



LECTURE #5:  
MAN IS POLITICAL BY NATURE  
Rabbi Eli Hadad

THE SIGNIFICANCE OF THE STATE

In the previous lecture, we analyzed Maimonides's interpretation of the transition from the prophecy of Abraham to the prophecy of Moses. The primary novelty of Moses's prophecy relates to the means to be used to lead man to his ultimate objective, namely, the knowledge of God. Whereas Abraham's prophecy relied on teaching and preaching, Moses's prophecy was based on the practical commandments and statutes. Practically speaking, this characterization of the contents of Moses's prophecy defines the Torah as a political regimen that relates to the ways of shaping society as a whole rather than turning to its members as individuals.

How are we to understand this necessary state of affairs? Why can't we make do with houses of study which teach man the knowledge of God, but rather we must fashion a comprehensive social-political system? Why did Abraham's course almost fail, and only "because of God's love for us and because He kept the oath made to our ancestor Abraham," was this course saved by Moses's mission? The answer to these questions touch upon the most fundamental aspects of human nature.

In his *Guide of the Perplexed*, II, chapter 40, Maimonides asserts in the wake of Aristotle<sup>1</sup> that "man is political by nature." This chapter is fundamental for the proper understanding of the meaning of the Law of Moses according to Maimonides. We shall, therefore, analyze the first part of the chapter, piece by piece, in succession.

Maimonides explains Moses's Torah in the framework of a general discussion of man's nature as a political being. He means to say that man must **of necessity** live within a political framework, and that the law of Moses should be understood within this general

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<sup>1</sup> Aristotle, *Politics* I, 2.

context. That is to say, **the law of Moses is a unique application of this principle.** Maimonides opens the chapter by explaining this assertion.

It has been explained with utmost clarity that man is political by nature and that it is his nature to live in society. He is not like the other animals for which society is not a necessity.

Maimonides's first argument is that man must necessarily live within society, and that he cannot live as an isolated individual. This stands in contrast to other animals who can indeed live as individual creatures. Maimonides explains this argument in his introduction to the *Mishnah*:

Since man lacks much and has many needs, he would have to learn ploughing and harvesting, to thresh and to grind, to bake and to make utensils for the aforementioned tasks, in order to fulfill therewith his alimentary needs. Similarly, he would have to learn spinning and weaving in order to weave his clothing. He would also have to learn to build in order to construct a place of shelter, and to manufacture tools for all these labors. Not even the lifetime of a Methuselah would suffice to learn all these tasks which a person necessarily requires for his sustenance.

Man has many needs; no one individual can fill them all. Man's many needs necessitate that he live in society, the individual elements of which fashion different products and provide each other with all their needs. An isolated individual living outside of society would require great efforts just to survive, efforts that would consume all his time and energy. In any event, he would fail to provide for all his needs, but rather he would live an inferior life in abject poverty.

Man's complicated situation does not end here. Alongside the many needs of man that require him to live within society, there exists a unique human quality that makes it very difficult for the individual to live together with other people. Maimonides continues in the *Guide* (II, 40):

Because of the manifold composition of this species – for, as you know, it is the last one to have been composed – there are many differences between the individuals belonging to it, so that you can hardly find two individuals who are in any accord with respect to one of the species of moral habits, except in a way similar to that in which their visible forms may be in accord with one another. The cause of this is the

difference of the mixtures, owing to which the various kinds of matter differ, and also the accidents consequent to the form in question. For every natural form has certain accidents proper and consequent to it, those accidents being other than those that are consequent to matter. Nothing like this great difference between the various individuals is found among the other species of animals, in which the difference between individuals belonging to the same species is small, man being in this respect an exception. For you may find among us two individuals who seem, with regard to every moral habit, to belong to two different species. Thus you may find in an individual cruelty that reaches a point at which he kills the youngest of his sons in his great anger, whereas another individual is full of pity at the killing of a bug or any other insect, his soul being too tender for this. The same holds good for most accidents.

Man is the most complex creature in the material world. Today we would formulate this argument by saying that the human genome is the most complex among the genetic codes of living creatures. This is material complexity, but it greatly influences man's character. This complexity creates great diversity among individuals, diversity that creates profound contrasts and differences between people. The most basic human character traits greatly differ from one person to the next and the differences between them are exceedingly great. These contrasts make collective living very difficult; the many differences between people create constant friction and result in entirely different patterns of behavior, which will of necessity bring about the dissolution of society.

We see then that **human nature harbors an intolerable contradiction. On the one hand, man is in great need of society to provide for his needs. On the other hand, collective living creates constant friction between individuals which leads to the dismantling of society. Man needs society, but is unable to live within it.**

Now as the nature of the human species requires that there be those differences among the individuals belonging to it and as in addition society is a necessity for this nature, it is by no means possible that his society should be perfected except – and this is necessarily so – through a ruler who gauges the actions of the individuals, perfecting that which is deficient and reducing that which is excessive, and who prescribes actions and moral habits that all of them must always practice in the same way, so that the natural diversity is hidden through the multiple points of conventional accord and so that the community becomes well ordered.

**The solution to this paradox is a regimen**, whose role is to temper the many differences between individuals by establishing norms that create uniform patterns of behavior. Reducing the polar differences between people and subordinating them to uniform norms create social order and allow for collective life. **Man's nature** then makes it necessary for him to live a political life.

We must be precise in our understanding of this argument. It does not merely mean that the individual requires society, but rather that he must live **in an organized society**, i.e., in a political state. Man's **nature** leads him to live an organized life in an **artificial** manner. Man lives on the border between the natural and the artificial; his nature compels him to develop artificial social life that suppresses and restrains his natural inclinations.

This recognition has many ramifications for a person's life. There is a similarity between romantic viewpoints on the one hand, and ascetic ones on the other, in that they both see man as a natural creature, whose nature is corrupted and whose soul is sullied by civilization. These outlooks do not grasp the profundity of the unique nature of man, according to Maimonides. **Man must live in civilization and culture in order to be man.**

In our third lecture, we noted Maimonides's opposition to asceticism. We are all familiar with his doctrine of the median way, "the golden path," regarding character traits, and see that as the primary reason for his opposition to asceticism. Another reason, no less profound and fundamental, is his understanding of man as a political being, whose natural environs are the state, culture and civilization. These alone allow him to perfect his human nature.

Maimonides concludes by relating to the Torah, classifying it in the category of political regimens.

**Therefore I say that the Law, although it is not natural, enters into what is natural.**

Political regimens fall into the realm of the artificial. This is what Maimonides means when he says that "the Law is not natural." This artificiality, however, grows out of human nature, and therefore, "it enters into the natural." The Law of Moses is a political regimen, and, as such, it operates with the goal of fashioning and restraining man's natural inclinations, passing thereby into the realm of the artificial. But this shaping befits man's basic nature, and, as such, it is connected to human nature.

## HUMAN AND DIVINE POLITICAL REGIMES

Later in the chapter, Maimonides distinguishes between various different political regimens. His most basic distinction is between a political regimen rooted in prophecy and a political regime stemming from a political ruler who is not a prophet, but rather one who created laws of his own. In the passage cited below, Maimonides establishes the criterion, by which we may distinguish between a Divine regimen (i.e., a political regimen rooted in prophecy) and a human regimen (i.e., a political regimen whose source is human legislation).

Accordingly if you find a Law the whole end of which and the whole purpose of the chief thereof, who determined the actions required by it, are directed exclusively toward **the ordering of the state and of its circumstances** and the abolition in it of injustice and oppression; and if in that Law attention is not at all directed toward speculative matters, no heed is given to the perfecting of the rational faculty, and no regard is accorded to opinions being correct or faulty – the whole purpose of that Law being, on the contrary, the arrangement, in whatever way this may be brought about, of the circumstances of people in their relations with one another and provision for their obtaining, in accordance with the opinion of that chief, a certain something deemed to be happiness – **you must know that this Law was legislated by humans**, that the man who laid it down belongs, as we have mentioned, to the third class, I mean to say, to those who are perfect only in their imaginative faculty.

If, on the other hand, you find a Law all of whose ordinances are due to attention being paid, as was stated before, **to the soundness of the circumstances pertaining to the body and also to the soundness of belief** – a Law that takes pains to inculcate correct opinions with regard to God, may He be exalted, in the first place, and with regard to the angels, and that desires to make man wise, to give him understanding, and to awaken his attention, so that he should know the whole of that which exists in its true form – you must know that this guidance comes from Him, may He be exalted, **and that this Law is Divine.**

The fundamental distinction between a Divine regimen and a human regimen relates to the **objective** of the political regimen. If the objective of the political regimen is solely **the perfection of the body**, that is, the organization of man's social life, it is a political regimen whose source is man. If, however, the objective of the political regimen is **both the perfection of the body and the perfection of the soul**," that is, both social order and also the

inculcation of correct opinions regarding existence in general, and God in particular, it is a political regimen whose source is Divine.

We saw already that in his *Guide* (III, 27), Maimonides defines the purposes of the Law of Moses as perfection of the body and perfection of the soul. Based on this criterion, then, it may be established that the Law of Moses is a law whose source is Divine, and that it had been given by way of a prophet, and not by way of a human lawgiver.<sup>2</sup> Maimonides does not mention the tradition regarding the revelation of the Torah at Sinai or from Heaven as proof of its Divine origin. He maintains that the Torah's Divine source may be established on the basis of its internal contents as well as its objective.

Let us summarize what we have said thus far. The Torah is a political regimen that does not content itself with the perfection of the social order. Rather, it also strives to provide its citizens with true ideas regarding the universe and primarily the knowledge of God. Since man has many needs and cannot secure them all on his own, he is in need of society. On the other hand, living alongside other people who are very different one from the other in their character and aspirations is almost impossible. Statutes are, therefore, necessary to be regulate social life in the form of a state.

Here, however, we can distinguish between different types of polities. Some polities content themselves with the organization of social life; their objective is merely to prevent injustice between man and his neighbor. These are the polities whose laws were legislated by human beings. A polity whose laws were received by a prophet does not content itself with the mere establishment of an orderly society, but rather its laws also direct its citizens to actualize their human nature which involves the apprehension of rational ideas.

Living in a state whose objective is solely social prevents the actualization of the human objective of knowing God. Thus, the establishment of houses of study to instill this

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<sup>2</sup> In the framework of his discussion, Maimonides deals with other codes of law, whose objective is not only the perfection of the body, but also the perfection of the soul, and he proposes methods to verify their source. Since there is only one Divine Torah, the other codes are an imitation or literary theft of our Torah. The way to test these other codes is to examine (a) whether they fulfill their goal, and (b) whether the legislator of the code himself fulfilled the moral and behavioral demands falling upon every prophet in order to establish whether he is indeed a prophet or a fraud.

idea does not suffice. This idea can only be realized as an entire entity which organizes all social life based on this objective.

#### THE *MITZVAH* TO APPOINT A KING

This political idea cannot be actualized solely by way of a constitution. Rather, practical leadership is required which will be able to compel the realization of this constitution.<sup>3</sup> Thus, we may understand the significance of the kingship in Maimonides's thought. The *Rishonim* disagree with respect to the appointment of a king. Some view it as the Torah's compromise with the will of the people, similar to the idea that "the Torah spoke in reference to the evil inclination"<sup>4</sup>; others see it as a *mitzvah*.<sup>5</sup> Maimonides counts the appointment of a king among the *mitzvot*, and even closes his halakhic code, the *Mishneh Torah*, with the "Laws of the Kings and their Wars." Maimonides opens these laws as follows (1:1-2):

Three commandments – to be carried out on entering the land of Israel – were enjoined upon Israel: to appoint a king, as it is said: "You shall in anywise set him king over you" (Deuteronomy 17:15); to destroy the seed of Amalek, as it is said: "You shall blot out the remembrance of Amalek" (*ibid.* 25:19); and to build the sanctuary, as it is said: "Even to His habitation shall you seek, and there you shall come" (*ibid.* 12:5).

The appointment of a king was to precede the war with Amalek, as it is written: "The Lord sent me to anoint you to be king over his people... Now go and smite Amalek" (I Samuel 15:1,3). The destruction of the seed of Amalek was to precede the erection of the sanctuary, as it is written: "And it came to pass, when the king dwelt in his house, and the Lord had given him rest from all his enemies round about, that the king said to Nathan the prophet..." (II Samuel 7:1-2).

Since it is man's nature to live in a state, and since a state cannot exist without a ruler who can force the people to observe its laws, of necessity there must be a Torah *mitzvah* to appoint a king whose role is to enforce the Law of Moses. Furthermore, there can be no

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<sup>3</sup> In the continuation of the *Guide* (II, 40), Maimonides distinguishes between two types of leaders: legislators and rulers. The Divine Torah also requires a ruler who has the power to enforce observance of the Law and actualize it in practice.

<sup>4</sup> Ibn Ezra, for example, and more sharply, Abarbanel, who absolutely negates the monarchy.

<sup>5</sup> An echo of these views may be found in the controversies of the Tannaim and Amoraim; even the plain sense of the biblical text allows for multiple understandings.

political reality without a king, and therefore, Maimonides asserts that already when the Jewish people first entered the land of Israel, Joshua was appointed king by Moses.<sup>6</sup> This stands in opposition to the generally accepted viewpoint that sees Saul as the first king, as well as to the simple meaning of the biblical text.

The order of the last three *mitzvot* seems also to define the role of the king and his goals within the political framework. His first task - to fight Amalek – is described in greater detail in the fifth chapter of the Laws of Kings. There Maimonides includes also the war against the seven Canaanite nations and the conquest of Eretz Israel within the framework of the mandatory wars of a king. It seems that the purpose of these wars is to create a territory free of idolatry, as the basis of the establishment of a Jewish state based on the recognition of a single God.

Recognizing the cultural influences of the social surroundings on a person's state of mind, Maimonides connects the prohibition to live in the land of Egypt to this chapter, and explains that "the practices of the Egyptians are more corrupt than those of the inhabitants of all the other lands." In contrast, Maimonides praises at length living in Eretz Israel. The king's first role then is creating a religious-cultural environment that allows for educating the people to true recognition of God. The *mitzvah* of building the Temple at the end of the process also points to the fact that the king does not content himself with the perfection of the body as his political goal, but rather he sees the state as an instrument to realize the goal of knowledge of God. This expresses itself in his setting the service of God in the center of his political activity.

## THE MESSIANIC PERIOD

Maimonides sees the Messiah as a king, and not some other type of leader:

If there arises a king from the House of David who meditates on the Torah, occupies himself with the commandments, as did his ancestor David, observes the precepts prescribed in the written and the oral law, prevails upon Israel to walk in the way of the Torah and to repair its breaches, and fights the battles of the Lord, it may be assumed that he is the Messiah. If he does these things and succeeds, rebuilds the sanctuary on its site, and gathers the dispersed of Israel, he is beyond all doubt the Messiah.<sup>7</sup>

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<sup>6</sup> *Hilkhot Melakhim* 1:3.

<sup>7</sup> *Hilkhot Melakhim* 11:4.

Moreover, the only difference between our world and the messianic period is political independence. "Said the rabbis: The sole difference between the present and the messianic days is delivery from servitude to foreign powers."<sup>8</sup> The life of the Jewish people under the rule of one who runs the state according to the Law of Moses is the ideal way to ensure the fulfillment of the Torah's objective, namely, knowledge of God. Thus, indeed, Maimonides concludes his great halakhic code:

The sages and prophets did not long for the days of the Messiah that Israel might exercise dominion over the world, or rule over the heathens, or be exalted by the nations, or that it might eat and drink and rejoice. **Their aspiration was that Israel be free to devote itself to the Law and its wisdom, with no one to oppress or disturb it**, and thus be worthy of life in the world to come....

The ideal state creates physical and spiritual repose<sup>9</sup> that allows for the true study of Torah and its wisdom. Any other rule "oppresses or disturbs" this objective. In his *Guide* (II, 36), Maimonides draws an explicit connection between the cessation of prophecy and the exile, that is, the termination of the Torah's political rule:

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<sup>8</sup> *Hilkhot Melakhim* 12:2.

<sup>9</sup> In a number of places, Maimonides relates to "*penai*" (here, *sheyihayu penuyin ba-Torah*, "that Israel be free to devote itself to the Law") in the spiritual sense. For example, in *Hilkhot Yesodei ha-Torah* 7:1, in his description of the development of the prophet: "But the spirit of prophecy only rests upon the wise man who is distinguished by great wisdom and strong moral character, whose passions never overcome him in anything whatsoever, but who by his rational faculty always has his passions under control, and possesses a broad and sedate mind. When one, abundantly endowed with these qualities and physically sound, enters the '*Pardes*' and continuously dwells upon those great and abstruse themes, - having the right mind capable of comprehending and grasping them; sanctifying himself, withdrawing from the ways of the ordinary run of men who walk in the obscurities of the times, zealously training himself not to have a single thought of the vanities of the age and its intrigues, but keeping **his mind disengaged** (*da'ato penuyah*), concentrated on higher things as though bound beneath the Celestial Throne, so as to comprehend the pure and holy forms and contemplating the wisdom of God as displayed in His creatures, from the first form to the very center of the earth, learning thence to realize His greatness – on such a man the holy spirit will promptly descend." See below.

This is indubitably the essential and proximate cause of the fact that prophecy was taken away during the time of the exile. For what languor or sadness can befall a man in any state that would be stronger than that due to his being a thrall slave in bondage to the ignorant... This also will be the cause for prophecy being restored to us in its habitual form, as has been promised in the days of the Messiah, may he be revealed soon.