

# **SHOFETIM - THE BOOK OF JUDGES: ANARCHY VS. MONARCHY**

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*In those days there was no king in Israel; every man did that which was right in his own eyes* (Judg. 21:25, see also Judg. 17:6, 18:1, 19:1).

This refrain describes the lawless state of anarchy in the era of the Book of Judges, *Shofetim*. The characterization of anarchy is extremely broad. For our purposes, two of the definitions found in the Merriam Webster Dictionary are significant: 1) a state of lawlessness and wild behavior due to the absence of governmental authority; and 2) a utopian society without government. Of importance to this paper is Saul Newman's position that states that "Anarchism is, fundamentally, an ethical critique of authority – almost an ethical duty to question and resist domination crucial in all its forms."<sup>1</sup>

The statement, *In those days there was no king in Israel; every man did that which was right in his own eyes*, represents a pro-monarchy position as a corrective to moral deterioration, evident of societal anarchy. However, an early anti-monarchy portrayal in the Book of Judges suggests an ideological position against central government that may be described as political anarchy.

A clear anti-monarchy position is articulated by Gideon: *Then the men of Israel said unto Gideon: 'Rule thou over us, both thou, and thy son, and thy son's son also; for thou hast saved us out of the hand of Midian.' And Gideon said unto them: 'I will not rule over you, neither shall my son rule over you; the Lord shall rule over you'* (Judg. 8:22-23).

Gideon's position is clear. He rejects monarchy, especially hereditary monarchy, and his reasoning is instructive: Because monarchy is in opposition to the rule of the Lord, and only His rule over the people is valid.

What follows is the counterpoint of Gideon's position, the betrayal by his son Abimelech (note the word *melekh*, "king," as part of his name) and his appointment as king, which is enveloped in treachery and cruelty. His cruelty is portrayed not only in the murder of his brethren, but also in his slaughter of a thousand men and women who took refuge in a tower. Abimelech sets fire

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to the tower, killing everyone inside (Judg. 9: 47-49, 51-57). Jotham, the youngest, is the only son of Gideon left alive; and before Abimelech attacks his own subjects, Jotham recites a parable (ending in a curse) to the people of Shechem. Buber has called it the strongest anti-monarchical poem in world literature.<sup>2</sup> Here is an excerpt:

*The trees went forth on a time to anoint a king over them; and they said unto the olive-tree: Reign thou over us. But the olive-tree said unto them: Should I leave my fatness, seeing that by me they honor God and man, and go to hold sway over the trees? [Both the fig-tree and the vine also refuse the offer.] Then said all the trees unto the bramble: Come thou, and reign over us. And the bramble said unto the trees: If in truth ye anoint me king over you, then come and take refuge in my shadow; and if not, let fire come out of the bramble, and devour the cedars of Lebanon . . . (Judg. 9:8-15).*

This aversion to monarchy is later expressed by the prophet Samuel. He has to deal with a crisis that eventually leads to his anointing the first and second kings of Israel. The story unfolds as follows: *Then all the elders of Israel gathered themselves together, and came to Samuel unto Ramah. And they said unto him: 'Behold, thou art old, and thy sons walk not in thy ways; now make us a king to judge us like all the nations'* (I Sam. 8:4-5). Interestingly, while the elders ask for a king, the function that they assign him is *to judge us*, with the added caveat, *like all the nations*. The people may not be fully cognizant of the meaning of their request, only asking that a different functionary be appointed to judge them, as in the past. Samuel is aware, however, that a seismic shift is taking place.

His response is one of intense displeasure and God agrees with Samuel: the problem is the shift to a king, which means rejecting the authority of God Himself (I Sam. 8:6-8). Nevertheless, surprisingly perhaps, God allows the change to take place, but with an emphatic warning in regard to the customary practice of kings (I Sam. 8:11-18).<sup>3</sup> A summary of Samuel's position may be found in the following verse: *You said to me, 'No, a king shall reign over us'; but the Lord your God is your king* (I Sam. 12:12; my translation). Gideon's position is thus reiterated by Samuel.

Evidence of an anti-monarchical philosophy can also be found in the descriptions of kings throughout Judges. While a king is frequently perceived as

powerful, many of the narratives depict him as really weak and ineffective, often defeated by leaders of tribes or judges (see Judg. 1:4-7, 3:7-10). Furthermore, while a king is frequently idolized by his people, one ruler is described as obese (see Judg. 3:17, 21-22). Two of the stories relate a woman's victory over a general and a king, thereby depicting him as weak and impotent (Judg. 4-5, 9:53-54). While any one of these narratives may not be persuasive, the thematic development of all of them together becomes convincing.<sup>4</sup>

The anti-monarchical position expressed here stems from an ideological understanding of Judaism's basic religious orientation. It envisions a relationship between God and His people mediated by God's law. Before the revelation at Mount Sinai and the giving of the Ten Commandments, God's presentation of His demands is encapsulated in the sentence: *You shall be to Me a kingdom of priests and a holy nation. These are the words which you shall speak to the children of Israel* (Ex. 19:6). There is nothing but God, His people, and the Law. The mediator between the people and their God is the Law or, perhaps, the judges who are meant to implement the Law.

The unconditional claim of divine Kingship appears to have been previously recognized in the Song of Moses after the splitting of the Sea of Reeds when the people proclaim God as their one and only King (Ex. 15:2, 11, 18).<sup>5</sup> Later, at the end of Deuteronomy, when Moses bids farewell to the people and blesses them, he says of God, *Then He became King in Jeshurun* (Deut. 33:5). Buber suggests that this is a proclamation of exclusive secular lordship.<sup>6</sup> Thus, in his aptly entitled book, *Kingdom of God*, Buber notes that this confederation of tribes which called itself Israel, dared as a people, first and once-for-all in the history of nations, to deal seriously with exclusive divine rulership.<sup>7</sup>

This kingdom of God and God alone, in both religious and secular terms, is precisely the system implemented during the period of the Judges, the *Shofetim*. This is what Gideon had articulated: *The Lord shall rule over you* (Judg. 8:23) – no mortal king, for God alone is King. Samuel had likewise affirmed, *but the Lord your God is your king* (I Sam. 12:12). It is "anarchy" as a political philosophy devoid of central authority residing in one individual. Such "central authority" belongs only to God, as evidenced during the period of the Judges.

In view of the political theory underlying the era of the Judges, it is reasonable to assume that the political structure of Judges without a king was planned and anticipated. Joshua's failure to appoint a king or successor was not an oversight, nor was it dictated by a strong tribal structure that prevented any central government, as can be seen from the fact that Joshua was already the nation's head as a central authority. It was planned and purposeful.

Moses himself undoubtedly functioned as a strong central authority. According to Wildavsky, Moses had fashioned three different types of regime – anarchy, equity, and hierarchy.<sup>8</sup> However they are categorized, no specific type was prescribed by Moses to continue after his death. Nevertheless, he insisted that a leader of the people be appointed to carry on after him. *Prima facie*, it would therefore appear that Moses was clearly against anarchy and for a leader or king. However, a close reading of the text in question does suggest an alternate interpretation of his insistence on the appointment of a leader: *And Moses spoke unto the Lord, saying: 'Let the Lord, the God of the spirits of all flesh, set a man over the congregation, who may go out before them, and who may come in before them, and who may lead them out, and who may bring them in; that the congregation of the Lord be not as sheep which have no shepherd'* (Num. 27:16-17).

The phrase, *who may go out before them, and who may come in before them*, is puzzling. Ibn Ezra simply notes "in war" and Rashi, too, places the phrase in a military leadership context. The request of Moses is clear: *Set a man over the congregation*, since the people are entering Canaan in a war of conquest. For that they need a military leader *who may go out before them, and who may go in before them*. Moses is not endorsing monarchy, or even the necessity of a central political leader, but requesting a general.<sup>9</sup>

A more fundamental problem is presented by an existing Torah commandment: *When thou art come unto the land which the Lord thy God giveth thee, and shalt possess it, and shalt dwell therein ... thou shalt in any wise set him king over thee*<sup>10</sup> *whom the Lord thy God shall choose . . .* (Deut. 17:14-15). If *thou shalt . . . set him king over thee* is interpreted as a positive commandment for the nation to appoint a king, and is obligatory in nature, how could an anti-monarchical philosophy have been espoused in the Book of Judges? Furthermore, how could Samuel have opposed the people's request for a king? Exegetes such as Maimonides accepted the opinion that the appoint-

ment of a king was indeed a positive commandment,<sup>11</sup> but Ibn Ezra and Abrabanel deemed it permissive (see their commentaries on Deut. 17:15).<sup>12</sup> Accordingly, the idea that the anarchic nature of the period of the Judges was planned gains plausibility.

Although the political anti-monarchy position of the Judges was a failure, its philosophical echoes continue to resonate. This approach is most famously seen in the opinion of Don Isaac Abrabanel. A philosopher renowned for his Bible commentary, he also served as treasurer and adviser to the kings of Portugal and Spain and to the rulers of Venice. In contrasting the monarchical system with republican government, he bitterly attacks the former in his commentary on Deuteronomy 17: "It is more likely that iniquity will be found in one man."

Rabbi Joseph Dov Soloveitchik addresses similar issues. In Abraham Besdin's adaptation of Soloveitchik's lectures,<sup>13</sup> the opening paragraph of chapter XII ("Who is fit to lead the Jewish people?") quotes Soloveitchik as saying, "The Torah is fearful of giving any individual absolute power to rule over his fellow man. By virtue of His being the creator and all-knowing, only God is capable of ruling as a Heavenly Sovereign, a *Melekh Elyon*. An analysis of the Torah text and legal codes pertaining to the appointment of a king, *minui melekh*, clearly shows the Torah's concern about human rulership and the desire to circumscribe its exercise of authority."<sup>14</sup> Further on, Soloveitchik states: "Perhaps no man is ever entitled to rule over his fellow man . . . Rulership is, after all, a Divine attribute; only God can exercise it equitably, without abuse."<sup>15</sup>

However, this utopian ideal of political anarchy could not last. Fueled by a lack of governmental structure, the ensuing political failure is heralded by the author of the Book of Judges himself. A reversal of the anti-monarchical position is recorded with the introduction of what will become a refrain: *In those days there was no king in Israel; every man did that which was right in his own eyes* (Judg. 17:6).

The last two narratives in the book are introduced and summarized by a critical statement elucidating the development of a different type of anarchy, the existence of immoral and chaotic episodes among the people, in no way reflecting the original political or religious dream. The penultimate story is about Micah and his introduction of idol worship in Israel, coupled with the

failure of the tribe of Dan to conquer their allotted lands. Soon after the beginning of the narrative, we are told: *Now the man Micah had a house of God, and he made an ephod, and teraphim, and consecrated one of his sons, who became his priest. In those days there was no king in Israel; every man did that which was right in his own eyes* (Judg. 17:5-6). At the story's conclusion, we are told yet again: *In those days there was no king in Israel . . .* (Judg. 18:1).

The last story in the Book of Judges is the notorious concubine of Gibeah episode. This tells how a Levite's concubine is abandoned, gang-raped, and left to die in an apparently safe Israelite city. What ensues is a civil war followed by the near-extinction of the tribe of Benjamin (Judg. 19:1-21:25). The refrain, *there was no king in Israel*, acts as both an introduction and summary to the story: *And it came to pass in those days, when there was no king in Israel, that there was a certain Levite...who took for himself a concubine from Beth-lehem in Judah* (Judg. 19:1). With this story the Book of Judges itself concludes: *In those days there was no king in Israel; every man did that which was right in his own eyes* (Judg. 21:25).

The author of the Book of Judges makes no secret of his opinions. There was no king and the anarchy of the times represents a total breakdown of society.<sup>16</sup> As Buber has stated: "That which you pass off as theocracy has become anarchy."<sup>17</sup> The repeated critical statements support the position that a king is necessary to guarantee an ethical society.<sup>18</sup> Judges has presented a thesis and counter-thesis, a monarchical position following an antimonarchical position.<sup>19</sup>

The Talmud also is critical of the anarchy during the era of the judges (TB *Bava Batra* 15b). More explicit is another related saying found in the Mishnaic Ethics of the Fathers: "Rabbi Hanina, the deputy High Priest, said: Pray for the welfare of the government [*malkhut* = monarchy?], for were it not for fear of it, people would swallow one another alive" (*Avot* 3:2).

## CONCLUSION

The era of the judges, that described by the Book of *Shofetim*, can be considered to have been a grand political experiment that failed. A political system of anarchy, devoid of central authority, deteriorated into the anarchy of

lawlessness. The kingdom of David would become the ultimate symbol of the Jewish people.

Nevertheless, a system was instituted that would allow the existence of a human central authority (king) and at the same time maintain the objective of the Kingdom of God. In this regard, a pronouncement by Samuel is significant: *If you will revere the Lord, worship Him, and obey Him, and will not flout the Lord's command, if both you and the king who reigns over you will follow the Lord your God [well and good]* (I Sam. 12:14).

There is a surprising formulation in the blessing for justice that forms part of the daily *Amidah* service. It reads as follows: "Restore our judges as at first, and our counselors as at the beginning, and remove from us sorrow and sighing. *May You, alone, Lord, reign over us* (emphasis mine) with loving-kindness and compassion, and vindicate us in justice. Blessed are You, Lord, the King who loves righteousness and justice."<sup>20</sup> The very philosophy of the *Shofetim* thus lives on. The dream expressed by religious anarchy remains alluring. It is the dream that we relate to God alone, without the intercession of man.

#### NOTES

1. Saul Newman, in *From Bakunin to Lacan; Anti-Authoritarianism and the Dislocation of Power* (New York: Lexington Books, 2001) p. 166.
2. M. Buber, *Kingdom of God* (New York: Harper & Row, 1973) p. 75.
3. Samuel proceeds to set forth the conditions under which a monarchy might be successful.
4. Buber, p. 75.
5. Ibid., p. 119.
6. Ibid., p. 136. Translation of the verse is from Buber. Here he adopts the view that the "King in Jeshurun" reference is to God, not Moses. See also the commentaries of Rashi, Sforno, and Ramban.
7. Buber, p. 119.
8. A. Wildavsky, *Moses as Political Leader* (Jerusalem: Shalem Center, 2005) p. 232.
9. It is therefore not surprising that Joshua is chosen, an experienced military commander from the war against Amalek (Ex. 17:8-10, 13).
10. "Set over" in Hebrew reads *som tasim*, a doubling of the verb that often points to intensification or strengthening. Hence the New American Standard Bible's translation: *You shall surely set a king over you* (underlining mine). On the other hand, the Koren Bible translation reads: *Then Thou mayest appoint a king over thee* (underlining mine). These differing translations reflect the difference of opinion as to whether the appointment of a king is obligatory or permissive (to be discussed below).
11. Maimonides, *Mishneh Torah*, Laws of Kings, Introduction [1] and chap. 1:1.

12. For further discussion of the way Bible commentators approach this question, see C. Chavel, ed., *Rabbenu Bahya on the Torah* (Jerusalem: Mossad Harav Kook, 1968). The source of the disagreement as to the obligatory versus permissive nature of the king's appointment may lie in two areas. One is in the interpretation of the verse. The other is in the understanding of a discussion found in the Talmud: "Said R. Judah: Three commandments were given to Israel when they entered the land: [i] to appoint a king, [ii] to cut off the seed of Amalek, and [iii] to build the Temple for themselves. However, R. Nehorai said: This section was only enunciated in anticipation of their future murmurings, as it is written, *And you will say, I will set a king over me*, etc." (TB *Sanhedrin* 20b). When R. Nehorai said, "This section was only enunciated in anticipation of their future murmurings," there is a disagreement over which section is being referred to, the one in Deuteronomy or the one in Samuel. If the reference is to the section in Deuteronomy, and conditional upon "their future murmurings," then the obligatory nature of the "command" is denied.

13. A. Besdin, *Reflections of the Rav* (Jerusalem: Department of Torah Education and Culture, 1979) chap. XII, pp. 127-138.

14. *Ibid.*, p. 127.

15. *Ibid.*, p. 129. For a further discussion of king (as an autocrat) and kingship (as a political concept) versus the authority of God, see J. D. Soloveitchik, *The Emergence of Ethical Man* (Jersey City, N.J.: Ktav Publishing House, 2005) pp. 195-8. For further discussion of anarchy and Judaism, see A. Shapira, *Democracy and Religious Anarchy*, vol. 1 (Tel Aviv: Ha-Kibbutz ha-Me'uhad, 2009), and *Anarchy and Jewish Religion*, vol. 2 (Tel Aviv: Hemed, 2013).

16. Wildavsky, *op. cit.*, p. 254 (referring to Abimelech's wickedness and betrayal of his father Gideon).

17. Buber, *Kingdom of God*, p. 78.

18. In light of this, it is surprising that TB *Bava Batra* 14b attributes the authorship of Judges to Samuel. Perhaps Samuel himself reflects the tension of opposing stands depicted in the Book of Judges.

19. Buber, *ibid.*, *loc. cit.*

20. Translation quoted from *The Koren Siddur*, ed. Rabbi Lord Jonathan Sacks (Jerusalem: Koren Publishers, 2009) p. 264.



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