



THE PERSON

BY RABBI DR. TZVI HERSH WEINREB

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IN THE PARSHA

“Anarchy or Utopia?”

Who would you consult if you wanted to know a thing or two about the perfect society? Would you ask a politician? A professor of government? A philosopher expert in theories of utopia? Or perhaps a historian familiar with successful societies across the ages?

Would it even occur to you to ask an entomologist, a scientist who studies insect life? But it is precisely such a person whom the Bible suggests we consult if we want to learn a thing or two about the ideal society. In fact, it is the wisest man in the Bible, King Solomon, who suggests that we observe insect life. I refer to the following passage in the book of Proverbs:

“Lazy bones, go to the ant; Study its ways and learn. Without leaders, officers, or rulers, it lays up its stores during the summer, Gathers in its food at the harvest.” (Proverbs 6:6-8)

Already in antiquity men observed colonies of mere ants and noticed how remarkably efficient they were. Today, we would attribute that efficiency to the power of instinct. But those of us who retain a sense of the wondrous ways of nature are impressed by the complexity of tasks that ant colonies perform, without an

instruction manual, without training, and, above all, without leaders.

The Midrash, in the Torah portion of Shoftim which we read this Shabbat, is not only in awe of the complexity of the ants' tasks, but is astonished at the moral lesson which we can learn from this lowly creature:

“Behold the ethical behavior of the ants as it avoids theft. Said Rabbi Simon ben Chalafta: ‘I once observed an ant who dropped a kernel of wheat, which then rolled down the ant hill. All the ants came, one by one, and sniffed it. No ant dared take it, until the one who dropped it came and took it for herself. Behold the wisdom of the ant, which is to be praised, for it did not receive instruction from any other creature, and has neither judges nor policeman.’ (Deuteronomy Rabba, Shoftim, 3.)

There are many ways to understand the verse in Proverbs and the Midrashic passage just quoted, and each time I personally encounter these texts, I understand them differently. But this year, I found myself fascinated by the possibility that King Solomon and Rabbi Simon ben Chalafta ask us to take a glimpse of what a perfect society might look like.

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It would be a society that had no leadership hierarchy and in which all were truly equal. It would be a society in which everyone contributed to the extent that he could, and would, do so diligently and industriously. Furthermore, it would be a society in which each individual respected the other and would not dream of taking something which belonged to someone else.

In short, it would be an efficient society and an ethical one. And it would have no leader, no need for judges, no necessity for policemen to assure that crimes were not committed.

This week's Torah portion describes a society which is far from that ideal. It opens with the command that we "appoint magistrates and officials...who shall govern the people and do justice." The Torah insists upon a judicial system and personnel to enforce its laws. It speaks of a judicial hierarchy with lower courts consulting higher ones. It speaks of a king. It describes a military system and outlines the roles of priests, sergeants, and generals. It describes a system of government which is comprised of several different institutions, each with its own set of responsibilities and privileges.

This week's Torah portion leaves us with the following question: is it the ideal society that is being described herein, or do the systems elaborated upon in this parsha reflect the Torah's concessions to human frailty? Perhaps the long list of laws that comprise this week's parsha is a response to the tragic fact that real societies do not resemble the utopian ideal and, therefore, require judges and policemen, overseers and enforcers, kings and generals.

Taking the latter approach and

understanding that the royal, military, and judicial institutions described in detail in this week's Torah portion are necessary because mankind is not perfect, enable us to understand a puzzle which confronts every careful reader of this week's text.

For, you see, there is one passage in our parsha which just doesn't seem to fit. It is the subject of chapter 19, in which the children of Israel are commanded to set aside three cities to serve as sanctuaries for a person who was guilty of killing another unwittingly. How does this unspeakable calamity, unintentional manslaughter, fit into the rubric of the other passages of this week's Torah portion which deal with institutions of government?

This is a question asked by numerous commentators, beginning with Abraham ibn Ezra in the early Middle Ages, and including Obadiah Sforno who lived in Renaissance Italy, the Safed Kabbalist Moshe Alshich, and the German Jewish 20th century scholar David Tzvi Hoffman.

I recently came across an answer to this question which appeals to me. It is offered by a contemporary Rabbi, Yehuda Shaviv, whose work on the weekly Torah portion, MiSinai Ba, I have referred to previously in this column.

He suggests that the passage describing in detail how to treat an unintentional murderer illustrates the simple human lesson that accidents will happen. "It would be wonderful indeed," writes Rabbi Shaviv,

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"if people would never blunder or err, and could control all of their actions rationally and with great caution. But our Torah relates to human beings in all of their frailties and faults, and gives us ways of coping and rectifying those shortcomings."

To me, the difference between the harmonious social organization which characterizes the colony of ants versus human groups which require intricate systems of control and management is the difference between creatures guided by instinct versus humans blessed by free will. It is the very freedom that we as humans enjoy that compels us to be on guard against evil in all of its forms.

The lesson of this week's parsha is that human beings require external controls in the form of law, systems of justice and enforcement, kings and political leaders, and even militias and generals. King

Solomon's call to us to witness the ants is really his invitation to us to envision an ideal society, but one which is nearly impossible to achieve given the human condition.

Until that ideal is achieved, we are well advised to study all that the Torah has to say about safeguards against human faults. Parshat Shofetim provides excellent examples of the Torah's lessons in this regard. It recognizes the reality of crime, dishonesty, and violence. It even copes with inevitable unintentional violence.

Anarchy must be avoided, but utopia is not realistic. The Torah is designed to help us deal with the realities of existence, which are typically far from ideal. Nevertheless, the Torah holds open the possibility that a utopia might one day emerge. After all, if the ants can achieve an efficient and ethical society, why can't we?" ■

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