THE BIBLICAL MILIEU AND THE SHAPING OF THE DEMOCRATIC CONSCIOUSNESS OF WESTERN CULTURE [1]

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ABSTRACT: This paper will examine the relationship between religion and democracy in the traditions of the Old Testament. Historically, scholars have argued that „democratic" thinking appeared after 800 B.C.E., in the Greek colonies of Asia Minor and also within the semi-independent cities of the Greek league. Scholars have argued that the fragmented geographical environment of ancient Greece seems to have shaped the independent mindset of its inhabitants. It has been shown that the geographical separation from mother Greece and the economic prosperity that merchants brought to the colonies influenced the attitude of their inhabitants toward philosophy and politics.

Our study will focus mainly on the religion, culture and history of the Hebrew nation, as it is depicted in the Old Testament, or the Hebrew Bible. Our purpose is to show that the unique religious vision of the ancient Hebrews had a significant impact upon the development of the „democratic" consciousness of what later became the civilization of the Western world. To achieve this goal we will trace and analyze the role that *biblical religion* played as a catalyst in the movement for improving the rights of the *disposed* and the *socially marginal classes* of ancient Israel. We will argue that biblical religion shaped the attitude of the worshippers toward *authority*

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(political or ecclesial) in such a way that tyranny – though present at all stages of history– was always sanctioned. In the later part of the study we'll show how this ideology impacted the thinking of Christian authors who had a crucial role in shaping the foundations of Democratic thinking.

KEY WORDS: God, Bible, religion, democracy, politics, ethics.

I. ELEMENTS OF OLD TESTAMENT THOUGHT

Is it efficient or practical to discuss the relevancy of the Old Testament in the context of democratical thinking, when the Reformers sought to rethink civil law and political and social institutions apart from the Mosaic law (which they considered superseded and abrogated by the Gospel)?[3] We believe that the Old Testament had a noticeable contribution to the shaping of the political landscape of Europe and Continental America. The reason was that beginning with the Reformation, the Scripture took its place among the texts that influenced the political thinking of the future generations. As such, we will approach this subject from two perspectives. The first, to examine the institutions of „democracy" that functioned in the Old Testament. The second, to examine the works of the Reformers and their followers in order to discover how much credit they gave the writings of the Old Testament.

1. The Image of God

One of the biblical doctrines that has fascinated and influenced theologians throughout the history of the church is the concept of *Imago Dei*. Genesis 1:26 states that God made Adam and Eve „in the image of God, after His likeness." Now, the Old Testament does not develop this no-

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3 Thus P.D.L. Alvis, „Moses and the Magistrate: a Study in the Rise of Protestant Legalism," *Journal of Ecclesial History*, vol. xxvi/2 (April 1975): 149-172. Alvis shows that both Luther and Calvin, acknowledged the validity of a number of Mosaic laws for the civil and criminal law of German lands. Alvis notes that among the Protestant groups, the separatists were more open toward giving the Old Testament authority in matters of civil and criminal law.

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tion into a full-fledged theology, but the New Testament does.[4] Church Fathers, Medieval scholastics and Protestant theologians devoted much time and effort into probing the depths of this doctrine.[5]

The reason we've raised this topic here is because a number of Medieval and Protestant thinkers used it in order to prove the equality of all people before God. Hence Grudem argues that creation justifies the „concept of the equality of all people in the image of God."[6] Mangawaldi pointed out that the biblical view of man as created in the image and likeness of God influenced the values of the Renaissance. In this sense „the Renaissance's new vision of man was inspired by the ancient church fathers, especially St. Augustine," whose view of man „in turn, was derived from the first chapter of the Bible: „Then God said, 'Let us make man in our image, after our likeness."'[7]

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4 Thus Romans 8:29; 1Cor 15:49; 2Cor 3:18, 4:4, 6; Gal 4:19; Eph 4:24; Col 3:10 – passages that describe a new dimension of the image of God in humanity, namely, the inward „icon" (likeness) of Christ.

5 For a representative list see A. Motyer, *Look to the Rock* (Downers Grove: Intervarsity Press, 1996), 63-80; K.A. Matthews, *Genesis 1-11:26* (Nashville, TN: Broadman & Holman, 1996), 126-72; W. Eichrodt, *Theology of the Old Testament*, 2 volumes (Philadelphia, PA: Westminster Press, 1967), 2:131-50; „Tselem" , „Demut," *Hebrew and Aramaic Lexicon of the Old Testament*, L. Koehler, L. Baumgartner (Leiden: Brill, 1994-2000); F.J. Stendenbach, „Tselem," *Theological Dictionary of the Old Testament*, vol. XII, G.H. Botterweck ed. (Grand Rapids, MI: Eerdmans, 2003), 386-395; E. Merrill, *Everlasting Dominion: A Theology of the Old Testament* (Nashville, TN: Broadman & Holman, 2006), 169-74.

6 W. Grudem, *Politics According to the Bible* (Grand Rapids, MI: Zondervan, 2010), 105-116. Grudem draws a parallel between the biblical principle of rights by virtue of creation and the second paragraph of the US Declaration of Independence, namely: „We hold these truths to be self-evident, that all men are created equal, that they are endowed by their creator with certain unalienable rights."

7 V. Mangalwadi, *The Book That Made Your World* (Nashville, TN: Thomas Nelson, 2011), 67-75.

We will argue that one of the elements that gave shape to the modern concepts of *equality* and *rights* was the Biblical doctrine of creation. Evidently, the theme of the *inner*, *spiritual* imprint of God in the soul of man was not always described using biblical language or references to creation.

2. The Social Status of the Family and the Community

A second theme that appears in the writings of Protestants thinkers was the notion of Ancient Israel as a model for the optimal society. In order to understand better the social reality of the Old Testament we will point out several aspects that characterized the Ancient Near Eastern society in the 3rd and 2nd millennium. Jacobsen noted that „in the early, post-Imperial times...the highest judicial authority was not vested in any one individual, but resided in a general assembly of all colonists."[8] In this sense one may assume that the Mesopotamian society was more diverse prior to the emergence of the great monarchies in the early 2nd millennium. Jacobsen shows that in the early period of Babylon, justice at the level of small towns and villages could be administered by the town assembly.[9] In this sense, given the fact that the power was not concentrated in the hands of a single individual, one may characterize the judiciary organization as „democratic in essence." This system appears to be in function in the *Epic of Gilgamesh*, where the elders of the assembly served as the counselors of the king and exert a high level of authority.[10] Jacobsen, however, acknowledges that these efforts toward sharing the power of decision in the context of the assembly were possible only in the prehistoric era of the

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8 Jacobsen, „Primitive Democracy in Ancient Mesopotamia," *Journal of Near Eastern Studies*, 2/3 (July 1943): 161-62.

9 Ibid., 162-65. Jacobsen shows, however, that women – though part of the city population – were „not likely to have participated in the assembly" and thus be part of the judicial process.

10 Ibid., 166-69. Jacobsen also shows that a similar structure operated in the religious myths of the Babylonians. He cites the myth of Enlil and Ninlil and the council of the seven gods who deliberate and determine the destinies of others.

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Mesopotamian society. Once the Sumerian and (later) the Babylonian civilizations advanced, the political system took on „autocratic" forms.[11]

We would want to add that, nevertheless, the principle of the separation of powers in this case must be evaluated against the wider political structure of early Babylon; namely, the *monarchy*. As we will show, in most societies of the Ancient Near East, the king was the ultimate authority and that he would submit to no one, except – perhaps – the gods who invested him with authority in the first place.

Concerning Israel, from the time of Exodus on, the nation saw herself as a diverse gathering of tribes. Even though scholars have debated the terminology for the social arrangement of the twelve tribes, most have agreed that the tribes understood themselves as independent communities that were united by common religious and historical traditions.[12] Wright pointed out that early in the 2nd millennium, the Canaanite society that was neighboring Israel was organized „along 'feudal' lines, with power residing at the elite top end of a highly stratified social pyramid."[13] Wright and Gottwald pointed out that the Canaanite cult revolved around a strict hierarchy of gods, a construct which was reflected in the structure of society. In this sense, polytheism supported the „centralized political rape of human and natural resources and energies by a small elite."[14]

In contrast, Israel was a „tribal" society, based on a „threefold division into tribes, clans, and households."[15] The religious significance of this as-

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11 Ibid., 172.

12 On the issue of the unity and independence within ancient Israel see H.D. Preuss, *Old Testament Theology*, vol. 1 (Louisville, KY: Westminster Press, 1991), 55-64;

13 C.J.H. Wright, *Old Testament Ethics for the People of God* (Downers Grove, IL: Intervarsity Press, 2004), 55-61. Wright points to N. Gottwald, *The Tribes of Yahweh: A Sociology of the Religion of Liberated Israel*. 1250-1050 (New York: Continuum Publishing ed., 1999), 608ff., for the fact that Israel's religion had a direct impact upon the democratization of society. Gottwald refers to the „mutual reinforcement of Yahwism and social egalitarianism."

14 Gottwald, *The Tribes of Yahweh*, 616.

15 On the social stratification of ancient Israel see also W. Eichrodt, *Theology*

pect should not be neglected, since „the family household is at the center of the relationship between Yahweh, greater Israel and the land."[16] In other words, the God of Israel was the God of the family and of the individual. Since no hierarchy existed within the divine world, each person related directly to Yahweh. This theological truth gave birth to an „egalitarian" mentality and shaped the political consciousness of ancient Israel. The early Israelite society enjoyed „social freedom, was socially decentralized and non-hierarchical."[17]

For example, in ancient Canaan, as it was the case in Mesopotamia as a whole, the king and the social elites owned the majority of the land

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of the Old Testament, 2 volumes (Philadelphia, PA: Westminster Press, 1967), 2:231-267; C.J.H. Wright, *God's People in God's Land* (Grand Rapids, MI: Eerdmans, 1990), 71-103; Ibid., „Family (Old Testament)," *The Anchor Bible Dictionary*, N.D. Freedman ed. (New York: Doubleday, 1992), 761-69; J. Blenkinsopp, „The Family in First Temple Israel," *Families in Ancient Israel*, L.G. Perdue ed. (Louisville, KY: Westminster Press, 1997), 48-103; V. Matthews, „Family Relationships," *Dictionary of the Old Testament Pentateuch*, T.D. Alexander ed. (Downers Grove, IL: Intervarsity Press, 2003), 291-99; H. Ringgren, „ABH," *Theological Dictionary of the Old Testament*, H. Ringgren ed. (Grand Rapids, MI: Eerdmans, 1974), 1:1-18; P.J. King, L.E. Stager, *Life in Biblical Israel* (Louisville, KY: Westminster Press, 2001), 21-38; R. de Vaux, *Ancient Israel: Its Life and Institutions* (Grand Rapids, MI: Eerdmans, 1997), 19-23.

16 Blenkinsopp, „The Family in First Temple Israel," 243.

17 Wright, *Old Testament Ethics for the People of God*, 55, and V. Fry, „Democracy," *Mercer Dictionary of the Bible*, W.E. Mills ed. (Macon, GA: Mercer University Press, 1990), 208, for cases like those of „the Israelites assembled in front of the Tabernacle or tent of meeting to deal with matters concerning the whole nation (Num 8:9; 10:3)" and „the people of a city met at the city gate to decide issues concerning the city (Ruth 3:11; 4:1-4; Deut 21:18-21).")." For an argument for the economic equality in Israel, see „Anul Jubiliar ca protecție a drepturilor omului în situații de criză economică Levitic 25 în teologia biblică și în prezent" (The Jubilee as Protection of Human Rights in Situations of Economic Crisis. Leviticus 25 in Biblical Theology and in the Present) *Journal for Freedom of Conscience (Jurnalul Libertății de Conștiință* 11.2 (2023): 773-98.

within the city-state. During the reign of king Sargon (2270-2215), „large tracks of agricultural land were expropriated and redistributed in favor of Akkadian military colonists."[18] We may conclude that contemporary scholarship is unanimous in the opinion that in Egypt and in Mesopotamia the king was the chief officer of the Temple, who would sustain the cult and depose or institute the priests

3. The Status and Role of the King

> „...you may indeed set a king over you whom the LORD your God will choose. One from among your brothers you shall set as king over you. You may not put a foreigner over you, who is not your brother. [16] Only he must not acquire many horses for himself or cause the people to return to Egypt in order to acquire many horses, since the LORD has said to you, 'You shall never return that way again.' [17] And he shall not acquire many wives for himself, lest his heart turn away, nor shall he acquire for himself excessive silver and gold. [18] „And when he sits on the throne of his kingdom, he shall write for himself in a book a copy of this law, approved by the Levitical priests. [19] And it shall be with him, and he shall read in it all the days of his life, that he may learn to fear the LORD his God by keeping all the words of this law and these statutes, and doing them, [20] that his heart may not be lifted up above his brothers, and that he may not turn aside from the commandment, either to the right hand or to the left, so that he may continue long in his kingdom, he and his children, in Israel" (Deut 17:15-20).

The institution of the *kingship* stood at the very centre of the Ancient Near Easter World. In most societies the king held absolute control over the political, religious, socio-economic and military life.[19] The Egyptian

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18 Thus J.N. Postgate, „Royal Ideology and State Administration in Sumer and Akkad," *Civilizations of the Ancient Near East*, vol. I-II, J.M. Sasson ed. (Peabody, MA: Hendrickson Publishers, 1995), 395-411.

19 J. Walton, *Ancient Near Eastern Thought and the Old Testament* (Grand Rapids, MI: Baker Academic, 2006), 278. Similarly, W. Von Soden, *The Ancient Orient* (Grand Rapids, MI: Eerdmans, 1994), 67-69. R.J. Lepronon, „Royal Ideology and State Administration in Pharaonic Egypt," *Civilizations of the Ancient Near*

pharaohs „were respected and honored on account of their status as gods.”
Scholars have noted that the Pharaoh was both king and High Priest, which
means he held absolute control over the land and the people. As the su-
preme High Priest, the Pharaoh was „the main link between gods and men,
and thus guaranteed the triumph of order over chaos on earth.” The au-
thority of the monarch extended equally over the political and the religious
life.[20] The Pharaoh not only sustained the cult, but could also depose or in-
stitute the priests. He was „identified with a god, both in life and in death,”
in the sense that walked the earth as the „embodiment of a form of the
god.”[21] Since his authority derived from the divine world, the Pharaoh was
not only revered, but actively sustained in power for the very benefit of the
land. In essence, the monarchy was a religious institution with inevitable
political, socio-economic and military implications.[22]

For the most part, scholars have argued that, unlike the Pharaoh of
Egypt, in Mesopotamia the king was held to be mortal like any others.[23]

East, vol. I-II, J.M. Sasson ed. (Peabody, MA: Hendrickson Publishers, 1995),
273-87, points out that as „chief justice, he was thought to be the fount of all
laws and thus the foundation of moral righteousness.”

20 Thus Frankfort, *Kingship and the Gods*, 51-52.

21 L. Gahlin, *Egypt: Gods, Myths and Religion* (New York: Barnes and Nobles,
2002), 89; Lepronon, „Royal Ideology and State Administration in Pharaonic
Egypt,” 274; H. Frankfort, *Kingship and the Gods* (Chicago, IL: University
of Chicago Press, 1978), 51; C. Roebuck, *The World of Ancient Times* (New
York: Charles Scribners' Sons, 1966), 66; *The Context of Scripture. Canonical
Compositions from the Biblical World*, W. Hallo ed. (Leiden: Brill, 2003), 470-
77. In some Temple reliefs the king would appear surmounted by the god
Horus, whose name became one of the five names that kings receive when
they were crowned.

22 Thus S. Morenz, *Egyptian Religion* (Ithaca, NY: Cornell University Press, 1973),
35-36, 89. A.J. Heschel, *The Prophets*, vol. II (New York: Harper & Row, 1962),
254-60, noted that the king could also be called „husband of goddesses.”
Other texts stated that the kings had initially come from the sexual union of
the gods.

23 Yet see Walton, *Ancient Near Easter Thought and the Old Testament*, 280, for
the Sumerian belief that kings descended from heaven.

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This is only partially true, but, even if the person of the king was not divinized, his participation in the Temple cult put him in direct contact with the gods and it assured „his ascension into the divine realm." The government was „universally in the hands of a single ruler."[24] Moreover, the king controlled not only the political, but also the religious structures, in the sense that he „was primarily responsible for the community's maintenance of the temples and for propitiating the deities."[25] As 1Samuel reveals, when the Israelites asked to be ruled by a king, just like the surrounding nations were doing, the description they received from Samuel matches the patter we sketched above:

> He said, „These will be the ways of the king who will reign over you: he will take your sons and appoint them to his chariots and to be his horsemen and to run before his chariots. [12] And he will appoint for himself commanders of thousands and commanders of fifties, and some to plow his ground and to reap his harvest, and to make his implements of war and the equipment of his chariots. [13] He will take your daughters to be perfumers and cooks and bakers. [14] He will take the best of your fields and vineyards and olive orchards and give them to his servants. [15] He will take the tenth of your grain and of your vineyards and give it to his officers and to his servants. [16] He will take your male servants and female servants and the best of your young men and your donkeys, and put them to his work. [17] He will take the tenth of your flocks, and you shall be his slaves. [18] And in that day you will cry out because of your king, whom you have chosen for yourselves, but the LORD will not answer you in that day" (1Sam 8:11-18).

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24 Postgate, „Royal Ideology and State Administration in Sumer and Akkad," 398, and K.M. Heim, „Kings and Kingship," *Dictionary of the Old Testament Historical Books*, B.T. Arnold ed. (Downers Grove, MI: Intervarsity Press, 2005), 610-23. This meant control over landed property as well, which the king could divide among the military and political supporters. In fact forced conscription, enforced labor for public projects, and „the confiscation of real estate for the king's use" were current in the Ancient Near Eastern World.

25 Ibid., 397.

In Israel, kingship shared some characteristics with the Mesopotamian and Egyptian models, but was different in significant ways as well.[26] First of all, the earliest sources in the Old Testament affirm unequivocally the human origin and social statute of the king. In fact, the first two kings of Israel, Saul and David, shared a rather modest social statute; especially David, who was initially ignored even by Samuel, the prophet who was supposed to identify and anoint the future king of Israel (1Samuel 16). Second, even before Israel had her first king, the Law imposed well-defined limits on the king.[27] Obviously, we need to ask what is the explanation that accounts for the differences that existed between ancient Israel and the rest of her neighbors with respect to the institution of kingship.

4. The Status of the Law

In the first place, the biblical sources show attest that the formation of the nation of Israel took place after the twelve tribes came out of slavery from Egypt. The experience of Exodus left a profound and everlasting impact on the religious conscience of Israel because it enforced an *egalitarian* vision of the society.[28] All Hebrew people were slaves, and all became free

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26 H-J. Fabry, „Melek," *Theological Dictionary of the Old Testament*, vol. VIII, G.H. Botterweck ed. (Grand Rapids, MI: Eerdmans, 1997), 346-75; K.W. Whitelam, „King and Kingship," *The Anchor Bible Dictionary*, vol. 4, D.N. Freedman ed. (New York: Doubleday, 1992), 40-48; K.M. Heim, „Kings and Kingship," 610-23;

27 Heim, „Kings and Kingship," 616, on the role of Deuteronomy 17 to „counteract 'rights' such as those associated with the 'king like all the other nations' described in 1Samuel 8:11-17. A number of scholars have argued that the Book of Deuteronomy was written in the 7th century B.C.E., and thus reflects the political reality of late monarchy in Israel. However, since the social fabric of Israel was egalitarian from its earliest sources, there would be no reason for Deuteronomy 17 not to reflect the historical context of the 14th century B.C.E. The limits imposed on the king would have made sense at every stage of Israel's history, especially in the earlier times.

28 Thus Albright, *From The Stone Age to Christianity* (Garden City, NY: Doubleday, 1957), 289, for the fact that, „while the Israelites maintained their loose confederation...depending for guidance on spontaneously arising

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at once. Second, the religious experience of Israel was exclusively based on the belief that the laws that governed society came from God, not from priests or the king. Crusemann pointed out that the Law of Moses allowed the judiciary a certain degree of independence from monarchy, because it was based on *divine revelation*.

> „You shall appoint judges and officers in all your towns that the LORD your God is giving you, according to your tribes, and they shall judge the people with righteous judgment. [19] You shall not pervert justice. You shall not show partiality, and you shall not accept a bribe, for a bribe blinds the eyes of the wise and subverts the cause of the righteous. [20] Justice, and only justice, you shall follow, that you may live and inherit the land that the LORD your God is giving you (Deut 16:18-20)."[29]

Levinson argued that this legislation establishes an „independent judiciary" while bringing even the ruler under the full authority of the law.[30] It is the Torah that enforces the judiciary with authority and confers autonomy upon it.[31] Likewise, Crusemann notes that in the law of Deuteronomy 17, „the power of the king is doubly limited, by the people being addressed

leadership...Edomites, Moabites, and Amonites all had kings" who seemed „to have been tyrants after the Aegean model."

29 Crusemann *The Torah* (Minneapolis, MN: Fortress Press, 1992), 234-38, states that „this law is at the pinnacle of all institutional laws; it is also their foundation." In essence, the Israelite judiciary is based on the principle that „the people set up judges." Later, the king had the authority to install judges but „he did not set up court."

30 Bernard M. Levinson, „The First Constitution: Rethinking the Origins of Rule of Law and Separation of Powers in Light of Deuteronomy," *Cardozo Law Review* 27 (2006): 1853-88, and H.W. Titus, „Biblical Principles of Law," *The Lonang Institute* (November 18, 2010), electronic edition.

31 Levinson identifies here two cornerstones to „the modern idea of the constitutional government:" First, the division of „political powers into separate spheres of authority." Second, the „subordination of each branch to the authority of the law."

and by Torah." [32] As Grudem pointed out, the judges derived their legitimacy from the fact that they had to apply a law that essentially was „external to themselves:" thus „in a dispute, they shall act as judges, and they shall judge it according to my judgments „ (Ezekiel 44:24). Crusemann identifies this vision as „Theocracy as Democracy." [33] It was empowered by God's liberation of the people from slavery and the giving of the Law as Constitution. [34] The belief that the origin of the Law was ultimately divine enforced the principle of the *checks and balances* that became so evident in the ministry of the prophets and their condemnation of abuse by the kings. [35] The notion of „checks and balances" was not completely foreign to Mesopotamian kings, as they too depended to a certain extent on the support of the elites and the people. But the notion that the king and the common people were subject to the same Law and that the king could be held responsible by common people was „astonishing in the ancient Near East." [36]

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32 F. Crusemann, *The Torah*, 234-235, 238. In other words, God addresses the entire nation, not just Moses, the Legislator. That is why later on, in Deuteronomy 17:16f. „the political possibilities of the monarchy are extremely limited." Likewise Grudem, *Politics According to the Bible*, 117-18, 124, notes the difference that the belief in divine revelation makes with respect to upholding the Law. In this sense „it was *God's law* that ultimately ruled over the nation, *not the king*."

33 See also *The Torah*, 247.

34 For Crusemann this „is a civil society, but one in which power is widely distributed, and where significant amounts of authority resides with those whom the law addresses." He draws a number of parallels with the system of ancient Greek democracy, noting also the differences made apparent by the unique role of the religious authorities in Israel.

35 Likewise Grudem, *Politics According to the Bible* (Grand Rapids, MI: Zondervan Press, 2010), 103-05, 124, for the notion that „the principle of 'rule of law' means that no king or president or prime minister would have unchecked power." For the obligations that the „divine Law" imposed on people see also Preuss, *Old Testament Theology*, 80-81;

36 Note also Irwin's argument, „The Hebrews," 352, that the Law was a „defense of the common man against the arrogance of the monarchy and

For Israel, freedom was not a concept, but a practical experience in the context of foreign oppression and suffering. This reality was made possible through „the power of God," and in this sense it is „the foremost gift." That is why in ancient Israel there was no „institutionalized power above the people who were addressed as 'you.'"[37] In this sense „human rights, basic rights, constitutional principles, etc., are above shifting majorities and constellations." Flavius Josephus, who coined the word „theocracy," wrote later:

> Now there are innumerable differences in the particular customs and laws that are among all mankind, which a man may briefly reduce under the following heads: Some legislators have permitted their governments to be under monarchies, others put them under oligarchies, and others under a republican form; but our legislator had no regard to any of these forms, but he ordained our government to be what, by a strained expression, may be termed a Theocracy, [20] by ascribing the authority and the power to God, and by persuading all the people to have a regard to him, as the author of all the good things that were enjoyed either in common by all mankind, or by each one in particular" (Flavius Josephus, *Contra Apionem*, 2:19-20).[38]

The belief that the king himself was subject to the same Law as the people explains why they could hold him responsible for failing to fulfill his social, religious and economic responsibilities. When king Rehoboam refused to heed the requests of the ten northern tribes, the turned their backs on him (1Kings 12:1-16). [39] David faced the same reaction when

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the...constitutional limitation of royal power" typical of the later English constraints placed upon the monarchy in England.

37 Crusemann, *The Torah*, 249.

38 Text from the *Guttenberg Project*, http://www.gutenberg.org/ dirs/2/8/4/2849/2849.txt.

39 *Politics According to the Bible*, 103-05. For Grudem these texts appear to support the idea of „some form of government chosen by the people themselves." Grudem is only partially right, since king Rehoboam had not been elected democratically by the tribes, even though their consent was vital to his continuing rule. Grudem shows that the in the American Constitution

„all the men of Israel withdrew from David and followed Sheba the son of Bichri." (2Sam 20:1-2). The actors here are the individual communities (formed, among others, by free, land owning, peasants) and the king. The conflict demonstrates that individual communities in Israel not only were conscious of their freedom and their rights, but also possessed the mechanism and the freedom of conscience to sanction the abuses of the king. The fact that the individual tribes would offer to recognize the authority of the king and support him, only if agreed to „lighten the hard service" of his father upon them, indicates that, at the grassroots level, a sentiment of primitive democracy was alive in monarchical Israel.[40]

Likewise, for Grudem, events like these show that Israel was aware of the power of the „consent of the people" in relation to the continued legitimacy of the king. Grudem defines „theocracy" in light of the fact that Israel was „unique because it was to be for God 'a kingdom of priests and a holy nation' (Exod 19:6)."[41] Gottwald too points to the way Israel practiced her faith reflected the belief that the religion of Yahweh had to be „the religion of a particular egalitarian social system."[42]

However, this scenario has not been interpreted literally by all commentators. Levinson denies the historical accuracy of Deuteronomy 17 and argues that the authors wrote much later, when they had the Temple replace the authority of the elders in order to deny this authority to the monarchy.[43] He states – rightly so – that „ensuring justice was one of the defining attributes of kingship throughout the ancient Near

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the Government derives its „just powers from the consent of the governed."

40 Thus W.A. Irwin, „The Hebrews," *The Intellectual Adventure of Ancient Man*, H.A. Frankfort et all eds. (Chicago, IL: University of Chicago Press, 1946, 1977), 223-360, esp. 348, for the idea that „there were danger signals for any ruler not blinded with an exaggerated sense of his regal rights."

41 Grudem, *Politics According to the Bible*, 84.

42 *Tribes of Yahweh*, 59.

43 „The First Constitution: Rethinking the Origins of Rule of Law and Separation of Powers in Light of Deuteronomy," 1878.

East."[44] It was for the reason to prevent the monarchy from controlling justice that the framers of Deuteronomy viewed the Temple as a separate power in the politics of ancient Israel. As such the „sole potent authority is the Deuteronomic Torah," which makes even the king „answerable to the law."

We believe that Levinson's scenario complicates, rather than solves, the problem.[45] The reason why the Law possessed this authority in the first place is because people believed the Law it was sovereignly revealed by God. If this belief appeared late in the history of Israel, then on what basis did Israelite leaders answer before the community, long before the Temple was even built. For example, Irwin argues that the election to leadership practiced in the days of the Judges „exemplified primitive democracy," in that the leader first had to win the „free consent and loyal following of the clans."[46] It was the institution of the popular assembly that „nurtured that independence of spirit which marked Hebrew life."

Furthermore, why did king Ahab hesitate to expropriate the land of Naboth, when he felt no direct pressure from the Temple judiciary? The reason must be because ancient Israelites knew about the Law and had already accepted that it was beyond human authority, because it was divine. We agree, however, with Levinson's assumption that the Deuteronomistic Law functioned as a „Constitution of ancient Israel, which helped laid the foundations for the later concept of a „constitutional monarchy."[47]

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44 Ibid., 1878-82. Levinson points out that sources at Ugarit and Babylon describe the king as the supreme authority in matters of justice, since the gods endowed him with „particular legal acumen" to judge difficult cases.

45 One need not assume that Deuteronomy is a late, revisionistic, reworking of the law. That all Israelites, including Moses himself, had to be subject to the law is a concept presupposed by the earliest strata of the legal literature of the Bible..

46 W.A. Irwin, „The Hebrews," esp. 344ff. For Irwin this experience „constitutes the most remarkable theory of government that came out of the ancient world and at the same time an ideal that rebukes and challenges the distressing imperfections of our boasted modern democracy."

47 Levinson, „The First Constitution,"1884-87. In this context „the monarch

By conceiving of each individual institution as equally accountable to Torah (rather than as self-justifying), *Deuteronomy* creates a legislative structure that ensures the full autonomy and proper independence of each institution. This vision, moreover, provides a historical precedent for the later idea of an independent judiciary. Only when the judiciary stands on equal ground with the monarchy.—as it does in *Deuteronomy*.—is it possible to protect the judiciary from the monarchy, or, to shift into more modern language, to ensure the autonomy of the judicial branch in relation to the executive branch. Continuing the translation into the modern context, the same vision would prevent Church or Temple from being reduced to simple organ of the state; yet it would, just as effectively, preclude domination by either Church or Temple of the judicial system, of the executive branch, or of the public sphere more broadly....

5. The Status of the Prophet and the „Separation of Powers"[48]

With the advent of David, most kings in Israel received their throne through hereditary passing of authority. The society had now changed from a nomadic, to a tribal and finally to a kingship-based society, ruled by the king. However, what set Israel apart from Mesopotamia and Egypt even more was the status of the prophets and their relationship with the king. Various scholars have noted that, in the biblical context, the „prophetic mission was closely associated with moral and political reformation as well as purely religious revival." This call to reformation included criticism of various institutions and the pronouncement of judgment.[49]

stands neither in initial nor final position in the sequence of offices, neither first nor last in rank, since the order is not governed by rank." Levinson argues that „*Deuteronomy*'s subordination of the monarch to a sovereign legal text that regulates his powers and to which he is accountable has no known counterpart in the ancient Near East."

48 This expression belongs to A. Heschel, *The Prophets*, 2:255.

49 W.F. Albright, *Ibid.*, 305. See also K. Moller, „Prophets and Prophecy," *Dictionary of the Old Testament Historical Books*, B.T. Arnold ed. (Downers Grove, IL: Intervarsity Press, 2005), 825-29, and especially Heschel, *The Prophets*, 2:1-47, for the transference of the experience of „pathos" from God to the prophet. See also Preuss, *Old Testament Theology*, 2:81-82; J.

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As Levinson observed, the Old Testament prophecy was characterized less by the ability to foretell the future and perform miracles, and more by the purpose to hold the people accountable to the Law of God.[50]

The Old Testament lists several of the greatest kings of Israel who were sanctioned openly by prophets or by ordinary subjects, without ever daring to silence or punish the messengers. Ahab complained about, but took no measures against, prophet Micah, who „never prophecies good concerning me, but evil" (1Kings 22:8).[51] Similarly, when Ahab was confronted and condemned by an anonymous prophet, he „went to his house vexed and sullen" (1Kings 20:43). And, when the ordinary citizen Naboth refused to sell Ahab his property, the king vented his fury only in private, by refusing to get off the bed and eat his food. When Ahab's wife Jezebel asked incredously „Do you now govern Israel?", she simply confessed her shock that in Asia Minor, 9th century B.C.E., a powerful king was impotent against the will of a simple man.

The inability of Ahab to deal with Naboth justifies our assumption that King Ahab ruled a kingdom in which checks and balances existed and were enforced.[52] Ahab was evidently aware of two things: there existed a higher Law and the prophet who confronted him represented the

Goldingway, *Old Testament Theology: Israel's Gospel*, vol. 1 (Downers Grove, IL: Intervarsity Press, 2003), 680-84; R. Albertz, *A History of Israelite Religion in the Old Testament Period*, vol. 1 (Louisville, KY: Westminster Press, 1994), 163-80; Eichrodt, *Old Testament Theology*, vol. 1 (Philadelphia, PA: Westminster Press, 1961), 345-391.

50 Levinson, „The First Constitution," 1883.

51 Goldingway, *Old Testament Theology: Israel's Gospel* (Downers Grove, IL: Intervarsity Press, 2003), 661, argues that Ahab and other kings like him were not always „too amenable to prophetic pressure."

52 Thus R. Bauchkam, *Politics in the Bible* (Philadelphia, PA: Westminster Press, 1989), 28, for the notion that „Israelite landowners were really only tenants of the land which belonged to God (Lev 25:23)." That is why, since property was ultimately a gift entrusted by God to tribes, households and families, "no individual landowner had an absolute right to the produce of his land...a religious principle [which] made private ownership of land acceptable only in close connection with public responsibility for the landless."

One who revealed that Law.[53] On the other hand, his wife Jezebel was a Phoenician princess, who had grown up in the royal house of king Ethbaal, her father. In her view, the oriental king was invested by the gods with ultimate, unquestionable authority.[54] As we argued earlier, in the Canaanite society the king was the law and the ultimate authority in social, economic and religious matters.

In essence, what set prophets apart from most of their counterparts in the neighboring cultures was *criticism of the king*, as the following table illustrates:

Prophet confronting the king	King	Offense of the king	Consequence
Samuel (1Sam 13:11-14)	Saul	**Cultic** - illegitimate animal sacrifices against the command of God	Saul lost kingship
Anonymous (2Chr 25:15)	Amaziah	**Religious** - idolatry	Amaziah was assassinated
Nathan (2Sam 12:7)	David	**Social** – adultery and indirect homicide	Loss of family, civil war, loss of kingdom
Gad (2Sam 24:12)	David	**Social** – taking the census	Pestilence killed 70 men
Anonymous (1Kings 13)	Jeroboam	**Religious** - idolatry	

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53 Thus Eichrodt, *Theology of the Old Testament*, 1:362, for the belief of the prophet, that „the good is simply what Yahweh commands; and because he commands it, it is of absolute obligation."

54 Thus Goldingway, *Old Testament Theology: Israel's Gospel*, 660, who points to Jezebel's background and status as a Tyrian princess „who would also be a high priestess and thus patron of Baal worship in Samaria."

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Jehu (1Kings 16:1)	Baasha	**Religious** - idolatry	His son Elah and the rest of his house were assassinated
Jehu (2Chr 19:1)	Jehoshaphat	**Political** – illegitimate alliance with idolatrous king Ahab	
Eliezer (2Chr 20:37)	Jehoshaphat	**Political** - illegitimate alliance with „wicked" king Ahaziah	Lost the ships he obtained through the alliance
Hanani (2Chron 16:7)	Asa	**Political** – illegitimate alliance with Syria	
Elijah (1Kings 18:18)	Ahab	**Religious** - idolatry	Lost his life in battle
Anonymous (1Ki 20:42)	Ahab	**Political** – setting free the king of Syria against the command of the Lord	Lost his life in battle
Elijah (1Ki 21:20)	Ahab	**Social** - murder and confiscation of property	Lost his life in battle Assassination of wife
Micah (1Ki 22)	Ahab	**Religious** - idolatry	Lost his life in battle
Isaiah (Isaiah 39)	Hezekiah	**Religious** – foolish display of wealth and alliance with Babylon	Loss of all treasures

The fact that a prophet could anoint , „dethrone some of Israel's rulers (1Sam 15:28; 1Kings 14:7-18; 21:19)" or condemn a king would have been „very unusual within the surrounding cultures of Mesopotamia,

Egypt and Assyria."[55] In Israel, however, the deification of the king" was unthinkable.[56] Given the fact that in Israel the king had to obey the Law, just like every commoner, made him subject to divine evaluation.

However, not all kings respected the *Magna Charta* of Deuteronomy 17, nor did they took comfortably the criticism of prophets. A number of texts raise the question whether all Israelite kings, at all times and in all places respected or even cared for the criticism of the prophets. Or whether all prophets modeled the impartiality and courage that Elijah, Micah, Gad, Nathan, Jeremiah and (later) John the Baptist embodied in their ministries. And the answer is No. As Irwin noted, „to the end the supremacy of the monarchy appears to have been undisputed."[57]

Furthermore, perhaps the majority of prophets in the Old Testament functioned as „servants of the king." Working „within the structures of an institution" made them vulnerable to manipulation, whether through material enticements or by threats against one's life.[58] Which is why one may wonder whether the prophetic independence of spirit and the courage to challenge abuses by the king were the exception or the norm.[59]

55 Thus Brett, „The Hebrew Bible and Human Rights," http://www.isaiahone. org/the-bible-human-rights/the-hebrew-bible-old-testament-human-rights/ (August, 2012). Moller, „Prophets and Prophecy," 826-828, shows that, contrary to the role of „court prophets" in other cultures, the link of prophet Nathan with the royal court did not prevent him from „censuring" the king, as „is illustrated by Nathan's condemnation of David's conduct in the affair with Bathsheba (2Sam 12:1-25).

56 Heschel, *The Prophets*, 2:256-59. Heschel quotes Ezekiel 28 and Isaiah 14 – prophetic attacks against foreign kings – to illustrate this principle. He also points to Amos' attack against king Jeroboam, with the words „Jeroboam shall die by the sword, and Israel must go into exile away from this land.' In any Oriental monarchy, words like these represented „an act of high treason." As Albertz pointed out, *History of Israelite Religion*, 170, a monarch who flaunts the Law of God he „no longer has any divine legitimization."

57 Irwin, „The Hebrews," 349-59.

58 Goldingway, *Old Testament Theology: Israel's Gospel*, 685-86.

59 For example, Ahab had over 450 prophets who only prophesized about what the king liked to hear. Thus Goldingway, *Old Testament Theology: Israel's*

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Nevertheless, the example of integrity and sacrifice of prophets such as Elijah, Micah, Gad, Nathan, Jeremiah and John the Baptist confirm our hypothesis; namely, that there existed and functioned checks and balances within the social and political structures of ancient Israel.

Evidently, examples such as these do not prove that ancient Israel invented democracy, practiced it liberally, or that their social institutions resemble the democratic societies of today. In fact, the phenomenon of prophetic criticism might fit better in a „theocratic” not (necessarily) a „democratic” context. The fact that one could confront openly the king on behalf of God did not automatically imply that he or she represented (democratically) the will the people.[60] This prophetic or popular critique was a sentiment that emerged out of the *spiritual*, not the *political*, worldview of ancient Israel. But the fact remains that prophets confronted the kings, and they did so whenever kings trampled the Law of God.[61] Or, as J.G. McConville argued, when they misread the nature of power.[62]

Gospel, 685-87.

60 In fact, more often than not the prophets found themselves to be solitary dissenters, working in the midst of a majority who disagreed with them and embraced the religious policies of the king. This clearly was the case of Elijah and Jeremiah. Elijah rebuked the people for „wobbling on two crutches” a veiled but sharp condemnation of the syncretism sponsored by king Ahab: worshipping Yahweh and Baal at the same time (1Kings 18:21). And Jeremiah, who criticized the entire political hierarchy of Jerusalem (Jer 1:18 – the prophet against people, officials, priests, and kings), was often times accused by his own family (Jer 12:6).

61 Thus Wright, *Old Testament Ethics for the People of God*, 59, summarizing the questions that Elijah and the anonymous prophet must have raised when they confronted king Ahab: „was Israel to be a land safe for Naboths to live in, or a land where kings and queens took what they wanted, through murderous injustice?”

62 *God and Earthly Power: an Old Testament Political Theology* (London: Continuum Publishing, 2008), 166.

II. ECHOES OF THE OLD TESTAMENT IN THE POLITICAL THOUGHT OF THE 16th-18th CENTURIES

As we have noted the concept of „inner rights" is a theme that may have been influenced by the Biblical vision of creation; namely, the creation of humanity after the image and likeness of God and the implications that derive from this teaching.

As Brett argued, from their reading of Scripture and of the Greek and Roman classics, Reformed, Puritan and later Protestant thinkers introduced the notion of „natural rights" into the vocabulary of politics. This notion offered them a basis to argue in favor of the equality of all belivers in the Kingdom of God.[63] Likewise Novak views the truth of human rights in the context of the notion that „the nature of each and every human being is unique" because humanity was created in the image and likeness of God (30-32).[64]

Mangawaldi described the contribution of Francesco Petrarca (1304-1374), Coluccio Salutati (1331-1406), Lorenzo Valla (1406-1457), Pico Della Mirandola (1463-1494), to the Renaissance humanist view of humanity as endowed with *freedom of will*. They did so on the basis of the biblical notion of man's being created in the *image and likeness* of God.[65] Held argued that the theologies of Luther and Calvin „contained at their

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[63] „The Hebrew Bible (Old Testament) and Human Rights," http://www.isaiahone.org/the-bible-human-rights/the-hebrew-bible-old-testament-human-rights/.

[64] D. Novak, „A Jewish Theory of Human Rights," *Religion and Human Rights: an Introduction*, J. White ed. (Oxford: Oxford University Press, 2011), 27-41. Similarly, H.H. Cohn, *Human Rights in the Bible and Talmud* (Tel Aviv: MOD Publishing, 1989), 27-29; B. Greenberg, „Reconceptualizing the Relationships Between Religion, Women, Culture and Human Rights," *Religion and Human Rights: Competing Claims?*, C. Gustafson and P. Juviler eds. (New York: M.E. Sharpe, 1999), 140-74; P. Daly, „Rights of Creation to Rights of Revolution," *Religion and Human Rights: Competing Claims?*, 53-56, for the implications of creation to the responsibility of human beings.

[65] Mangawaldi, *The Book That Made Your World*, 69-72.

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very heart an unsettling conception of the person as 'an individual.'"[66] Their view „helped stimulate the notion of the individual agent as 'master of his destiny.'" In Held's view, this development „constituted a major new impetus to reexamine the nature of state and society."[67] Scholars have noted that Roger Williams and John Locke emphasized the notion of „natural rights" and may have influenced subsequent thinkers in this respect.[68]

Another corollary of the concept of creation is the notion of the individual *calling to work* and *have dominion* over the earth. Genesis 1:26-27 states that

> „Then God said, 'Let us make man in our image, after our likeness. And let them *have dominion* over the fish of the sea and over the birds of the heavens and over the livestock and over all the earth and over every creeping thing that creeps on the earth.' 27 So God created man in his own image, in the image of God he created him; male and female he created them. 28 And God blessed them. And God said to them, „Be fruitful and multiply and fill the earth and *subdue it* and *have dominion* over the fish of the sea and over the birds of the heavens and over every living thing that moves on the earth" (Gen 1:26-28; italics mine)

The responsibility to work is a *mandate* from God and the *individual calling* of each person. Luther emphasizes the idea of „individual calling" which influenced Protestant thinking for the years to come.[69]

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66 D. Held, *Models of Democracy* (Cambridge: Polity, 2006), 58.

67 Note also, Mangawaldi, *The Book That Made Your World*, 69-72, for.

68 In this sense, J.P. Byrd, *The Challenges of Roger Williams: Religious Liberty, Violent Persecution and the Bible* (Macon, GA: Mercer University Press, 2002), 28-48.

69 Note R. Bainton, *Here I Stand* (Tring, Herts: Lion Publishing, 1978), 233-34, for the fact that the notion of „vocational calling" comes from the theology of Martin Luther. Thus „each man must attend to the duties of his own calling."

Likewise, work dignifies the human being and must be performed for the sake of God.[70]

Scholars have noted the fact that Calvin was influenced by the Old Testament „work" ethic.[71] There is a wide consensus that Calvin's vision for work had a profound impact upon the economic development of Protestant countries.[72] In turn the cultural and social dimensions of society were affected positively as well.[73]

A number of scholars have argued that in Europe, countries with a historical Protestant population have fared better economically than countries with a Catholic majority. Sachs pointed out that until Reformation, the leaders of Europe were France, Spain, the north of Italy and the Vatican.[74] Following the spread of Protestantism, Holland, Prussia, Great Britain, the Scandinavian countries, and North American „took over the reins of leadership."[75] This assertion has been tested and confirmed in

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70 *Grudem, Politics According to the Bible*, 123-24.

71 For the Calvinist responsibility to work, but be frugal with one's income see R.M. Glassman, *The Middle Class and Democracy in Socio-Historical Perspective* (Leiden: Brill, 1995), 96.

72 Thus Weber, M. Weber, *The Protestant Ethic and the Spirit of Capitalism* (Mineola, NY: Courrier Dover Publications, 2003 ed.), 165; C.A. Montaner, „Culture and the Behavior of Ellites in Latin America," *Culture Matters: How Values Shape Human Progress*, De Lawrence Harrison ed. (New York: Basic Books, 2001), 54.

73 Anckar, *Religion and Democracy: A Worldwide Comparison* (New York: Routledge, 2012), 32, 38-39, for the notion that Protestantism helped introduce the Capitalist system, economic growth, the sense of individualism, egalitarianism and a „negative attitude toward a strong state."

74 C.A. Montaner, „Culture and the Behavior of Ellites in Latin America," *Culture Matters: How Values Shape Human Progress*, De Lawrence Harrison ed. (New York: Basic Books, 2001), 54.

75 Note also R. Inglehart, „Culture and Democracy," *Culture Matters: How Values Shape Human Progress*, De Lawrence Harrison ed. (New York: Basic Books, 2001), 90, who correlates economic development with „interpersonal trust," and shows that „virtually all historically Protestant societies rank higher on interpersonal trust" non-Protestant societies. He also examines the

modern studies as well.[76] In turn, statistics have shown that the impact of Protestantism on democratical thinking led to lower levels of corruption than in other, non-Protestant, societies. [77]

It is also important to note that John Locke (*Two Treaties of Government*) derived his principle of the right to *private property* from the Old Testament (e.g., Genesis 1, 9; Psalm 115:16).[78] He argued that

> „Revelation,...gives us an account of those grants God made of the world to Adam, and to Noah, and his sons, it is very clear, that God, as king David says, Psal. cxv. 16. has given the earth to the children of men; given it to mankind in common....Though the earth, and all inferior creatures, be common to all men, yet every man has a property in his own person: this no body has any right to but

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relationship between interpersonal trust and the level of GNP/capita, with the result that Protestant countries scored higher on the GNP/capita.

76 Note Woodberry and Shah, „The Pioneering Protestants," 55, who argue that „statistical research suggests that both in Africa and in other former colonies, areas with more Protestants have greater post-colonial economic growth rates;" citing Robin Grier, „The Effect of Religion on Economic Development: A Cross-national Study of 63 Former Colonies," *Kyklos* 50 (February 1997): 47–62.

77 Mangawaldi, *The Book That Made Your World*, 252ff.; R. Edgerton, „Traditional Beliefs and Practices: Are Some Better Than Others?," *Culture Matters: How Values Shape Human Progress*, De Lawrence Harrison ed. (New York: Basic Books, 2001), 121. Edgerton, however, notes that this reality obtained more in the earlier period of Europe and that recent studies show a tendency of leveling between Protestant and Catholic countries in Europe. For the notion that there exists a direct correlation between Protestant culture and the flourishing of democracy see M. Htun, „Culture, Institutions and Gender Inequality in Latin America," *Culture Matters*, 190, and Inglehart, „Culture and Democracy," *Culture Matters*, 91, for ways in which this theory has been criticized.

78 Note K.I. Parker, *The Biblical Politics of John Locke* (Waterloo, ON: Wilfried Laurier Univ. Press, 2004), for an analysis of Locke's main political theories and the biblical basis on which he derived them. See also J. Mitchell, „John Locke: a Theology of Religious Liberty," *Religious Liberty in Western Thought*, N.B. Reynold ed. (Grand Rapids, MI: Eerdmans, 1996), 143-160.

himself. The labor of his body, and the work of his hands, we may say, are properly his. Whatsoever then he removes out of the state that nature hath provided, and left it in, he hath mixed his labor with, and joined to it something that is his own, and thereby makes it his property." [79]

Lock had a profound influence on Founding Fathers like Madison, Hamilton and Jefferson.[80] Scholars have shown that Jefferson's phrase „Life, Liberty and the Pursuit of Happiness" was, in fact, inspired from John Locke's *Second Treatise of Government*.[81]

Next, the themes of the rights to *freedom and equality* – as they played out in life of the „people of Israel" – appear to have influenced a number of Protestant authors as well. The concept of human rights appeared in Medieval works as early as 1269, when St. Bonaventure argued in his Defense of the Mendicants that „ some rights cannot be renounced because they arise 'from the right that naturally belongs to man as God's image and noblest creature.'"[82]

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79 In John Locke, „On Property: 34," *The Second Treaty of Government*, (http://www.constitution.org/jl/2ndtr05.txt

80 Jefferson confessed that „Bacon, Locke and Newton…I consider them the three greatest man that have ever lived, without any exception, and as having laid the foundations of those superstructures which have been raised in the Physical and Moral sciences." From Jefferson's letter to Richard Price, http://www.let.rug.nl/usa/presidents/thomas-jefferson/letters-of-thomas-jefferson/jefl74.php

81 Thus J.C. Munday, „Life, Liberty and the Pursuit of Happiness: History of Inalienable Rights," *Freedom Council Seminar* (Virginia: March 17, 2012), http://www.avantrex.com/essay/freetalk.html. In his study Munday traces the history of this phrase and of the philosophy of the Declaration of Independence to Jefferson, who was influenced by Samuel Adams, who, in turn, confessed his debt to the writings of John Locke: „

82 M. Brett, „The Hebrew Bible and Human Rights," quoting O'Donovan, Oliver & O'Donovan, J.L., *From Irenaeus to Grotius: A Sourcebook in Christian Political Thought 100-1625* (Grand Rapids, MI: Eerdmans, 1999), 317.

Mangawaldi pointed out that the Exodus event instilled in the Israelite consciousness the attitude of respect for human rights.[83] We also note Rossiter, for the concept of the reliance of incipient American democracy on the Old Testament, on the themes of Law, the Covenant, *freedom from slavery*, and the Promised Land. [84] The concept of *bearing the image of God* is intimately linked with the idea of „self-evident truths," a phrase of Lockean origins, used by Jefferson in the Constitution.[85] For Locke, democracy and human rights must be derived from *reason and revelation*, a notion that influenced subsequent developments of the formulation of democratic principles.[86]

Furthermore, Mordecai Roshwald exemplifies a number of concepts from the Old Testament that may have influenced the practice of democracy in modern times.[87] Among these, he points to the importance of the „assembly" and of the „covenant" in the Old Testament, institutions that play an important role later, in the writings of key figures in the history of the formation of democracy.[88] In essence, the institution of the elders

83 Mangawaldi, *The Book That Made Your World*, 357, because „biblical cultures highly value freedom as the essence of God and of his image – humanity."

84 C. Rossiter, *Seedtime of the Republic: the Origin of the American Tradition of Political Liberty* (New York: Harcourt, Brace, 1953), 55. Rossiter notes the importance of the Covenant as „contract" and the „higher law." As such, „American democracy has been and remains a highly *moral* adventure."

85 See L.M. Bassani, „Life, Liberty and:...Jefferson on Property Rights," *Journal of Libertarian Studies*, Volume 18, no. 1 (Winter 2004): 31–87, esp. page 34. In this sense, Parker, *The Biblical Politics of John Locke*, 150, shows that according to Locke, „God created a world inhabited by free, rational, equal subjects, and the proof is in the Bible;" J. Dunn, *The Political Thought of John Locke* (Cambridge: Cambridge University Press, 1982), 122, 240.

86 Thus Parker, *The Biblical Politics of John Locke*, 151, in that „the theological framework for Locke's political ideas constitutes a crucial component for understanding the basis of early modern political thought and, by extension, the basis for contemporary liberal democracy."

87 M. Roshwald, „The Biblical Roots of Democracy," *Diogenes* 53 (November 2006): 139-151.

88 RAÍCES BÍBLICAS DE LA DEMOCRACIA, translated into Spanish by Joseph

functioned not as entity independent of the ruler, but as a body of author-ity that represented the individual people of a given tribe. [89]

Our study has also raised the question of the importance of the Law in the life of Israel, in the context of the Covenant that God made with Israel at Mount Sinai. A number of scholars have drawn attention to the presence of the idea of „covenant" in the early period of American Colonialism.[90] McLaughlin argued that the both the Mayflower settlers, as well as other succeeding waves of immigrants, used a „covenant" as the basis of the first constitution in the New World. It was drawn after the Old Testament model, which covered and regulated the *social*, *economic* and *religious* dimensions of life in the Land, and clearly stipulated the obliga-tions and the rights/blessings of the people.[91] The Covenant covered both

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Messa, *Selecciones de Teologia*, 47-58, http://www.seleccionesdeteologia. net/selecciones/llib/vol47/185/185_roshwald.pdf, 49ff. For a more critical evaluation of Roshwald see C. Anckar, *Religion and Democracy: A Worldwide Comparison* (New York: Routledge, 2012), 32ff.

89 J. Conrad, „zqn," *The Theological Dictionary of the Old Testament*, J. Botterweck ed. (Grand Rapids, MI: Eerdmans, 1980), 4:122-131; R. North, „Palestine, Administration of (Judean Officials)," *Anchor Bible Dictionary*, N.D. Freedman ed. (New York: Doubleday, 1992), 5:86-90; M.R. Jacobs, „Leadership, Elders," *Dictionary of the Old Testament Pentateuch*, D. Alexander ed. (Downers Grove, IL: Intervarsity Press, 2003), 515-18. Goldingway, *Old Testament Theology: Israel's Gospel*, 411, notices the aspect of „egalitarianism" in the social structure of ancient Israel, „all clans have the same status."

90 A.C. McLaughlin, *The Foundations of American Constitutionalism* (New York: New York Press, 1932), esp. 3-30. McLaughlin cites several models of the Covenant, although the two most important ones were the Mayflower Compact and the Fundamental Orders of Connecticut.

91 For example, „The Book of the General Lawes and Libertyes concerning the Inhabitants of the Massachusetts" contain laws that reflected features of Biblical laws and quotation of the passages from which they came. The first colonists believed that „covenanting was the Lord's chosen method for social and religious combination."

the „Civil Affaires" and the spiritual observances. [92] McLaughlin clarifies the fact that even though the Covenant evidently lacked the „qualities of a modern state constitution," it formed the basis of the subsequent constitutions.

One may also note Miller's argument, that the Puritans in the early New England took the Old Testament „with devastating literalness." [93] It is critical not to ignore the fact that the Protestant settlers viewed biblical texts and theology in general as a vital aspect „of the political and social order."[94]

Greenfeld too argues that King Henry VIII's break from Rome, and the emergence of Protestant thought in England, furthered the development of England's national conscience. He shows that in the years of the great upheaval of the Puritan Revolution, the reformers „believed themselves to be the second Israel," that is, „a light to the world because every one of its members was a party to the covenant with God."[95]

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92 McLaughlin, *Foundations of American Constitution*, 28, cites the following: „they thereupon provided for two general assemblies each year, for the election of a Governor and magistrates, for the use of a written ballot, for a nominating system; and in other ways they outlined a fairly comprehensive system of government."

93 P. Miller, *The New England Mind: The Seventeen Century* (Harvard, MA: Harvard University Press, 1983), 197, 377.

94 Ibid., 397. See, however, the position of Roger Williams, who criticized the Puritan „imitation of Israel" and their using „civil power to enforce religious observance." J.P. Byrd, *The Challenges of Roger Williams: Religious Liberty, Violent Persecution and the Bible* (Macon, GA: Mercer University Press, 2002), 54-56. For the view that Williams submitted each Old Testament teaching to the filter of the New Testament, see A. Delbanco and A. Heimert, *The Puritans in America: A Narrative Anthology* (Harvard, MA: Harvard University Press, 1985), 199. Still, Delbanco and Heimert, *The Puritans in America: A Narrative Anthology*, 194, point to the Synod of New England using the model of the Old Testament Israel and covenant with God, and John Davenport, who „remained faithful to the Pauline ideal that grace was a transcendent and identifiable experience that had nothing to do with inheritance."

95 L. Greenfeld, *Nationalism: Five Roads to Modernity* (Harvard, MA: Harvard

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DEMOCRATIC CONSCIOUSNESS OF WESTERN CULTURE

In the context of the theme of „freedom of expression," we noted that Old Testament prophets often times refused to submit to the king and were very critical of his abuses. Cohn characterizes the ministry of prophets of the Old Testament as the „typical manifestation of freedom of speech in ancient Jewish history."[1] We may note, however, the position of M. Galchinsky, who celebrates „the prophets' practice of shaming Israelite kings who engaged in injustice," but shows that subsequent Jewish thinkers like Baruch Spinoza „did not value the prophets who criticized the reigning powers."[2]

In this context, Luther had harsh words for princes who transgressed the commands of the Scripture, argued that the Christian has the right to disobey orders to wage unjust wars and, ultimately, must obey his conscience at all costs.[3] In this sense, he remains a moderate precursor of the notion of the „freedom of conscience" even though it took the Western world two more centuries before this principle was put into practice in Europe and Colonial America.[4]

For Calvin, the *King's Charter* of Deuteronomy 17 circumscribes the „*potestas* of kings" within certain limits, „lest [the king] relying on the

University Press, 1992), 52-54, also argues that the Old Testament played a major role in the publications of the 16th century, especially due to the themes of the „priesthood of all believers" and of the „covenant nation."

1 H.H. Cohn, *Human Rights in the Bible and Talmud* (Tel Aviv: MOD Publishing, 1989), 90-94. One may note Anckar, *Religion and Democracy*, 33, who points to Genesis 18:16-33, and the argument between God and Abraham, as proof for the importance of freedom of speech in the Old Testament.

2 M. Galchinsky, *Jews and Human Rights: Dancing at Three Weddings* (Lanham, MD: Rowman & Littlefield, 2008), 10-11. Because of this ambivalence and the difficulty of „selecting a usable past" from ancient traditions, Galchinsky prefers to focus on the role of Judaism in the modern movement for human rights.

3 Bainton, *Here I Stand*, 243-44.

4 Note G. Ward, *Religion and Political Thought*, 64-67, for the notion that Luther „anticipates modernity in terms of equality, proto-democratic forms of political action, individualism and freedom of conscience".

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glory of the imperium, should exalt himself beyond measure.'"[5] God restricts and restrains the dignity of kingship so that it would not become „'pretext for unlimited might (*immensae potentiae*).'" Calvin did not reject monarchy as an unbiblical form of government, but neither did he envision the ideal form of government as monarchical. On biblical grounds he admitted that monarchs could be appointed by God, a natural corollary to the teaching of predestination.[6] He exhorted all to „entertain the most honorable views" of the office of kings and rulers.[7] At the same time, he urged earthly judges to emulate the Old Testament and be inspired by the fear of the Lord in their service.[8] In his view, „any form of political resistance to a tyrannical monarch should therefore proceed only from

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5 Hopfl, *The Christian Polity of John Calvin* (Cambridge: Cambridge University Press Archive, 1985), 169, and *The Institutes* 4.20.9.

6 Boer, *Political Grace*: *the Revolutionary Theology of John Calvin* (Philadelphia, PA: Westminster Press, 2009), especially 80, and H. Hopfl, *The Christian Polity of John Calvin*, 161. Calvin appealed to the classic passages of Romans 13, but also to the Book of Proverbs 8:15-16: „By me kings reign and princes decree justice. By me princes rule, and nobles, even all the judges of the earth" (*Inst*. 4.20.4).

7 *Institutes*, 4.20.22, where Calvin justifies this obligation by citing Proverbs 24:21: „My son, fear the Lord and the king," and Romans 13:5, where St. Paul states: „Be subject not only for wrath, but also for conscience sake."

8 Thus 2Chron 19:6-7; Deut 1:16: „Take heed what you do: for you judge not for man, but for the Lord, who is with you in the judgment...For there is no iniquity with the Lord our God, nor respect of persons, nor taking of gifts" (*Inst*. 4.20.6). It is interesting to notice the degree to which Calvin quotes the Old Testament to define the political limitations of kings. Thus Jer 22:23 („do no wrong, do no violence to the stranger, the fatherless, nor the widow, neither shed innocent blood" (similarly Psalm 82:3-4); Jer 21:12 („the prophet enjoins kings and other rulers to execute 'judgment and righteousness"); Deut 1:16 („you shall bear the small as well as the great"); Deut 17:16-20 („that his heart be not lifted up above his brethren"); Ps 101:4-6 („he that walks in a perfect way, he shall serve me");

lower, popular magistrates (*populares magistratum*) working in concern with one another."[9]

> „So far am I from forbidding these officially to check the undue license of kings, that if they connive at kings when they tyrannize and insult over the humbler of the people, I affirm that their dissimulation is not free from nefarious perfidy, because they fraudulently betray the liberty of the people, while knowing that, by the ordinances of God, they are its appointed guardians" (*Institutes* 4.20.31).

Milton „invoked Deuteronomy 17:14 to underscore his point that it is the people's right to choose their form of government."[10] In fact, Milton strengthened his argument by insisting that in the Old Testament the monarchy „had never been God's choice for the governing of a nation to begin with." In particular, he referred to the book of 1Samuel 8, where the elders of Israel requested the prophet Samuel to appoint for them a king, „to judge us like all the nations." For Milton, God allowed the monarchy as an adjustment to the stubbornness of Israel, not as the perfect plan he had devised from the beginning.[11] As Erik Nelson noted, this Old

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9 Lim, *John Milton*, 49-50, and Q. Skinner, *The Foundations of Modern Political Thought. Volume 2: The Age of Reformation* (Cambridge: Cambridge University Press, 1978), 232. For the fact that Calvin was criticized and vilified for his political views see. He was called „the arch-inquisitor of Protestantism" and „dictator of Geneva," and a „pioneer of the freedom of conscience and human rights."Boer, *Political Grace*, xii-xxiv. It is interesting, however, that Rousseau and even John Adams pointed to Geneva as an example of the „politics of religious liberty, Servetus notwithstanding."

10 W.S.H. Lim, *John Milton, Radical Politics and Biblical Republicanism* (Newark, DE: University of Delaware Press, 2006), 48. For a similar argument see Roshwald, *RAÍCES BÍBLICAS DE LA DEMOCRACIA*, 54. For a critique of Milton, Lim cites Filmer's argument (*Patriarcha*) that Deuteronomy 17 represents the validation of monarchy by the people and the manifestation of their allegiance, not the free democratic election of a king.

11 For the notion that monarchy had always been the divine plan in the Old Testament, and not a compromise, see D. Howard, „The Case for Kingship

Testament „exegesis" was adopted by 17th century Protestants who argued for the benefits of a Republican, rather than a monarchical society.[12] One will note that in his *The Trew Law of Free Monarchies*, King James I had insisted that „if the king is to be punished, that punishment can only come from God himself;" in essence, James I declared that „the monarch is answerable to nobody on earth."[13] Milton wrote several works in which he justified the punishment of any form of tyranny, on biblical and extra-biblical grounds.[14] Every human being is subject to one universal, absolute law which originates from God. In relation to this truth, Milton

in the Old Testament Narrative Books and the Psalms," *Trinity Journal* 9 (1988): 19-35; *An Introduction to the Old Testament Historical Books* (Chicago, IL: Moody Press, 1993), 158-163, and E. Merrill, *Everlasting Dominion: A Theology of the Old Testament* (Nashville, TN: Broadman & Holman, 2006), 138. In essence, Howard and Merrill argue that God exerted his rulership over the earth through human kings. That is why Deuteronomy 17 justifies, not contradicts, the legitimacy of kingship in Israel.

12 *The Hebrew Republic*, 24-26, for the way Thomas Hobbes interpreted 1Samuel 18 in the *Leviathan* and the critical reactions that emerged against this „deconstructionist" reading of the Bible.

13 Lim, *John Milton, Radical Politics and Biblical Republicanism*, 49; E. Tuttle, „Biblical reference in the political pamphlets of Revelers and Milton, 1638-1654," *Milton and Republicanism*, D. Armitage ed. (Cambridge: Cambridge University Press, 1998), 63-81, and Nelson, *The Hebrew Republic*, 37-39, showing that for Milton „'God was angry not only because they wanted a king in imitation of the gentiles, and not in accordance with his law, but clearly because they desired a king at all.'"

14 Thus in *The Tenure of Kings and Magistrates*, http://www.dartmouth.edu/~milton/reading_room/ tenure/ index.shtml, Milton asserted that „ proving that it is lawful, and hath been held so through the ages, for any, who have the Power, to call to account a Tyrant, or wicked King, and after due conviction, to depose, and put him to death; if the ordinary MAGISTRATE have neglected, or deny'd to do it. And that they, who of late so much blame Deposing, are the Men that did it themselves." A cursory reading of the *Tenure* will highlight the extent to which Milton depended on the Old Testament in his arguments against tyrannical rule, and in support for the freedom of expression and of conscience.

appealed to Genesis 1:26-28 to justify the equality of every human being on the basis of having been created in the image and likeness of God.[15]

Nelson associates the 17th century with the emergence of *modern political thought*, a time in which Scripture reentered the discourse on politics.[16] He argues that „during this period, Christians began to regard the Hebrew Bible as a political constitution, designed by God himself for the children of Israel." It was this encounter, states Nelson, that transformed the political climate by challenging the legitimacy of the monarchy and legitimizing the „republican" system. According to Nelson, Christian Protestants adopted a Rabbinic reading of passages such as Deuteronomy 17 and 1Samuel 18 (about the origins of the monarchy); in essence, an „exegesis" which called into question the legitimacy of the monarchy.[17]

Capturing the spirit of the Old Testament prophet, Edmund Burke, who urged the English crown to make peace with the American colonies, affirmed the Protestant ideology of the early americans, stating:

> „The people are Protestants; and of that kind which is the most adverse to all implicit submission of mind and opinion.... All Protestantism, even the most cold and passive, is a sort of dissent...it is the dissidence of dissent, and the Protestantism of the Protestant religion. This religion, under a variety of denom-

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15 Roshwald, *RAÍCES BÍBLICAS DE LA DEMOCRACIA*, 54-55.

16 E. Nelson, *The Hebrew Republic: Jewish Sources and the Transformation of European Political Thought* (Harvard, MA: Harvard University Press, 2012), 2, shows that „there are fewer than ten Biblical citations in the entire course of Petrarch's *Qualis esse debeat rem publicam regit*; and there are none at all in Bruni's *Laudatio Fiorentinae urbis*" (works of reference for the late Medieval political discourse). In contrast, there is hardly a page in any of the seventeen century texts" from authors like Grotius, Milton, Pufendorf, Locke and others, that „does not contain several Biblical citations."

17 See especially chapter 3 of *The Hebrew Republic*, where Nelson discusses the Rabbinic interpretation of these passages and the way 17th century Protestants adopted this reading.

inations agreeing in nothing but in the communion of the spirit of liberty, is predominant in most of the northern provinces."[18]

Apparently what gave Protestants a convincing platform to undermine the supreme authority of the king in Europe was the belief that the king did not stand above the Law (as had been the case in the Ancient Near East and in certain kingdoms of Medieval Europe.[19] The prophetic (biblical) confrontations on these claims offered the Protestants a legitimacy that was not easy to combat.

CONCLUSIONS

As Greenfeld pointed out, many of the 16th century Englishmen were barely literate, but the translation of the Bible in the vernacular spurred reading to unprecedented levels. For many, „the Bible was not simply a book they all read, but the only book they read."[20]The argument that a society with a Puritan majority could hinder the growth of democracy is only partially true, not necessarily false. Other scholars have noted that the dangers that any majority would pose to the practice of true democracy.[21] At the same time, modern research has established fairly conclu-

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18 E. Burke, *Fundamental Documents*, „Speech on Conciliation with the Colonies." http://press-pubs.uchicago .edu/founders/documents/v1ch1s2. html

19 Thus Heschel, *The Prophets*, 255-56, for the notion that the monarch had *plenitutde potestatis* and had the liberty to work *supra jus et contra jus, et extra jus*.

20 Greenfeld, *Nationalism: Five Roads to Modernity*, 60-62, also points to Foxe's *Book of Martyrs* (1554, 1583) as second to the Bible in importance and the „most articulate statement of the identity of the English national and Protestant interests." The book exerted a powerful impact during the time of Queen Elizabeth's reign and stability, helping the English see themselves as God's covenant nation.

21 Note Anckar, *Religion and Democracy*, 34ff., and the arguments of Tocqueville and Kessler on this matter. Overall, Tocqueville held a positive view on role of Protestantism in the democratic life of America.

sively that modern liberal democracy was born and matured in societies
with a Christian majority; most often, though not exclusively, a Christian
Protestant majority.

Now, E. Nelson stated that „even if Hobbes, Locke, Milton and others
relied on the Hebrew Bible to justify their political ideas, 'it does not fol-
low ... that they should be justified that way in the contemporary world.'"[22]
We disagree and note that the development of the institution of democra-
cy reached its present form precisely because of the influences of Hobbes,
Locke and Milton, who in turn used the Bible to give their ideas support
and authority. The question we considered is not whether one must rely
on the Hebrew Bible to reach political decisions, but whether the political
systems that the Western world relies on today have been influenced by
authors who had a biblical worldview and whether their worldview left
an imprint in the forms that democracy took in later years.

Our argument takes into account the fact that the vision of the New
Testament was shaped by the Old Testament. In turn, the New Testament
exercised a profound influence on Medieval and (especially) Protestant
thought. For example, Luther's teaching of the *priesthood of all believers*
has its origins in the Old Testament, and was reformulated by the New
Testament. In essence, this teaching helped the Reformation emphasize
the *equality* and *responsibility* of all – which in turn had an impact on the
development of democracy and, implicitly, on the economical landscape.

Our analysis has shown that modern democracy has had a long and
convulsed history. Arguably no single author could claim absolute orig-
inality to his or her contributions to the development of democracy. All
authors, more or less, had been influenced by their predecessors, in the
way they arrived at a mature understanding of „democracy." Perhaps one

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22 Quoted by E. Herschthal in „Did the Hebrew Bible Give Birth to Democracy?"
The Jewish Week (04/27/2010), at http://www.thejewishweek.com/arts/books/
did_hebrew_bible_give_birth_democracy_0. Herschthal also quotes Jack
Rakove of Standford University who argues that „the very idea of revolution
against the British had as its premise, at least in part, Christian 'resistance
theory,' which holds that Christian Americans believed they had a God-
sanctioned right to oppose tyrannical rule."

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may describe the state of modern democracy as an ocean into which many rivers have flown, rivers which in turn were swelled throughout history by the flowing of countless, unknown springs and creeks.

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