

Policy of Separation:
Government works best when the secular
and spiritual coexist

For half a century I have tried to convince my co-religionists that Jewish tradition does not call for a Jewish state to be a theocracy if that means a state whose head of government is a cleric - Jewish, Christian or Muslim - and whose officials are members of the clergy.

I tried to make it clear that the Jewish tradition requires precisely the opposite - a separation between the spiritual and temporal authority. The two should coexist, but the vesting of both authorities in one person or group is disastrous, as it was in the time of the Maccabees.

I write about this because I was delighted to read in a Yeshiva University publication that one of the greatest luminaries in the Jewish world today, the renowned Rabbi Aharon Lichtenstein, head of Yeshivat Gush Etzion in Israel, has expressed the same view.

“A priori, one can postulate three primary positions,” Lichtenstein wrote. “Civil and religious authority may virtually coincide, power being concentrated in the hands of a king-priest or curia, as in numerous primitive societies or in some instances in contemporary Islam. At the other extreme, the two may be theoretically totally separated, as in the United States. Intermediately, there may be some blend of difference and association, this being the prevalent pattern in most modern European countries.

“With respect to this cardinal issue, there can be little doubt about the classical Jewish position. Traditional Judaism has thoroughly rejected the fusion of secular and religious authority. Confrontations between prophets and monarchs were a hallmark of the First Commonwealth. Even as regards the relatively more

mundane institution of priesthood, Nachmanides states that its members are halachically enjoined from assuming the throne, and goes so far as to suggest that the Hasmonean dynasty was divinely punished to the point of extinction because its scions, as priests, should not have ruled but only labored in the service of God (Comm, on Gen. 49:10).

“On the other hand, radical severance has been equally out of the question. A people defined as a kingdom of priests and a holy nation (Ex. 19:6) is hardly prone to divorce its political from its religious institutions.”

Rabbi Lichtenstein cites only the instance of the Hasmonean dynasty. I have maintained that the policy of separation was initiated by Moses himself, who divided between the two authorities and bequeathed them to a high priest on one hand and a commanding general on the other. Augustine held the view that Jesus was entitled to have both powers - in him the two authorities were vested as they were in Moses. And it was only a millennium later that a Christian pope arrogated the same power to himself alone. Thus the talk about theocracy began.

Yet that was not the original meaning of the term coined by the historian Josephus. Josephus tried to explain the Jewish view to the Greeks and Romans, using the word theocracy to describe a state ruled by a law given by God. It would have been more correct to say “monocracy.” But Judaism should not be demeaned because Josephus made a mistake and a pope took advantage.

The coexistence of the temporal and religious authorities is the ideal. But not always is it possible to avoid conflicts. For many centuries Jewish communities were fairly homogenous and clashes were few. In the contemporary heterogeneous Jewish state, however, there is likely to be ceaseless tension.

Many are the practical consequences of Judaism’s approach. The principal one may be the very principle of separation of church and state, which I have deemed of Jewish origin. But there were other consequences as well.

A major one is the fact that political and economic power was never to be in the hands of the clergy. They had to rely on precept and example to influence the benign exercise of political and economic power by the secular authority. That priests and rabbis among Jews - and priests in the other faiths - managed to do the

opposite of what God had wished does not disprove my thesis. But in the new state that we Jews have, it would be well to clarify what the ideal is and how we can fulfill it.

Certainly the religious parties are not to be credited with such an effort. In Israel's last election, a political party for which I voted and which had among its leaders Rabbanit Tova Lichtenstein, tried to restore the spiritual authority on course. It did receive support from tens of thousand of Jews, but not enough to elect a member of Knesset. But the ideal is still one to which these thousands plus many others are committed.

The Charedi parties in Israel see the Jewish tradition as the popes did and would delight in a state run by its "great Torah sages." But the religious Zionist parties are more loyal to the authentic Jewish tradition. Perhaps only the daring among them will assert this. But so it is.

The function of religious parties is to help the spiritual authority to generate values and influence the citizens and the rulers by persuasion to exercise the temporal authority in fulfillment of those values, but never to usurp the temporal authority unto themselves.

The most eloquent illustration of the difference can be seen in one striking fact.

The State of Israel does not have a law that coerces parents to circumcise all males born to Jewish mothers. Parents are free to do as they please. Yet almost all obey the mandate of the spiritual authority. There is no conflict. There is no coercion. What the spiritual authority mandates is fulfilled without the force of the temporal authority.

With regard to family law, however, the situation is exactly the opposite. The spiritual authority enjoys a monopoly on domestic relations. The result is disastrous. The law is hated; those in charge of the law are hated; the Torah is maligned; extortion and blackmail are rampant.

For 50 years I tried my best to defend the system in the interest of Jewish unity. But I now find the price is too great. And the cause of unity is not advanced.

Before it is too late, the situation must be given another look. A full revision is in order. The spiritual authority owes it to its own principles to make it.