

*Review Essay**

The Jewish Roots of the Modern Republic

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A concise study of sixteenth- and seventeenth-century Protestant Hebraica does not immediately suggest a provocative contribution to contemporary debates about secularization, religion, and politics. But that is what Eric Nelson's learned yet accessible book about the Jewish sources of early modern republicanism provides.¹ According to Nelson, Professor of Government at Harvard University, the distinctive authority of the Hebrew Republic made possible the Protestant development of three central ideas: republican liberty, care for equality, and religious toleration. Nelson's rehabilitation of the neglected Christian Hebraism of the late Renaissance and Reformation seeks to challenge historiographies which characterize modern political thought in terms of a rationalist independence from theology. These dominant narratives roughly describe a transition from *political theology* to *political science* that excludes religious conviction from political argument.² Nelson invokes (but does not engage) Mark Lilla's description of "the Great Separation" of religion and politics as one expression of this threshold of disenchantment.³ He also associates this narrative with figures as diverse as Hans Blumenberg, Leo Strauss, C. B. Macpherson, Michael Oakeshott, John Rawls, and Jonathan Israel. The book, therefore, contributes to scholarship that complicates the primacy of the

* Eric Nelson, *The Hebrew Republic: Jewish Sources and the Transformation of European Political Thought* (Cambridge, Mass.: Harvard University Press, 2010). Future references to Nelson's book appear in the text.

¹ Nelson, *The Hebrew Republic*.

² Nelson recognizes the difficulty of the term "secularization." For his purposes, he takes it to mean "the banishment of religious argument from the sphere of acceptable political or public discourse" (141 n. 2). I take up the limits of this approach below.

³ Mark Lilla, *The Stillborn God: Religion, Politics, and the Modern West* (New York: Knopf, 2007). Lilla's story describes an "intellectual rebellion against political theology in the West" (6).

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“Enlightenment” origins and character of Western politics. It also raises complex questions about our relation to these origins. Much like Nelson’s own argument about the way Jewish sources helped reorganize accepted categories, his book opens new spaces for scholarly conversation across multiple fields of study. This review briefly raises normative implications of Nelson’s book for scholars of theology, ethics, and religious studies. I examine stronger and weaker versions of Nelson’s historical narrative as well as his gestures at their implications.

Nelson’s work is part of a growing body of literature on the salience of political Hebraism (including a new journal, *Hebraic Political Studies*).⁴ By his lights, an early modern proliferation of available translations of the Talmud, the midrashim, the *Zohar*, later rabbinic commentary, and major works of figures like Josephus and Maimonides allowed for generative Christian interpretations of the Hebrew Bible as the “measure of their politics” (139). These Christian appropriations of relevant Jewish distinctions were not animated by a new-found philo-semitism; neither did they reveal an overwhelming mastery of the Hebrew language, Jewish law, or, for the most part, interaction with actual Jews. The contrary often was the case among Nelson’s primarily Dutch and English authors. Many had rudimentary knowledge of Hebrew and endorsed strongly anti-Jewish theologies and social practices. While Nelson demonstrates connections to accomplished linguists like John Selden, his point is that Jewish sources and modes of thinking suffused an entire intellectual landscape. Breaking from papal traditions and the legal structures of canon law, Protestants returning to Scripture as a guide for law and politics felt compelled to consult “Hebrew doctors of the ancients sort.”⁵ It was this retrieval of Jewish texts and ideas that “radically transformed European political thought and pushed it forcefully toward what we call *modernity*” (22).

Nelson is a cautious intellectual historian, appropriately wary of putting all the pieces of an epoch together. His book provides a contrast to some of the loose and baggy master narratives of secularity popular today. He is at his best when he describes the political stakes involved in the intricacies of early modern religious debates (e.g., whether ordination of ecclesial office in the apostolic church used *chirotony* or *chirothesia*). His concern is why certain questions arose in a certain way for certain reasons. His lucid book reads more like a detective novel looking for a smoking gun than a polemical manifesto motivated by moral panic or theological anxieties. This is how his story begins:

⁴ In addition to several helpful citations for specialist studies on Christian Hebraism, Nelson identifies many of the most important contributors to *political* Hebraism, including J. G. A. Pocock, Lea Campos Boralevi, Frank Manuel, Kalman Neuman, Michael Walzer, Gordon Schochet, and Fania Oz-Salzberger.

⁵ The phrase belongs to English Hebraist and separatist minister Henry Ainsworth (cited in Nelson, 74).

[A standard narrative of the seventeenth century] seriously misrepresents the relationship between Renaissance political thought and the political thought of the seventeenth century. Renaissance humanism, structured as it was by the pagan inheritance of Greek and Roman antiquity, generated an approach to politics that was remarkably secular in character. The political science of the humanists did not rely on appeals to Revelation, but rather on the sort of prudential knowledge to be found in the study of history and in the writings of the wise. It was, rather, in the seventeenth century, in the full fervor of the Reformation, that political theology reentered the mainstream of European intellectual life. The Protestant summons to return to the Biblical text brought with it incessant appeals to God's constitutional preferences as embodied in Scripture. . . . What we are in need of, then, is an explanation of how these ideas might have been generated, not as a by-product of advancing secularization, but rather out of the deeply theologized context of the Biblical Century" (2–3).

The Hebrew Republic provides several convincing examples in support of Nelson's thesis about the biblicism of seventeenth-century politics. If he is right, in order fully to understand significant transformations in European politics—and many of our own political ideals and institutions—we need to know something about the influence of relatively obscure figures like Wilhelm Schikard, Cornelius Bertram, and Petrus Cunaeus. More canonical figures like John Milton, James Harrington, Hugo Grotius, John Locke, and (most controversially) Thomas Hobbes are cast in a fresh light once these Jewish sources and theological arguments are elevated.⁶ He makes it even more difficult to evade their religious views and motivations in telling stories of secularization. On his reading, these European Protestants imagined a politics responsive to the authority of the divine will. In general, however, Nelson assumes rather than examines diverse notions of divine willing, power, and goodness.⁷ Despite admittedly diverse theological sensibilities and approaches, Nelson's significant point is that Protestant readers found "in the five books of Moses not just political wisdom, but a political constitution" (16). As he puts it, European Protestants "believed that the same God who thundered from Sinai, and who later

⁶ Nelson notes several studies in the ongoing debate about Hobbes's religiosity, offering a mediating position between strong materialism and Christian orthodoxy: Hobbes was a "deeply heterodox thinker who nonetheless retained some sort of belief in revealed religion" (195 n. 198). Here Nelson contrasts Hobbes's account of biblical and divine authority to Machiavelli and Spinoza. Machiavelli's own religious and political views have become a matter of new scholarly dispute: see, for example, Maurizio Viroli, *Machiavelli's God* (trans. Antony Shugaar; Princeton: Princeton University Press, 2010), and John P. McCormick, *Machiavellian Democracy* (Cambridge, U.K.: Cambridge University Press, 2011).

⁷ Nelson does not discuss the important role of late medieval nominalism and voluntarism in many contemporary secularization narratives. In addition to Charles Taylor and John Milbank, see now Brad Gregory, *The Unintended Reformation: How A Religious Revolution Secularized Society* (Cambridge, Mass.: Harvard University Press, 2012). It seems Nelson takes Protestant notions of divine sovereignty to adopt a "decisionist picture of God." See Avishai Margalit, "Political Theology: The Authority of God," *Theoria* (April 2005) 37–50, at 38.

sent his son into the world, had revealed to Israel the form of a perfect republic” (139). This perfect republic became a model commonwealth for Protestant jurists and theologians, retaining its “authority in the Christian world because God himself was its author” (95). The Hebrew constitution became a fitting counterpart to other early modern efforts that also “return” to the ancient constitutions of Athens, Sparta, and Rome for guidance and inspiration in a post-medieval era of innovation. And, for Christian thinkers, it trumped these alternatives as a witness to divine authority.

Nelson also does not dwell on the type of authority this constitution (or Israel itself) provided for emerging Protestant efforts to coordinate historical consciousness and divine providence. But he is clear that the return to biblical sources was not motivated by mere deference to ancient authority. Moreover, in their discussions of God’s unique relationship with Israel, early modern theorists did not seek to reconstitute that commonwealth on European soil for a Christian polity. Rather, understanding the character of Israel, aided by Jewish informants, became a resource for the interwoven work of theology, philology, and comparative constitutional analysis in a new historical moment.

The Hebrew Republic focuses on three transformations in successive brief chapters: 1) a “republican *exclusivism*” which breaks from a previous “constitutional pluralism” by rejecting monarchy as itself sinful, 2) an embrace of state redistribution of wealth, and 3) a theological (indeed, *theocratic*) justification of religious toleration to be contrasted with “a so-called *politique* defense of toleration, endorsing the practice for purely prudential, secular reasons” (89). Each chapter details how the employment of Jewish sources powerfully changed both political conclusions and the nature of political debates themselves. For example, Nelson shows how important distinctions in rabbinic discussions of biblical monarchy (especially in *Devarim Rabbah*) were deployed by Christian exegetes of 1 Samuel 8 in ways that gave rise to radical anti-monarchical possibilities previously rejected.⁸ Chapter two demonstrates how “a seemingly innocuous semantic move” that interpreted the biblical Jubilee as an agrarian law allowed Christian readers to overcome humanist prejudices and imagine a redistributionist alternative to absolute protection of private property or its abolition (64). Chapter three traces how Erastian appropriations of Josephus’s account of Israelite theocracy ironically encouraged religious toleration by severely restricting the type of religious matters relevant to civic life.

⁸ Nelson carefully traces various efforts in Jewish and Christian exegesis to coordinate the so-called “pro-monarchical” passages in Deuteronomy 17 and the “anti-monarchical” 1 Samuel 8 where God tells Samuel that Israel has rejected God in asking for a king. While his focus is the influence of certain rabbinic readings of 1 Samuel 8, it would be interesting to learn how early modern theorists read other passages influential in these ongoing interpretive debates (i.e., 1 Samuel 9, 2 Samuel 23, Judges 8 and 9, 2 Kings 9, and Hosea 13). Oliver O’Donovan surveys various biblical passages in his account of political authority and likens the debate to discussions of sovereignty in modern political thought. See Oliver O’Donovan, *The Desire of the Nations Rediscovering the Roots of Political Theology* (Cambridge, U.K.: Cambridge University Press, 1996) esp. 30–81.

In describing this neglected encounter between Christian readers and Jewish texts, Nelson does not argue that political history is ideas all the way down. He is a contextualist. But he dissents from relentless suspicion of religion as ideology or rhetorical trope. Neither Locke nor Hobbes, for example, is read as a crypto-atheist. Still, one might have hoped for greater attention to political conflict, liturgical reform, or the nature of Protestant book culture that might support Nelson's hermeneutical strategy. Moreover, Nelson is relatively silent on massive debates internal to Christian theology about God's relation to the world, especially the relationship between divine and human agency central to early modern justifications of authority. Are these simply "abstruse metaphysical speculation" (8) or "theological minutiae" (111) with only distant political consequences? Unfortunately, Nelson does not identify either his or early modern criteria for distinguishing consequential ideas from minutiae. Yet it is refreshing to read a history in which, against some trends in religious studies, texts and beliefs themselves matter. For Nelson, religious texts are not simply "deployed instrumentally by readers whose ideological commitments are to be regarded as fully formed in advance—shaped perhaps by their political circumstances, economic situation, or psychological profile" (5). This account no doubt will make Nelson's work vulnerable to methodological disputes and historical qualifications.

Occasional footnotes do qualify some of his most bracing yet rhetorically powerful conclusions. For example, the last sentence of the opening chapter announces that "while we moderns usually take ourselves to be living in the age of Hobbes, there is a sense in which we live rather in the age of Milton" (56). But his endnote emphasizes, "it should go without saying that this is simply one relevant perspective" (166 n. 119). Is Nelson's book itself meant to be "one relevant perspective"? As a corrective, promoting the significance of Jewish sources and biblical exegesis succeeds. But he sometimes implies that these sources are *the key* to the modern political transformations he discusses. Protestant political thinkers in this period were notoriously eclectic; it is extremely difficult to locate efficient causation given their ad hoc appeals. Smoking guns are always hard to find. These thinkers cribbed and borrowed from multiple sources within and outside Christian literature, reweaving ancient traditions and putting them to work for their own purposes. Did the Protestant imagination for the malleability of culture, the dangers of certain hierarchies, and responsibility for political arrangements require these rabbinic commentaries? Were these Jewish sources the primary impulse that binds together their concerns about monarchy, equity, and toleration? Could the same story be told about their relation to patristic and medieval traditions of virtue and law—or to emergent Protestant ways of linking the sovereignty of God to abhorrence of arbitrary power—or, as Nelson's first book argued, the Greek tradition?⁹ What about Protestant notions of sin, freedom, political covenant, natural and common

⁹ Eric Nelson, *The Greek Tradition in Republican Thought* (Cambridge, U.K.: Cambridge University Press, 2004).

law, or evangelical love that are largely absent from his narrative? What about various New Testament passages, including Romans 13, that find only passing reference? The same might be said about Augustine, Aquinas, Luther, Wyclif, Althusius, Savonarola, and the vast array of Puritan reformers. Was each of these influences necessary but not sufficient for the transformations Nelson describes?

Nelson's inquiry complements existing legal studies that emphasize the role of early modern Calvinism in the development of Western constitutionalism.¹⁰ He also advances attention to a distinctive vision of *republican* politics usefully distinguished from "liberalism."¹¹ Still others might find inspiration for a renewed encounter between Jewish and Christian political thought. Historians persuaded by his welcome emphasis on the importance of religious sources in this period may still express reservations about overreach in terms of explanation. For example, Nelson introduces a series of Erastian theorists who regard the civil sovereign as the source of religious law. But were these individuals truly representative of Anglo-Dutch Protestantism and as significant as he makes them out to be? Are Grotius and Hooker Erastian in the same vein as Hobbes? Nelson has identified something new and important which makes for an exciting detective story. But, in so doing, he risks downplaying continuities within the broader tradition of Christian political thought, especially with regard to empire, idolatry, and the rule of law.¹²

Of course, a tangled web of influences must resist a story about everything. The virtue of Nelson's elegant book is its narrow focus on transformations that explain key political conclusions. He admits that not all Hebraists were Remonstrants and Erastians. But, to cite one example, his story marginalizes a central Calvinist concern to maintain the integrity of a visible church as a social presence distinct from the differentiated political community. This effort resists caricatures of Protestantism that pit law against gospel or render all Protestant theology in terms of a private faith. Alongside the significant role of Lutheranism, these Calvinist theologies surely seem to be an important part of the larger story of the transformation of modern politics.

¹⁰ See, for example, John Witte, Jr., *The Reformation of Rights: Law, Religion, and Human Rights in Early Modern Calvinism* (Cambridge, U.K.: Cambridge University Press, 2007). Unlike Nelson, Witte emphasizes anti-Erastian Calvinist constitutional forms. One virtue of Nelson's book is his account of how Erastian arguments sponsored their own distinctive kind of religious toleration.

¹¹ Most scholars of religion are familiar with the liberal–communitarian debates of the latter half of the twentieth century. In fact, some played a prominent role in them. Contemporary political theory, however, is increasingly animated by republican alternatives to both liberalism and communitarianism. Nelson cites Philip Pettit's influential contrast between a republican notion of freedom as "non-domination" and liberal notions of freedom as absence of interference. See Philip Pettit, *Republicanism: A Theory of Freedom and Government* (Oxford: Oxford University Press, 1997). Perhaps the most significant scholar of religion to employ a version of Pettit's argument is Jeffrey Stout (*Democracy and Tradition* [Princeton: Princeton University Press, 2004] and *Blessed Are the Organized: Grassroots Democracy in America* [Princeton, N.J.: Princeton University Press, 2010]).

¹² For a non-specialist guide to these developments, see *From Irenaeus to Grotius: A Sourcebook in Christian Political Thought* (ed. Oliver O'Donovan and Joan Lockwood O'Donovan; Grand Rapids, Mich.: Eerdmans, 1999).

Let us grant Nelson's exegetical claims and entire genealogy of *political* modernity. Then what? He concludes his study with two contrasting origins and justifications: "Politics in the absence of God or as what Godly politics requires" (137). This stark contrast introduces a deep ambiguity into both the origins and the justifications of modern politics. According to Nelson, if we live in a secular age funded by theological ideas, "we will not be able to understand the peculiar fault lines and dissonances of our contemporary political discourse until we come to terms with that basic, paradoxical fact" (5). Indeed, "the question of which predominates in the modern West must remain open, but given the force of the story we have been telling, we might well wonder whether God remains our sleeping sovereign after all" (137). The stakes for such an argument appear high. But what are they? Consider this provocative claim from Paul Kahn's recent work that also challenges the supposed secularity of modern politics:

That political concepts have their origin in theological concepts is, to most contemporary theorists, about as interesting and important as learning that English words have their origin in old Norse. Consequently, a contemporary political theology must be more than a genealogical inquiry if it is to be more than a passing curiosity. It becomes interesting just to the degree that these concepts continue to support an actual theological dimension in our political practices.¹³

On this view, the central aims of Nelson's work may be important for the intellectual *historian*, but they are irrelevant for a *political theology* or *political science* interested in the persistence of links between religion and politics, the sacred and the secular. The past is extrinsic to the modes of justification and analysis compelling to us now. Kahn suggests that the only viable modern political theology is methodologically secular, a descriptive phenomenology that "explores analogies between the political and the religious in the social imaginary . . . entirely independent of any beliefs about God."¹⁴ I have my doubts about this strict separation of history and philosophy (let alone theology), especially given Kahn's gift for exposing the religious where it is most denied. Yet Kahn's blunt question is an important warning for those attracted to Nelson's historical narrative for constructive purposes and dissatisfied by accounts of authority in contemporary political philosophy.

Nelson is not a theorist of religion. Like Kahn's work, his book does not interrogate the assumptions behind the seemingly inescapable divisions of "religious" and "secular." Scholars of religion, informed by work in anthropology, cultural studies, theology, and philosophy, have worked hard to historicize such

¹³ Paul W. Kahn, *Political Theology: Four New Chapters on the Concept of Sovereignty* (New York: Columbia University Press, 2011) 3. Kahn's strategy of unmasking this "theological dimension" is similar to the many Christian critiques of democratic nationalism. Most recently, see William T. Cavanaugh, *Migrations of the Holy: God, State, and the Political Meaning of the Church* (Grand Rapids, Mich.: Eerdmans, 2011).

¹⁴ *Ibid.*, 124.

categories as themselves legacies of the Reformation period.¹⁵ But these terms also fail to account for the many efforts in modern religious thought that defend a kind of secularity on theological grounds.¹⁶ Problematizing the “religious” and the “secular” might also cast doubt on Nelson’s opening description of the “remarkably secular character” of Renaissance humanists as an adequate description of their own varied Christian inheritances. To be sure, we might locate an important break with older models of political theology at different points. Nelson’s late discussion of Spinoza admits that such a break happened, potentially undermining his larger thesis about political Hebraism. There was a threshold crossed, even if we continue to experience some boundary crossing. But, if Nelson is right, the origins of modern politics are now to be located in Spinoza’s own secularizing break with the theological tradition of the *respublica Hebraeorum*. The break happens not because Spinoza abandoned religious argument but because Spinoza’s “God does not ‘talk’ to anyone, nor can he (or, better, ‘it’) have constitutional preferences” (133).¹⁷ Nelson alludes to enduring efforts to imagine godly politics even after Spinoza, especially by later American Puritans who would struggle with their own questions about monarchy, equality, and toleration. But, unlike Kahn, he seems to accept some notion of *the idea* that secularization happened even if the proper story of its origins is different.

Contested genealogies of modernity play a significant role in the academic study of religion. Nelson occasionally references these wider currents that put intellectual history in the service of conceptual analysis. But he largely brackets the epistemological and metaphysical shifts that have occupied some of the more influential discussions by scholars like Giorgio Agamben, Charles Taylor, Alasdair MacIntyre, Jerome Schneewind, John Milbank, and Robert Pippin. Taylor has argued that narratives about the dynamics of secularity are our fate: “We (modern Westerners) can’t help understanding ourselves in these terms.”¹⁸ Nelson does

¹⁵ See, for example, Jonathan Z. Smith, *Relating Religion: Essays in the Study of Religion* (Chicago: University of Chicago Press, 2004), John Milbank, *Theology and Social Theory* (Oxford: Blackwell, 1990), Talal Asad, *Formations of the Secular: Christianity, Islam, Modernity* (Stanford: Stanford University Press, 2003), Robert A. Markus, *Christianity and the Secular* (Notre Dame: University of Notre Dame, 2006), Leora Batnitzky, *How Judaism Became a Religion: An Introduction to Modern Jewish Thought* (Princeton, N.J.: Princeton University Press, 2011), and Thomas A. Lewis, *Religion, Modernity, and Politics in Hegel* (Oxford: Oxford University Press, 2011).

¹⁶ Interestingly, two of the most significant Protestant political thinkers who offer sustained engagement with the Hebrew Bible provide such accounts: Anglican theologian Oliver O’Donovan and Calvinist philosopher Nicholas Wolterstorff. For the latter, see *Justice: Rights and Wrongs* (Princeton, N.J.: Princeton University Press, 2008).

¹⁷ Nelson admits that “Spinoza’s path” that deflates the authority of the Hebrew Republic is “a real and important dimension to the story of political Hebraism” (134). But, he argues, “it was the Israel of Grotius, Cunaeus, Selden, and Harrington that more profoundly shaped the development of what would emerge as liberal political thought in the modern West” (134). I suspect Nelson would need to extend his story beyond 1700 to make good on this claim. Skeptics will argue that he only pushes our dating of a secular modernity later than others.

¹⁸ Charles Taylor, “Afterword: Apologia pro Libro suo,” in *Varieties of Secularism in A Secular Age* (ed. Michael Warner et al.; Cambridge, Mass.: Harvard University Press, 2010) 300–21, at 300.

not theorize this tendency or related issues about the nature of tradition and conceptual change. His strict focus is aspects of *political* modernity that emerge from a relatively heterodox group of Christian theorists attracted to the ancient Israelite constitution. Unlike many critics who more or less identify Reformation theologies with the ills of modernity, Nelson remains agnostic and even adopts an appreciative tone with respect to their intellectual and moral achievements. His critique lies elsewhere.

In short, for Nelson, the origins of some of the most important (and, arguably, increasingly important) Western political ideas and practices were not secular. Perhaps bolder still, he argues, against other approaches to political theology since Carl Schmitt, that they also were not constituted by secularized theological concepts. They were not secular at all. They were “called into being, not by the retreat of religious conviction, but rather by the deeply held religious belief that the creation of such a world is God’s will” (5). Nelson’s elegant history is not burdened by theoretical excess. At the same time, it is difficult to read his book apart from resurgent interest in “post-secular” political theology that might offer sites of resistance to dominant forms of liberalism.

Nelson’s story strikes me as pressing a fundamental pair of questions related to this interest. His framing of secularization in terms of the exclusion of religious argument may distract from another neglected yet deeper problem in modern politics bestowed by the Protestant and Jewish heritage. It is not simply the question of religious *argument* or *discourse*, one that risks retrospectively mapping Rawlsian considerations about public reason on to the early modern period. Such debates have dominated a good bit of normative discussion of “religion and politics.” I do not wish to deny their practical and theoretical significance for pluralist societies. I also do not deny the value of other familiar questions related to the legal separation of church and state or the role of religion in public life. But these debates may obscure ways that religious legacies shape modern politics more than we care to imagine. By Nelson’s own telling, the unresolved early modern questions seem twofold (and perhaps interrelated): What is the nature of political authority and what is the nature of God? These questions—regardless of whether one thinks such a sovereign is sleeping, repressed, or always behind a veil—invite further inquiry into how to conceive of an authority that does not compete with, but might be mediated by, human willing. Such a politics might not have to choose between the divine and the human, between covenants and contracts. Non-theists will have to tell their own stories about authority and the reasons we offer to justify the coercive power of the political community. Some might even trade on philosophical concepts about religion, or shared concepts between theology and political philosophy.

Though such questions are not his primary focus, Nelson is to be commended for putting them back on the table. The question remains whether or not they can still be taken up as *theological* questions, or whether they will remain a matter for history and political science alone.