



# Jewish Thought

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This issue is dedicated to Prof. Daniel J. Lasker for his 70<sup>th</sup> birthday

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## Foreword

It is with great pride that we present the first issue of the new annual journal, *Jewish Thought*, sponsored by the Goldstein-Goren International Center for Jewish Thought at Ben-Gurion University of the Negev. As opposed to existent journals in Jewish thought, we have decided to make this one open access and hence easily available to readers the world over (paper copies will also be available for purchase for those interested). Each issue is to be devoted to a different topic and contain articles both in English and Hebrew. The topics we have chosen allow for contributions from all areas of Jewish thought. We hope in this way to combine the advantages of volumes of collected articles on a given theme with those of a journal that invites contributions from all scholars.

The twelve articles that comprise this issue reflect a diversity of topics and approaches to faith and heresy in Jewish thought, beginning from the rabbinic period and culminating in modern Jewish thought. Most were written by established scholars, while some were written by young scholars who are at the beginning of their scholarly career. All articles that were submitted underwent a rigorous selection process involving at least two reviewers. We hope our readers will find much interest not only in individual articles but also in the different perspectives, when taken together, they bring to the subject. A list of the topics for coming issues and information to where to submit articles for consideration can be found in the opening pages of the journal.

We are dedicating this inaugural issue to our colleague Prof. J. Daniel Lasker on the occasion of his seventieth birthday. Prof. Lasker has taught Jewish thought at Ben-Gurion University for close to forty years and held the Norbert Blechner chair in Jewish Values. He is a world renown



authority in medieval Jewish philosophy, Jewish-Christian polemics, and Karaite thought; a dedicated teacher and an excellent mentor to his graduate students; and an exceptionally generous colleague who has contributed so much to the development of our department. We are happy to honor him in this manner.

The editors

# The Convert as the Most Jewish of Jews? On the Centrality of Belief (the Opposite of Heresy) in Maimonidean Judaism

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In two separate places, Maimonides goes out of his way to emphasize that seven of the most important of the Tannaim were descended from King David (himself the great-grandson of Ruth the Moabite). That is not particularly noteworthy. In both places, however, he surprisingly adds that four other key Tannaim were proselytes themselves or descended from proselytes. These four are Shemaya and Avtalyon (the teachers of Hillel and Shammai), Rabbi Akiva, and his disciple Rabbi Meir (whose disciple was Judah the Prince, editor of the Mishnah). The two texts in question are Maimonides' introduction to his commentary on the Mishnah and his introduction to his *Mishneh Torah*.<sup>1</sup>

- 1 Maimonides held all human beings (Jews and non-Jews alike) to be created in the image of God. The issue is analyzed in detail in my book, *Gam Hem Keruyim Adam: Ha-Nokhri be-Eynei ha-Rambam* (Ramat-Gan: Bar-Ilan University Press, 2016). As pointed out there, Maimonides was not unique in this regard, but he was certainly unusual. This attitude concerning the essential equality of all human beings, together with his emphasis on the theological (as opposed to ethnic) basis of the Jewish religion, led Maimonides to an unusually welcoming attitude towards converts, as will become clear below. Maimonides' attitude towards non-Jews as such should be sharply distinguished from his attitude towards non-Jewish *religions*. For recent studies of the latter subject, see Daniel J. Lasker, "Tradition and Innovation in Maimonides' Attitude toward Other Religions," *Maimonides after 800 Years: Essays on Maimonides and His Influence*, edited by Jay Harris (Cambridge MA: Harvard University Press, 2007), 167-182 and Lasker, "Rashi and Maimonides on Christianity," *Between Rashi and Maimonides: Themes in Medieval Jewish Thought, Literature and Exegesis* edited by Ephraim Kanarfogel and Moshe Sokolow (New York: Yeshiva University Press, 2010), 3-21. On the status of converts in Ashkenaz

In the first text (the Mishnah commentary), after listing the seven sages who could claim Davidic descent, Maimonides writes that four other prominent sages came from the community of proselytes (*kehal gerim*): Shemaya, Avtalyon, R. Akiva, and Rabbi Meir. In the second text, the introduction to the *Mishneh Torah*, Maimonides provides a detailed list of the 40 generations from Moses to Rav Ashi, the editor of the Babylonian Talmud. Towards the end of that list, he *chooses* to write: "...Shemaya and Avtalyon were proselytes....Rabbi Akiva ben Joseph was the disciple (*kibbel me...*) of Rabbi Eliezer the Great; Joseph his father was a proselyte. Rabbi Ishmael and Rabbi Meir, son of a proselyte, were the disciples (*kibblu me...*) of Rabbi Akiva..."

We learn here that, in the eyes of Maimonides, Judaism as we know it is largely the product of individuals who were not Jewish by birth, or of those whose fathers were not born Jewish.<sup>2</sup> Why did Maimonides choose to draw attention to this? There is no apparent reason for mentioning that the four Tannaim in question were themselves proselytes or descended from proselytes. Furthermore, while there is no doubt that Shemaya and Avtalyon were indeed themselves proselytes<sup>3</sup> – and while in one aggadic passage (Gittin 57b) Rabbi Meir is said to have been descended from Nero

see Rami Reiner, "Le statut des prosélytes en Allemagne et en France du 11e au 13e siècle," *REJ* 167 (2008): 99-119; and Reiner, "Tough are Gerim: Conversion to Judaism in Medieval Europe", *Havruta* 1 (Spring 2008): 54-63. On converts in Maimonides' time and place, see the recent dissertation of Moshe Yagur, "Zehut Datit u-Gevulot Kehilati'im be-Hevrat ha-Genizah (Me'ot 10-13): Gerim, Avadim, Mumarim," Tel Aviv University, 2018, 16-71.

2 Maimonides says nothing about their mothers.

3 See BT Gittin 57b and the famous story at BT Yoma 71b concerning their confrontation with an ill-mannered High Priest who denigrated them because of their ancestry. On this story, see the discussion of Amram Tropper, *Ke-Homer Be-Yad Ha-Yozet: Ma'asei Hakhamim Ve-Sifrut Hazal* (Jerusalem: Merkaz Zalman Shazar, 2011), 70-71 and 80-81 and the sources there cited.

(although nowhere is he himself said to have been the son of a proselyte)<sup>4</sup> – there is no explicit statement in any extant Talmudic text that Rabbi Akiva was descended from proselytes, let alone that he was the son of a proselyte.<sup>5</sup> It seems evident that Maimonides had something specific in mind in twice emphasizing this.

What is going on here? Before answering that question let me draw the reader's attention to a number of other places where Maimonides makes unprecedented claims about proselytes. (It is worth noting that all of the texts I will discuss here are drawn from Maimonides' halakhic works, not from the *Guide of the Perplexed*.)

First, Maimonides subtly rewrites the laws of conversion in his codification of them in "Laws Concerning Forbidden Intercourse," chapters 13 and 14. Clearly basing himself on a *baraita* in Yevamot 47a-b, he writes:

[13:1]: Israel entered the covenant by way of three rites: circumcision, immersion, and sacrifice... [13:4]: Accordingly, the rule for future generations is that when a [male] Gentile (*goy*) wishes to enter into the covenant, to take shelter under the wings of the Shekhinah, and to

4 On R. Meir in this context, see Naomi G. Cohen, "Rabbi Meir, a Descendant of Anatolian Proselytes: New Light on His Name and the Historical Kernel of the Nero Legend in Gittin 56a," *Journal of Jewish Studies*, vol. 23, no. 1 (1972): 51-59.

5 See Reuven Hammer, *Akiva: Life, Legend, Legacy* (Lincoln: University of Nebraska Press, 2015), 3 and 189. Hammer cites BT Ber. 27b ("We can hardly appoint R. Akiba because perhaps Rabban Gamaliel will bring a curse on him because he has no ancestral merit") and comments: "Although some interpreted this to mean that he [R. Akiva] was descended from converts, the meaning is more likely that his ancestry was not from learned or distinguished people." Similarly, see Barry Holtz, *Rabbi Akiva: Sage of the Talmud* (New Haven: Yale University Press, 2017), 15 and 196 (note 29). Aharon Hyman, *Toledot ha-Tannaim ve-ha Amoraim* (London, 1910), vol. 3, 988 cites Maimonides as the authority for the claim that Joseph father of Akiva was a proselyte. *Sefer Yuhasin* even claims that both he and R. Meir were themselves converts. See Abraham Zacuto, *Sefer Yuhasin ha-Shalem* (Jerusalem: Yerid ha-Sefarim, 2004), 48 for R. Akiva and 56 for R. Meir.

assume the yoke of the Torah, he requires circumcision, immersion, and the offering of a sacrifice...as it is said, *as you are, so shall be the convert*<sup>6</sup> (Nu. 15:15), i.e., just as you have entered the covenant by way of circumcision, immersion, and the offering of a sacrifice, so shall the proselyte in the future generations enter by way of circumcision, immersion, and the offering of a sacrifice.

Noteworthy here is Maimonides' implied claim that the Israelites at Sinai were all converts to Judaism.<sup>7</sup> In the following chapter, Maimonides gets to the process of conversion itself:

[14:1-2]: In what manner are righteous proselytes to be received? When one comes forth for the purpose of becoming a proselyte, and upon investigation no ulterior motive is found, the court should say to him: "Why do you come forth to become a proselyte? Do you not know that Israel is at present sorely afflicted, oppressed, despised, confounded,

- 6 Maimonides, like the rest of the tradition, understands the word *ger* here to signify proselyte, not stranger *simpliciter*.
- 7 For more on this, see Kellner, *Maimonides on Judaism and the Jewish People* (Albany: SUNY Press, 1991), 49-58. Maimonides may be usefully contrasted with Judah Halevi here. For Halevi, the descendants of the Patriarchs received the Torah at Sinai because only they could have received it. For Maimonides it was the receipt of the Torah that turned ex-slaves into Israel, the chosen people. This point helps us to understand Maimonides' implied rejection of the idea that the Patriarchs observed all the mitzvot (they themselves were Noachides – at most; their descendants in Egypt – out and out idolaters. On the Israelites in Egypt as idolaters, see Maimonides' "Letter on Resurrection," in Y. Sheilat, *Iggerot ha-Rambam* [Jerusalem: Ma'liyyot, 1987], 369). On the Patriarchs not observing the commandments of the Torah, see Kellner, *Maimonides' Confrontation with Mysticism* (Oxford: Littman Library of Jewish Civilization, 2006), 76-77. See further, 65-66 in Gerald Blidstein, "R. Menahem Ha-Me'iri: Aspects of an Intellectual Profile," *Journal of Jewish Thought and Philosophy* 5 (1995): 63-79. I also think that our discussion can help us to understand Maimonides' scandalous (as he himself says) explanation of the sacrifices (*Guide*, III.32) – but that is indeed a very different subject, one to which I plan to devote attention separately.

and beset by suffering?” If he answers, “I know, and I am indeed unworthy,” he should be accepted immediately. **He should then be made acquainted with the principle of the religion (*ikkar ha-dat*), which is the oneness of God and the prohibition of idolatry. These matters should be discussed at great length;** he should then be told, **though not at great length**, about some of the less weighty and some of the more weighty commandments. Thereupon he should be informed of the transgressions involved in the laws of gleanings, forgotten sheaves, the corner of the field, and the poor man’s tithe. Then he should be told of the punishment for violation of the commandments... **This, however, should not be carried to excess nor to too great detail, lest it should make him weary and cause him to stray from the good way unto the evil way. A person should be attracted at first only with pleasing and gentle words, as it is said first, *I will draw them with cords of a man, and only then with bonds of love* (Hosea 11:4)...**<sup>8</sup>

Despite centuries of attempts, no one has thus far been able to discover a source for Maimonides’ additions here.<sup>9</sup> These additions clearly move the focal point of conversion to Judaism from acceptance of the yoke of the commandments to acquiescence to a series of dogmatic statements.<sup>10</sup> They

8 I cite the translation of Louis I. Rabinowitz and Philip Grossman, *The Book of Holiness* (New Haven: Yale University Press, 1965), emended according to the text presented in the edition of Yohai Makbili, *Mishneh Torah le-ha-Rambam, Mahadurat Mofet* (Haifa: Or Veshua, 2008). I have placed Maimonides’ additions to the Talmudic text in boldface type.

9 For details, see Isadore Twersky, Introduction to the *Code of Maimonides* (New Haven: Yale University Press, 1980), 474-75, Menachem Kellner, *Dogma in Medieval Jewish Thought: From Maimonides to Abravanel* (Oxford: Oxford University Press, 1986), 19, and Kellner, *Must a Jew Believe Anything?* 2nd ed. (Oxford: Littman Library of Jewish Civilization, 2006), 113.

10 As surprising as this may be in the context of Judaism as it developed before and after Maimonides, it is hardly surprising in the halakhic decisions of the author of the ‘Thirteen Principles of Faith.’ Note how Maimonides speaks of acceptance of the

are in themselves surprising (which might explain why they have been ignored by centuries of decisors), but there are more surprises to come.

Maimonides' codification of the laws concerning the so-called "beautiful captive" (*yefat to'ar*) ("Laws of Kings and their Wars," VIII.5) contains another surprise:

What is the law with regard to a captive woman? If after the first coition, while she is still a gentile, she expresses her willingness to accept Judaism [lit.: enter under the wings of the Shekhinah] she is immediately immersed for the purpose of conversion. If she is unwilling to accept [the Jewish religion], she remains in his house for thirty days, as it is said, *she shall bewail her father and her mother a full month* (Dt. 21:13). She weeps also for her religion [*datah*] and he does not stop her.<sup>11</sup> She lets her nails grow and shaves her head, in order to become repulsive to him. She remains with him in the house [so that] when he comes in he looks at her, and he will come to loathe her. He behaves patiently with her so that she will accept [Judaism]. If she does, and he

yoke of *Torah*, not of the yoke of the *commandments*. The significance of this distinction is developed more fully in Menachem Kellner and David Gillis, *Maimonides the Universalist: The Ethical Horizons of Mishneh Torah* (Liverpool: Littman Library of Jewish Civilization, in press).

- 11 Maimonides may very well have been the first Jewish writer to use the term *dat* to mean 'religion' as opposed to 'law.' A quick check of the Bar Ilan Global Data Base confirms this (Ibn Ezra's usages appear to be ambiguous in this regard). The implications of this are vast, but not our point right now. For discussion, see Abraham Melamed, *Dat: Me-Hok Le-Emunah - Korotav Shel Minu'ah Mekhonen* (Tel Aviv: Ha-Kibbutz Ha-Me'uhad, 2014) and Kellner, *Gam Hem Keruyim Adam: Ha-Nokhri be-Eynei ha-Rambam*, 27-30, 59-62, and 220-221. Further on this subject, see Howard Kreisel, "Maimonides on Divine Religion," *Maimonides after 800 Years: Essays on Maimonides and His Influence*, in Jay Harris (ed.) (Cambridge: Harvard University Press, 2007), 151-166.

desires to marry her, she converts and immerses in the ritual bath as all proselytes do.<sup>12</sup>

What is surprising about this text? In a forthcoming article,<sup>13</sup> I show that Maimonides' statement "He behaves patiently with her so that she will accept [Judaism]" has no source in the Talmudic texts on the basis of which he codified the laws concerning the *yefat to'ar*. Furthermore, the "beautiful captive" cannot be forced to accept the tenets of Judaism. Despite that, the master is urged by Maimonides to induce her to do so voluntarily. Why does Maimonides not follow the overall orientation of the rabbinic texts or the attitude of the rest of the halakhot, which he himself decides in accordance with those texts? Why does he not do everything in his power to induce the master to rid himself of this Gentile woman?

In one of his most striking references to proselytes, Maimonides writes the following to Obadiah, himself a convert. It is a long text, but one worth quoting at length.<sup>14</sup>

12 I cite the translation of A.M. Hershman, *The Book of Judges* (New Haven: Yale University Press, 1949), 229, with many corrections. While there are some minor textual differences among the various editions of the *Mishneh Torah*, none of them bear on our discussion. My translation here is explained and defended in the article cited in the next note.

13 "The Beautiful Captive and Maimonides' Attitude Towards Gentiles," in Menachem Butler and Marian E. Frankston, eds., *Essays for a Jewish Lifetime: The Burton D. Morris Jubilee Volume* (New York: Hakirah Press, forthcoming).

14 For the Hebrew original, see Sheilat, *Iggerot ha-Rambam* 231-241. Maimonides answered three different questions: on how a proselyte should pray, on free will, and on whether Islam is idolatrous. Here we focus on the first of the three, although the third is relevant as well, as an indication of Maimonides' welcoming attitude towards converts. James Diamond presents a brilliant close reading of this letter in *Converts, Heretics, and Lepers: Maimonides and the Outsider* (Notre Dame: University of Notre Dame Press, 2007), ch. 1. I cite, with minor emendations, the translation found in I. Twersky, *A Maimonides Reader* (West Orange: Behrman House, 1972), 475-476.



Thus says Moses, the son of Rabbi Maimon, one of the exiles from Jerusalem, who lived in Spain: I received the question of the master Obadiah, the wise and learned proselyte, may the Lord reward him for his work, may a perfect recompense be bestowed upon him by the Lord of Israel, under whose wings he has sought cover. You ask me if you, too, are allowed to say in the blessings and prayers you offer alone or in the congregation: “*Our* God” and “God of *our* fathers,” “You who have sanctified *us* through Your commandments,” “You who have separated *us*,” “You who have chosen *us*,” “You who have inherited *us*,” “You who have brought *us* out of the land of Egypt,” “You who have worked miracles to our fathers,” and more of this kind.

Obadiah’s question makes sense. He is not, after all, part of the congregation of Israel by descent, nor is he descended from those whom God originally chose. Maimonides’ answer is unequivocal:

Yes, you may say all this in the prescribed order and not change it in the least. In the same way as every Jew by birth says his blessing and prayer, you, too, shall bless and pray alike, whether you are alone or pray in the congregation. The reason for this is that Abraham our Father taught the people, opened their minds, and revealed to them the true religion [*dat*] and the unity of God; he rejected the idols and abolished their adoration; he brought many children under the wings of the Divine Presence; he gave them counsel and advice, and ordered his sons and the members of his household after him to keep the ways of the Lord forever, as it is written, “For I have known him, to the end that he may command his children and his household after him, that they may keep the way of the Lord, to do righteousness and justice” (Gen. 18:19). Ever since then, whoever adopts Judaism and confesses the unity of the Divine Name, as it is written in the Torah,<sup>15</sup> is counted

15 On the significance of this last clause, see “Laws Concerning Kings and their Wars,” 8.11 and my discussion in *Confrontation*, 241-247.

among the disciples of Abraham our Father, peace be with him. These men are Abraham's household, and he it is who converted them to righteousness.

In the same way as he converted his contemporaries through his words and teaching, he converts future generations through the testament he left to his children and household after him. Thus Abraham our Father, peace be with him, is the father of his pious posterity who keep his ways, and the father of his disciples and of all proselytes who adopt Judaism.<sup>16</sup>

Obadiah made himself a member of Abraham's household. "Therefore," Maimonides tells him,

You shall pray, "Our God" and "God of our fathers," because Abraham, peace be with him, is *your* father. And you shall pray, "You who have taken for his own our fathers," for the land has been given to Abraham .... As to the words, "You who have brought us out of the land of Egypt" or "You who have done miracles to our fathers" – these you may change, if you will, and say, "You who have brought Israel out of the land of Egypt" and "You who have done miracles to Israel." If, however, you do not change them, it is no transgression, because since you have come under the wings of the Divine Presence and confessed the Lord, no difference exists between you and us, and all miracles done to us have been done as it were to us and to you. Thus is it said in the Book of Isaiah, "Neither let the son of the stranger, that has joined himself to the Lord, speak, saying, 'The Lord has utterly separated me from His people'" (Is. 56:3). There is no difference whatever between you and us.

16 For a study of the different versions of this paragraph and their significance, See Kellner, "*Farteicht un Farbessert* (On 'Correcting' Maimonides)," *Me'orot [=Edah Journal]* 6.2 (2007) (<http://library.yctora.org/files/2016/07/Kellner-on-Rambam-FINAL.pdf>).

Maimonides repeats that, having converted, there is no difference between Obadiah and Jews by birth. (In this, Maimonides should be contrasted to Judah Halevi.)<sup>17</sup> Because of this equality, he continues:

You shall certainly say the blessing, “Who has chosen us,” “Who has given us,” “Who have taken us for Your own,” and “Who has separated us,” for the Creator, may He be extolled, has indeed chosen you and separated you from the nations and given you the Torah. For the Torah has been given to us and to the proselytes, as it is said, *One ordinance shall be both for you of the congregation, and also for the stranger that sojourns with you, an ordinance forever in your generations; as you are, so shall the stranger be before the Lord* (Num. 15:15). Know that our fathers, when they came out of Egypt, were mostly idolaters;<sup>18</sup> they had mingled with the pagans in Egypt and imitated their way of life, until the Holy One, may He be blessed, sent Moses our teacher, the master of all prophets, who separated us from the nations and brought us under the wings of the Divine Presence, us and all proselytes, and gave to all of us one Law.

Maimonides brings this section of his response to Obadiah to a dramatic close with the following resounding statement:

Do not consider your origin as inferior. While our descent is from Abraham, Isaac, and Jacob, your descent from Him through whose word the world was created. As is said by Isaiah: *One shall say, I am the Lord's, and another shall call himself by the name of Jacob* (Is. 44:5).

17 Having codified them himself, Maimonides was well aware of certain halakhic disabilities pertaining to converts. However, such disabilities are technicalities. See the chapter on proselytes in Kellner, *Maimonides on Judaism*.

18 Maimonides repeats this claim in a number of places. See explicitly in “Laws Concerning Idolatry,” ch 1 and *Guide*, III.32. In this he stands opposed to Judah Halevi (*Kuzari*, I.97) who maintained that at most only 3000 out of 600,000 Israelites worshiped the golden calf.

In this remarkable text, Maimonides turns the proselyte from a second-class Jew (as Judah Halevi would have it)<sup>19</sup> to someone whose Jewish lineage, or “yichus,” is greater than that of born Jews!<sup>20</sup> That is not all. Maimonides continues with a paragraph that deserves special emphasis:

Support for all that we have said to you concerning the fact that you should not alter the accepted text of the blessings is found in Tractate Bikkurim. There we read: a proselyte brings [first fruits] but does not recite,<sup>21</sup> since he cannot say “which the Lord promised to our fathers to

19 See Daniel J. Lasker, “Proselyte Judaism, Christianity, and Islam in the Thought of Judah Halevi,” *Jewish Quarterly Review* 81 (1990): 75-91.

20 See Mordechai Akiva Friedman, *Harambam, hamashia{h.} beteyman vehashemad* [Maimonides, the Yemenite Messiah, and Forced Conversion] (Jerusalem: Makhon Ben-Zvi, 2002), 29 note 54 and 76 for other examples of Maimonides’ preference for “spiritual” over biological lineage.

21 The recitation in question (Deut. 16:1-11): And it shall be, when thou art come in unto the land which the Lord thy God giveth thee for an inheritance, and dost possess it, and dwell therein; that thou shalt take of the first of all the fruit of the ground, which thou shalt bring in from thy land that the Lord thy God giveth thee; and thou shalt put it in a basket and shalt go unto the place which the Lord thy God shall choose to cause His name to dwell there. And thou shalt come unto the priest that shall be in those days, and say unto him: “I profess this day unto the Lord thy God, that I am come unto the land which the Lord swore unto our fathers to give us.” And the priest shall take the basket out of thy hand, and set it down before the altar of the Lord thy God. And thou shalt speak and say before the Lord thy God: “A wandering Aramean was my father, and he went down into Egypt, and sojourned there, few in number; and he became there a nation, great, mighty, and populous. And the Egyptians dealt ill with us, and afflicted us, and laid upon us hard bondage. And we cried unto the Lord, the God of our fathers, and the Lord heard our voice, and saw our affliction, and our toil, and our oppression. And the Lord brought us forth out of Egypt with a mighty hand, and with an outstretched arm, and with great terribleness, and with signs, and with wonders. And He hath brought us into this place, and hath given us this land, a land flowing with milk and honey. And now, behold, I have brought the first of the fruit of the land, which Thou, O the Lord, hast given me.” And thou shalt set it down before the Lord thy God, and worship before the Lord thy God. And thou shalt rejoice in all the good which the Lord thy God

give to us.” When he prays privately he is to say, “Our God and the God of the fathers of Israel;” but when he prays in a synagogue he says “Our God and the God of our fathers,” which is an unattributed (*stam*) Mishnah and [thus] reflects the view of R. Meir. This is not the law. Rather, [the law accords with] what was explained in the Jerusalem Talmud: “It is taught in the name of R. Judah: ‘A proselyte himself brings and recites.’ What is the reason for that? [It is] (Gen. 17:5): *Neither shall thy name any more be called Abram, but thy name shall be Abraham; for the father of a multitude of nations have I made thee.* In the past you [Abraham] were the father of Aram;<sup>22</sup> from now and further you are the father of all humans [*beriyot*]. R. Joshua ben Levi said: ‘The law accords with R. Judah.’ A case like this came before R. Abbahu and he decided according [the view] of R. Judah.” It has thus been made clear to you that you should say ‘which the Lord promised to our fathers to give to us,’ and that Abraham is your father and ours, and of all the righteous who follow in his way. The same law holds true for the other blessings and prayers – do not change anything.<sup>23</sup>

One might (incorrectly) be tempted to conclude that Maimonides’ statements here are rhetorical, not halakhic. However, both in his

hath given unto thee, and unto thy house, thou, and the Levite, and the stranger that is in the midst of thee.

22 The Passover Haggadah (followed by Rashi) glosses this verse as follows: “an Aramean [Laban] tried to destroy our father [Jacob].” Maimonides has no trouble with the literal meaning, that we, the people of Israel, are descended from a wandering Aramean.

23 Twersky did not include this paragraph in his edition of the letter. I therefore translated this part of the letter myself. For an extended discussion of the Mishnah from Bikkurim and Maimonides on it, see Shaye J. D. Cohen, *The Beginnings of Jewishness: Boundaries, Varieties, Uncertainties* (Berkeley: University of California Press, 1999), 308-340.

commentary to the Mishnah in Bikkurim<sup>24</sup> and in his *Mishneh Torah*,<sup>25</sup> Maimonides makes it clear that this is not the case. The proselyte's ancestor was not a wandering Aramean who descended to Egypt. However, that is of no importance in this context: the proselyte is descended ideologically, if not biologically, from Abraham. God promised the Land of Israel to Abraham and to the descendants of Abraham, both his biological offspring and his ideological offspring. We thus learn in two separate halakhic texts that Maimonides decides the law in accordance with a view in the Jerusalem Talmud against the view of the Mishnah itself that proselytes must recite the confession of first fruits. His letter to Obadiah was not mere rhetoric.

Two issues arise here: Maimonides' attitude towards proselytization and his attitude towards the product of proselytization, proselytes. We have seen several expressions of the latter; let us now look at the former. The following passage in positive commandment 3 (concerning love of God) in Maimonides' *Book of Commandments* sets the scene:

The Sages say that this commandment also includes an obligation to call upon all mankind to serve Him (exalted be He), and to have faith in Him. For just as you praise and extol anybody whom you love, and call upon others also to love him, so, if you love the Lord (to the extent of the conception of His true nature to which you have attained) you will undoubtedly call upon the foolish and ignorant to seek knowledge

24 In his translation of Maimonides' commentary R. Kafih's notes that this is a later addition, perhaps prompted by his own response to Ovadiah. Moshe Halbertal is more emphatic and opines that Maimonides changed his mind on the issue, after writing to Ovadiah. See his *Maimonides: Life and Thought* (Princeton: Princeton University Press, 2014), 95-96.

25 "Laws Concerning First Fruits," IV.3: "A proselyte must bring first fruits (*bikkurim*) and recite the confession, since Abraham was told, *the father of a multitude of nations have I made thee* (Gen. 17:5), implying that he is the father of everyone who gathers under the wings of Shekhinah; and the Lord's oath was given first to Abraham that his children shall inherit the Land."

of the truth which you have already acquired. As the Sifre says, “*And thou shalt love the Lord thy God* (Dt. 6.6): this means that you should make Him beloved of man as Abraham your father did, as it is said, *And the souls they had gotten in Haran* (Genesis 12:5).”<sup>26</sup> That is to say, just as Abraham, being a lover of the Lord –as Scripture testifies, *Abraham, who loves Me* (Is. 41:8)– by the power of his conception of God, and out of his great love for Him, summoned mankind to believe, you too must so love Him as to summon mankind unto Him.<sup>27</sup>

This passage puts into perspective a notable ruling of Maimonides.’ He was asked whether the statement of R. Johanan (Sanhedrin 59a) to the effect that a Gentile who studies Torah incurs the penalty of death was legally binding, and whether one must, therefore, refrain from teaching Gentiles any of the commandments beyond the seven Noachide Laws. Maimonides answers as follows:<sup>28</sup>

It is the halakhah without a doubt. When the hand of Israel is uppermost over them, we restrain him from studying Torah until he converts. But he is not to be killed if he studied Torah, since it says, “incurs the penalty of death” [*hayyav mitah*], but does not say, “is put to death” . . . It is permissible to teach the commandments to Christians and attract them to our religion, but none of this is permissible to Muslims.

Maimonides goes on to explain that Muslims reject the authenticity of the Torah and thus cannot be convinced by proof texts brought from it. It appears that Maimonides feels that teaching Muslims Torah as a way of

26 Sifre Dt. 6:5.

27 I quote from the translation of Charles B. Chavel. *The Commandments: Sefer ha-Mitzvot of Maimonides* (London: Soncino, 1967), 1: 3-4.

28 See J. Blau (ed. and trans.), *Teshuvot ha-Rambam* (Jerusalem: Mekize Nirdamin, 1957 [Vol. 1], 1960 [Vol. 2], 1961 [Vol. 3], 1986 [Vol. 4, published by Rubin Mass for Mekize Nirdamin]), no. 149 (= Vol. 1, 284).

attracting them to Judaism is a lost cause and thus not to be undertaken. “But the uncircumcised ones,” Maimonides continues – referring to the Christians – “believe that the text of the Torah has not changed.” They misinterpret it, but do not reject it. By showing them the correct interpretation, “it is possible that they will turn to the right way.”

A remarkable feature of this text is the way in which Maimonides states that Jews may actively proselytize.<sup>29</sup> He states that it is permissible to teach Torah to Christians in order to attract them to Judaism. What stares us in the eyes here is evidence for a positive attitude towards proselytization.

We can now examine a text that explains all of the above. After taking the unprecedented step of determining that Judaism has dogmas in his ‘Thirteen Principles of Faith’ as they are often called,<sup>30</sup> Maimonides tells us:

When all these foundations are perfectly understood and believed in by a person, he is within the community of Israel and one is obligated to love and pity him and to act towards him in all the ways in which the Creator has commanded that one should act towards his brother, with love and fraternity. Even were he to commit every possible transgression, because of lust and because of having been overpowered by the evil inclination, he will be punished according to his rebelliousness, but he has a portion [of the world to come]; he is one of the sinners of Israel. However, if a man doubts any of these foundations, he leaves the community [of Israel], denies the fundamental, and is called a sectarian, *epikoros*, and one who “cuts among the plantings.” One is required to hate him and destroy him.

29 Maimonides encouraged proselytization among Christians, as we just saw, not among Muslims. Doing the latter would, of course, have been very dangerous in Islamic lands.

30 Not everyone agrees that this step was unprecedented. See, for example, David Berger’s review of the first edition of my *Must a Jew Believe Anything?* (1999) in *Tradition* 33 (1999): 81-89 (and my response to Berger in the second edition of the book, 2006, 127-147).



About such a person it was said, *Do I not hate them, O Lord, who hate thee?* (Psalms 139:21).<sup>31</sup>

I do not plan to repeat here the detailed analysis to which I have subjected this text in a number of places.<sup>32</sup> Suffice to note that in this text Maimonides defines his principles as dogmas in the strict sense of the term: beliefs taught by the highest religious authority (in this case, the Torah itself), acceptance of which is a necessary and a sufficient condition for both being part of the community of Israel and for achieving a share in the World to Come. (Rabbi Abraham ben David of Posquieres, known as Rabad, clearly saw – and rejected – the implication that there is no possibility of *shegagah*, inadvertence, playing an exculpatory role here.)<sup>33</sup>

What Maimonides does here is nothing short of astonishing. He uses his dogmas to define *what* a Jew is, not *who*. He ignores questions of descent altogether, and takes his dogmatic definition of Judaism as defining the community of Jews whose members one is obligated to love.<sup>34</sup> In his *Mishneh Torah* he repeats almost all of his principles (scattered throughout the first volume, *Sefer ha-Madda*), and in a variety of ways uses them to explain other halakhot.<sup>35</sup> It must be understood that what we have here, for the very first time, is Judaism as a *religion*, defined by its beliefs

31 This paragraph appears at the end of Maimonides' "Thirteen Principles" in his introduction to *Perek Helek* (m. Sanhedrin x). I cite the translation from my *Must a Jew Believe Anything?* 173-174.

32 In greatest detail: in *Must a Jew Believe Anything?*

33 See his gloss to Maimonides, "Laws of Repentance," III.6-7: "Why has he called such a person [he who says that there is one Ruler, but that He has a body and has form] a sectarian? There are many people greater than, and superior to him, who adhere to such a belief on the basis of what they have seen in verses of Scripture, and even more in the words of the aggadot which corrupt right opinion about religious matters." For discussion, see my *Dogma*, 89.

34 Note should be made of "Laws of Character Traits (*De'ot*)," vi.4 in which Maimonides parallels the obligation of love towards proselytes to the obligation to love God (Deut. 6:5).

35 Discussion: Kellner, *Dogma in Medieval Jewish Thought*, 21-24.

in the first instance, by its practices secondarily,<sup>36</sup> and by descent as a distant third, largely ignored by Maimonides.<sup>37</sup>

We are coming to the end of our inquiry and fast approaching the point where we can draw the discussion together and explain the upshot of the texts we have seen here.

What is the essential element in Jewish identity? What is it that makes one a Jew? The tradition seems to offer two choices. One can hold that there is something inherent in one's very nature which makes one a Jew. On such a view, which I have called an "essentialist" position,<sup>38</sup> there is some metaphysical or mystical essence that inheres in every Jew, by virtue of which he or she is a Jew. This view explains why it is that one cannot, as it were, "resign" from Judaism. On the alternative view, being Jewish is primarily a matter of commitment. There is no essential, immanent, metaphysical or mystical difference between Jew and Gentile. Jews in the fullest sense of the term are those who have made a particular intellectual commitment. Gentiles are those who have not (yet) done so. For Maimonides, that commitment involves intellectual acquiescence to certain doctrines. Since the nature of being Jewish in this sense is understood in terms of the acceptance of certain views, and since

36 The mitzvot of Judaism are tools; as such, they could, in principle (if, for example, historical circumstances had been different when they were given) be different; they are, in other words, institutions that affect social status, but do not affect ontological status. For details see ch. 1 in Kellner, *Maimonides' Confrontation with Mysticism*, "The Institutional Character of Halakhah."

37 This formulation relies upon a distinction between individuals recognized as Jewish by halakhah and who are obligated to fulfill the commandments, on the one hand, and those who, for lack of a better term, are, in addition to being born Jews, are also true *Yisrael* (Israelites, as in "All Israelites have a share in the world to come" – Mishnah Sanhedrin x.1). For a defense of this distinction see my "Steven Schwarzschild, Moses Maimonides, and 'Jewish Non-Jews'", *Moses Maimonides (1138-1204)* edited by G. K. Hasselhoff and Otfried Fraisse (Würzburg: Ergon 2004): 587-606, and my *Confrontation*, 238-241.

38 In *Maimonides on Judaism*, where the points sketched in this paragraph are presented in detail. I revisit the issue in even greater detail in *Confrontation* and in *Gam Hem*.

Maimonides expected that in the Messianic Era all human beings would see the truth of these views and accept them,<sup>39</sup> Maimonides could not but view conversion in a positive light. Why? Because, as we saw above, Maimonides, the decisor, determined that in order to convert, one must accept as true certain basic theological/philosophical teachings.

Maimonides teaches that the essence of being and becoming a Jew, and of earning a place in the world to come involves the intellectual acceptance or rejection of certain views. While one can be coerced into behaving in a particular fashion, one cannot be coerced into accepting the truth of certain doctrines. Maimonides turns Judaism, **ideally if not practically**, into a “synagogue of true believers.”<sup>40</sup>

While there are conflicting views within the tradition about proselytes, some very positive, some very negative,<sup>41</sup> the rabbinic tradition never encouraged proselytization.<sup>42</sup> For Halevi, converts could only become the equals of native Jews after many generations of intermarriage between them. For certain strands of the Midrash and for the *Zohar*, conversion as such was not really possible. Converts were actually persons of Gentile parentage into whom intrinsically Jewish souls happened to find their way. Conversion then was not really the issue, so much as returning an errant soul to its proper place. Gentiles, not having such souls, could never truly

39 On Maimonides on the messianic era, see chapter 14 in Kellner and Gilles, cited above in note 10.

40 I emphasize these words since nothing I write here is meant to imply that I hold that Maimonides sought to reject received halakhah about being born to a Jewish mother as defining who is a Jew. Nor should it be taken to imply that Maimonides was not proud of the Jewish People and his being part of it. For a discussion of Maimonidean locutions which could mistakenly be understood as if he taught that Jews are in some essential way different from and superior to non-Jews, see Kellner, *Confrontation*, 250-264, and in greater detail, *Gam Hem*, ch. 8.

41 A dated, but still useful discussion: Bernard Bamberger, *Proselytism in the Talmudic Period* (Cincinnati: Hebrew Union College Press, 1939).

42 Contrary to Shlomo Sand, *The Invention of the Jewish People*, trans. Yael Lotan (London: Verso, 2009), 173-178.

convert to Judaism.<sup>43</sup> Maimonides rejected these views altogether, welcomed sincere proselytes wholeheartedly, allowed for proselytization, and adopted a warmly positive attitude towards the whole issue of conversion. Given that we are at basis the same, and given that one day, all humans would accept the Torah,<sup>44</sup> Maimonides had no reason to have reservations about sincere proselytes, and may even have seen in the welcoming of proselytes an anticipation of the Messianic Era. This attitude finds expression in his discussion of the laws of the “beautiful captive,” in which the master is exhorted to bring about her conversion to Judaism.

Pulling all of the issues discussed here together, it turns out that, for Maimonides, one cannot really be born Jewish in the fullest sense of the term. Ideally, Judaism is not something that can be inherited passively, it must be achieved. The pattern was set by Abraham and then again by his descendants and those who joined them at Sinai. The most Jewish Jews, then, are not those whose biological “yichus” is impeccable, but those who choose to be Jews, converts. Thus, David, King of Israel, the progenitor of the future Messiah, is the great-grandson of a proselyte, Ruth (the Moabite); among the central creators of that Judaism, as described in Maimonides’ *Mishneh Torah* were two proselytes and the sons of two proselytes. Jews celebrate the giving of the Torah on Shavuot. That Torah

43 On the views of the Kabbalah concerning Gentiles and converts, see Moshe Hallamish, “The Kabbalists’ Attitude to the Nations of the World,” in Aviezer Ravitzky, ed., *Joseph Baruch Sermonetta Memorial Volume (=Jerusalem Studies in Jewish Thought 14)* (Jerusalem: Jerusalem Studies in Jewish Thought, 1988), 289-312 (Hebrew); Elliot Wolfson, *Venturing Beyond: Law and Morality in Kabbalistic Mysticism* (Oxford: Oxford University Press, 2006); and Jerome Gellman, “Jewish Mysticism and Morality: Kabbalah and Its Ontological Dualities.” *Archiv für Religionsgeschichte* 9 (2008): 23-35.

44 See Kellner, *Science in the Bet Midrash: Studies in Maimonides* (Boston: Academic Studies Press, 2009), ch 18 (291-320) and Kellner and Gillis, *Maimonides the Universalist*, ch 14.

is given to all human beings (*ba'ei olam*)<sup>45</sup> – nothing symbolizes this fact more than the status of proselytes.

## Abstract

In his writings, Maimonides appears to go out of his way to emphasize that a number of central figures among the talmudic rabbis were either proselytes or descended from proselytes. Why? The tradition seems to offer two possible understandings of the essential element in Jewish identity: either there is something inherent in one's very nature that makes one a Jew, or being Jewish is primarily a matter of commitment. According to the latter view, Jews in the fullest sense are those who have made a particular intellectual commitment, while Gentiles are those who have not (yet) done so. Since the nature of being Jewish in this sense is predicated upon the acceptance of certain views, and since Maimonides expected that in the Messianic Era all human beings would come to accept these views as true, Maimonides could not but view conversion in a positive light. It turns out that, for Maimonides, one cannot really be born Jewish in the fullest sense of the term. Ideally, Judaism is not something that can be inherited passively; it must be achieved. This pattern was established by Abraham and then again by his descendants and those who joined them at Sinai. The most Jewish Jews, therefore, are not those whose biological "yichus" is impeccable, but those who choose to be Jews: converts.

45 See Menachem Hirshman, *Torah for all Human Beings: A Universalist Stream in Tannaitic Literature and its Relation to Gentile Wisdom* (Heb.) (Tel Aviv: Hakibbutz Hameuchad, 1999). The main points of this book are summarized in English in Hirshman, "Rabbinic Universalism in the Second and Third Centuries," *Harvard Theological Review* 93 (2000), 101-115.