

לע"נ

הרב יעקב צבי ב"ר דוד אריה ז"ל

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Power from the Outside or Self-Restraint from Within

Sho-f'tim

This summer, we've seen riots on the streets of London and Manchester on the one hand, Tripoli on the other. On the face of it there was nothing in common between them. In London the rioters were holding rocks. In Tripoli they were holding machine guns. In Libya they were rioting to remove a tyrant. In London they were rioting for clothes and flatscreen televisions. There was only one thing in common, namely that there were riots. They reminded us, as John Maynard Keynes once said, that civilisation is a thin and precarious crust. It can crumble easily and quickly.

The riots in both places, in their different ways, should make us think in a new way about the unique political project Moshe was engaged in the parsha of Shoftim, and in the book of D'varim as a whole.

Why do crowds riot? The short answer is, because they can. This year we have seen the extraordinary

impact of smartphones, messaging systems and social network software: the last things, one might have thought, to bring about political change, but they have done so in one country after another in the Middle East - first Tunisia, then Egypt, then Libya, then Syria, and the reverberations will be with us for years to come. Similarly in Britain, though for quite different reasons, they have led to the worst, and strangest, riots in a generation.

What the technology has made possible is instant crowds. Crowd behaviour is notoriously volatile and sweeps up many kinds of people in its vortex. The result has been that for a while, chaos has prevailed, because the police or the army has been caught unawares. The Torah describes a similar situation after the sin of the Golden Calf:

"Moshe saw that the people were running wild and that Aharon had let them get out of control ..." (Sh'mot 32:25)

Crowds create chaos. How then do you deal with crowds? In England, the reaction is a call for more police, zero tolerance, and tougher sentencing. In the Middle East, we do not yet know whether we are seeing the birth of free societies or a replacement of the tyranny of a minority by the tyranny of the majority. However, it seems to be a shared assumption that the only

way you stop people robbing one another or killing one another is by the use of force. That has been the nature of politics since the birth of civilisation.

The argument was stated most clearly by Thomas Hobbes in the 17th century, in his political classic, Leviathan. Without the use of force, Hobbes said, we would be in a state of nature, a war of all against all in which life would be "nasty, brutish and short." What we have witnessed in both Britain and the Middle East has been a vivid tutorial in Hobbesian politics. We have seen what a state of nature looks like.

What Moshe was proposing in D'varim was fundamentally different. He assembled the people and told them, in so many words, that there would be social order in the new land they were about to inherit. But who would achieve it? Not Moshe. Not Yehoshua. Not a government. Not a tyrant. Not a charismatic leader. Not the army. Not the police. Who would do it. "You", said Moshe. The maintenance of order in D'varim is the responsibility of the entire people. That is what the covenant was about. That is what the Sages meant when they said KOL YISRAEL AREIVIN ZEH BAZEH, "All Israel are responsible for one another." Responsibility in Judaism belongs to all of us and it cannot be delegated away.

We see this most clearly in this week's parsha, in the law of 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 a king the Lord your God chooses ... The king must not acquire great numbers of horses for himself ... He must not take many wives ... He must not accumulate large amounts of silver and gold. (D'varim 17:14-17)

Note the strange way the command is phrased. "When you say ..." Is this an obligation or a permission? The people may call to have a king, "Like all the nations around us" - but the entire thrust of the Torah is that the Israelites were not to be like the other nations. To be holy means to be different, set apart. "The king must not ... must not ... must not." The accumulation of prohibitions is a clear signal that the Torah sees the institution as fraught with danger. And so it was. The wisest of men, Solomon, fell into all three traps and broke all three laws. But that is not the end of the Torah's warning. Even stronger words are to follow:

When he takes the throne of his kingdom, he is to write for himself on a scroll a copy of this Law ... It is to be with him, and he is to read it all the days of his life so that he may learn to

fear the Lord his God and follow carefully all the words of this law and these decrees and not consider himself better than his fellow Israelites ... (17:18-20)

Only one man is commanded in the Torah to be humble: the king.

This is not the place to go into the famous disagreement among the commentators as to whether appointing a king is a command or not.

[1] Rambam says it is an obligation.

[2] Ibn Ezra says it is a permission.

[3] Abarbanel says it is a concession.

[4] Rabbeinu Bahya says it is a punishment. The Israelites, a nation under the sovereignty of God, should never have sought a human leader. In the words of Avinu Malkeinu, EIN LANU MELECH ELA ATA, "We have no other king but You."

The point is, however, that the Torah is as far removed as possible from the world of Hobbes, in which it is Leviathan - his name for absolute monarchy, the central power - who is responsible for keeping order. In a Hobbesian world, without strong government there is chaos. Kings or their equivalent are absolutely necessary.

Moshe is articulating a quite different view of politics. Virtually every other

thinker has defined politics as the use of power. Moshe defines politics as the use of self-restraint. Politics, for Moshe, is about the voice of God within the human heart. It is about the ability to hear the words, "Thou shalt not." Politics in the Torah is not about the fear of the government. It is about the fear of God.

So radical is this political programme that it gave rise to a phenomenon unique in history. Not only did Jews keep Jewish law when they were in Israel, a sovereign state with government and power. They also kept Jewish law in exile for 2000 years, when they had no land, no power, no government, no army, and no police.

Rabbi Levi Yitzhak of Berdichev once said: "Master of the universe, in Russia there is a Czar, an army and a police force, but still in Russian houses you can find contraband goods. The Jewish people has no Czar, no army and no police force, but try finding bread in a Jewish home on Pesach!"

What Moshe understood in a way that has no parallel elsewhere is that there are only two ways of creating order: by power from the outside or self-restraint from within; either by the use of external force or by internalised knowledge of and commitment to the law.

How do you create such knowledge?
By strong families and strong communities and schools that teach children the law, and by parents teaching their children that "when you sit in your house or when you walk by the way, when you live down and when you rise up."

The result was that by the first century Josephus could write, "Should any one of our nation be asked about our laws, he will repeat them as readily as his own name. The result of our thorough education in our laws from the very dawn of intelligence is that they are, as it were, engraved on our souls."

This is a view of politics we are in danger of losing, at least in Europe, as it loses its Judeo-Christian heritage. I have argued, in many of these essays and several of my books, that the only country today that retains a covenantal view of politics is the United States. It was there, in one of the great speeches of the nineteenth century, that Abraham Lincoln articulated the fundamental idea of covenant, that when there is "government of the people, by the people, for the people", there is a new birth of freedom.

When only police or armies stand between order and riots, freedom itself is at risk.

Around the Shabbat Table:

- (1) **Why is the king in the Torah commanded to be humble, and what might this teach us about leadership?**
- (2) **Why do you think self-restraint is necessary in politics?**
- (3) **Consider some of the greatest leaders in Tanach: did they embody these noble qualities of leadership?**

Y'HI ZICHRO BARUCH