

THE ATTITUDE TOWARDS DEMOCRACY IN MEDIEVAL JEWISH PHILOSOPHY*

Avraham Melamed

Medieval Jewish thought, following Platonic and Muslim political philosophy, on the one hand, and halakhic concepts, on the other, was basically, although reluctantly, monarchist, and inherently anti-democratic. It rejected outright what we term here as the ancient Greek variety of liberal democracy, which went against its basic philosophical and theological assumptions.

I

In his various writings Professor D.J. Elazar characterized the Jewish polity as a "republic with strong democratic overtones," which nevertheless was in reality generally an "aristocratic republic in the classic sense of the term — rule by a limited number who take upon themselves an obligation or conceive of themselves as having a special obligation to their people and to God." It is true that the Jewish polity is "rooted in a democratic foundation," in that it is based upon the equality of all (adult male) Jews and their basic right and obligation to participate in the establishment and maintenance of the body politic.¹ But this is as far as the "democratic overtones" of this republic went. It was a republic true enough, but no democracy. It did have some components of what is termed "communal democracy," but was not a liberal democracy. The various Jewish polities which existed over the centuries were

Jewish Political Studies Review 5:1-2 (Spring 1993)

generally very aristocratic in terms of their actual regimes. The idea of a democratic regime was alien to them and went against their basic political and theological premises. The idea of a liberal democracy was absent from the Jewish political tradition until modern times, and medieval Jewish political philosophy, which is the subject of this essay, rejected its Greek variety outright.

Following the Platonic-Muslim political tradition, medieval Jewish philosophy held onto a basically monarchic concept of government. By and large, medieval Jewish philosophers conceived the ideal government to be that of a perfect philosopher-king of the Platonic mold, which acquired a distinct theological meaning through medieval Muslim intermediaries, especially al Farabi and Ibn Rushd. The Platonic philosopher-king was transformed into the prophet-legislator of the Jewish and Muslim monotheistic tradition. Also *halakhic* thought, for all its hesitations and reservations, finally accepted (limited) monarchy as the preferred kind of government.²

This situation is well illustrated by the fact that Muslim, and following also Jewish, political philosophy — in contrast to all other branches of medieval philosophy — was squarely based upon the Platonic tradition, and not on Aristotle's *Politics*, which was almost unknown to them. The Aristotelian system did conceive the *Politeia*, a kind of modified and moderate democracy ruled by the middle class, to be the preferred kind of government. But medieval Muslim and Jewish thinkers were hardly aware of the Aristotelian position. They, who so admired Aristotle and considered him "the philosopher," completely ignored his moderately democratic inclinations, as manifested in the *Politics*. For a variety of reasons, chance transmission of manuscripts as well as theological preferences, they directly followed the Platonic monarchist tradition.³ In so doing they necessarily rejected democracy entirely and considered it one of the negative forms of government.

The kind of democracy they rejected was what we would term liberal democracy of the ancient Greek variety. This kind of government was based upon three premises. First, basic legal equality among the citizens (which means excluding most of the populace!) disregarding the differences in their potential and their moral and intellectual perfection. Secondly, the acceptance of pluralism in opinions and ways of life as a basic norm of civic life (as long as this pluralism did not exceed certain basic shared norms!). Thirdly, the

election of temporary magistrates by some combination of majority vote and lot, based on the assumption that all citizens have the duty as well as the interest to actively participate in civic life.

Following an essentially monistic world view based, on the one hand, on Platonic philosophy and, on the other, Divine revelation which posited the existence of one Divine truth, known in its totality only to a few perfect individuals, Muslim and Jewish medieval political philosophers could not accept any of these premises. For them, only he who knows the one Divine truth, through a combination of revelation and contemplation, could successfully rule human society.

It necessarily followed that men were unequal in their very nature. The differences in their potential and the moral and intellectual perfection they were able to reach should also dictate the differences in their legal, social and political standing. Consequently, ruling society was not a matter for majority vote but for Divine choice. Thirdly, since there was only one Divine truth, manifest in a single, sacred and authoritative text, all other opinions were necessarily wrong. Pluralism was rejected and a basically monolithic world view was adopted. The world view of these philosophers was thus monarchic and anti-democratic in its very essence.

II

The fundamental classical formula for the rejection of liberal democracy appears in the eighth book of Plato's *Republic*. After describing the development of the perfect state ruled by the philosopher-king, its nature, structure and its purpose, Plato goes on in the eighth book to deal with the possible deterioration of the perfect state into a series of imperfect, wicked and erring states, in chronological order: timocracy, oligarchy (or plutocracy), democracy and tyranny. Democracy is considered the necessary outcome of the failure of oligarchy. When the rule of the few wicked rich men deteriorates, the poor seize the opportunity to wrest power from the degenerate rich. Democracy, for Plato, is not rule by the people but rule by the mob. For him, it violates the basic idea of justice that men, by nature having different capacities, should do only the work for which they are fit. Fitness to govern is regarded by Plato as the highest perfection of men, suitable for philosophers only.

Most men are by nature unfit to govern and so, by their own free will, should accept the rule of the perfect few. Equality means the rule of the lowest common denominator of mankind, that is, the appetites of the lowest part of the soul.

This is very lucidly summed up by Plato when he says, "These then, and such as these, are the features of a democracy, an agreeable kind of anarchy with plenty of variety and an equality of a peculiar kind for equals and unequals alike."⁴ His cynical rejection of democracy is clear. It is a kind of hedonistic and pluralistic anarchy, based on a profoundly distorted conception of human equality.

Since, according to the famous parable of the small and large letters, the state is only a macrocosm of the people who rule it, Plato goes on to describe the nature of the democratic man on the microcosmic level. Plato's vivid description, which was the basis for the medieval Muslim and Jewish descriptions of the democratic condition, merits a lengthy quotation:

In his life thenceforth he spends as much time and pains and money on his superfluous pleasures as on the necessary ones. If he is lucky enough not to be carried beyond all bounds, the tumult may begin to subside as he grows older. Then perhaps he may recall some of the banished virtues and cease to give himself up entirely to the passions which ousted them; and now he will set all his pleasures on a footing of equality, denying to none its equal rights and maintenance, and allowing each in turn, as it presents itself, to succeed, as if by the chance of the lot, to the government of his soul until it is satisfied. When he is told that some pleasures should be sought and valued as arising from desires of a higher order, others chastised and enslaved because the desires are base, he will shut the gates of the citadel against the messengers of truth, saving his head and declaring that one appetite is as good as another and all must have their equal rights. So he spends his days indulging the pleasure of the moment, now intoxicated with wine and music, and then taking to a spare diet and drinking nothing but water; one day in hard training, the next doing nothing at all, the third apparently immersed in study. Every now and then he takes a part in politics, leaping to his feet to say or do whatever comes into his head. Or he will set out to rival someone he admires, a soldier it may be, or, if the fancy takes him, a man of business. His life is subject to no order or restraint, and he has no

wish to change an existence which he calls pleasant, free and happy.

That well describes the life of one whose motto is liberty and equality.

Yes, and his character contains the same fine variety of pattern that we found in the democratic state; it is as multifarious as that epitome of all types of constitution. Many a man, and many a woman too, will find in it something to envy. So we may see in him the counterpart of democracy, and call him the democratic man.

We may.⁵

The characteristics of the democratic man in the microcosm are completely equivalent to those of the democratic state in the macrocosm. The democratic man is he who is driven by the passion to satisfy all his most lowly bodily desires. Holding a relativist, hedonistic and pluralistic world view, he deems all appetites and all opinions to be of equal value. This is why he is characterized by instability, ever-changing interests, opinions and occupations, an inclination to extremes, without order or restraint in his life.

This is how this kind of liberty and equality are considered by Plato. When liberty is defined negatively, according to the liberal tradition, as the most extreme possible absence of constraints, and men are considered automatically equal, it creates, according to Plato, total anarchy, in the sphere of the behavior of each individual, and consequently in society at large. This goes against the very premises of his idea of justice upon which the ideal state is erected. The Platonic idea of justice is based on a positive definition of liberty, by which freedom means the suppression of man's lowly appetites through his own free will: to rule them rather than be ruled by them. By Platonic standards, freedom means the acceptance, out of man's free will, of the role designated for him in the perfect social fabric, according to his natural capabilities and the social needs.

III

Plato's rejection of liberal democracy was transmitted to medieval thought mainly by two major Muslim philosophers, al

Farabi and Ibn Rushd. Through them it also reached and influenced medieval Jewish thinkers. Al Farabi's discussion in his *Book of Principles* (or *The Political Regime*) was translated into Hebrew in the early thirteenth century by Samuel Ibn Tibbon under the title *Sefer ha-Hathalot*. In Ibn Rushd's writing we find two discussions of democracy, both directly following Plato, one in his commentary on Plato's *Republic*, the other in his commentary on Aristotle's *Rhetoric*. The commentary on Plato's *Republic* was translated into Hebrew in the early fourteenth century by Samuel ben Judah of Marseilles under the title *Sefer ha-Hanhagah le-Aplaton* and exerted great influence on subsequent generations of Jewish scholars. The commentary on Aristotle's *Rhetoric* was translated into Hebrew also in the fourteenth century, by the Spanish Jew Todros Todrosi, under the title *Sefer ha-Halatzah*, and was also popular with later medieval and Renaissance Jewish scholars. One of them, the Mantovan Jew Judah Messer Leon, inserted long passages from this translation, including the discussion of democracy, in his rhetorical tract *Nofet Zufim*, written in Italy in the late fifteenth century. What interests us here is the way in which Jewish scholars transmitted these texts into Hebrew, coined, for the first time, Hebrew terms for democracy and related terms, and inserted Jewish motifs into their translations from the Arabic texts. All this would, in turn, also reveal their attitude towards democracy.

After discussing the nature of the perfect state, *Medinah Hashuvah* (מדינה חשובה), in Ibn Tibbon's Hebrew translation, al Farabi goes on in his *Book of Principles* to differentiate among the various kinds of imperfect states, *medinah secalah* (מדינה סכלה, "ignorant state"). The fourth kind he indicates is democracy, which is defined as "free association in the democratic city and the city of the free."⁶ Ibn Tibbon translates from the Arabic as follows: קיבוץ החירות במדינה המקובצת ומדינת הבני חורים.⁷ The term *kibbutz*, which usually designates the general political term "association" (*kibbutz medini*, "political association," Maimonides' *Guide*, III, 27 — אלאגתמאע אלמדני in Ibn Tibbon's translation קבוץ מדיני), is used here also to designate a particular kind of regime, that is, democracy — *medinah mekubbetzet*, or *kibbutzit*, i.e., "an associated state," and also *kibbutz haHerut*, "the association of the free." (However, the term *kibbutz ha-Nitzuah* means "the despotic state.") Ibn Tibbon chose to use these terms for democracy to indicate that this kind of regime is typified as a free association

of equals. Among the many new Hebrew terms he coined in his translation enterprise, Ibn Tibbon was also the first to coin Hebrew terms for democracy. In the discussion of the nature of the democratic state, Ibn Tibbon closely follows al Farabi's text. This kind of state is characterized by full legal equality of natural equals and non-equals alike, total freedom of action that is practically anarchic, unlimited hedonistic pursuit of material desires, private and public instability, the rule of the mob, and an extreme kind of pluralism in opinions as well as in action.⁸ Following al Farabi, Ibn Tibbon transmitted to Hebrew Plato's beautiful parable of the embroidered garment, full of many different colors and shapes, which the common people like so much. The democratic state, with all its variety and the appeal to the lowest common denominator, resembles that embroidered garment.⁹

Besides first coining Hebrew terms for democracy, and first transmitting a discussion of this kind into Hebrew literature, Ibn Tibbon inserted into his discussion allusions to two specific Hebrew motifs. He closely, almost literally, translated al Farabi's opening statement, "The democratic city is the one in which each one of the citizens is given free rein and left alone to do whatever he likes," as:¹⁰ ואולם המדינה הקבוצית הנה היא אשר כל אחד מאנשיה משולח על שירצה ויעשה מה שירצה.¹¹ This translation is indeed literal. But the phrase ויעשה מה שירצה ("do whatever he likes") echoes the biblical phrase in the last verse of the Book of Judges: "In those days there was no king in Israel, every man did that which was right in his own eye" (Judges, 21:25), איש הישר בעיניו יעשה. The biblical source is very critical of this kind of anarchy where a stable centralized government did not exist and each individual did whatever he pleased. By inserting an allusion to this verse Ibn Tibbon only reinforced the Platonic-al Farabian criticism of democracy, in which freedom meant the freedom to pursue one's lowest appetites, and social order was reduced to sheer anarchy.

The same phenomenon is found also in Ibn Tibbon's translation of Maimonides' *Guide of the Perplexed*, 3:27. Discussing the conditions for achieving the welfare of the body, Maimonides says, "One of them is the abolition of their wrongdoing to each other. This is tantamount to every individual among the people not being permitted to act accordingly to his will."¹²

Maimonides' phrasing is strongly reminiscent of al Farabi's definition of democracy quoted above. While al Farabi opened his dis-

cussion with a seemingly objective definition of democracy, and only then went on to criticize it, Maimonides' description is, of course, subjective and critical outright. Freedom to act according to one's own will, i.e., democracy, is described as the source of all wrongdoing. The solution Maimonides proposes for the abolition of all those doing wrong is, of course, life according to the law of the Torah, which is by no means a liberal democracy. Ibn Tibbon translated Maimonides' words quite literally here, but again invested them with an allusion to the same biblical verse,¹³ האחד מהם להסיר החמס מביניהם והוא שלא יעשה כל איש מבני אדם הישר בעיניו. In both cases, by infusing the text with the biblical allusion, he intensified the rejection of this kind of freedom, which is so essential to liberal democracy. For him, as for Plato, al Farabi and Maimonides, it is nothing but anarchy of the worst kind. Like Maimonides' phrasing, so reminiscent of al Farabi's definition of democracy, Ibn Tibbon's translation of these two texts is also very similar.¹⁴ Into both translations he inserted the allusion to the same biblical text. It is no accident either that Maimonides' phrase "the abolition of their wrongdoings from each other" was translated by Ibn Tibbon into להסיר החמס מביניהם which alludes to another biblical text — "and the earth was filled with violence," (Gen. 6:11). It is significant that this kind of democracy is identified by Ibn Tibbon with this most extreme case of anarchy and violence in human history. The original Maimonidean text does not imply these verses, although Maimonides did insert, on various occasions, biblical verses into his text. In this case it was Ibn Tibbon's independent allusion which was superimposed on the original Maimonidean text. By doing so, Ibn Tibbon, again, only reinforced the rejection of liberal democracy. For him, as for his three masters, Plato, al Farabi and Maimonides, real freedom did not mean the unlimited right to do whatever one pleased, but rather to accept, through one's own free will, the rule of the one true law, Divine law, and of those authorized to apply it.

The other Hebrew motif inserted into Ibn Tibbon's translation of al Farabi's negative description of democracy is the usage of the term עם הארץ (*am ha-aretz*, "people of the land") for "the multitude of this city."¹⁵ This too is an obvious choice, but it is infused with a powerful anti-democratic sense. The term *am ha-aretz* is used by Maimonides in the introduction to his commentary

to the Mishnah (Introduction to tractate Zeraim), and also in his commentary to tractate Avot, to designate the multitude. The etymological meaning he attributes to the term is as follows: "...sages, of blessed memory, called a person who has no wisdom an *am ha-aretz*, that is, the purpose they serve is the settlement of the earth. Therefore they associated their name with the earth."¹⁶ Maimonides argues that the common people, who are unfit to fulfill the intellectual end of human existence, were created in order to serve the material and emotional needs of the few wise men, so that these few would have the leisure to contemplate and thus to fulfill the ultimate purpose of the whole species.¹⁷ This is a clear elitist Platonic-al Farabian idea. By inserting the term *am ha-aretz*, which is so charged with anti-democratic meaning, into his translation, Ibn Tibbon, once more using Maimonidean terminology, fortified the initial negative description of democracy by Plato and al Farabi. While in Maimonides' Platonic scheme the *am ha-aretz* fill their proper function and thus contribute to the general well-being of society, in Ibn Tibbon's description of democracy, they rule the land, with all the ensuing negative consequences.

IV

The other avenue by which the Platonic political ideas were transmitted into medieval Jewish thought is Ibn Rushd's commentary on Plato's *Republic*, which was translated into Hebrew in the fourteenth century by Samuel ben Judah of Marseilles, and, as noted, exerted considerable influence.¹⁸ This very literal translation is extremely important since the Arabic original is lost and the Hebrew translation is the only extant evidence of the lost original.

Directly following the Platonic text, Ibn Rushd deals with the imperfect states (*hanhagot asher einan meulot*, הנהגות אשר אינן מעולות) in the third part of his commentary, after discussing the nature of the perfect state (*hanhagat ha-medinot ha-meulot*, הנהגת המדינות המעולות) in the first two parts of his commentary. Democracy is listed fourth among the five kinds of imperfect states, which are listed in chronological order. The establishment of a democracy is a necessary consequence of the deterioration of a timocracy, and its own deterioration would necessarily give rise to despotic rule, which only illustrates its negative character.

Democracy is termed here as *rashiyut ha-kibbutz ha-hamonii* (ראשיות הקבוץ ההמוני), and is translated as "the leadership of the people's community," in Rosenthal's translation from the Hebrew.¹⁹ Lerner translated a little differently: "the primacy of the assembly of the multitude."²⁰ I prefer Rosenthal's "leadership" to Lerner's "primacy," for ראשיות. On the other hand, Lerner wisely inserted the term "multitude" for ההמוני which is absent from Rosenthal's translation. The term *hamonii*, "of the multitude or mob," indicates the popular nature of this kind of government. Other variations used by Samuel ben Judah are *medinah kibbutzit* (מדינה קבוצית) or *medinat ha-kibbutz* (מדינת הקבוץ) and *ha-kibbutz ha-khili* (הקבוץ הקהילי) or *medinah kehiliit* (מדינה קהיליית) (*madina jimaiyya* in Arabic).²¹ Both Rosenthal and Lerner, although they literally translated ben Judah's first term for democracy, decided for some reason to translate all other variations of the term into the general "democracy." The same goes also for all other kinds of the imperfect regimes.²² The terms ben Judah used here, *medinah kibbutzit*, and *medinah kehiliit*, both relate to the fact that democracy is the rule of the whole community, *kibbutz* and *kehillah*: both mean an association or community in Hebrew. In fact, the term *kibbutz kehili* literally means an associated association. The term *medinah kibbutzit* was initially coined by Ibn Tibbon, as indicated, and ben Judah repeats it here. Another variant ben Judah uses is *ha-adnut ha-kibbutzi* (האדנות הקבוצי) or *ha-adnut ha-kehili* (האדנות הקהילי). Both relate to the kind of authority (אדנות) which exists in a democratic state. Thus, ben Judah used two basic Hebrew terms for democracy. One is the initial *rashiyot ha-kibbutz ha-hamonii*, and the other, later on, *medinah kibbutzit*, or *kehiliit*, in different variants. These two terms relate to the same basic feature of democracy, which is rule of the state by the multitude, in which the whole community participates equally. In contrast to Ibn Tibbon before him, and his contemporary Todrosi, ben Judah did not chose to also use the term *kibbutz ha-herut* (קבוץ החרות) "the association of the free," or any of its variants, for democracy. This, most probably, was because Ibn Rushd did not use this phrase. By this omission he neglected the other major feature of democracy, which is freedom of action and thought. The latter, nevertheless, was referred to in the body of the text.

On the basis of the Platonic original, Ibn Rushd, after listing the different kinds of imperfect states, elaborates in two separate discussions on the nature of the various kinds of imperfect regimes. First he defines them individually, and then he considers the way each evolves, as a necessary consequence of the disintegration of the previous kind of imperfect regime.

As for democracy, this is defined just as al Farabi defined it following Plato: "The democratic association is the community in which everybody is free from restraint. This means that a man does whatever his heart desires and he takes himself towards every enjoyment to which his soul leads him" — ואולם הקבוץ הקהליי — הנה הוא הקבוץ אשר יהיה כל אדם בו משולח והוא שיעשה מה שלבו חפץ ויתנועע אל איזה דבר שתביאהו נפשו מן הענינים המהנים.²³

All the basic components of liberal democracy, which Plato so despised, are indicated here: legal equality, freedom from restraint, pluralism and hedonism. This is why this kind of government is also termed by him *hanhagah ta'anugiit* (הנהגה תענוגיית, "hedonistic constitution"), at least in its initial transformation from a plutocracy into a democracy.²⁴ The expression "that a man does whatever his heart desires" (מה שלבו חפץ) again echoes the words of the last verse of the Book of Judges, with all its negative anarchist implications.

The pluralistic nature of democracy creates a situation, unique to this particular kind of regime, that different kinds of people are represented in its social fabric — lovers of honor, property or tyranny. This is why different kinds of regimes could potentially develop out of democracy, even a virtuous state (*medinah meulah* — מדינה מעולה), since among all kinds of men, democracy can, theoretically at least, give rise even to virtuous people.²⁵ The democratic man is described as he who occasionally behaves in a philosophical manner — ופעם תהיה הנהגתו כהנהגת בעלי — הפילוסופיא.²⁶ The problem is that this happens only occasionally, and therefore it is advisable for the philosophers to focus their attention particularly on this kind of state which, among others, produces people who could be good raw material for the creation of the ideal state.²⁷ However, as we shall find below, it was generally considered that tyranny was the kind of government that democracy was most prone to deteriorate into.

Another aspect of democracy treated here is the nature of authority (*adnut*, אדנות). In a democratic regime authority is based on

the will of the citizenry and since the will, or rather the whims of the citizens are accidental and ever changing (קבוץ במקרה), authority will be in such condition also (אדנות בהזדמן), which is contrary to the very nature of authority. This means that in a democratic state there will be no real authority.²⁸

However, without any authority whatsoever, no state, not even a democracy, could survive since men are driven by their natural inclinations to kill and plunder one another. Such a condition of a Hobbsian war of all against all would eventually ruin the state. This is why even a democracy cannot tolerate the complete absence of laws, that is, total liberty. Even this kind of government has to create some minimal authority of basic laws, which also means a government to implement them, in order to prevent complete anarchy, and consequently self-annihilation.²⁹ This is the kind of authority which exists in a democratic state. It is what ben Judah termed *ha-adnut ha-kibbutzi* or *ha-adnut ha-kehilii* (האדנות הקהליי הקבוציי, האדנות הקהליי), the democratic authority.³⁰ This means that to ensure its existence a democracy is in fact obliged to deviate from its basic principles, which only proves, according to the Platonic mind, its basic deficiency.

As indicated, Ibn Rushd's other discussion of democracy concerns the way it necessarily evolves from the disintegration of plutocracy and itself disintegrates into tyranny. Following the Platonic text, Ibn Rushd created a complete parallelism between the way a plutocratic man evolves into a democratic one, and consequently the way a plutocratic state disintegrates into a democracy.³¹

Since authority in a plutocratic state is based on ownership, its laws are designed so as to increase the rulers' property as much as possible. People would not only be allowed but actually urged to follow their desires and spend as much money as possible on fulfilling them. Laws of temperance would be unheard of in such a state. Consequently, most people in this state would lose all their possessions to the ruling plutocrats. The rich would become richer and fewer in number, while the poor would become poorer and more miserable and increase in number. The gap between the ruling few and the impoverished majority would grow ever wider. This majority would become increasingly angry and envious of the ruling few.

Then a moment would come when the impoverished mass would realize the potential of their sheer numerical majority and the invaluable services they render to the plutocratic state in war and

other civic services, which in fact ensure the continual existence of this state and the well-being of the ruling plutocrats themselves. When the poor realized their power, they would rebel against their oppressors and the plutocratic state would eventually crumble. Strictly following Plato, Ibn Rushd compares the poor to drones born in a beehive, who would ruin the existing structure from within.³²

On the ruins of this plutocratic state a democracy would be established. This regime, based on the dominion of the majority of the poor, is defined here, for the second time, by Ibn Rushd as follows:

As this is so, and as such men rule over the State, every one of the free poor will do what is right in his own eyes. Rule among them will be maintained in a haphazard fashion. Every kind of men will no doubt be found in this state, and there will not be among them a rank at all for any one. Their law will be an equal law, that is, no one among them will be excellent.³³

In Samuel ben Judah's Hebrew text it reads — וכשיהיה זה כן יימשלו כמו אלו על המדינה עניים בני חורין כל אחד מהם הישר בעיניו יעשה ויהיה האדנות במ מתחזק במין מן ההזדמן ויהיה בלא ספק זאת המדינה כל מין מבני אדם ולא תהיה במ מדרגה לאחד כלל ויהיה נימוסם נימוס שוה, אין במ מעולה.³⁴

This definition of democracy is essentially the same as Ibn Rushd's first one, discussed above, but it is more detailed. Democracy is again defined as the rule of the multitude, based upon the principles of liberty, authority by chance, legal equality and the rule of the lowest common denominator. As indicated above, democracy, like its predecessor, is a hedonistic form of government, *hanhagah ta-anugiit*, as ben Judah phrased it. The only difference between plutocracy and democracy is that the first strives to fulfill the desires of the ruling few while the second strives to fulfill the desires of the multitude as a whole.

Ben Judah's Hebrew text brings to a culmination a tendency we found in previous Hebrew texts. In Ibn Tibbon's translation from al Farabi (ויעשה מה שירצה), and also in his own translation from Ibn Rushd (שיעשה מה שלבו חפץ), we discovered allusions to the last verse of the Book of Judges superimposed upon the text. What we find here is no hint or allusion but a full direct quotation of the text: וכל אחד מהם הישר בעיניו יעשה.³⁵ The negative attitude towards the

kind of liberty democracy offers, which is nothing more than sheer anarchy, is again only strengthened by the Hebrew translators' superimposition of the biblical verse upon the Platonic-Averroist definition.

Ben Judah's translation is reputedly literal. He was a translator in the strictly limited sense of the term, and not a commentator. But he was not impartial. By inserting the biblical allusions and by the choice of Hebrew terms, he also expressed his own opinions. He wholeheartedly concurred here with Plato and Ibn Rushd.

Tyranny (*medinat ha-nitzuah*, מדינת הניצוא) is the form of regime democracy is most liable to deteriorate into, since democracy is based upon an excess of liberty: ההפלה בבקשת החרות והתרבות ממנו אל בלתי תכלית. Like every excess, this one too is bound to have negative consequences. It would enable the development of a kind of men, sick in body and soul, according to the Platonic criteria, who would pursue their most bestial desires without limit and would abuse their boundless freedom of action in order to enslave other people.³⁶ The pluralistic nature of democracy can in theory create different kinds of men, even philosophical men. However, considering democracy's basic characteristics, it is most likely to create tyrannical men who would transform the democratic regime into a tyranny. The fact that democracy is most likely to deteriorate into tyranny also proves, according to Plato and Ibn Rushd, its basic inherent deficiencies. It is a kind of government which, in fact, combines the worst tendencies of what it developed from and what it deteriorates into.

V

A variant of the same theme can be found in *Sefer ha-Halatzah* which is a fourteenth-century Hebrew translation by the Spanish Jew Todros Todrosi of Ibn Rushd's commentary to Aristotle's *Rhetoric*. In his commentary, Ibn Rushd superimposed Platonic ideas on the original Aristotelian text and thereby also introduced a strong anti-democratic component into his classification of regimes.³⁷

Here Ibn Rushd treats the theory of government, democracy in particular, in connection with the knowledge that the perfect orator should have in political matters. To be persuasive, the orator

must have a thorough knowledge of the kinds of government that exist and the laws proper for each of them. Although he interprets Aristotle, here too Ibn Rushd makes the basic Platonic distinction between the ideal state (*ha-hanhagah ha-meshubahat* ההנהגה המשובחת in Todrosi's translation) and all other imperfect regimes. These are represented here by democracy.³⁸

The terms Todrosi chose for democracy here are *hahanhagah asher tikareh ha-herut* (ההנהגה אשר תיקרא חרות), "the regime which is called liberty," or *hanhagat ha-herut* (הנהגת חרות), "the regime of liberty" (or freedom).³⁹ Another variant he uses later is *ha-medinah ha-kibbutzit* (המדינה הקיבוצית), "the associated state" and *ha-hanhagah ha-kibbutzit* (ההנהגה הקיבוצית), "the associated leadership."⁴⁰ We already found such variants in Ibn Tibbon and ben Judah's translations. They all relate to the definition of democracy as a free association of equals. Democracy, as noted, is taken here as an example of the various kinds of imperfect regimes. While the perfect state is based on an exact and well-balanced system of justice, all imperfect regimes, including democracy, are based on different degrees of unjust and unbalanced laws, too strict or too weak (בשהיה הנימוס מופלג החולשה) (והרפיון או מופלג החזק). Each of these systems of law is a by-product of the nature of a particular kind of imperfect regime and it is supposed to serve its needs and safeguard its continuous existence. ואותם הנימוסים... התחלפו בהנהגות כפי התחלף תכליתם. The problem with democracy is that it employs a distinctly weak system of law (מפני רפיון הנימוסים והחולשתם). The difference among the legal systems of the various kinds of imperfect states is illustrated here by the contrast between democracy and tyranny. Each of these represents one extreme of the legal system. The democratic legal system is too weak, since every man is allowed to do whatever he pleases, without any restraints, while the tyrannical legal system is too strict since it is based upon total subordination to an unjust rule. Ibn Rushd illustrates this contrast with a nice example, which sounds almost comical in Todrosi's medieval Hebrew translation: "For example, in a tyrannical government (*hanhagat ha-nitzahon*), justice (*yosher*) means that no harm should be done to a guard who hit somebody under its jurisdiction, while in a government of liberty (*hanhagat ha-herut*, democracy), justice requires that the person who was hit by a guard, has the right to retaliate accordingly."⁴¹ The anarchic nature of democracy, based upon the ideal of full

equality and total liberty, is well illustrated here. This is why, as we have already found, real authority cannot exist in a democratic state.

Consequently, democracy, like all other imperfect states, is bound to deteriorate. Generally, it was assumed that democracy would deteriorate into tyranny. Here, however, it is specified that democracy would most likely deteriorate into some kind of plutocracy. This is explained by the weakness of its legal system, which enables everyone to freely pursue his material desires to the extreme, without any restraint.⁴² While in most variants plutocracy is the kind of government democracy developed from, in this case the situation is the reverse. Plutocracy is described as the government into which democracy is most likely to deteriorate.

Later, the commentary distinguishes among the various kinds of imperfect states and defines each. Democracy is concisely defined in Todrosi's Hebrew translation as follows:

The associated state (i.e., democracy) is such (a regime) in which leadership is accidental and by lot, and not in accordance with any appropriate law, since in this (kind of) state, no one has any advantage upon another. (ואם המדינה הקבוצית הנה) היא אשר תהיה הראשות בה בהודמן והמזל לא דחק ראוי אחר שאין (בזאת המדינה לאחד על אחד יתרון).⁴³

Directly following Aristotle, Ibn Rushd defined the end of democracy as follows: "The end of the associated leadership (= democracy) is freedom" (ותכלית ההנהגה הקבוצית החרות).⁴⁴

This again is a definition which contains all the ingredients of the Platonic definition of the Greek variety of liberal democracy. In the Aristotelian source democracy is objectively defined as "a form of government under which the citizens distribute the offices of state among themselves by lot."⁴⁵ There is no value judgment here, only a description of the empirical facts. Ibn Rushd's commentary, and its Hebrew translation, however, give us a more elaborate definition which is obviously negative. Ibn Rushd's commentary superimposed a Platonic meaning upon the Aristotelian text, and thereby transformed the whole structure of the Aristotelian theory of government into a Platonic system. While Aristotle distinguished here four basic kinds of government, democracy, oligarchy, aristocracy and monarchy (kingship and tyranny), Ibn Rushd's commentary distinguishes between the ideal state, on the one hand,

and all other kinds of government, which are deficient, on the other. Hence, while in Aristotle, democracy appears as a legitimate kind of government, one among others, in Ibn Rushd, directly following Plato, it is described as one of the deficient kind of governments. This is yet another fine example of how medieval Muslim and Jewish political philosophy strictly followed the Platonic system, even when it was interpreting an Aristotelian text. Its negative attitude towards democracy was a natural by-product of this state of affairs.

VI

Medieval Jewish political philosophy generally considered (limited) monarchy to be the preferred kind of government, albeit with a great deal of suspicion and hesitancy. This was the combined effect of the Platonic tradition and *halakhic* norms. Don Isaac Abravanel, writing at the end of the Middle Ages, is known as the only major Jewish thinker who openly opposed monarchy and purportedly followed the Aristotelian more democratic, or republican, tradition.

Abravanel's democratic leanings were influenced by a combination of factors, mainly by late medieval scholastic political philosophy which was based upon Aristotle's *Politics*, his own devastating personal experience with Iberian monarchies, and the very positive impression the Italian republics of the Renaissance, especially Venice, made upon him after he settled in Italy in the last decade of the fifteenth century. In the first place, however, it was the result of his theological views, which aspired for direct Divine rule over mankind, and thus considered any kind of human rule a usurpation of Divine rights. His theocratic world view necessarily led to a more "democratic" attitude in earthly affairs.⁴⁶

While Abravanel's anti-monarchist inclinations are strongly indicated in his commentary to Deut. 17 and I Samuel 8, his republican tendency is illustrated in his commentary on the two biblical versions of Jethro's advice to Moses (Ex. 19 and Deut. 1), in which the Mosaic constitution, created under his wise father-in-law's advice, is described according to the lines of the Venetian constitution, considered at that time to be the embodiment of the perfect republic. The Mosaic constitution is described here as a mixed constitu-

tion, according to the Aristotelian-Polybian line, creating the perfect balance among the three positive kinds of government, monarchy, aristocracy and democracy. In this system, the ruler of thousands, being the largest representative assembly in this governmental system, represents the democratic element.⁴⁷

According to Abravanel's interpretation of the text, Moses improved upon his father-in-law's advice and inserted into it a stronger democratic component. In the first version (Ex. 18) Jethro advised Moses to appoint the various rulers himself, according to his own superior judgment, as the verse indicates: "thou shalt provide...and place over them" (v. 21). According to this version of the story, Moses did exactly what his father-in-law advised him: "And Moses chose able men out of all Israel and made them heads over the people" (v. 25). In the second version of the story (Deut. 1), however, we find a different picture altogether. Here Moses transferred the election of the various officers to the people themselves, as the verse indicates: "Get you, from each one of your tribes, wise men, and understanding, and full of knowledge, and I will make them heads over you" (v. 13).⁴⁸ According to Abravanel, Moses did not exactly accept Jethro's advice on this point, so that it would not be said that he behaved like Korah, who appointed his relatives to official duties and was punished accordingly.

However, even Abravanel's Moses was no wild democrat, heaven forbid. Moses did not simply transfer the election of the officers to the people. He gave them clear instructions to choose appropriately, according to the candidates' virtues and their suitability to fulfill judicial, political and military duties. Abravanel indicates that Moses directed the people to choose officials according to their virtues, not their lineage. Although, he hastens to add — no doubt considering himself a good example — virtuous and able men will naturally be found mainly among distinguished families.⁴⁹ However, Moses not only gave the people strict election guidelines, he also kept the final approval of the elected officials in his own hands: "and I will make them heads over you." This is how far his trust in the people went. His more "democratic" tendency itself was mitigated by a strong aristocratic flavor.

Still, Abravanel's Moses chose to act in a more democratic manner than what was counselled. Jethro advised him to create a system that would basically have been a combination of monarchy and aristocracy. Moses added to it also a democratic element, whereby

he created a more balanced Aristotelian-Polybian system.

To sum up, medieval Jewish thought following Platonic and Muslim political philosophy, on the one hand, and *halakhic* concepts on the other, was basically, although reluctantly, monarchist, and inherently anti-democratic. It rejected outright what we termed the ancient Greek variety of liberal democracy. Even Abravanel, for all his clearcut anti-monarchic manifestations, showed democratic or republican tendencies only to a very limited degree. His anti-monarchism was not the consequence of any liberal tendencies, but rather of his professed theocratic views. There were various manifestations of so-called "communal democracy" in the pre-modern Jewish experience, but liberal democracy was totally rejected in Jewish philosophy. The precarious romance of the Jewish political experience with liberal democracy is a phenomenon of modern times.

Notes

- * This essay originated with my discussion in the Workshop on Liberal Democracy and Communal Democracy in the Jewish Political Tradition, International Center for University Teaching of Jewish Civilization, Jerusalem, July 14-19, 1991.
- 1. See Elazar's paper presented in the above-mentioned workshop, "The Foundation of the Jewish Polity," pp. 21-23, and many of his other writings. For the development of medieval communal democracy, see I.A. Agus, "Democracy in the Communities of the Early Middle Ages," *JQR* 43 (1952-3), pp. 153-176. See the author's conclusion, *ibid.*, p. 157: "We encounter in the communities of the thirteenth century a government, democratic in form, based on ideals of justice, freedom and equality." I would be more cautious in applying modern terms to medieval systems of government. In any case, if it really was some kind of "democracy," it was communal democracy and not liberal democracy of the Greek or modern variety.
- 2. See my *The Philosopher-King in Medieval and Renaissance Jewish Political Philosophy* (Brown Judaic Studies, forthcoming), esp. ch. 1 and with additional bibliography.

3. See my "Aristotle's 'Politics' in Medieval and Renaissance Jewish Thought" (Hebrew), *Peamim* 51 (1992):27-69.
4. *The Republic of Plato*, translated with introduction and notes by F.M. Cornford (Oxford, 1967), VIII, 558, p. 283.
5. *Ibid.*, p. 286. On the theory of liberal democracy in Greek thought, see E.A. Havelock, *The Liberal Temper in Greek Politics* (New Haven and London, 1964).
6. Alfarabi, *The Political Regime*, in R. Lerner and M. Mahdi, eds., *Medieval Political Philosophy: A Sourcebook*, trans. F.M. Najjar (New York, 1967), p. 42.
7. *Sefer ha-Hathalot le-Abu Naser Alfarabi*, in *Sefer ha-Asif*, ed. Z. Filipovsky (Leipzig, 1849; reprinted in Israel, 1970), p. 47.
8. The English translation, *Medieval Political Philosophy*, pp. 50-53. The Hebrew text, *Sefer ha-Asif*, pp. 56-58.
9. The English translation, *ibid.*, p. 51: "It looks like an embroidered garment full of colored figures and dyes." The Hebrew text, *ibid.*, p. 57: כמו בגד מרוקם אשר בו מיני המראות והצורות ומראות הצבעים. The source in *The Republic*, VIII, 557, p. 282: "Many people may think it (i.e., democracy) the best (government) just as women and children might admire a mixture of colors of every shade in the pattern of a dress." And compare the Hebrew translation of Ibn Rushd's *Commentary to Plato's Republic — Averroes Commentary on Plato's 'Republic'*, ed., trans. and notes by E.I.J. Rosenthal (Cambridge, 1969), III, xiii, p. 93, ולכן תדמה זאת המדינה, רצוני הקבוצית, בבגד הנארג הרב צבעים. וכמו שזה המין מן הבגד כבר יחשבו בו הנשים והנערים שהוא טוב להתחלף גווניו כן ידמה שתהיה המחשבה בזאת המדינה בתחילת הדעת. The English translation, *ibid.*, p. 229-30: "Therefore this state, that is, the democratic one, resembles a garment woven in many colors. Just as women and youths may think that such a kind of garment is good because of the variety of its colors, so seems to be the idea about this state at first thought."
10. *The Political Regime*, p. 50.
11. *Sefer ha-Hathalot*, p. 56.
12. *The Guide of the Perplexed*, translated and with an introduction and notes by S. Pines (Chicago, 1963), vol. II, p. 50.
13. *Moreh Nevukim with Commentaries*, trans. Samuel Ibn Tibbon (Jerusalem, 1960), III, 27, p. 41.
14. Compare nn. 11 and 13 above.

15. *Sefer ha-Hathalot*, p. 57, twice.
16. Moses Maimonides, *Commentary on the Mishnah. Introduction to the Mishnah*, translated into English with notes and general introduction by F. Rosner (New York, 1975), pp. 128-29: "Therefore the Sages, of blessed memory, called a person who has no wisdom an *am ha-aretz*, that is, the purpose they serve is the settlement of the earth. Therefore they associated their name with the earth." See also in Maimonides' *Commentary to Mishnah Aboth*, translated with an introduction and notes by A. David (New York, 1968), pp. 32-33: "The ignorant man (i.e., *am ha-aretz*) is one who does not have intellectual virtues but has some moral virtues."
17. See *The Philosopher-King*, ch. 3. Also my "Maimonides on the Political Nature of Man: Needs and Responsibilities" (Hebrew), *Studies Dedicated to S.O. Heller-Wilensky* (forthcoming).
18. For Rosenthal's ed. see n. 9 above. Also *Averroes on Plato's 'Republic'*, translated, with an introduction and notes by R. Lerner (Ithaca and London, 1974). On Ibn Rushd's commentary, see Rosenthal and Lerner's introductions. Also E.I.J. Rosenthal, *Political Thought in Medieval Islam* (Cambridge, 1968), pp. 175-209; M. Mahdi, "Alfarabi et Averroes: Remarques sur le Commentaire d'Averroes sur la *Republic* de Plato," *Multiple Averroes* (Paris, 1978), pp. 91-101; C.E. Butterworth, "Philosophy, Ethics and Virtuous Rule: A Study of Averroes' *Commentary on Plato's Republic*," *Cairo Papers in Social Science*, vol. 9, monograph 1 (1986). See also a shorter version of the above, *idem.*, "Ethics and Classical Islamic Philosophy: A Study of Averroes' *Commentary on Plato's Republic*," *Ethics in Islam*, ed. R.G. Hovannisian (Undena, 1985), pp. 17-45. On the Hebrew translator, see L.V. Berman, "Greek into Hebrew: Samuel ben Judah of Marseilles, Fourteenth Century Philosopher and Translator," A. Altmann, ed., *Jewish Medieval and Renaissance Studies* (Cambridge, Mass., 1967), pp. 289-320.
19. Rosenthal, ed., the Hebrew text, p. 92; the English translation, p. 227.
20. Lerner's translation, p. 105.
21. Rosenthal, ed., Hebrew text, pp. 85, 88, 92, 93.

22. Rosenthal, ed., pp. 227, 229-30. Rosenthal translated all the variants as "the democratic state." Lerner translated *מדינה מקובצת* as "democratic association," p. 110, and a "democratic city," pp. 113, 125, 127, 130. For other kinds of imperfect regimes, see *ibid.*, third treatise, in various places of both translations.
23. Rosenthal, ed., Hebrew text, p. 83; English translation, pp. 212-13. See also Lerner's translation, p. 110: "It is the association in which everyone in it is unrestrained. He does what his heart desires and moves towards whichever of the pleasing things his soul leads him." On Ibn Rushd's discussion of democracy, see also Butterworth, "Philosopher, Ethics and Virtuous Rule," pp. 75-76.
24. Rosenthal, ed., Hebrew text, p. 94; English translation, p. 230. In Lerner's translation, p. 128, "hedonistic governance."
25. Rosenthal, ed., Hebrew text, p. 83; English translation, p. 213.
26. *Ibid.*, Hebrew text, p. 94; English translation, p. 231.
27. *Ibid.*, Hebrew text, p. 93; English translation, pp. 213-14.
28. *Ibid.*, Hebrew text, pp. 83-84; English translation, pp. 213-14.
29. *Ibid.*, Hebrew text, p. 83; English translation, p. 213.
30. *Ibid.*, p. 94. Rosenthal translates as "democratic rule," p. 232; Lerner translates as "democratic lordship," p. 130.
31. Rosenthal, ed., Hebrew text, pp. 92-95; English translation, pp. 227-33; Lerner's translation, pp. 125-31.
32. *The Republic*, VII, 555, p. 280; *Averroes' Commentary*, Rosenthal, ed., Hebrew text, p. 92; English translation, p. 228; Lerner's translation, p. 126.
33. Rosenthal, ed., English translation, p. 229. Compare Lerner's translation, p. 127, and see below, n. 35.
34. Rosenthal, ed., Hebrew text, p. 93.
35. Neither Rosenthal nor Lerner refer at all to the possible usage of the biblical text by the Hebrew translator, although elsewhere Rosenthal does refer to the usage of biblical phrases. See, for example, p. 230, n. 1. Following this, Ibn Rushd brings the parable of the embroidered garment. See above, n. 9.
36. Rosenthal, ed., Hebrew text, p. 95; English translation, p. 232; Lerner's translation, p. 130.

37. *Biur Sefer ha-Halatzah le-Aristo be-Ha'atakat Todros Todrosi*, ed., J. Goldenthal (Leipzig, 1842). On Ibn Rushd's rhetoric, see Ch.E. Butterworth, "Rhetoric and Islamic Political Philosophy," *International Journal of Middle East Studies* 3 (1972):187-198. The author elaborates in various points upon Ibn Rushd's departure from the Aristotelian stance into a more Platonic position. In respect of my topic he only says that unlike Aristotle "Averroes did not hesitate to discuss the best regime in his rhetorical treatise" (*ibid.*, p. 195). The author does not refer to the fact that in content, too, the discussion is more Platonic in nature. On the other hand, in his commentary on Plato's *Republic*, Ibn Rushd gave, at various points, a more "Aristotelian" interpretation to the Platonic text; see Butterworth, "Philosophy, Ethics and Virtuous Rule," pp. 48, 72, 89. The author argues that in the theory of regimes also, Ibn Rushd departed from Plato to a more Aristotelian stance, by indicating the possibility of more than one positive kind of government, *ibid.*, p. 72; also Lerner, p. 104. Ibn Rushd, however, did not mitigate Plato's negative position vis-a-vis democracy by a more moderate "Aristotelian" interpretation, and that is what is most meaningful as far as my discussion is concerned. The general attitude shown here, to mitigate the differences between Plato and Aristotle, is very typical of Ibn Rushd and other Muslim philosophers. On this see also Rosenthal, *Political Thought*, p. 187.
38. *Sefer ha-Halatzah*, p. 31.
39. *Ibid.* See also the Latin translation of the Hebrew version by the Italian Jewish humanist Abraham de Balmes, *Aristotelis Opera Cum Averrois Commentariis* (Venezia, 1562), photoreproduced in Frankfurt am Main, 1962, vol. 2. Balmes incorrectly translated הנהגת החרות as *Politia Nobilitatis*, pp. 86, 79.
40. *Ibid.*, pp. 53-54. Balmes translated (correctly, this time) as *Civitas Popularis*, p. 87. In Judah Messer Leon's rhetorical treatise *Nofet Zufim*, written in the Italian Renaissance, long segments of Todrosi's translation are inserted, including the discussion of the theory of government. See Judah Messer Leon, *The Book of the Honeycomb's Flow (Sefer Nofet Zufim)*, a critical edition and translation by I. Rabinowitz (Ithaca and London, 1983). Rabinowitz translates as "collective government," p. 305, n. 2.

41. Todrosi's translation, p. 53: למשל זה שהיושר בהנהגת הנצחון שאין לחוש לשוטר כאשר הכה לחי התחת שוטר ובהנהגת החרות היושר בזה שיכה התחת לחי השוטר; and see Balmes' translation, p. 86.
42. *Ibid.*, p. 31, twice.
43. *Ibid.*, pp. 53-4. Messer Leon copied this text from Todrosi almost verbatim. See Rabinowitz, ed., p. 306, and his English translation, p. 307. "A democratic state is one in which headship is achieved through chance or luck, not through being really deserved, since in this sort of state no one individual has superiority over any other." My translation is different in various points. Rabinowitz was mistaken when he translated המול as "luck." In the context of the election system of the Athenian democracy, and the original Aristotelian text (see n. 45 below), the correct translation is "lot." The same goes for Balmes' Latin translation where המול was translated as *fortuna*, p. 86.
44. Todrosi's translation, p. 54, in Aristotle's *Rhetoric*, I.8, 1366a. *The Basic Works of Aristotle*, edited and with an introduction by R. McKeon (New York, 1966), p. 1353.
45. *Ibid.*, 1366, p. 1352.
46. For Abravanel's political philosophy in general, see B. Netanyahu *Don Isaac Abravanel — Statesman and Philosopher* (Philadelphia, 1972), II, iii and n. 47 below.
47. See in detail my "Jethro's Advice in Medieval and Early Modern Jewish and Christian Political Thought," *Jewish Political Studies Review* 2:1-2 (Spring 1990):3-41.
48. Abravanel, *Pirush al-ha-Torah*, 2 (Jerusalem, 1979): 157, וממה שביארתי, תראה שמשה רבינו שנה במה שעשה שנים רבים מעדת יתרו חותנו. האי שהוא יעדו שמשה מעצמו ימנה השרים לרצונו ולבחירתו ומשה לא עשה כן אבל אמר לעם הברו לכם אנשים חכמים ונבונים וגומר. See Aquinas' identical commentary in my above-mentioned article, part III.
49. See in detail in my above-mentioned article. Compare Nahmanides' even more "democratic" interpretation, *ibid.*, p. 32, n. 24.