Jewish Ideas and American Democracy

Course Description
The purpose of this core course is to bring classic Jewish texts about government into conversation with the foundational works of American political thought. In so doing, we will consider the following questions: How did Jewish notions of politics, the social contract, and covenant impact the eventual structure and nature of the United States? How did the Bible figure in the debates about democracy and monarchy that took place during the time of America's founding? What tensions exist between the notion of religious authority and the modern conception of personal autonomy? In what way is the United States different from European democracies, and what is the role of religion in American public life?

Attendance & Participation
Students will be expected to have read and reflected upon the readings of each week, and participate in class discussions about them. At the end of every week, students will be given a question to facilitate reflection on the readings for the week ahead, and will be asked to respond before the first session of the next week with several paragraphs of reflection in response to the question. In addition, students will write a paper, by the end of the term that will embody a sophisticated comparative reflection on Jewish and American sources on government.

Intellectual Opportunities
Students will be offered several extraordinary opportunities in addition to the class requirements. The first will be several trips to the Katz Center of the University of Pennsylvania, where students will encounter one of the most remarkable archives of early American Jewish writings in existence today, and hear from scholars whose expertise regarding those archives are unparalleled. While in Philadelphia, students will also be able to avail themselves of institutions near the Katz Center, including Independence Hall, the Constitution Center, Congregation Mikveh Israel, and the National Museum of American Jewish History. At the end of the term, students will also be offered the opportunity to study for several days with scholars of American and Jewish history and Harvard University.

Honor Code
Stern College maintains an honor code that these instructors take very seriously. The work you submit must be your own. All outside sources and references consulted must be properly cited. Cheating will not be tolerated and will result in university disciplinary action. If you are unclear in any way about what constitutes plagiarism, please do not hesitate to discuss it with either or both professors.

Writing Center
The College maintains a wonderful resource to help student improve their writing skills: The Stern Writing Center. It is located in room 714 of 215 Lexington, right around the corner from the Art History classroom. Tutors are on hand to help you on writing assignments, and to offer techniques for assessing your own work. Students can schedule

regular appointments online or drop-by to check if a tutor is available. We are more than happy to make the introduction for you. You can make appointments or learn more about the Center through: http://yu.edu/writing-centers/beren; email berenwritingcenter@yu.edu, or call 917-326-4981.

Students with Disabilities and Special Needs
Students with disabilities who are enrolled in this course and who will be requesting documented disability-related accommodations are encouraged to make an appointment with the Office of Disability Services – (646) 592-4132 – during the first two weeks of class. After approval for accommodations is granted, please submit your accommodations letter to us as soon as possible to ensure the successful implementation of those accommodations.

Course Evaluation

Class Attendance and Participation	25%
Readings Essay Questions	25%
Paper	20%
Final	30%

Course Outline

Week 1: Introduction

Sefer Shmuel Aleph (I Samuel), chapters 8 & 12

Thomas Paine, *Common Sense.*

Berlin, Rabbi Naftali Tzvi Yehudah. *Haamek Davar Parshat Shoftim,* Selections.

Gordon Wood, *The Radicalism of the American Revolution,* Chapter 1.

Talmud Sanhedrin, Perek 2, Selections.

Midrash Rabbah Devarim Parshat Shoftim, Selections.

Week 2: Divine Right of Kings, the Bible, and Political Philosophy

Wyschogrod, Michael: "A King in Israel," *First Things* May 2010.

Nelson, Eric. *The Hebrew Republic,* Chapter 1.

Week 3: King vs. Sanhedrin

Nelson, Eric. *The Hebrew Republic*, Chapter 3.

Locke, John. *Two Treatises of Government: First Treatise*. Ed. Peter Laslett. Cambridge, UK: Cambridge University Press, 1988.

Chatam Sofer, Likutei Teshuvot #82

Week 4: Isaac Abravanel and the American Idea

Abravanel, *Commentary on the Book of Judges,* Introduction; *Commentary on Samuel,* Selections.

Soloveitchik, Rabbi Joseph B. "*BeInyan Takanat Moshe*"

James Madison, Federalist 10.

Netanyahu, B. *Isaac Abravanel: Statesman and Philosopher.*

Strauss, Leo. "On Abravanel's Philosophical Tendency and Political Teaching."

Week 5: The Social Contract

Locke, John. *Two Treatises of Government: Second Treatise* (Selections). Ed. Peter Laslett. Cambridge, UK: Cambridge University Press, 1988. Print.

Gross, George. "Notes for Reading the Bible with John Locke*." The Jewish Political Studies Review*. 9.3-4 (1997). Print.

Oz-Salzberger, Fania. "The Political Thought of John Locke and the Significance of Political Hebraism." *Hebraic Political Studies*. 1.5 (2006): 568-592.

Week 6: Covenant vs. Social Contract

Elazar, Daniel J. Covenant and Polity in Biblical Israel: Biblical Foundations and Jewish Experiences. New Brunswick, NJ, Transaction Publishers (1995). Selections.

Soloveichik, Joseph B. *The Lonely Man of Faith.* New York, Doubleday Publishing Group (1992).

Sacks, Jonathan. *The Home We Build Together.*

Week 7: Covenant and American Political Thought

Althusius, Johannes. *Politica: An Abridged Translation of Politics Methodically Set Forth and Illustrated with Sacred and Profane Example*. Ed. and Trans. Frederick S. Carney. Indianapolis, Indiana: Liberty Fund, Inc, 1995.

Elazar, Daniel J. Covenant and Polity in Biblical Israel: Biblical Foundations and Jewish Experiences. New Brunswick, NJ, Transaction Publishers (1995). Selections.

Week 8: Federalism and the Bible

Hamilton, Alexander, et. al. *The Federalist Papers,* Selections.

Elazar, Daniel. "Deuteronomy as Israel's Ancient Constitution: Some Preliminary Reflections." *The Jewish Political Studies Review*. 4.1-2 (1992).

---. "The Book of Joshua as a Political Classic." *The Jewish Political Studies Review*. 1.1-2 (1989).

Week 9: Religious Authority and Democratic Liberty

Soloveichik, R. Ahron *Parach Mateh Ahron Hilkhot Yesodei HaTorah Perek i1*.

Blidstein, Gerald. "Halakha and Democracy." *Tolerance, Dissent, and Democracy: Philosophical, Historical, and Halakhic Perspectives*. Ed. Moshe Sokol. Northvale, NJ. Jason Aronson Inc., 2002. 41-88.

Lichtenstein, Aharon. "The Parameters of Tolerance." *Tolerance, Dissent, and Democracy: Philosophical, Historical, and Halakhic Perspectives*. Ed. Moshe Sokol. Northvale, NJ. Jason Aronson Inc., 2002. 137-174.

Murray, John Courtney. "The Problem of Religious Freedom." *Theological Studies* 25(1964) : 503–75.

Murray, John Courtney. "The Schema on Religious Freedom: Critical Comments." Murray Archives, file 18–986 (1964).

Week 10: Religion and Democratic Society

De Tocqueville, Alexis. *Democracy in America*. Vol. 1. New York: Vintage Books, 1990.

Morrison, Jeffrey. *John Witherspoon and the Founding of the American Republic,* Selections.

Burke, Edmund. *Reflections on the Revolution in France,* Selections.

Soloveichik, Meir. "A Nation Under God: Jews, Christians, and the American Public Square." *The Torah U-Madda Journal.* 14 (2006-7):62-83.

Week 11: Religious Freedom and the Public Good

Carter, Stephen L. The Culture of Disbelief: How American Law and Politics Trivialize Religious Devotion. New York: Doubleday, 1994. Selections.

McConnell, Michael W. "Free Exercise Revisionism and the Smith Decision." *The University of Chicago Law Review* 57.4 (1990):1109-1153.

U.S. Supreme Court Employment Div. v. Smith. No. 494 U.S. 872. Supreme Court of the US. 17 April 1990. Print.

Week 12: Jewish Law and Civil Disobedience

King Jr., Martin Luther. "Letter from a Birmingham Jail." 16 April 1963.

Schochetman, Eliav. "The Duty to Obey the King's Command When it Contradicts Halakhah." *The Jewish Political Studies Review*. 10.3-4 (1998).

Berger, Michael S. "The Halakhik Basis for Disobedience in a Democratic State." *Tolerance, Dissent, and Democracy: Philosophical, Historical, and Halakhic Perspectives*. Ed. Moshe Sokol. Northvale, NJ. Jason Aronson Inc., 2002. 175-232.

Schiffman, Lawrence H. "Historical Perspectives on Dissent and Disobedience: Jews Against Jews in Late Antiquity." *Tolerance, Dissent, and Democracy: Philosophical, Historical, and Halakhic Perspectives*. Ed. Moshe Sokol. Northvale, NJ. Jason Aronson Inc., 2002. 233-260.

Shilo, Shmuel. "When the Law of the Kingdom is Not the Law." *The Jewish Political Studies Review*. 10.3-4 (1998). Print.

Week 13: Natural Law and Noahide Law

Maimonides, Mishneh Torah *Hilkhot Melakhim* Chapters 8 & 9.

Toomer, J. G. *John Selden: A Life in Scholarship*. Oxford: Oxford University Press,

Novak, David. *Natural Law in Judaism*. Cambridge ; New York : Cambridge University Press, 1998.

Finnis, John. *Natural Law and Natural Rights*. Oxford: Clarendon Press, 1980.

Week 14: Orthodoxy, Democracy and Tradition

Stout, Jeffrey. *Democracy and Tradition*. Princeton, New Jersey: Princeton University Press, 2004.

Macintyre, Alisdair. *Three Rival Versions of Moral Inquiry.*

Carmy, Shalom. "Democracy and Tradition." *The Jewish Political Studies Review* 2.1 (2006): 623-646. Print.