middle Ages. The congregational form
itself—the kahal or kehillah—is a subsidiary product of the linkage of the covenant and the edah.\(^4\)Ten male Jews, heads of families, come together to form a kahal by compacting among themselves to create a local framework (within the larger framework of the Torah) for the conduct of their religious, social, and political life. Even the terminology of congregational organization reflects its covenant orientation. Among Sephardic communities, for example, the articles of agreement establishing congregations are known as askamot—a term that has an explicitly covenantal derivation and significance. Thus the term kahal, used almost synonymously with edah in the Bible, became the terminological subsidiary of edah—the edah in its constituted local dimension.

Significantly, the two great phenomena of twentieth-century Jewry, the reestablishment of a Jewish state in the Land of Israel and the establishment of the great Jewish community in North America, represent interesting and highly significant adaptations of the principles embodied in the covenant and the edah. If one looks at the foundation of the early institutions and settlements of the new yishuv in Erets Yisroel, one finds that their basis in almost every case was covenantal. Borrowing from the established patterns of congregational askamot, they established partnerships and created associations on the basis of formal compacts and constitutional documents. This continued to be the standard form of organization in the Jewish yishuv even after the British became the occupying power in the country. The yishuv was governed internally through a network of covenants and compacts until the emergence of a centralized state in 1948.\(^4\)

In the United States, the organization of congregations follows the traditional form even though the congregations themselves may be untraditional in their religious practices. Similarly, the organization of social agencies and educational institutions and their coming together in local Jewish federations or countrywide confederations is simply another extension of what has been the standard pattern of Jewish organization for several millennia.\(^4\) One would be hard put to prove that in either the Israeli or the American case there was an explicit or conscious desire to maintain a particular political tradition. Instead, it was a consequence of the shared political culture of the Jews involved that led to the continuation of the traditional patterns in new adaptations.

Contemporary Israeli and Jewish politics reflect the Jewish political tradition in its virtues and its vices, good and bad. It is more than a little ironic that in the United States, where the government does not care how Jews organize themselves, as long as they do not
try to go beyond certain fundamental constitutional restrictions, this pattern has been able to express itself most fully under contemporary conditions whereas in Israel, where there was a necessity, as it were, to create an authoritative state on the model of the reified nation-state of modern Europe, this process has run into something of a dead end at the state level, stifled by the strong inclination toward centralized control of every aspect of public life brought by the state’s molders and shapers from their European experience.

The fundamental equality of the edah should not obscure the fact that the Jewish political tradition has a strong aristocratic current, not in the sense of aristocracy as a political structure but as a relationship whereby those who hold powers of government are trustees for both the people and the law, selected on the basis of some qualifications to be trustees—Divine sanctification, scholarship, lineage, or wealth. In the last analysis, however, the Jewish political tradition is based on what S.D. Goitein has termed “religious democracy,” using the term religious in its original sense of “binding” (compare to masoret habrit). It emphasizes a tripartite division of powers: between God (through His spokesmen or deputies), the citizenry, and the human governors empowered under the particular regime in operation at the time.

*Exploring the Jewish Political Tradition*

The record of the Jewish political tradition is to be found in the interaction of sacred and subsidiary texts and the collective behavior of Jews, the exploration of which for this purpose has hardly begun. That exploration is both an intellectual and a practical challenge for contemporary Jews.

It is one of the ironies of the postmodern age that just at the time when Jews outside of Israel, or 80 percent of the Jewish population of the world, have lost all formal corporate political status that the political focus of Jewish identification has suddenly reemerged. The modern era—the 300 years from the middle of the seventeenth to the middle of the twentieth centuries—was one in which Jews were busy shedding their corporate status and forms of corporate organization and, in the process, also shedding the political links which had been an organic part of Jewish tradition and which had brought Jews together as one people. On the intellectual plane, Jews tried to transform those and other organic links into congregational-philanthropic-social ones.

Now, rather suddenly, these various links created by Jewish
modernism as the source of Jewish identity and identification have begun to weaken for many Jews. In their place, ironically enough, there has come a rising concern in the past decade with the political as the focal point of Jewish identity and interest. This is clearly true in the State of Israel where it has existed for much longer. It is also true in the Diaspora where Jews who no longer live according to a Jewish rhythm are increasingly bound to one another only by formal associational ties that, while not of the old corporate kind, are political in the larger sense. Moreover, Jews are suddenly confronting questions of political interest to them as Jews, particularly, but by no means exclusively, relating to Israel. As a result, the political dimension is rapidly emerging as perhaps the only unifying force which can link virtually all Jews at a time when secularization, assimilation, and movement away from tradition are rampant.

This curiously ironic state of affairs brings the whole question of the Jewish political tradition into a more central position than it might otherwise have had, even though it must be considered an important and compelling question in any event. The crisis of Judaism, as it were, has come at a time when the political dimension of Jewishness has been revived to serve as one of the few links binding Jews to their people and tradition.

NOTES

   See also Bernard Susser and Eliezer Don Yehiya, Prolegomena to the Study of Jewish Political Theory (Ramat-Gan: Bar-Ilan University, Department of Political Studies, Covenant Working Paper Number 8, 1978); also to appear in Elazar, op. cit.
5. Emanuel Rackman, One Man's Judaism (New York: Philosophical Library, 1970). The classical Biblical discussion of this is to be found in Ezekiel 37.
7. See, for example, Alexander Hamilton, James Madison, and John Jay, The Federalist
8. The writer has treated this theme in several publications, including "Jewish Political Studies as a Field of Inquiry, "Proceedings of the World Congress of Jewish Studies," and his three essays on the literature of Jewish public affairs in the American Jewish Year Book, 68 (1967), 70 (1969), and 73 (1972). See also Ilan Greilsammer, Notes on the Concept of Brit (Ramat-Gan: Bar-Ilan University, Department of Political Studies, Covenant Working Paper Number 4, 1977).

9. Compare to Daniel J. Elazar, ISRAEL: From Ideological to Territorial Democracy (New York: General Learning Press, 1979); "Kinship and Consent in the Jewish Community: Patterns of Continuity in Jewish Communal Life, TRADITION, 14, No. 4 (Fall 1974), 63-79; and Covenant as the Basis of the Jewish Political Tradition (Ramat-Gan, Israel: Bar-Ilan University, Department of Political Studies, Covenant Working Paper Number 1), also to appear in Elazar, op. cit. See also Shlomo Avineri, "Israel, Two Nations? Midstream, No. 5 (1972).

10. There is no classic Jewish text that does not make this point in one way or another. For exemplary twentieth-century works that illustrate it by reliance on classical sources, see Martin Buber, Kingship of God (New York: Harper Row, 1967). Chayim Hirschensohn, Biblical Covenants, Their Terms and Their Force, 3 vols. (Jerusalem: Haibri Press, 1928). Ella Belfer, Am Israel u-Malchut Shamayim- yumim ba-Musag ha-Theokrat a ha-Yehudit (The People of Israel and the Kingdom of Heaven—Studies in Jewish Theocracy) (Ramat-Gan: Bar-Ilan University, Department of Political Studies, Covenant Working Paper Number 11, forthcoming); also presented to the World Congress of Jewish Studies, 1977.


13. Buber, op. cit. This writer's anthology, Covenant and Commonwealth: Readings in the Political Life and Thought of Biblical Israel (Philadelphia: Jewish Publication Society, 1978) provides a comprehensive treatment of the Biblical period with substantial citation of the appropriate Biblical texts. For post-Biblical treatments, see Gordon M. Freeman, "Aspects of Political Thought in the Talmud and Midrash," Diss. University of California, Berkeley, 1975; and Martin Sicker, "Rabbinic Political Thought: A Study of Fundamental Concepts," Diss. University of Michigan, Ann Arbor, 1975. As they both indicate, most post-Biblical Jewish political thought until the modern era was provided in the form of commentary on the Biblical text. See, for example, the classic commentaries of Don Isaac Abravanel.


See also Menachem Elon, "Power and Authority in the Medieval Jewish Community," in Elazar, The Jewish Political Tradition, op. cit.; Freeman (dissertation); and other works. On the other hand, the responsa of the RaShba, the Maharam of Rothenburg and the RoSh—the three "founding fathers" of the constitutional law of the medieval Jewish community—and the political writings of the Rambam and R. Judah HaLevi emphasize Biblical sources.

16. The list of primary materials illustrating the following points would be massive indeed. For the reader’s purposes, the materials in *Covenant and Commonwealth*, op. cit., and the studies by Freeman and Sicker (dissertations, op. cit.) offer valuable analytic summaries of many of those materials. The most comprehensive discussion of the post-Biblical-pre-Emancipation manifestations of the Jewish political tradition in practice remains Salo W. Baron, *The Jewish Community*, 3 vols. (Philadelphia: Jewish Publication Society, 1938-1942). Eliezer Schweid summarizes the key modern pre-Zionist works in “The Attitude Toward the State in Modern Jewish Thought Before Zionism,” in Elazar, *The Jewish Political Tradition*, op. cit. Accordingly, citations in the following section will be kept to a minimum, with the reader left to draw on the aforementioned sources in every case and especially where no others are cited.


23. Buber. op. cit.; Rackman, op. cit.; Schweid, op. cit.


26. I am indebted to Gordon Freeman for clarifying this point and its significance.


30. Among the projects being undertaken by the Workshop is a mapping of Jewish political history on the basis of constitutional epochs and generation responses to political events. See Daniel J. Elazar, “A Constitutional View of Jewish History,” *Judaism* (Summer 1963), and the workshop files.

31. Kadushin, op. cit.

32. The workshop is presently exploring Jewish political terms and their development from the
Biblical period to the present with a view toward developing a lexicon of Jewish political terminology.


34. See the literature on covenant, particularly the working papers listed in Appendix A.


37. Gil, op. cit.


42. Weinfeld, op. cit.

43. Baeck, op. cit.


Appendix A

WORKSHOP IN THE COVENANT IDEA AND
THE JEWISH POLITICAL TRADITION

WORKING PAPERS

1. *Covenant as the Basis of the Jewish Political Tradition* by Daniel J. Elazar

2. *The Rabbinic Understanding of Covenant as a Political Idea* by Gordon M. Freeman

3. *Jewish Political Thought and Contemporary Politics* by D.V. Segre

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4. Notes sur le concept de brit by Ilan Greilsammer
   Notes on the Concept of Brit by Ilan Greilsammer
5. The Politics of Prayer by Gordon M. Freeman
6. The Kehillah by Daniel J. Elazar
7. On the Duality of the Covenant Idea and Its Relation to the Messianic Idea (in Hebrew) by Ella Belfer
8. Prolegomena to the Study of Jewish Political Theory by Bernard Susser and Eliezer Don Yehiya
9. The Covenant with the Devil (in Hebrew) by Harold Fisch
10. Some Preliminary Observations on the Jewish Political Tradition by Daniel Elazar
11. The Kingdom of Israel as the Kingdom of Heaven: Preliminary Observations on the Jewish Concept of Theocracy (in Hebrew) by Ella Belfer
12. The Covenant in the Bible: A Source Book (in Hebrew) by Ruth Gil
13. The Covenant According to the Tannaim (in Hebrew) by Ruth Gil
14. The Anarcho-Federalism of Martin Buber by Bernard Susser
15. Theocentricity in Jewish Law by Emanuel Rackman

Appendix B

WORKSHOP IN THE COVENANT IDEA AND THE JEWISH POLITICAL TRADITION

Members:

Dr. Ella Belfer
Ms. Leah Burstein
Dr. Stuart Cohen
Dr. Eliezer Don Yehiya
Professor Daniel J. Elazar
Professor Harold Fisch
Dr. Arieh Fishman
Dr. Gordon Freeman
Dr. Ilan Greilsammer
Dr. Sam Lehman-Wilzig
Dr. Emanuel Rackman
Dr. Jacob Reuveny
Dr. Pinchas Rosenblit
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THE JEWISH POLITICAL TRADITION AND ITS CONTEMPORARY USES

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Bernard Susser and Eliezer Don Yehiya
IV. Individual and Community in Jewish Public Law in the Middle Ages
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