

The Bible and Political Philosophy in Modern Jewish Thought¹⁾

Martin Buber's Theocracy and Its Reception in an Israeli Context

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Abstract

This paper aims to shed some light on the association between the Bible and political philosophy in modern Jewish thought from the angle of Martin Buber's notion of theocracy. To begin with, I will present an overall picture of the general relationship between both the Bible and political philosophy before moving onto Buber's notion of theocracy. Then, I will attempt to obtain a bird's-eye view of the question of theocracy by examining how Buber's thought has been evaluated by the recent scholars of Jewish thought who have addressed Buber's ideology in earnest. In his *The Kingdom of God (Königtum Gottes)* (1932), Martin Buber (1878–1965) provides in-depth insight into the concept of theocracy, which is of critical importance in considering the relationship between religion and politics. Issues relating to theocracy as raised by Buber are being studied in various fields and still ignite active discussions today.

Keywords: Martin Buber, theocracy, kingship of God, modern Jewish thought, Bible and political philosophy

Introduction : Relationship between the Bible and political philosophy

First, I shall outline how biblical philosophy was treated as part of political philosophy. In medieval Europe, Christian biblical teachings were integrated with the natural law philosophy that has its origin in ancient Greece, which gave rise to a political philosophy that attaches equal weight to divine law and natural law as a basis of judgment.²⁾ During the medieval era, the Bible was at the center of all political and legal activities. Following religious Reformation and social revolutions, however, the understanding of the Bible combined with natural law philosophy was gradually relativized in civilized societies, especially in Europe and the U.S. In the 18th century, a number of philosophers, including Immanuel Kant (1724–1804) and Jeremy Bentham (1748–1832), began to seek the reasoning behind political and legal activities not in the Bible but in human nature.³⁾ Today, the attitude to accept the natural law philosophy that is tied to biblical thought and ancient Greek philosophy as a model is deemed to be obsolete⁴⁾, and political philosophy is mostly treated as a thought that originates from human nature. However, some

scholars express disagreement with such a trend. For example, Leo Strauss, a Jewish political philosopher, argues that the understanding of the classical natural law backed by the ancient Greek philosophy should be part of the study of political philosophy.⁵⁾

During the process of secularization in the modern age, some Jewish people in Western society developed an attitude that viewed the Hebrew Bible⁶⁾ (Old Testament) not as sacred scripture but as a classic work of literature. Especially in Israel, the Hebrew Bible is treated as the nation's legitimate classical piece of work; and recently, a group was established by parliament members to study the Bible and Jewish thought, and then they learned from the leaders depicted in the Hebrew Bible.⁷⁾ In addition, the Hebrew Bible has been providing popular topics of discussion in a wide range of fields⁸⁾, and the question regarding the nature of the Bible—whether it is a sacred scripture or a classical work of literature⁹⁾—is now one of the most important themes that have to be addressed if we are to understand the contemporary political philosophy of Israel. In light of these situations, how we understand the view of the world presented in the Hebrew Bible not only concerns hermeneutic study but can also influence actual politics, or, in other words, can affect the security problem in the Middle East.

In this paper, I will discuss the concept of theocracy¹⁰⁾, which is of critical importance for considering the relationship between religion and politics, placing focus on the view of theocracy that Martin Buber presents in *The Kingdom of God*.¹¹⁾ While Martin Buber is generally known as a philosopher who had significant influence over the world of thought in the 20th century, he was also active in the political field in Israel, often engaging in controversy with David Ben-Gurion, then-Prime Minister of Israel. Regarding the relationship between Buber's thought and politics, Paul Mendes-Flohr writes "He was profoundly distressed that his commentators and readers often tended to ignore his political concerns or to minimize them by regarding them as distinct and tangential to his religious and philosophical teachings."¹²⁾ This paper addresses Buber's notion of theocracy¹³⁾, which was behind the practical remarks he made in the political arena and which, characteristically, has its origin in his interpretation of the Bible.¹⁴⁾ First, I will make clear the distinct characteristics of Buber's concept of theocracy and then consider how his understanding of theocracy is evaluated by some modern scholars of Jewish thought. In doing so, I will attempt to obtain a bird's-eye view of the arguments surrounding Buber's theocracy.

I . Buber's understanding of theocracy

1. Direct rule of God

Buber's concept of theocracy can be best characterized by his conviction in the direct rule of God. Originally, Buber presented his view of theocracy in order to express his disagreement with *Prolegomena to the History of Israel (Prolegomena zur Geschichte Israels)*¹⁵⁾, authored by Julius Wellhausen, who launched the documentary hypothesis as part of the historical criticism

that would later become a mainstream approach to modern biblical study.¹⁶⁾ Buber's rebuttal was directed at the conclusion that Wellhausen had reached through his critical examination of the various sources that constitute the Bible. Wellhausen held that a theocracy was not in place in ancient Israel and that it was only after the Babylonian captivity that theocracy in the form of governance by priests was introduced to Israel. While Wellhausen argues that the following verses of the Book of Judges were added to the text later in history and that the ideology behind them could not have been conceived in ancient Israel, Buber contradicts this view by saying that these verses do in fact date back to ancient Israel and that they reflect the will of the Israelites to be subject to the direct rule of God.

Then the men of Israel said to Gideon, "Rule over us, you and your son and your grandson also, for you have saved us from the hand of Midian." Gideon said to them, "I will not rule over you, and my son will not rule over you; the Lord will rule over you." (Judges 8:22–23)¹⁷⁾

Buber's understanding of theocracy is completely different from that of Wellhausen, who identifies theocracy with governance by priests on behalf of God, a form of governance that has been generally seen in Western history. In the understanding of Buber, "For historical scholarship theocracy appears to have to be equated with hierocracy, with 'rulership of the consecrated ones,' whether this expresses itself in the direct rule of the priestly cast or in a kingship legitimized by a priestly oracle and partly dependent upon it, or also in the deification of the ruler" (Martin Buber 1990:59–60). According to Buber, the words of Gideon represent the aspiration of the Israelites for rule by God as well as the complete denial of any human sovereignty. The attitude to deify someone was viewed as incompatible with biblical thought, and Gideon, who understood theocracy in its original meaning, declined the offer to be the king of Israel, as such dynastic sovereignty is designed to deify the king and unconditionally guarantee the position of kingship. To sum it up, Buber writes "The real counterpart of direct theocracy is the *hereditary* Kingship. Hence no leaderlike character can belong also to the priestly dynasty: the cultic office is inheritable, the political office plainly charismatic" (Martin Buber 1990:136).

2. Yahweh as king (Melekh) ¹⁸⁾

Basically, Buber holds the view that Yahweh, as God, has the characteristics of a king. One of the sources that best represent this view is the foreword to the second edition of *The Kingdom of God*, in which Buber responds to criticism by Wilhelm Caspari.¹⁹⁾

Like Wellhausen, Caspari argues that theocracy could not have been in place before the emergence of a state, and that there could not have been a tendency toward a primitive theocratic fundamental law in history. According to Caspari, "theocracy occurs only in the state, not previous to it or without it" (Martin Buber 1990:17) and "Through inquiry a loose federation of communities, at high points of their activity or in crises (Judges 1), placed themselves under a divine leadership. This situation is too original to count as theocracy, namely as a subordination

under God resulting in *political* forms” (Martin Buber 1990:24). To this criticism of Caspari, Buber responds as follows, which clearly describes his stance to recognize Yahweh as king, which characterizes Buber’s thought. “If, according to Caspari, there are in the pre-state history of Israel situations in which a ‘loose federation of communities’ places itself under a divine leadership so that ‘God appears as regent’, then this is to me enough of a ‘concession’; and when he adds that this state of affairs is ‘too original to count as theocracy’, I willingly surrender for the splendid adjective ‘original’ the dubious substantive ‘theocracy’. I would rather call what I mean kingship of God” (Martin Buber 1990:25).

As shown above, Buber says that he will be pleased to use the adjective “original” in place of the noun “theocracy,” despite its importance as a keyword of *The Kingdom of God*. Following this quotation, Buber describes Yahweh as follows: “JHWH had dispensed justice for them, He had gone on before them and had fought their battle, the *melekh* of an original early period” (Martin Buber 1990:25), which indicates that Buber places importance on Yahweh as “the king of an original early period.” Additionally, the term “kingship of God,” which is the direct translation of *Königtum Gottes*, is seen in the above quotation: “I would rather call what I mean kingship of God.”

3. Problem pertaining to Buber’s concept of theocracy

Buber discusses the problem pertaining to his concept of theocracy in Chapter 8 of this work.²⁰⁾ He argues “the more purely it [theocracy] occurs the less it wishes to compel obedience” (Martin Buber 1990:148) and refers to this pure manifestation of theocracy as “the paradox of the theocratic order” (*ibid.*). This paradox can give rise to one problem, which Buber describes as follows: “accordingly it [theocracy] is a strong bastion for the obedient, but also at the same time can be a shelter to the self-seeking behind which he exalts his lack of commitment as divine freedom; that consequently a conflict between the latter and the former blazes forth in which both sides contend in the same name, and always without a clear issue of the quarrel. The theocratic order which, extra-religiously speaking, envisions community as voluntariness, can again and again degenerate into a moderately sanctioned disorder without the conquering powers being encountered in their own radicality” (Martin Buber 1990:148–149). In saying this, Buber indicates that theocracy is not a perfect concept—it can end up in anarchism.²¹⁾

To avoid falling into such disorder, Buber argues, “new pronouncement from above, a new charisma, is awaited” (Martin Buber 1990:149). He further adds “while Joshua neither names a successor nor otherwise arrives at an ordinance in order to transform the charismatic authority into a ‘perennial institution’, he strips theocratic reality of its severe garments of power” (*ibid.*). This could result in serious confusion, which, however, can be resolved by the advent of “the true charismatic leaders of the people of the pre-kingly period” (Martin Buber 1990:155). Thus, Buber holds that the risk of theocracy developing into anarchism can be overcome by charismatic leadership. Apparently, this view of charisma seems to indicate the necessity of human leadership,

and therefore, would be incompatible with Buber's notion of the direct rule of God. Regarding this point, Buber, referring to the theory of charisma advocated by Max Weber,²²⁾ explains as follows. "Max Weber has characterized in broad outlines the image of 'purely charismatic' rulership as one by person who, by virtue of a peculiar 'gift'... Within this 'markedly social structural form' the historical form of the direct theocracy—which to confuse with hierocracy in this context would be especially misleading—is to be understood as that very charismatic which, with its experience of the *charis*, deals seriously with the social and political reality dependent upon it" (Martin Buber 1990:139). This quotation evidently shows that Buber does not feel that governance by a charismatic human leader conflicts with his notion of the direct rule of God.²³⁾

II. Reception of Buber's concept of theocracy in the context of modern Jewish thought

In this section, I will discuss how the view presented by Buber in the framework of biblical study is accepted by modern scholars of Jewish thought. By examining the understanding of Buber's theocracy by major scholars, I think we can shed light on the modernity of theocracy in the context of Jewish thought.

1. Understanding of Buber by Warren Zev Harvey

Warren Zev Harvey (1943–) is a professor at the Department of Jewish Thought at the Hebrew University of Jerusalem. His academic interest covers a whole range of Jewish thought, from ancient to modern, including the influence of ancient Greek and Roman philosophy on Rabbinic Judaism, the relevance of Maimonides' thought to Moses Mendelssohn and Salomon Maimon, and philosophers in and after the modern age, such as Baruch De Spinoza, Thomas Hobbes, Martin Buber, Franz Rosenzweig, and Emmanuel Lévinas.

First, I will provide an overview of the scholarship of Harvey, who points out that Buber's analysis of theocracy in *The Kingdom of God* and *Moshe* accords almost perfectly with his concept of an "ideal utopian society of free will,"²⁴⁾ and quotes the following passage of *The Kingdom God* as evidence of such accordance. "Nevertheless the sociological 'utopia' of a voluntary community is nothing else but the immanent side of the direct theocracy" (Martin Buber 1990:139). Harvey then raises the question that, if the "theocracy of Moses"²⁵⁾ and the "philosophical notion of utopia" mean the same thing, then we would not need the theocratic term "kingship of God" (*malkūt'elōhīm*) any longer, as the secularist term "community of free will" will serve the purpose. Buber's answer to this question is, according to Harvey, as follows. The difference between the philosophical notion of utopia and the theocracy of Moses lies in the relationship between man and spirit. In philosophy, man is considered to be the owner of his spirit, but this is not so in the teaching of Moses. Harvey sees Buber's reasoning behind this answer when recalling the public inaugural lecture on the difference between utopia and theocracy that Buber delivered in April 1938 at the Hebrew University of Jerusalem.²⁶⁾ The following two passages taken from this lecture

show that Buber considered this question in the same context.

“Isaiah does not share Plato’s belief that the spirit is a possession of man”²⁷⁾

“When Isaiah uses the word *ha-melekh* it is not in the sense of a theological metaphor but in that of a political constitutional concept. But this sovereignty of God which he propounded is the opposite of the sovereignty of priests, which is commonly termed theocracy...”²⁸⁾

In light of the argument of Buber, Harvey holds that biblical theocracy, which considers that spirit is not subject to human ownership, denies not only human control over others but also egoism, or control by the ego (*šilt.ôn ha’anî*).²⁹⁾ According to Harvey, it is this denial of “control by ego” that distinguishes between theocracy and anarchism, which are recognized by Buber as just as different as life and death.³⁰⁾ It may seem that Harvey, an ardent reader of the works of Buber, presented the concept of “control by ego” with a view to settling the question of theocracy. However, the following passage in Chapter 8 of *The Kingdom of God* clearly shows that Buber deems charismatic rule not rule by man.

“The charisma depends here on the *charis* and on nothing else; there is here no charisma at rest, only a hovering one, no possession of spirit, only a ‘spiriting’, a coming and going of the *ruach*; no assurance of power, only the streams of an authority which presents itself and moves away. The charisma depends here on the *charis* of a God...” (Martin Buber 1990:140)

In Harvey’s view, among the few thinkers who pursued political philosophy and biblical study in great depth, Buber was not the only thinker who developed the notion of either theocracy in the perspective of the biblical kingship of God or utopian anarchism oriented to justice and equality. Harvey maintains that similar thoughts, as well as their variations, were conceived by Rabbi Yitzhak Abarbanel, Thomas Hobbes, Moses Mendelssohn, and others. “But, in our time, it seems to be that Buber stands alone. Furthermore it seems to be that Buber was the only one through generations to argue for this idea as a current demand. After all, The Kingship of God is displayed by him as a designation for us *today*, as a living Judaism and as a living Zionism” (translated by Hiraoka from Hebrew)³¹⁾

In his papers on Buber, Harvey attempts to evaluate Buber’s thought of theocracy. If Harvey sees no importance in Buber’s contention, then he would not have addressed Buber’s thought in his papers in the first place. Considering that Harvey is a leading scholar of Jewish thought at the Hebrew University of Jerusalem and that he himself observes traditional Jewish laws, Harvey’s favorable evaluation of Buber can be interpreted to indicate that Harvey sees certain possibilities in Buber’s thought.

2. Understanding of Buber by Moshe Halbertal

Moshe Halbertal (1958–) is a professor at the Department of Philosophy and the Department of Jewish Thought at the Hebrew University of Jerusalem. Additionally, he was also a professor

at New York University and a visiting professor at Harvard Law School. His research themes are *halakhah* (Jewish law), medieval Jewish thought, and ethics and political ideology in the general history of philosophy.

Halbertal presents a critical view of the concept of the “kingship of God” in *The Jewish Political Tradition Vol.1: Authority*³²⁾, edited by Michael Walzer, an American political philosopher. He begins his criticism by examining the concept of God as the owner of kingship, saying “Unlike the pagan gods, the God of Israel is a jealous God. While paganism allows the worship of many gods, the God of Israel demands exclusivity”³³⁾ He argues that such exclusivity appears most conspicuously in worship, in which people are not allowed to make an offering, pray, burn incense, or pour water on the altar for any god other than Yahweh—if any such acts are directed to men, organizations, or other gods, it is considered to be idolatry. Additionally, in Halbertal’s view, “worship” directly corresponds to the order of an exclusive sexual relationship in a monogamous marriage. Therefore, the oneness of God has huge influence in developing an understanding of the kingship of God and its relationship with politics. In this connection, Halbertal indicates that “What constitutes worship and what counts as deification is therefore at the heart of the problem of God’s kingship.”³⁴⁾

Next, Halbertal argues that two notions conflict with each other in the biblical thought of the kingship of God. One is that “God is king” and the other is that the “king is not God.” According to the former notion, kingship belongs exclusively to God, and the transfer of kingship to any man would mean deifying such man. “The only human leadership that is acceptable on such an understanding of God’s kingship is the ad hoc noninstitutional leadership of the Judges.”³⁵⁾ In the understanding of Halbertal, though, God gave judges only limited power: God still wanted to demonstrate His direct sovereignty over the people in a clearly visible manner. That is why He ordered Gideon to reduce the forces mobilized to fight the Midianites. The Lord said to Gideon, “You have too many troops with you for me to deliver Midian into their hands; Israel might claim for themselves the glory due to Me, thinking, ‘Our own hand has brought us victory’” (Judg. 7:2).³⁶⁾ Halbertal also maintains that the opposition of the prophet Isaiah to entering into a defense alliance with large powers such as Egypt and Assyria may be interpreted as representing the will of God to impose additional restrictions on realpolitic, in order to reserve all political power for Himself. “God is after all the protector and lord, and Israel is his vassal, not Egypt’s or Assyria’s: ‘Ha! Those who go down to Egypt for help and rely upon horses! They have put their trust in abundance of chariots, in vast numbers of riders and they have not turned to the Holy One of Israel, they have not sought the Lord’ (Isa. 31:1).”³⁷⁾

Halbertal points out that the notion that “God is king” harbors, at its core, the thought that “worship” is a way to express political obedience and that granting kingship to a man means deifying such man. He inquires into the essence of the proposed system of governance that lies in this thought and concludes that the contemporary counterpart of this system is anarchism. For this reason, he pays attention to Buber, who explored this anarchism. According to Halbertal,

Buber wished to renovate the ideology of the kingship of God as divine anarchism. Buber saw in the Zionist movement the possibility to create an unorganized yet active community bound in the “I-thou” relationship, not in the “I-it” relationship. Halbertal maintains that this view can be criticized in the modern context on the grounds of the Bible itself. As long as a state does not have the exclusive authority to exercise power, the weak become most vulnerable to attack. A “natural state” in the anarchist sense cannot develop into a community of free individuals that is based on the mutual respect of rights; instead, it can give rise to complete confusion and arbitrary control by those with power. “The last verse of the book of Judges is the opposition’s summary of what can be learned from the social experiment in anarchism: “In those days there was no king in Israel; everyone did as he pleased” (Judg. 21:25).”³⁸⁾ Halbertal further argues that “When such a community of sacred anarchy faces threats from organized states with powerful standing armies, as it inevitably must, it quickly collapses. This is why the elders of Israel make their request: “We must have a king over us, that we may be like all other nations: Let our king rule over us and go out... and fight our battles” (1 Sam. 8:19–20).”³⁹⁾ Halbertal observes that anarchist theorists typically rebut as follows: “The evils produced by organized states pose a far greater danger than the harm done by individuals to each other. Outside threats to the anarchist community should not be answered by forced conscription and taxation but by volunteerism, whose spirit will be unmatched by that of any organized force”⁴⁰⁾

Halbertal insists that alternative to the notion of the kingship of God is the notion that the “king is not God.” In his view, God does not take the reins of government as the only owner of power by Himself. Instead, He imposes certain restrictions on political requirements. Granting kingship to a man does not mean deifying the man—human deification can be seen only in the legend of a kingdom as a trans-historical system originating in a natural reality, namely, the belief that the “king is God.” When a human king goes beyond acting as a warrior, lawgiver, or judge, and is deemed to have the power to cause the Nile to flood or let the sun rise, the boundary between man and God is crossed.

According to Halbertal, the Books of Samuel, after all, accept a monarchical system on condition that the king remains dependent on God. However, the Bible presents a further view of the monarchical system, as shown in the notion of kingship theology described in Psalms 49. This chapter proposes the idea of a human king as a mediator between God and men, as well as the owner of an independent contract with God. Further, in several passages, the chapter depicts a king as a divine being who can cross the boundary between God and men. While the notion that the “king is not God” can be a justification for secular government, it also requires a guarantee that human governance is confined within the boundary. “The king has to fear God rather than become a god: “Thus he will not act haughtily towards his fellows or deviate from the commandment to the right or to the left” (Deut. 17:20).”⁴¹⁾

In the view of Halbertal, human deification is the most evil act in political terms, as it constantly offers temptation to those with power. The notion that “God is king” makes the

boundary between God and men even narrower than the notion that the “king is not God,” as in the former notion, human kingship can mean a sort of deification and worship is considered as a means to express political obedience. Halbertal argues that the notion that “God is king” is exposed to a greater risk of deifying a human king than the notion that the “king is not God.” Obviously, this view is opposed to the thought of the “kingship of God” on which Buber places the greatest emphasis. Halbertal further argues that the institutional void created by the ideology that “God is king” is eventually filled by a mediator who calls him an agent of God, which results in corruption of the pure theocracy into governance by priests and causes the prophetic claims. If God is held to be king, the complete political process is deemed to be absolute and honored as sacred by human agents of God. On the other hand, “The moderate view that the king is not a god, although it allows for political authority, affords better protection against deification.”⁴²⁾

Halbertal’s notion that the “king is not God,” however, can pose a question regarding fundamental Jewish tradition⁴³⁾. The Shema prayer of Judaism contains the expression “yoke of the kingship of Heaven” (*’ôl malkūt šāmym*) (“Heaven” refers to “God”), which means that traditional laws are given by God. In this light, Halbertal’s reasoning may be interpreted to indicate a denial of God as king. On the other hand, Buber was not always faithful to traditional Jewish laws; and in this light, his ideology may be categorized into “Jewish thought,” but can hardly be called the “thought of Judaism.” Yet, his understanding of God as king is definitely an important concept in Judaism.⁴⁴⁾ It should also be noted that Buber adopted “*malkūt šāmym*” (kingship of heaven), a notion closely associated with traditional Judaism, as the Hebrew title of his *Königtum Gottes*, instead of its direct translation, “*malkūt ’elohim*” (kingship of God). This fact makes it inappropriate to simply call Buber a thinker who was opposed to traditional Judaism.

Conclusion

Through the above discussion, we have seen that the notion of the “kingship of God” raised as a theme of modern biblical study has led scholars to reflect on the theocratic thought held by Buber, and this theme is still discussed among modern scholars of Jewish thought. Buber, Harvey, and Halbertal are all opposed to human theocracy, namely, human governance as an agent of God. Harvey pays special attention to Buber’s notion of theocracy in relation to his thought in general, and highly appraises it. Harvey supports the thought of Buber by bringing together Buber’s view of theocracy and the fundamental ideology of Judaism. In fact, there are no critical comments about Buber in Harvey’s papers. On the other hand, Halbertal, from the perspective of idolatry, points out that Buber’s notion of theocracy can justify governance by a human leader with absolute power as an agent of God. By raising an opposition to Buber’s notion that “God is not king,” Halbertal attempts to reconstruct and overcome the thought of Buber that appears to him as too fragile. Further, the question of theocracy that Buber found in the Bible has been a

subject of discussion even up to the present time, and the fact that the abovementioned scholars of Jewish thought have remained interested in Buber's thought can be considered to be clear evidence that Buber still offers them stimulating and meaningful insights.

Recently in Japan, Buber is drawing increased attention as an "advocate" of the concept of bi-nationalism.⁴⁵⁾ This paper has addressed Buber's view of theocracy, focusing on how he understands governance by God and that by man, which is one of the most important concepts behind his political thought and should be taken into full consideration when examining the practical remarks he made in the political arena.

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NOTES

- 1) This paper is written based on my presentation at the Young Researchers' Symposium, which was titled "The Philosophy of Martin Buber and his Biblical Hermeneutics: Between Germanness and Jewishness." I would like to express my heartfelt gratitude to Dr. Kenichi Kida, Dr. Hiroshi Kita, Dr. Shinichiro Hama, Dr. Masato Goda, and Dr. Izaya Teshima, who were present at the symposium and offered valuable insight. I would like (Also) to express my deepest gratitude to Prof. Warren Zev Harvey and Prof. Moshe Halbartal and Rabbi Prof. Yehoyada amir, who gave important comments to my research in the summer of 2010 at Jerusalem. Allow me to omit honorifics in the rest of this paper.
- 2) Philosophers representative of this thought are Aurelius Augustinus and Thomas Aquinas. The process of integration of the natural law originating in ancient Greece with Christian teachings is discussed in the following book, which was recently published: Keita Koga, *Seijishiso no genryu: Hellenism to Hebraism (Origin of Political Thought: Hellenism and Hebraism)* (Fukosha, 2010).
- 3) Kant attempted to construct morality grounded in human reason, while Bentham advocated utilitarianism starting from the concept of pleasure and pain. For the views of these two philosophers on the philosophy of law and the thought of law, I referred to the following book: Mitsunori Fukada, Shinichiro Hama (authors and editors), *Yokuwakaru hotetsugaku hoshiso (Easy Introduction to Philosophy of Law and Thought of Law)* (Minerva Shobo, 2007).
- 4) A.P. d'Entreves discusses the concept of natural law as follows. "In the last century and a half it has been assailed from many sides as critically unsound and as historically pernicious. It was declared to be dead, never to rise again from its ashes. Yet natural law has survived and still calls

- for discussion.” Alexander Passerin d’Entreves, *Natural Law: An Introduction to Legal Philosophy* (London, Hutchinson University Library 1967, p.7.).
- 5) Strauss discusses his view of natural rights in: Leo Strauss, *Natural Law and History* (Chicago and London : The University of Chicago Press, 1963).
 - 6) In Hebrew, the Bible is called *Tanakh*, an acronym for three sections of the Jewish Bible; the Torah (Five Books of Moses), Neviim (Books of the Prophets), and Ketubim (Writings).
 - 7) This study meeting was inaugurated in 2000 in cooperation with the Hebrew University of Jerusalem, and several Hebrew booklets were published in 2001.
 - 8) For example, Eliezer Schweid, a thinker and a leading Israeli scholar of Jewish thought, authored a book to discuss the Hebrew Bible as a cultural foundation. Eliezer Schweid, *The Philosophy of the Bible As a Cultural Foundation in Israel* (Tel Aviv: Yediot Ahronot 2004: in Hebrew).
 - 9) The attitude that regards the Bible as a sacred scripture is held by those who observe traditional Jewish law (*halakhah*) and who respect the Hebrew Bible as the origin of *halakhah*. However, some people take the Hebrew Bible as “sacred scripture” even if they do not observe traditional law.
 - 10) The concept of theocracy is considered to have been coined by Flavius Josephus, a historian active in the 1st century. In the modern age, Spinoza (1632–1677) used this concept to advocate “liberalism,” to which Moses Mendelssohn (1729–1786) responded later in his book, *Jerusalem*. In the 20th century, the concept of theocracy was used by scholars in their study of the philosophy of Yitzhak Abravanel, and when *Jewish Theocracy* was published in 1976, the concept was given extensive coverage in newspapers and academic journals. For the controversy over theocracy within Jewish thought in the 20th century, refer to my following paper: “Religion and Politics in Modern Jewish Thought: Jewish Theocracy as Debated by G. Weiler and A. Ravitzky” *Shukyo Kenkyu*, 362nd issue (December 2009).
 - 11) Martin Buber, *Königtum Gottes* (Verlag Lambert Schneider, Heidelberg, 1956); Martin Buber, *Kingship of God*, translated by Richard Scheimann (New Jersey London: Humanities Press International, 1990). The quotation is taken from its English translation, and in the text, the source of quotation is shown by author, year of publication, and page number.
 - 12) Martin Buber, *A Land of Two Peoples*, Paul Mendes-Flohr (Editor) (Chicago: The University of Chicago Press, 2005).
 - 13) In Buber’s *Kami no okoku*, the Japanese translation of *The Kingdom of God* by Kenichi Kida and Hiroshi Kita (Board of Publications, United Church of Christ in Japan, 2003), the term “*Theokratie*” is translated as “*shinsei seiji* (神政政治).” However, I use the term “*shinken seiji* (神権政治)” for Buber’s *Theokratie* in this paper for two reasons. The first reason concerns the origin of the word. The word “*Theokratie*” is derived from the Greek word “*θεοκρατία*,” which is a combination of two words - “*θεός*” meaning “God” and “*κρατία*” meaning “power.” As the Chinese character “*權*” has the meaning of “power,” the term “*神権政治*” can better represent the meaning of the Greek word “*θεοκρατία*,”—the origin of “*Theokratie*.” In *The Kingdom of God*, Buber also uses the word “*Theopolitik*,” which is translated as “*神権政治*” in the Japanese translation. However, the origin of this word is the Greek word “*θεοπολιτικά*,” which is a combination of “*θεός*” (God) and “*πολιτικά*” (something like a polis/politics). Therefore, I think that for “*Theopolitik*,” the term “*神政政治*” is nearer to the meaning of its original Greek word.

The second reason for choosing “神權政治” for “*Theokratie*” relates to Buber’s view of “*Theokratie*” and “*Theopolitik*.” Buber uses the word “*Theokratie*” to refer to the direct rule of God throughout *The Kingdom of God*. On the other hand, when Buber uses the term “*Theopolitik*,” he means “action of a public nature from the point of view of the tendency toward the actualization of divine rulership” (Martin Buber 1990:57) namely, a stage in the process toward the realization of the rule of God in the public realm, as seen in the foreword to the third edition of *The Kingdom of God*, in which Buber responds to the criticism of W. Michaelis. He uses the term “*Theopolitik*” also in the same way in his other works. Accordingly, what Isaiah the Prophet had in mind when he raised opposition to King Ahaz entering into an alliance with Assyria and Egypt is “admittedly a special policy that may be called theopolitics, which means putting a certain people under the control of God in certain circumstances.” (Martin Buber, *Torat ha-nevi'im*, (Tel-Aviv: Bialik Institute, 1950: in Hebrew), p. 125.) For these reasons, I opted to use the term “神權政治” for “*Theokratie*” and “神政政治” for “*Theopolitik*.” This paper focuses on “*Theokratie*” because this is the main theme of *The Kingdom of God*.

- 14) Buber presents his practical political views in his *A Land of Two Peoples* and other works, and repeats his notion of the kingship of God, which is at the core of his theocracy, in his mystery play, “Elijah” (1956). In this light, we can say that political views mean more than mere commentaries in biblical study to Buber.
- 15) *Prolegomena zur Geschichte Israels* (Berlin: Reimer, 1883)
- 16) Yehezkel Kaufmann, a Jewish biblical scholar who discussed the issue of theocracy with Buber also expressed disagreement with the understanding of theocracy by Wellhausen. Yehezkel Kaufmann, *The History of Israelite Religion Vol. I* (Tel Aviv, Bialik and Dvir, 1937–1956: in Hebrew), pp.686–708. The following paper examines the controversy between Wellhausen and Kaufmann by exploring the basic question of modern biblical study. Job Y. Jindo, “Kaufmann’s View of the Basic Question of Modern Biblical Study: From Kaufmann’s Criticism of Wellhausen” *JISMOR 3* (CISMOR, Doshisha University, February 2007), pp.44–78.
- 17) The Japanese quotation from the Bible is taken from the New Interconfessional Translation Bible published by the Japan Bible Society.
- 18) “Yahweh as king” is the title of Chapter 5 of *The Kingdom of God*. The original title is “JHWH DER MELEKH.”
- 19) Buber revised the foreword to *The Kingdom of God* as it went through three editions, to respond to the comments and criticisms concerning theocracy given by renowned biblical scholars.
- 20) Hiroshi Kita addresses this problem as “a conflict over theocracy.” Hiroshi Kita, “Understanding of ‘Israel’ by Martin Buber,” *Tohoku Gakuin University Journal, Church and Theology* (40th issue) (March 2005), pp.99–102.
- 21) When Buber considers “the obedient” and “the self-seeking” from the viewpoint of theocracy, only the latter are considered to be problematic for their possible contribution to anarchism. However, this does not mean that the former are free from any problem. For example, if a majority of people are in the position of the former and they become radicalized, then totalitarianism may arise to exercise force over them.
- 22) Yasutoshi Ueyama points out that Buber was attracted to and highly appreciated Max Weber’s religion and sociology, especially his theory of charisma. Yasutoshi Ueyama, *Buber to Scholem*:

Yudayano shisho to sono unmei (Buber and Scholem: Jewish Thought and its Destiny) (Iwanami Shoten 2009), pp.76–77.

- 23) I think it is inappropriate to discuss the theory of charisma together with the concept of theocracy in the context of practical political thought. Because of the difficulty in objectively proving the concept of charisma, the development of “positive theocracy” by a “charismatic leader” can entail certain risk. On the other hand, the “theocracy as a principle of criticism” that disapproves of the entire affirmation of human deification and human control seems to remain important still today. The problem of the concept of charisma is indicated in the following paper: Takehito Miyake, “Some Theories for Explaining Charisma,” *Kirisutokyo Kenkyu* (Studies in Christianity), the 58th issue, Vol.2, pp.138–159.
- 24) Warren Zev Harvey, “Anarchism and Theocracy in Buber,” Asa Kasher and Moshe Halamish (Editors), *Israeli Philosophy* (Tel-Aviv, Papyrus : Publishing house Tel-Aviv University, 1983: in Hebrew), p.13.
- 25) In *Moses*, for example, Buber presents the following view regarding theocracy. Through the Sinai Covenant, Yahweh and Israel were integrated into a political, theo-political unity “within which the two partners bear the relations towards each other of a primitive wandering community and its *melek* [king].” Martin Buber, *Moses: The Revelation and The Covenant*, (New York: Harper & Brothers, Publishers) p.115.
- 26) Martin Buber, *Pointing the Way* (New Jersey and London, Humanities Press International 1990), pp.177–191. The following books also offer information on this public inaugural lecture. Martin Buber, *Seishin karano yokyu to rekishiteki genjitsu (The Demand of the Spirit and Historical Reality)* (*Collected Works of Martin Buber Vol.8: On Education and Politics*), Seisaku Yamamoto, Yoshinori Mitani, Hisao Takagi, Tadashi Harashima (translators) (Misuzu Shobo 1970), pp.171–196, and Maurice Friedman, *A Life of Martin Buber: Encounter on the Narrow Ridge* (New York, Paragon House, 1991), pp.242–244.
- 27) Martin Buber, *Pointing the Way*, p.187
- 28) *ibid.*, p.188
- 29) Warren Zev Harvey, “Anarchism and Theocracy in Buber,” p.14.
- 30) *ibid.*, p.14.
- 31) Warren Zev Harvey, “Anarchism and Theocracy in Buber,” p.16.
- 32) Michael Walzer, Menachem Loberbaum, Noam J. Zohar (Editors), Yair Lorberbaum (Coeditor), *The Jewish Political Tradition Volume I: Authority* (New Haven and London: Yale University Press, 2000).
- 33) Michael Walzer, *The Jewish Political Tradition Volume I: Authority*, p.128
- 34) *ibid.*, p.129.
- 35) *ibid.*, p.129.
- 36) *ibid.*, p.129.
- 37) *ibid.*
- 38) *ibid.*, p.130.
- 39) *ibid.*
- 40) *ibid.*
- 41) *ibid.*, p.131.

- 42) *ibid.*, p.132.
- 43) The reason why Halbertal opts for the phrase “king is not God” and not a phrase “God is not King”, is that the second phrase is discordant with traditional Judaic thought; and I strongly suspect Halbertal was aware of this problem.
- 44) Warren Zeb Harvey addresses the kingship of God in the context of traditional Jewish thought in the following paper, in which he also refers to Buber’s contention. Warren Zev Harvey, “Kingdom of God,” Authur A. Cohen and Paul Mendes-Flohr (editors), *20th Century Jewish Religious Thought* (Philadelphia, Jewish Publication Society, 2009).
- 45) Takanori Hayao, *Yudaya to Israel no aida: Minzoku/kokumin no aporia (Between Judea and Israel: Aporia of People/Nation)* (Seidosha, 2008). In the view of this author, a bi-national state under the present set of circumstances, would seem most improbable.