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The articles should be accompanied by an English abstract.

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This issue is dedicated to Prof. Daniel J. Lasker for his 70th 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 *Minim* of the Babylonian Talmud

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Introduction

How should we translate the term *min(im)* in the Babylonian Talmud? The current scholarly trend is to avoid translating it altogether, using the transliteration instead. However, as I will demonstrate, this practice hinders our ability to understand the stories' intended uses within Late Antique heresy-making discourses. At least with regard to several of the *minim* stories in the Babylonian Talmud, it is necessary to translate the Hebrew term into English as "heretics."

In what follows, I will survey the scholarly debate concerning the correct way to understand stories involving *minim* in rabbinic literature. I will then consider the Talmudic sources in the context of that debate, claiming that if some *minim* stories are to be understood as depicting Christian beliefs, then, in certain specific cases, *minim* should be understood as "heretics". The terms "heretics" and "heresy" will be discussed at length, and I argue that, in the texts under consideration, the figure of *the min* must be situated within the camps of those defined as holding "wrong beliefs." These beliefs, in the stories I examine, stem from Christian theology. This article relies on previous publications where it was demonstrated that in a list of stories in the Babylonian Talmud involving *minim*, these figures should be regarded as expressing Christian views.¹ They can only be read, I argued, if we assume that they express

* This research was supported by the Israel Science Foundation (Grant No. 1199/ 17: "The Church Fathers and the Babylonian Talmud: Heretics Stories as a Reflection of Inter-Religious Dialogue"). I am grateful to Elitzur Bar-Asher Siegal and to Holger Zellentin for their help with this paper.

contemporary Christian views about certain biblical verses. With this background, the current paper wish to address the following basic question: What is the correct way to translate and refer to the term *min* in the Babylonian Talmud?

Previous Literature on *Min*

Scholarship has long debated the precise meaning of the noun *min* (plural: *minim*), term that appear in stories in which they depict characters engaged in debates with rabbinic figures. Debates have focused on who the *minim* are and what they represent. I will not fully review the large literature on this topic in tannaitic, and, later, Palestinian sources here, as such a survey has recently been provided by Adiel Schremer² and David

- 1 “‘The best of them is like a brier’: On B. ‘Eruvin 101a and the Jewish-Christian dialogue in the Babylonian Talmud,” in: *Perceiving the Other in Ancient Judaism and Early Christianity*, Matthew Thiessen, Wolfgang Grünstäudl and Michal Bar-Asher Siegal (eds.) (Tübingen: Mohr Siebeck, 2017), pp. 131-146; “Matthew 5:22: The Insult ‘Fool’ and the Interpretation of the Law in Christian and Rabbinic Sources,” *Revue de l’Histoire des Religions* 234 (2017): 5-23; Co-authored with Elitzur Bar-Asher Siegal, “‘Rejoice, O barren one who bore no child’: Beruria and the Jewish-Christian conversation in the Babylonian Talmud,” in: *The Faces of Torah: Studies in the Texts and Contexts of Ancient Judaism in Honor of Steven Fraade*, Christine Hayes, Tzvi Novick, and Michal Bar-Asher Siegal (eds.) (Göttingen: Vandenhoeck & Ruprecht, 2017), pp. 199-220; “Minim Stories and Jewish-Christian Debates over Scripture: Babylonian Talmud Yevamot 102b,” *Jewish Studies Quarterly* 25 (2018): 1-18; “‘Fool, look to the end of the verse’: B. Hullin 87a and its Christian Background,” in: *The Aggada of the Bavli and its Cultural World*, Geoffrey Herman and Jeffrey L. Rubenstein (eds.) (Providence, RI: Brown Judaic Studies, 2018), pp. 243-270; Co-authored with Elitzur Bar-Asher Siegal, “The Hebrew-Based Traditions in Galatians 4:21-31,” *Early Christianity* 9 (2018): 404-431.
- 2 Adiel Schremer, *Brothers Estranged: Heresy, Christianity, and Jewish Identity in Late Antiquity*, (Oxford; New York: Oxford University Press, 2010).

Grossberg.³ I will focus instead on a selection of articles, namely, those that relate to the meaning of the term in the Babylonian Talmud.

The term *minim* is unique to rabbinic literature but was known to Christian writers. For example, Jerome writes: “Up to the present in all the synagogues of the East among the Jews there is a heresy, which is called [the heresy] of the Minim, and it is condemned by the Pharisees to this day.”⁴ And Justin Martyr seems to refer to *minim* when he mentions the *genistae* as part of his list of Jewish sects in his *Dialogue with Trypho*.⁵ While the exact etymology of the term “*min*” in Talmudic literature is unknown, scholars such as George F. Moore, Ismar Elbogen, Alan Segal, Marcel Simon, Martin Goodman, and Daniel Boyarin agree that the most likely derivation is from the identical word in Biblical Hebrew meaning “type” or “kind.”⁶ Since the derivation of the word is hard to determine, the

3 David M. Grossberg, *Heresy and the Formation of the Rabbinic Community* (Tübingen: Mohr Siebeck, 2017).

4 Jerome’s 403 letter to Augustine according to the translation in Grossberg, p. 50 n. 2.

5 *Dialogue with Trypho*, p. 80.

6 George F. Moore, *Judaism in the First Centuries*, Vol. 3 (1930), pp. 68; Ismar Elbogen, *Der jüdische Gottesdienst in seiner geschichtlichen Entwicklung* (Hildesheim: Georg Olms, 1962), p. 36; Alan. F. Segal, *Two Powers in Heaven: Early Rabbinic Reports about Christianity and Gnosticism* (Leiden: Brill, 1977), pp. 4-5, and note 2; Marcel Simon, *Verus Israel: A Study of the Relations between Christians and Jews in the Roman Empire (135-425)* (New York: Oxford University Press, 1986), p. 181; Daniel Boyarin, *Border Lines: The Partition of Judaeo-Christianity* (Philadelphia: U. of Pennsylvania Press, 2004), p. 55; Martin Goodman, “The Function of ‘Minim’ in Early Rabbinic Judaism,” *Judaism in the Roman World; Collected Essays* (Leiden: Brill 2007), pp. 163-173, there p. 167. See additional less likely suggestion in Jacob Levy, (ed.), *Neuhebräisches und chaldäisches Wörterbuch über die Talmudim und Midrashim* (Leipzig: 1876-9), III, p. 104a (from the Arabic root *man* – ‘to speak falsely’), and see Robert T. Herford, *Christianity in the Talmud and Midrash* (1903), pp. 362-5, for a possible connection to the root *ṭ* (Wilhelm Bacher in his review of “R. Travers Herford’s *Christianity in Talmud and Midrash*,” *Jewish Quarterly Review* 17 [1904]: 178, suggests this idea is taken from Friedmann, in his commentary on *Pesikta Rabbathi*, p. 101a). Herford also discusses other options, such as *מאמין* (suggested by Manuel Joël, *Blicke in die Religionsgeschichte zu Anfang des zweiten christlichen*

meaning was generally deduced from context.⁷ Therefore, scholarly debates have revolved around attempting to link the reference to specific groups that existed in Late Antiquity, basing discussions on the rabbinic passages themselves.

The vast majority of scholars tended to align the use of *min*, and its noun abstraction - *minut*, with heresy. Goodman notes that the creation of an abstract noun for discussing the religious beliefs of a group is unique in the early rabbinic strata:

Even more striking is the coinage of the term *minut*, 'heresy; since the creation of an abstract noun to denote a religious tendency was not otherwise common in tannaitic texts (for example, there was no abstract noun in Hebrew for Pharisaism or Sadducaism).⁸

Marcel Simon goes further, by suggesting that Justin Matyr's use of the term *hairesis* is "the translation of the Hebrew minuth."⁹ According to this interpretation, the *minim* were heretics who held false or harmful beliefs.¹⁰ This reading of *minut* aligns the rabbinic passages with a parallel development in Christian sources.

The "mutual and parallel shaping of heresy as otherness" in ancient Christian and contemporaneous rabbinic writings, is described by scholars

Jahrhunderts [Breslau: Schottlaender, 1880], II, p. 71) and מִנִּי; see *ibid.* p. 365. See also Wilhelm Bacher, "Le Mot 'minim' dans le Talmud de 'signe-t-il quelquefois des Chre'tiens?" *REJ* 38 (1899): 45.

7 Goodman, pp. 166-167.

8 Goodman, p. 166.

9 *Verus Israel*, p. 106

10 See for example the phrasing in Yaakov Sussmann, "The History of Halakha and the Dead Sea Scrolls - Preliminary Observations on *Miqṣat Ma'ase Ha-Torah* (4QMMT)," *Tarbiz* 59 (1989): 54, n. 176 [Hebrew]. See also Boyarin, Goodman, Simon, and many others.

such as Daniel Boyarin¹¹ and Martin Goodman.¹² Boyarin wrote the following:

Only in the rabbinic literature, that is, beginning with the late second-century Mishna do we find attested in any Jewish writings a word parallel in usage with the later Christian usage of *heresy* and *heretic*, namely, *minut* and *min*.¹³

Similarly, Marcel Simon concludes: "It seems that the term *hairesis* has undergone in Judaism an evolution identical to, and parallel with, the one it underwent in Christianity."¹⁴ Shaye Cohen proposes "nearly identical" theories of self-definition by the rabbis and Church Fathers, and suggests that both were influenced by the "Oriental polemic against Hellenism."¹⁵

Such scholarship uses the vast body of literature on Christian heresiology to better understand *minut* in rabbinic and earlier Second Temple sources, and reveals that consideration of the Greek term in its context is fruitful.¹⁶ John Glucker, for example, describes the historical

11 *Border Lines*, p. 55. See also Stephen Goranson, "The Joseph of Tiberias Episode in Epiphanius: Studies in Jewish and Christian Relations," Ph.D. diss. (Duke University 1990), p. 97.

12 "The Function of 'Minim'," p. 165.

13 *Border Lines*, p. 54.

14 Marcel Simon, "From Greek *Hairesis* to Christian Heresy," in: *Early Christian Literature and the Classical Intellectual Tradition: In Honorem R.M. Grant*, William R. Schoedel, Robert L. Wilken (eds.) (Paris: Éditions Beauchesne, 1979), p. 106.

15 Shaye J. D. Cohen, "A Virgin Defiled: Some Rabbinic and Christian Views on the Origin of Heresy," *USQR* 36 (1980): 1-11, here p. 8.

16 The scholarship on Christian heresiography from the classic Adolf Hilgenfeld, *Ketzergeschichte des Urchristentums, urkundlich dargestellt* (Leipzig, 1884; rep. Hildesheim, 1964), is vast. For a survey of more recent scholarship from 1930-1990 see: Michel Desjardin, "Bauer and Beyond: On Recent Scholarly Discussions of Hairesis in the Early Christian Era," *Second Century* 8 (1991): 65-82. For an excellent summary, see the introduction by Eduard Iricinschi and Holger M. Zellentin, "Making Selves and Marking Others: Identity and Late Antique Heresiologies," in *Heresy and Identity in Late Antiquity*, Eduard Iricinschi and Holger M. Zellentin (eds.)

development of the word αἵρεσις (*hairesis*). He begins with the verb αἰρέομαι (*aireomai*), meaning “to choose.”¹⁷ He describes its later uses and the emergence of αἵρεσις (*hairesis*) as an abstract concept, as a “school of thought,” and as a “persuasion.” He emphasizes that even when the term begins to be used to denote heresy, it always advocates orthodox doctrines, and never indicates the notion of an institution.¹⁸ Heinrich von Staden demonstrates how these more neutral descriptions were used in patristic writings denoting “breaking away,” and “separation.”¹⁹ Scholars such as Marcel Simon²⁰ and Alain Le Boulluec²¹ focus on the discursive study of the term’s usage in ancient religious texts, in Second Temple writers such as Josephus, in the New Testament (Acts), in Greek writers, and especially in the writings of the Church Fathers.²² Such scholarship emphasizes the importance of clarifying the difference between ancient (mis)representations of the “other” and actual socio-historical realities, choosing to analyze the literary construction of “heresy” rather than dealing with heresy as a historical reality.

Building on Bauer’s argument that orthodoxy is a historical idea that evolved out of the second century of Christianity,²³ Le Boulluec examines

(Tobingen: Mohr Siebeck, 2005), pp. 1-27. For a good review on of history of scholarship on the non-Christian *haeresis* see David T. Runia, “Philo of Alexandria and the Greek *Hairesis*-Model”, *VC* 53 (1999): 117-147.

17 John Gucker, *Antiochus and the Late Academy* (Göttingen: Vandenhoeck und Ruprecht, 1978), pp. 166-192, and specifically p. 168 n. 18.

18 Gucker, pp. 181, 192.

19 Heinrich von Staden, “Hairesis and Heresy: The Case of the *haireseis iatrikai*,” in: *Jewish and Christian Self-definition*, v. 3, *Self-definition in the Greco-Roman World*, Ben F. Meyer and E.P. Sanders (eds.) (Philadelphia: Fortress Press, 1982), pp. 76-100.

20 From Greek *Hairesis*,” pp. 101–116.

21 Alain Le Boulluec, *La notion d'hérésie dans la littérature grecque IIe-IIIe siècles* (Paris: Études Augustiniennes) 1985. And see David T. Runia’s review of the book in *VC* 42 (1988): 188-207.

22 See Boulluec, *La notion d'hérésie*, pp. 37-39, 41-48.

23 Walter Bauer, *Orthodoxy and Heresy in Earliest Christianity* (Philadelphia: Fortress Press, 1971). And see Le Boulluec, *La notion d'hérésie* pp. 547-549.

the development of heresy in five heresiographers: Justin, Hegesippus, Irenaeus, Clement, and Origen. While focusing on the disjunctions between the Church Fathers' descriptions of the Gnostics and the "gnostic" documents discovered at Nag Hammadi, Le Boulluec stresses the constructed character of so-called heresy in these texts, which he calls "heresiological representations."²⁴ He finds that "with Justin there emerged an intellectual system aimed at excluding certain theological positions from Christianity," and explains how the concept of *haíresis* was "both simple and convenient."²⁵

In addition to discussing the question of whether Justin was the inventor of heresy, or preceded by Greek, Roman,²⁶ or even Jewish/rabbinic writers,²⁷ Le Boulluec defines the function and use of the term "heresy" in this Christian discourse. According to his definition, the concept of heresy deprived the "heretics" of the designation "Christians," lumped together different groups and ignored their historical and sociological connections to Christianity.²⁸ Heresy as a concept is, in this reading, a way of converting difference into exclusion, instead of reacting and acknowledging the substance and development of differences.²⁹

Minim and Christian Heresy

In light of this background, Daniel Boyarin's *Border Lines: The Partition of Judaeo-Christianity* explores the parallel processes of heresiology, as found in rabbinic *minim* stories and Christian writings, among other

24 Boulluec, *La notion d'hérésie*, p. 19.

25 Alain Le Boulluec, "Häresie," II: 2 ("Church history"), in: *Religion in Geschichte und Gegenwart*, Brill online reference works. doi:http://dx.doi.org/10.1163/2405-8262_rgg4_COM_09208. See also Boulluec *La notion d'hérésie* p. 37.

26 Rebecca Lyman, "2002 NAPS Presidential Address: Hellenism and Heresy," *J ECS* 11.2 (2003): 209-222.

27 Boyarin, *Border Lines* (above, n.6), p. 41.

28 *La notion d'hérésie*, p. 551.

29 See Runia on this point.

things. Boyarin, however, goes one step further, and claims that these processes played a “powerful role” in the creation of the difference *itself*, between the two religions, thus shaping the religion itself. According to Boyarin, the heresiological differentiation led to the creation of the Christian *religion* as a category. Rabbinic passages show that the contemporary rabbis acted similarly, excluding the Christian “other,” and thus creating the “autonomy brought by the self-definition of an “orthodox” Judaism vis-a-vis an “orthodox” Christianity, or Judaism as a religion.”³⁰

Conversely, Adiel Schremer counters these basic assumptions: the claims that *minim* are heretics, that *minut* is heresy, and that what makes them *minim* is their false beliefs. (Schremer is not the first to raise such objections; Lawrence Schiffman and Shaye Cohen, for example, have also made similar points.)³¹ Schremer views the position he counters as part of what he calls a “Christianizing reading of rabbinic material,” in which scholarship incorrectly applies Christian notions to rabbinic sources.³² The conclusion of his study of early tannaitic material is that the term *minut* is not used to denote a theological difference, or a doctrinal disagreement, but rather a social one. In other words, *minut* is not centered on what people believe but rather on what they do:

Minim accordingly, are constructed as Jews who separated themselves from the community... *Minut* is frequently spoken of as social

30 *Border Lines*, pp. 11-12.

31 Lawrence H. Schiffman, “At the Crossroads: Tannaitic Perspectives on the Jewish-Christian Schism,” in *Jewish and Christian Self-Definition*, Volume Two, E. P. Sanders (ed.) (Philadelphia: Fortress Press, 1982), pp. 115-156; and Cohen, Shaye J.D. “A Virgin Defiled: Some Rabbinic and Christian Views on the Origin of Heresy,” *USQR* 36 (1980). See Karin Zetterholm-Lund, “‘Jewishly’-Behaving Gentiles and the Emergence of Rabbinic Identity,” *JSQ* 25 (2018): 321-344 which argues that the problem with early *minim* is that they represent a certain ethnic permeability between Jews and Gentiles.

32 Schremer, *Brothers Estranged*, p. 15.

segregation, and *minim* are depicted by various sources not only as expressing dissenting *views* but also as having different customs and ways of practicing their Judaism.³³

Thus, it should not be assumed that *minim* are specifically Christians, and the polemics against them do not center on objections to dogma, but rather to separatism. Schremer's argument has merit and it follows in the footsteps of scholars such as Adolph Büchler in differentiating between earlier and later uses of the term *min* in rabbinic literature.³⁴ This is because Schremer only makes his claim with regard to early tannaitic literature. Since Christianity is seldom mentioned there, a more productive reading of the polemics would be with regard to the imperial cult and imperial power.³⁵

While Schremer does not discuss *minim* in the later sources, such as the Babylonian Talmud, he consistently demonstrates the presence of later reworkings of early Palestinian sources in the Talmud. However, he does not seem to regard these reworkings as evidence of contemporary contact with *minim* (in the sense that Schremer believes this term was used in early sources). In one footnote, he even goes as far as to accept the Babylonian Talmud's own testimony, stating, "according to the Babylonian Talmud

33 Schremer, p. 16.

34 Adolph Büchler, *Studies in Jewish History: The Adolph Büchler Memorial Volume*, Israel Brodie and Joseph Rabinowitz (eds.) (Oxford: Oxford University Press, 1956), pp. 245-274.

35 On the rabbis' attitude towards the imperial cult, before and after Constantine, see also Holger Zellentin, "The Rabbis on (the Christianization of the Imperial Cult:) Mishnah and Yerusalmi Avodah Zarah 3:1 (42b, 54-42c, 61)," in: *Jewish Art in its Late Antique Context*, Uzi Leibner and Catherine Hezser (eds.) (Tübingen: Mohr Siebeck, 2016), pp. 321-357; Daniel Weiss, "The Christianization of Rome and the Edomization of Christianity: Avodah Zarah and Political Power," *JSQ* 25 (2018): 394-422.

itself *minim* were almost unknown in Babylonia.”³⁶ He thus seems to acknowledge the references to Christianity in the Talmud, but not in the *minim* stories it preserved.

However, even within his limited corpora of tannaitic *minim* materials, Schremer must grapple with a few sources that do relate to *minut* as the holding of a theological view, rather than as the adoption of different customs and practices. This includes the explicit mention of Christianity and followers of Jesus. This occurs most famously, in Tosephta Hullin 2:20–24:³⁷

בשר שנמצא ביד גוי מותר בהנאה. ביד המין אסור בהנאה... מפני שאמרו. שחיטת המין ע'ז ופיתת פת כותי וינים יין נסך ופירותיהם טבלים וספריהם ספרי קוסמין ובניהם ממזרין... מעשה בר' לעזר בן דמה³⁸ שנשכו נחש ובא יעקב איש כפר-סמא לרפאתו משום ישוע בן פניטרא. ולא הניחו ר' ישמעאל. אמר לו. אי אתה רשאי בן דמה. אמ' לו. אני אביא לך ראייה שירפאני. ולא הספיק להביא ראייה עד שמת. אמ' ר' ישמעאל. אשריך בן דמה שיצאת בשלום ולא פרצת גדין של חכמים. שכל הפורץ גדין של חכמים לסוף פורענות באה עליו. שנ' "ופורץ גדר ישכנו נחש". מעשה בר' ליעזר שנתפס על דברי מינות והעלו אותו לבמה לדון. אמ' לו אותו הגמון. זקן כמותך יעסוק בדברים הללו. אמ' לו. נאמן דיין עלי. כסבור אותו הגמון שלא אמ' ר' ליעזר אלא לו. ור' ליעזר לא נתכוון אלא נגד אביו שבשמים. אמ' לו. הואיל והאמנתני עליך אף אני כך אמרתי. איפשר שהסבות הללו טועים בדברים. דימוס. הרי אתה פטור. כשנפטר מן הבמה היה מצטער שנתפס על דברי מינות. נכנסו תלמידיו לנחמו ולא קיבל. נכנס ר' עקיבא ואמ' לו. ר'. אומ' לפניך דבר שמא הרי אין אתה מיצר. אמ' לו. אמור. אמ' לו. שמא אחד מן המינים אמ' לך דבר של מינות והנאך. אמ'. השמים. הזכרתני. פעם אחת הייתי מהלך באיסתרטיא של ציפורי. מצאתי יעקב איש כפר-סכניא ואמ' דבר של מינות משם ישוע בן פניטרא והנאני ונתפשתי על דברי מינות. שעברתי על דברי תורה "הרחק מעליה דרכך ואל תקרב אל פתח ביתה" "כי רבים חללים הפילה" וגו'. שהיה ר' ליעזר או'. לעולם יהא אדם בורח מן הכיעור ומן הדומה לכיעור.

Meat which is found in the possession of a gentile is permitted for gain; in the possession of a *min* it is prohibited for gain... For they said, the [act of] slaughter done by a *min* is considered [as if it were done for the

36 Schremer, p. 189 n. 48, and see his explanation on p. 23. And see my own *Early Christian Monastic Literature and the Babylonian Talmud* (Cambridge: Cambridge University Press, 2013), pp. 5-18 and especially note 63

37 MS Wien 46. See Schremer fourth chapter, pp. 87-100.

38 In MS Wien "Rama" רמה here and elsewhere

sake of] idolatry. Their bread is [considered as] the bread of a Samaritan, and their wine is deemed wine used for idolatrous purposes, and their produce is [considered] untithed, and their books are considered as magical books, and their children are *mamzerim*... There was a case with Rabbi Elazar ben Dama, who was bitten by a snake, and Jacob of Kefar Sama came to heal him in the name of Jesus son of Pantera and Rabbi Ishmael did not allow him. He said to him: "You are not permitted, Ben Dama!" He said to him: "I shall bring you proof that he may heal me," but he did not manage to bring the proof before he died. Said Rabbi Ishmael: Happy are you, Ben Dama, for you have expired in peace, and you did not break down the hedge of the Sages. For whoever breaks down the hedge of the Sages calamity befalls him, as it is said: "He who breaks down a hedge is bitten by a snake" (Eccl. 10:8). There was a case with Rabbi Eliezer, who was caught on account of *minut*, and they brought him up to the *bema* for judgment. That *hegemon* said to him: Should an elder of your standing occupy himself in these matters?! He said to him: I consider the Judge as trustworthy. That *hegemon* supposed that he referred to him, but he referred only to his Father in heaven. He said to him: Since you have deemed me reliable for yourself, I too have said [to myself]: Is it possible that these gray hairs should err in such matters?! [Surely not!] *Dimissus*, lo you are released. And when he left the court he was distressed to have been arrested on account of matters of *minut*. His disciples came in to comfort him but he did not accept [their words of comfort]. Rabbi Aqiva entered and said to him: Rabbi, May I say something to you so that you will not be distressed? He said to him: Speak! He said to him: Perhaps some one of the *minim* told you a teaching of *minut* that pleased you? He said to him: By Heaven! You reminded me! Once I was strolling in the street of Sepphoris. I found Jacob of Kefar Sikhnin, and he said a teaching of *minut* in the name of Jesus son of Pantiri, and it pleased me. And I was arrested on account of matters of *minut*, for I transgressed the teachings of Torah: "Keep your way far from her and

do not go near the door of her house” (Prov. 5:8–7:26). For Rabbi Eliezer did teach: “One should always flee from what is ugly and from whatever appears to be ugly.”³⁹

Here, *minut* and *minim* are discussed directly in relation to Christian characters, Jesus and his students. Schremer ultimately includes these cases under a broader umbrella-definition of his discourse of social boundaries, writing: “Many of these views can be related to an *existential* stance of denial of God, which was seen by Palestinian rabbis as leading to a renunciation of the Jewish community.”⁴⁰ He suggests that the passages that explicitly mentioned Christianity were composed at the moment of change, when the “boundary *begins* to be constructed.”⁴¹

Schremer’s careful reading of the term *minut* in early rabbinic sources is important in its emphasis on the need to avoid careless assumptions about the identity of the *minim* and their possible relationship to Christians and Christianity. At the same time, his broadening of the definition of separatists and sectarians to include Christians due to their resultant beliefs in social separation brings us full circle, to the inclusion of wrong beliefs in the groups identified as *minim*. It therefore enables us to name at least some of its members ‘heretics’ in the dogmatic sense of the word. While not all *minim* should be automatically treated as heretics in the dogmatic sense, some certainly were, even according to Schremer.

In other words, the fact that there was never a clear delineation between political and theological arguments in the ancient world (as in our own modern world) compelled Schremer to broaden his definition. As articulated by Peter Schäfer:

[W]ith his stark contrast of “theological” versus “political” [Schremer] has set up a straw man that may be useful for developing a new theory

39 Translation according to Schremer, pp. 71; 87-88, with changes.

40 *ibid.* p. 16.

41 *ibid.* p. 94.

but woefully fails to correspond to the historical reality. After all, it is a futile and naïve undertaking to attempt to separate neatly “theology” from “politics,” and this is certainly true for late antiquity, the period in question.⁴²

Since this sort of research strives to uncover the meaning of the term *minim* solely on the basis of textual context, the scholarly enforcement of rigid categories on ancient terms proves inadequate. The term heresy in rabbinic literature has a “semantic ambiguity” that allows scholars to read it according to their own, created, scholarly question.⁴³

Minim as Heretics in the Babylonian Talmud

With this scholarship in mind, concerning the meaning of *minim* and heresy in general, and in rabbinic texts specifically, I wish to promote the claim that the Babylonian Talmudic *minim* should – at least in some cases⁴⁴ – be translated as ‘heretics.’ Chronology is crucial to this claim. I agree wholeheartedly with those methodologies that separate layers of rabbinic literature, and while earlier sources may be more ambiguous in their use of the term (employing it along the simplistic lines of either wrong beliefs or wrong deeds), in later sources, specifically the Babylonian Talmud, the term is more securely situated within the “wrong belief” camp.

My current research project focuses on several specific *minim* narratives in the Babylonian Talmud, and suggests that the heretic figure is meant to be understood in a Christian context.⁴⁵ In several articles, I discuss stories

42 Schäfer, Peter. *The Jewish Jesus: How Judaism and Christianity Shaped Each Other*, (Princeton: Princeton University Press 2012), pp. 7-8.

43 As described in Grossberg, pp. 32-37.

44 I have examined the stories in B. Ḥullin 87a; B. Berakhot 10a; B. ‘Eruvin 101a; B. Yevamot 102b.

45 Michal Bar-Asher Siegal, *Jewish-Christian Dialogues on Scripture in Late Antiquity: Heretic Narratives of the Babylonian Talmud* (Cambridge: Cambridge University Press 2019).

that share a similar literary structure, including strong polemical language, and the formula, “Fool, look to the end of the verse.” See for example the first part of one of these stories, in B. *Hullin* 87a:⁴⁶

ת'ש. א'ל ההוא מ[י]נא לר'. מי שיצר הרים לא ברא רוח. מי שברא רוח לא יצר הרים. שנ'
 "כי הנה יוצר הרים ובורא רוח". א'ל. שוטה שבעולם. שפיל לסיפיה דקרא. "י' צבאות
 שמו". א'ל. שטיא קרית ליה? ...

Come and hear: A certain *min* once said to Rabbi, “He who formed the mountains did not create the wind, and he who created the wind did not form the mountains, as it is written: ‘For, lo, He who forms the mountains and creates the wind’ (Amos 4:13).” He replied, “You fool, look⁴⁷ to the end of the verse: ‘The Lord, [the God] of hosts, is His name.’” Said the other, “A fool you call me?” ...

This story, alongside others with a similar literary structure, is a literary creation which is part of boundary-creating discourse that attempts to clearly mark the rabbinic position in opposition to that of contemporaneous Christians. If my analyses of these stories are correct, we can assume Talmudic awareness of the following, among others:

Christian controversy over the nature of the Holy Spirit; The place of Amos 4:13 in this debate; Christian teaching on Jesus’s resurrection after three days; The term *euangelion* and its meaning as “the good tiding”; The use of this term specifically in reference to Jesus’ return; The use of Psalms 69:22 in the passion narrative; The different Septuagint version of Micah 7:4 and the use of this verse in Christian polemics against Jews; The Christian concept of heavenly treasures; The use of Isaiah 54:1 in Paul and in early Christian writings; The concept of the virgin birth; The use of Hosea 5:6 in Christian polemics; and the Christian use of the *halizah* topos in anti-Jewish polemics.⁴⁸ This list adds to our growing understanding of

46 According to MS Vatican 122 with slight changes. See in details in *Jewish-Christian Dialogues on Scripture in Late Antiquity*, chapter 3.

47 Literally, “look down.”

48 See *Jewish-Christian Dialogues on Scripture*.

the rabbinic authors' familiarity with Christian traditions and illuminates the complex relationship between Jews and Christians in Late Antiquity.

Use of the term "fool" in these *minim* stories is part and parcel of the same discourse.⁴⁹ Recent scholarship has urged us to consider the more general function of such insults in the culture of the ancient world. Such slurs should not be seen as harmless words,⁵⁰ but rather as "genuine social weapons intended to cause serious injury."⁵¹ But in addition to that, I have pointed to the specific theological ramifications of the insult "fool". When Jesus, according to Matt 5:22, demands an end to anger and hateful speech, he uses the same insult: "Whoever says to his brother or sister, "Raka" (Ῥακά), is liable to the council (συνεδρίῳ).⁵² Whoever says, "Fool!" (Μωρέ) is liable to the hell of fire (γέενναν)."⁵³ Don Garlington proposes that "'fool' is a shot aimed not at one's IQ but at one's salvific condition or state of soul. That is to say, the fool has no part in the (eschatological) kingdom of God."⁵⁴

I therefore propose that in Second Temple and New Testament passages (and continuing into rabbinic and early Christian literature), we find a semantic field containing several terms related to the proper

49 Michal Bar-Asher Siegal, "Matthew 5:22."

50 See for example Ulrich Luz, *Matthew: A Commentary* (Minneapolis: Fortress Press, 2001), I, 235: "[Ῥακά] a frequently used, quite harmless, condescending expression that meant something like 'feather brain.' 'Fool' (Μωρέ) is a common Greek word of abuse with a nuance of disrespect, but it too has little importance." And see n16 there for Chrysostom and Basil on this word.

51 Jerome H. Neyrey, *Honor and Shame in the Gospel of Matthew* (Louisville, Ky.: Westminster John Knox, 1998), p. 192.

52 On the translation of this word as "the Sanhedrin," see survey and references in Robert A. Guelich, "Mt 5:22: Its Meaning and Integrity," *ZNW* 64 (1973): 42–44.

53 The bibliography on this unit is vast. For a survey of recent literature see, for example, John Nolland, *The Gospel of Matthew: A Commentary on the Greek Text* (Grand Rapids, Mich.: Wm. B. Eerdmans, 2005), pp. 227–28.

54 Don Garlington, "'You Fool!': Matthew 5:22," *Bulletin for Biblical Research* 20 (2010): 61–84. The quotation appears on p. 68.

understanding of scripture. The insults *req/reqa* (“empty”) and *shatya/shote* (“fool”; equivalent to the Greek, Μωρέ) suggest that one’s opponent’s views are heretical.

The use of “fool” in Talmudic *min*-stories, accordingly, should not be read as an arbitrary insult that merely comments on the heretic’s mental capabilities. In the Late Antique context, calling someone a fool carried a very specific meaning. It was a serious affront, and was meant to imply that the target misunderstood scripture. As a result, we should not be surprised to find rabbis calling *minim* “fools” in all of the Talmudic stories I have examined. The use of this term in Talmudic narratives describing encounters between rabbis and heretics is a component of the Late Antique heresy-making discourse that these writings participate in. The term “fool” signals that the views addressed belong to the “other” and that the boundaries of the rabbinic “we” and the heretical “they” have been reached. It is part of a discourse in which anxieties are clearly on display.

Use of the term “fool” can also be found in later Christian heresiological writing. See, for example, how Gregory, the fourth century bishop of Nyssa, begins his treatise *On the Holy Spirit* by explaining why there is a need to engage with false doctrines.⁵⁵

It may indeed be undignified to give any answer at all to the statements that are foolish; we seem to be pointed that way by Solomon’s wise advice, “not to answer a fool according to his folly.” But there is a danger lest through our silence error may prevail over the truth, and so the rotting sore of this heresy may invade it, and make havoc of the sound word of the faith. It has appeared to me, therefore, to be imperative to answer, not indeed according to the folly of these men who offer objections of such a description to our religion, but for the correction of their depraved ideas. For that advice quoted above from

⁵⁵ More on the theological argument in Gregory’s “On the Holy Spirit,” see Lucian Turcescu, *Gregory of Nyssa and the Concept of Divine Persons* (Oxford; New York; Oxford University Press, 2005), pp. 109-114.

the Proverbs gives, I think, the watchword not for silence, but for the correction of those who are displaying some act of folly; our answers, that is, are not to run on the level of their foolish conceptions, but rather to overturn those unthinking and deluded views as to doctrine.⁵⁶

Gregory regards his opponents' views as heresy, and describes their claim as foolish, but as nevertheless dangerous. This is a prime example of Christian heresiological writing, a genre which I argue, bears similarity to rabbinic literary engagement with what they considered to be heretical views.

All of this leads me to the view that the *minim* who are called "fools" in the rabbinic stories were intended to be read as "heretics." I stress that I do not make any sweeping claims here regarding the use of the term in *all* of the *minim* stories in the Babylonian Talmud.⁵⁷ However, the stories

56 Gregory of Nyssa, "On the Holy Spirit," *MPG* 45, 1301–1333 (and "De Spiritu Sancto, Adversus Macedonianos Pneumatomachi," in: *GNO*, vol. 3, part 1, Friedrich Müller [ed.] [Leiden: Brill, 1958], pp. 89–115), English translation in: *Gregory of Nyssa* [A Select Library of Nicene and Post-Nicene Fathers of the Christian Church, Second series, vol. 5], translated into English with prolegomena and explanatory notes, under the editorial supervision of Philip Schaff and Henry Wace (New York: Christian Literature Co., 1893), p. 315. Some of the text (but not this particular section) was translated and published in: Anthony Meredith, *Gregory of Nyssa* (New York: Routledge 1999), pp. 39–46. This text is dated by scholars to either 380 (Jean Daniélou, "La chronologie des oeuvres de Grégoire de Nysse," in: *Papers Presented to the Fourth International Conference on Patristic Studies held at Christ Church, Oxford, 1963* [Studia Patristica, vol. 7], Frank L. Cross [ed.] [Berlin: Akademie-Verlag, 1966], p. 163), or shortly after the Council of Constantinople of 381 (Gerhard May, "Die Chronologie des Lebens und der Werke des Gregor von Nyssa," in: *Écriture et culture philosophique dans la pensée de Grégoire de Nysse: Actes du Colloque de Chevetogne* [22–26 Septembre, 1969], Marguerite Harl [ed.] [Leiden: Brill, 1971], p. 59).

57 In one case (B. Ḥulin 87a), it is even possible to show how a later reworking of a *min* story within the Talmud itself (Sanhedrin 39a), changes the original anti-Christian meaning of the *min*-rabbi dialogue. See chapter 3 in *Jewish-Christian Dialogues on Scripture in Late Antiquity* and "'Fool, look to the end of the verse': B. Ḥulin 87a and

that I do address represent rabbinic literary grappling with what the authors considered erroneous: Christian theology and Christian readings of biblical verses and themes. Therefore, I find the use of the translation of “*minim*” as “heretics” to be accurate.

Translating *Minim*

Not only is the translation of *minim* as *heretics* in the case of these specific stories correct, it is *necessary*. Scholars such as Schremer make a point of verifying the translation of *minim*, because an incorrect translation can lead to the attribution of an incorrect meaning (in this case, heresy) to the term due to its use in Christian contexts. This principle is important in all scholarship, when trying to preserve a measure of neutrality while deciphering ancient civilizations through text. However, it is doubly important when dealing with a term such as heresy, which was used in ancient texts *precisely* for the purpose of eliciting a reaction in the listener that will lead to separation. Naming someone a “heretic” was part of the process of differentiating between oneself and the ‘other’ and we must be aware of “the power of naming to shape the perception and organization of social space, political status, and group boundaries.”⁵⁸

Using the terms ‘heretics’ and ‘heresy’ in conjunction with the Talmudic *minim* stories thus, purposefully, situates them within Late Antique heresy-making discourses. Naming is a tool in the process of creating a boundary, an entity, a phenomenon – one that is distinct and different. This was a prevalent tool in ancient times, as evident in the heresy-making discourses that have survived from that period. Heresy-making discourse has had a lasting effect: this “tagging” elicits meaning for readers of these texts in the years or even centuries following their creation.

its Christian background,” in: *The Aggada of the Bavli and its Cultural World*, Geoffrey Herman and Jeffrey L. Rubenstein (eds.) (Providence, RI: Brown Judaic Studies, 2018), pp. 243-270

58 Iricinschi and Zellentin, “Making Selves” (above n.6), p. 20.

When we read a text from a different era, words echo in a particular way. Teaching Talmudic texts in English is far more difficult than teaching the same texts in the original Hebrew; when Hebrew is read by Hebrew-speaking students, they naturally have easier access to the texts that were written in their mother tongues. However, they often unconsciously apply modern meanings to ancient words that originally had a different meaning. Reading the texts in Hebrew allows us to glide through the text, without realizing the hermeneutical movement taking place in our minds. When we engage the text in translation and are forced to commit to a specific translation of a word or term, we are compelled to stop and reconsider those presuppositions.

Translations matter. For example, Moore defined the use of the terms *kat* (כַּת) and *minim* in rabbinic literature, writing that “a neutral word for party or sect is כַּת, while מִיָּנִים implies disapproval.”⁵⁹ While Moore does not feel the need to demonstrate his claim in certain texts, he clearly feels the weight of the Christian heresy discourse when reading the term *minim*. Words resonate in the scholar’s modern mind.

If we leave the word *minim* untranslated – as is often the case in scholarship that is aware of the complicated history of terminology – we do indeed prevent a projection of borrowed meanings that stem from different sets of historical circumstances than the given term. However, we might also be missing the full meaning of the term as it was understood when these ancient texts were composed. The composers of the traditions preserved in the Babylonian Talmud used the term *minim* in specific historical circumstances. To their listeners, the term meant heresy, or “wrong belief.” A story featuring the *min* was meant to be understood as a literary attempt to raise the issue of heretical thoughts. Avoiding the translation is also avoiding the weight of the term within the heresy-making discourse.

59 Moore, *Judaism*, p. 68.

My claim can be situated in relation to a broader discussion about how one should translate loaded terminology. In her 2005 book, *Why This New Race*, Denise Kimber Buell addresses these translation-related scholarly predicaments, specifically regarding the historical treatment of the terms *genos* and *ethnos*.⁶⁰ These terms are especially important in the present context when we consider that, as previously mentioned, scholarship has identified the origins of the Talmudic word *min* in the biblical term that is identical. This denotes “kind,” or “species” and is rendered in Septuagint Greek as *genos*.⁶¹ Buell shows how, among scholars, preconceived notions about nascent Christianity and its perceived wish to create a new universal religion, lead to an understanding of the use of the terms *genos* and *ethnos* in Early Christian writings as denoting a non-racial meaning, such as a class or a voluntary group of adherers. She argues that these terms must be read as intended in their time, with the appropriate “racial weight.”

Buell emphasizes that scholarship has failed to recognize the importance of ethnic reasoning in these ancient Christian writings because of “how dominant modern ideas about race, ethnicity, and religion inform our approaches to and presuppositions about the meanings of those three terms.” While it is clear that we, as readers, bring to the text our modern preconceptions of race and ethnicity, “our ability to measure of [sic] the persuasiveness of a reading for its context cannot be separated from our present assessment of the historical context.”⁶² Therefore, earlier scholarship tended to divide the terms used in the Christian texts in the following scheme: “race” and “ethnicity” denote a fixed or given facet of identity, whereas “religion” is voluntary. Alternatively, she suggests that race and ethnicity in early Christianity were concepts that were fluid and

60 Denise Kimber Buell, *Why This New Race: Ethnic Reasoning in Early Christianity*. (New York: Columbia University Press, 2005).

61 Marcel Simon, *Verus Israel*, p. 181.

62 Buell, *Why This New Race*, p. 5.

subject to change: “concepts to which fixity is attributed but that are nevertheless malleable.”⁶³

While Buell redefines what *genos* and *ethnos* meant to early Christian writers, she still chooses to use the word “race” in the translation and title of her work.

We need to reconsider the charge of anachronism in light of broader questions about how we write history. “Race,” “ethnicity,” and “religion” are all modern categories. The question of the viability of using these categories to speak about ancient self-understandings is partly about how to formulate an interpretive framework that accounts for historical difference while still being intelligible to the interpreter. But it is also about how to define these concepts now by asserting a difference between the present and the past. We can place modern categories into conversation with ancient ones without effacing their differences, even while we must also acknowledge that we can only understand those differences through the lens of our present.

Buell warns that scholars must be aware of the differences between early and late uses of a term. Scholarship must take into account the weight of the historical reception of ideas, and, in the case of *genos*, for example, the role it played in the violent history of anti-Semitism. Modern meaning cannot be attributed to a term in an ancient text. *However*, taking the opposite approach and avoiding the use of terms such as “race” when interpreting these texts means missing out on the full meaning of these terms in ancient times. Therefore, Buell chooses to use the word race cautiously and with nuance, thus engaging with the intended original meaning as well as with its ongoing meaning.⁶⁴

I wish to take up Buell’s call in the context of the Babylonian Talmudic narratives I address, specifically to “place modern categories into

63 Buell, *Why This New Race*, p. 6.

64 See review by Karen King, *Harvard Divinity Bulletin* 34 (2006) <https://bit.ly/2D6iARU>

conversation with ancient ones without effacing their differences, even while we must also acknowledge that we can only understand those differences through the lens of our present.” Taking into account the “heresy weight” derived from the Christian writers of the past, and as interpreted in modern Christian studies scholarship. Not only do I believe it is possible to translate *minim*, I propose it is mandatory to use the terms “heretics” and “heresy” specifically to describe these narratives and their function. These terms were used in a certain discursive way in the past and should be understood as such when read today. They were meant to generate a reaction in the listener: they mark the *min* as a heretic, they refer to Christian claims about scripture as heretical, they delineate a clear line, and mark what is beyond that line. Avoiding the translation involves avoiding the full range of meaning and semantic “weight” employed by the composers of these traditions.

I acknowledge, of course, that paradigmatic differences exist in the application of heresy in early Christian and rabbinic texts. Boundary making discourses may be similar to one another, but their portrayal is often culturally specific. I do not attempt to blur these lines. The scholarly discourse of “sameness”⁶⁵ is as much of a mistake as avoiding translation to preserve perceived differences. I therefore emphasize that use of the translation ‘heretics’ when discussing certain specific *minim* stories is correct for the Talmudic, rabbinic context in which these stories were composed. Heresy *should* be given the weight appropriate to the historical uses and cultural resonances of that exact term. I am convinced that while we should remember the differences, we must also engage with the past through our translations of these texts, as Buell suggested.

In conclusion, this article surveyed the scholarly debate concerning the correct way to understand stories involving *minim* in rabbinic literature and situated the Talmudic sources within that debate. It claimed that, at

65 Jonathan Z. Smith, *Drudgery Divine: On the Comparison of Early Christianities and the Religions of Late Antiquity* (London: School of Oriental and African Studies University of London; Chicago: University of Chicago Press, 1990), pp. 36-53.

least in regard to several of the *minim* stories in the Babylonian Talmud, it is fitting, and at the same time, necessary, to translate the Hebrew term *minim* into English as “heretics,” thus, situating these stories within the Late Antique heresy-making discourses.

Abstract

How should we translate the term *min(im)* in the Babylonian Talmud? The current scholarly trend is to avoid translating it altogether, using the transliteration instead. This article demonstrates that this practice hinders our ability to understand the intended meaning of the term in these stories, within the context of late antique heresy-making discourses. The article surveys the scholarly debate concerning the correct way to understand stories involving *minim* in rabbinic literature, and it claims that, at least with regard to several of these stories in the Babylonian Talmud, it is necessary to translate the Hebrew term as “heretics.”

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*.¹

- 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.² 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 proselytes³ – 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)⁴ – 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.⁵ 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*⁶ (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.⁷ 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)...**⁸

Despite centuries of attempts, no one has thus far been able to discover a source for Maimonides’ additions here.⁹ 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.¹⁰ 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.¹¹ 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.¹²

What is surprising about this text? In a forthcoming article,¹³ 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.¹⁴

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,¹⁵ 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.¹⁶

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.)¹⁷ 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;¹⁸ 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)¹⁹ to someone whose Jewish lineage, or “yichus,” is greater than that of born Jews!²⁰ 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,²¹ 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;²² 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.²³

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 Bikkurim²⁴ and in his *Mishneh Torah*,²⁵ 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).”²⁶ 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.²⁷

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:²⁸

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.²⁹ 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,³⁰ 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).³¹

I do not plan to repeat here the detailed analysis to which I have subjected this text in a number of places.³² 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.)³³

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.³⁴ 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.³⁵ 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,³⁶ and by descent as a distant third, largely ignored by Maimonides.³⁷

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,³⁸ 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,³⁹ 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.”⁴⁰

While there are conflicting views within the tradition about proselytes, some very positive, some very negative,⁴¹ the rabbinic tradition never encouraged proselytization.⁴² 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.⁴³ 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,⁴⁴ 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*)⁴⁵ – 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.

Back to Maimonides' Sources: The Thirteen Principles Revisited

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Introduction

In his groundbreaking work, *Philosophy and Law*, first published in German in 1935, Leo Strauss (1899-1973) introduced the modern reader to the political foundations of Maimonides' thought. In the third chapter of this work, "The Philosophic Foundation of the Law: Maimonides' Doctrine of Prophecy and its Sources," Strauss underlined the formative role played by the treatises of Alfarabi (ca. 870-950) and Avicenna (980-1037) in shaping Maimonides' thought on the nature of prophecy, and by extension the political role of the prophet/philosopher.¹ Strauss's insights in this area were further developed in his later studies on Maimonides' thought, such as his article, "The Literary Character of *The Guide of the Perplexed*," first published in 1941 in the volume *Essays on Maimonides* edited by Salo Baron, and later reissued in Strauss's magisterial collection of essays, *Persecution and the Art of Writing*, published in 1952.

Strauss's impact on subsequent Maimonidean scholarship can hardly be exaggerated and remains strongly felt to the present day. He is rightfully considered the modern-day father of the political-esoteric reading of Maimonides' *Guide of the Perplexed* – that is to say, the attempt to uncover the philosophic views that Maimonides deliberately hid from the careless (mass) reader for political/religious reasons. In this area, Strauss, in a crucial sense, reintroduced in the modern period the

1 Strauss's book was translated into English by Eve Adler (Albany: S.U.N.Y. Press, 1995).

exegetical approach that was pioneered by the first Hebrew translator of the *Guide*, Samuel Ibn Tibbon (ca. 1150-1230),² and that was championed by many of Maimonides' Provençal and, later, Spanish disciples.³ Yet Strauss's impact went far beyond the question of esoteric vs. exoteric readings of Maimonides' treatise. His scholarship raised the question of the very nature of this seminal treatise, and of Maimonides' lifework in general.⁴

Among the scholars strongly influenced by Strauss was Shlomo Pines (1908-1990). The collaboration between these two scholars resulted in Pines's (1963) translation of the *Guide* into English, a translation that was far more accurate (though less elegant) than the one that had been published in 1881 by Michael Friedlander (1833-1910). Pines's translation was introduced by two of the most important and influential articles on Maimonides ever written: "How to Begin to Study *The Guide of the Perplexed*," by Strauss, and "The Philosophic Sources of *The Guide of the Perplexed*," by Pines. In a statement that just as easily could have

- 2 For a study of Samuel Ibn Tibbon's pioneering role in developing the esoteric reading of Maimonides' *Guide*, see, in particular, Aviezer Ravitsky, "Samuel Ibn Tibbon and the Esoteric Character of the *Guide of the Perplexed*," *AJS Review* 6 (1981): 87-123; see also Carlos Fraenkel, *From Maimonides to Samuel Ibn Tibbon: The Transformation of Dalālat al-Hā'irīm into the Moreh Nevukhim* (Heb.) (Jerusalem: Magnes Press, 2007).
- 3 In particular, it was championed by Joseph Ibn Kaspi and Moses Narboni, whose supercommentaries on the *Guide* are, in large part, based upon an esoteric approach to Maimonides' treatise.
- 4 Numerous scholars have dealt with Strauss's approach to Maimonides; see, for example, Jeffrey A. Bernstein, *Leo Strauss on the Borders of Judaism, Philosophy, and History* (Albany: S.U.N.Y. Press, 2015); Kenneth Hart Green, *Jew and Philosopher: The Return to Maimonides in the Jewish Thought of Leo Strauss* (Albany: S.U.N.Y. Press, 1993); Hillel Fradkin, "A Word Fitly Spoken: The interpretation of Maimonides and the Legacy of Leo Strauss," in David Novak (ed.), *Leo Strauss and Judaism: Jerusalem and Athens Critically Revisited* (Lanham, MD: Rowman and Littlefield, 1996), pp. 55-86; Kenneth Seeskin, "Maimonides' Conception of Philosophy," in op. cit., pp. 87-110.

been written by Strauss, Pines introduced his discussion of Alfarabi by noting:

After Aristotle, al-Fārābī is the philosopher whom, judging by the letter to Ibn Tibbon, Maimonides held in the highest esteem. In fact, the term that he applies to him may lend color to the suspicion that, as far as theoretical and political sciences were concerned, he was ready to follow al-Fārābī's lead in all points.⁵

- 5 Moses Maimonides, *The Guide of the Perplexed*, translated by Shlomo Pines (Chicago: University of Chicago Press, 1963), p. lxxviii. Pines subsequently took Maimonides' esotericism in a new direction – arguing that Maimonides did not conceal his true views for political reasons, but to hide his philosophic skepticism from the masses and philosophers alike. See, in particular, Shlomo Pines, “The Limitations of Human Knowledge according to Al-Farabi, Ibn Bajja, and Maimonides,” in: Isadore Twersky (ed.), *Studies in Medieval Jewish History and Literature* (Cambridge, MA: Harvard University Press, 1979), pp. 82-109. The letter from Maimonides to Samuel Ibn Tibbon to which Pines refers is the one in which Maimonides includes a list of important works in philosophy to study, and which would also enable the reader (and translator) to more fully understand his treatise. From among the philosophers closer to his own period, Maimonides praises Alfarabi in particular. The Arabic original of the letter is unfortunately lost but several Hebrew versions of it exist. In all the Hebrew versions of the letter, Maimonides' extolls the “logical” writings of Alfarabi, treating them as completely accurate, “for he was a great man.” In one of the versions, Alfarabi's treatise *The Principles of the Existents* is singled out for praise. In general, the Hebrew versions of the letter are problematic because, while Alfarabi wrote important works of logic, Maimonides seems to be particularly influenced by Alfarabi's non-logical works, a primary example being *The Principles of the Existents*, more commonly known as *The Political Regime*. The continuation of his letter leaves one with the distinct impression that Maimonides was not referring only, or even primarily, to Alfarabi's works on logic, but his philosophic treatises in general, particularly when subsequently in the letter Maimonides contrasts the works of Avicenna with those of Alfarabi. Whether Maimonides made specific mention of the *Principles of the Existents*, or we are dealing with an addition of a copyist, is a matter of speculation. As we shall see momentarily, Maimonides does not specifically mention this treatise in any of his works, though he does seem to have been influenced by it. For a study

The political foundation of Maimonides' thought, indeed of his lifework in general, was further developed by Lawrence Berman, a student of Pines. In his Hebrew-language doctoral dissertation, "Ibn Bajja and Maimonides: A Chapter in the History of Political Philosophy" (Hebrew University, 1959), Berman contrasted the two Andalusian thinkers. It should be noted that Maimonides, in his letter to Samuel Ibn Tibbon, had the highest praise also for Ibn Bajja (ca. 1085-1138), who, like Maimonides, was strongly influenced by Alfarabi's thought. On the question of the role of the philosopher in society, however, Ibn Bajja broke with his predecessor, particularly in his seminal political work, *The Governance of the Solitary*. While Alfarabi – the staunch Platonist when it came to political philosophy – essentially transformed Plato's philosopher-king into the prophetic legislator whose task it was to steer society in the direction of the pursuit of perfection, Ibn Bajja advocated that the philosopher isolate himself from society. For him, the pernicious influence of society was a consideration that far outweighed the possible positive influence the philosopher may exert on society.⁶ While, on occasion, in the *Guide*, Maimonides' gave expression to Ibn Bajja's view,⁷

of the different versions of this letter see Doron Forte, "Back to the Sources: Alternative Versions of Maimonides' Letter to Samuel Ibn Tibbon and their Neglected Significance," *Jewish Studies Quarterly* 23 (2016): 47-90 (particularly p. 85).

- 6 For an English translation of several chapters from Ibn Bajja's treatise, see Lawrence Berman's translation in Joshua Parens and Joseph C. Macfarland (eds.), *Medieval Political Philosophy: A Sourcebook*, 2nd edition (Ithaca: Cornell University Press, 2011), pp. 97-104. For a study of his political thought, see Steven Harvey, "The Place of the Philosopher in the City according to Ibn Bajja," in: Charles Butterworth (ed.), *The Political Aspects of Islamic Philosophy: Essays in Honor of Muhsin Mahdi* (Cambridge, MA: Harvard University Press, 1992), pp. 199-233.
- 7 See, for example, his statement in *Guide* 3.51 (p. 621): "Thus it is clear that after apprehension, total devotion to Him and the employment of intellectual thought in constantly loving Him should be aimed at. Mostly this is achieved in solitude and isolation. Hence every excellent man stays frequently in solitude and does not meet anyone unless it is necessary."

in the final analysis, he remained true to Alfarabi's vision.⁸ In a subsequent article, "Maimonides, the Disciple of Alfarabi," Berman went so far as to argue that Maimonides' life work could be seen as having been inspired by Alfarabi. In Berman's summation:

In any case, I think it is quite clear that in the *Guide* as well as the *Mishneh Torah*, Maimonides accepted the Alfarabian view of the development and functions of religion, jurisprudence and dialectical theology and their relation to philosophy and tried to apply it to the Jewish religion. In this effort Maimonides was the disciple of Alfarabi.⁹

In light of Maimonides' political thought, Berman also attempted to understand his view of the role of beliefs in Judaism, with particular attention paid to the discussion of this topic in *Guide* 3.27-28. Berman's approach laid the basis for one of the interpretations advanced for Maimonides' motivation in formulating the thirteen principles in his earlier treatise, *Commentary on the Mishnah*, as we shall see shortly.¹⁰

Maimonides completed his *Commentary on the Mishnah*, written in Judeo-Arabic, when he was around 30 years old, shortly after having arrived in Egypt. His list of principles was placed at the end of his introduction to the tenth chapter of Tractate Sanhedrin, *Pereq Heleq*. While attempts to formulate a list of principles of Jewish belief had been made before Maimonides, he was the first Jewish legal authority to produce a list that he treated as legally binding. According to him, it had

8 See, in particular, *Guide* 1.54, 2.37, 3.54. It is interesting to note that on this issue Samuel Ibn Tibbon breaks with Maimonides and essentially adopts the position advanced by Ibn Bajja; see Aviezer Ravitzky, "The Political Role of the Philosopher: Samuel Ibn Tibbon Versus Maimonides," *Maimonidean Studies* 5 (2008): 345-374.

9 Lawrence Berman, "Maimonides, the Disciple of Alfarabi," *Israel Oriental Studies* 4 (1974): 169-170.

10 In the writing of this article I have used Isaac Shailat's Arabic edition and Hebrew translation of Maimonides' introductions to his *Commentary on the Mishnah* (Jerusalem: Ma'aliyot Press, 1992).

to be accepted *in full* for one to attain a portion in the World to Come and be considered part of the Jewish community in this world.¹¹ Already the Sages of the Mishnah had treated certain beliefs as mandatory, their non-acceptance leading to a branding of the individual as a heretic who loses his portion in the World to Come. A number of those beliefs open the chapter *Pereq Heleq* (e.g., the belief that the Torah came from heaven and that it teaches belief in the Resurrection of the Dead). Those beliefs provided Maimonides with a convenient opportunity to expand and consolidate his list.¹² Yet, no one before Maimonides had formulated a list of such beliefs that they treated as complete and binding. Moreover, Maimonides did not simply extract his principles from rabbinic texts; in some instances there was barely any trace of them whatsoever in his sources, at least not in the manner in which they were defined by Maimonides. Maimonides' principles are as follows:

- 1) The existence of God; 2) The unity of God; 3) The incorporeality of God; 4) God is absolutely without beginning; 5) God alone is worthy of worship; 6) Prophecy; 7) The unique prophecy of Moses; 8) The Torah in its entirety is from Heaven; 9) The Torah will never be abrogated; 10) God is cognizant of the actions of human beings and is not neglectful of humanity; 11) Reward and punishment, particularly the World to Come; 12) The coming of the Messiah; 13) The Resurrection of the Dead.

11 For a comprehensive study of this topic see Menachem Kellner, *Dogma in Medieval Jewish Thought* (Oxford: The Littman Library, 1986). Kellner brings an English translation of the principles based on the translation of David R. Blumenthal on pp. 10-17.

12 This *mishnah* also includes the *apiqorus* as one who has no portion in the World to Come. This appears to refer to all those who adopt the philosophy of the Greek philosopher *Epicurus* that denies any form of divine providence. Later, in *Guide* 3.17, Maimonides adopts this usage of the term. Yet, in his commentary, he chooses to follow the talmudic definition, which treats *apiqorus* as an Aramaic term referring to anyone who denigrates the Torah or its scholars.

Each principle is accompanied by an explanation of the views it entails.

The question immediately arises as to what motivated the young Maimonides to undertake such an exceptional step, essentially attempting to transform the very nature of Judaism. In his important 1967 essay, "Maimonides' 'Thirteen Principles'," ¹³ Arthur Hyman (1921-2017) addressed this issue by first summarizing the views of earlier scholars. The first view, he termed the "historical interpretation." According to this view, Maimonides formulated his principles under the influence of, and as a reaction to, Christian dogma and the Islamic principles of religion. The next view Hyman examined was that of Berman, (which Hyman extended to an understanding of the thirteen principles), and that he termed "the political interpretation". Berman argued that for Maimonides, an acceptance, by the masses, of the beliefs taught by the Torah, particularly those relating to God, has no cognitive significance or intellectual value, since they could not properly grasp them. That the masses were, nevertheless, commanded to accept them was politically motivated. Hyman aptly summarized the reasons adduced by Berman for this stance of Maimonides, and which was based on the approach of Alfarabi, as follows:

- (1) A belief in God and in a certain order in the world influences people to mold their political actions in accordance with the cosmic order. Thus the city remains stable.
- (2) If the opinions of the masses are close to the opinions of the philosophers, the philosopher will find it easier to live within the state and guide it without friction.
- (3) If the opinions of the masses are close to philosophic truth, individuals of a philosophical nature will find it easier to achieve true philosophical knowledge. They can attain such knowledge without

13 This article appears in: Alexander Altmann (ed.), *Jewish Medieval and Renaissance Studies* (Cambridge MA: Harvard University Press, 1967), pp. 119-144.

having first to free themselves of the habits of faith which may oppose philosophical truths.¹⁴

What Berman saw as Maimonides' approach to the beliefs taught by the Torah, Hyman applied, in Berman's name, to an understanding of why Maimonides chose certain central beliefs to serve as a Jewish creed.

Hyman himself, it should be noted, dismissed any polemical motivation underlying the formulation of the thirteen principles, thereby ruling out the first view, which he traced to Solomon Schechter (1847-1915) and David Neumark (1866-1924). He also provided a critique of the interpretation he ascribed to Berman, because he saw it as failing to adequately explain the philosophical dimension of Maimonides' formulation of some of the principles, particularly those involving the nature of God. Hyman himself favored a third view, namely, the "metaphysical interpretation", which he traced to Julius Guttmann (1880-1950). In this view, the inculcation of true metaphysical opinions makes possible even in the case of the masses the immortality of their intellects, and this immortality Maimonides equated with life in the World to Come.

In his in-depth study of the history of dogma in Jewish thought, Menachem Kellner discusses in greater detail the interpretations presented by Hyman. He agrees only in part with Hyman's dismissal of the polemical interpretation, for he sees a definite Islamic influence on Maimonides' decision to treat certain beliefs as dogmas.¹⁵ On the other

14 Ibid., p. 137. See Berman, "Ibn Bajjah and Maimonides," pp. 137-138 (English summary, pp. xvii-xviii).

15 *Dogma in Medieval Jewish Thought*, pp. 35-36, 45-46, 231n.132, 235nn.176-177. Pines, it should be noted, accords far more importance to this factor. In his view, Maimonides' role model in his decision to formulate principles of faith – which include belief in the absolute unity of God – were the fanatical Almohades, who conquered Andalusia in Maimonides' youth and were the cause of so much suffering experienced by Andalusian Jewry, including Maimonides and his family. The Almohades had promulgated a similar belief which they obligated their subjects

hand, he does not see this approach as providing us with the primary reason for Maimonides' innovation. Hyman's own metaphysical interpretation is dismissed by Kellner as false. Kellner correctly argues, following Berman, that acquiescence to metaphysical principles without grasping them conceptually by way of rational proofs has no intrinsic intellectual value for Maimonides.¹⁶ Implicit in this argument is the view that, in Maimonides' thought, mere acceptance of true scientific opinions is insufficient in itself for the actualization of the potential intellect.¹⁷ Hence, it is hard to see how this acquiescence can bring about the immortality of the completely actualized intellect, which Maimonides equates with the World to Come.¹⁸ Finally, Kellner finds Berman's political interpretation (as applied to the list of principles by Hyman) inadequate for a number of reasons, though he does not dismiss it out of hand.¹⁹ Instead, he offers an explanation that attempts to link, in various ways, the relation between correct opinions and the Torah, at least with respect to the first five principles, which focus on the nature of God. Kellner summarizes his own view as follows:

to accept. See Shlomo Pines, "Lecture on Maimonides' *Guide of the Perplexed* (Heb.)," *Iyyun* 47 (1998): 115-128 (the article was prepared from Pines's manuscript by Sarah Stroumsa and Warren Z. Harvey). Kellner, too, notes a possible influence on Maimonides by the Almohades in this matter; see *Dogma in Medieval Jewish Thought*, 223n.27.

16 Ibid., p. 37.

17 For a study of Maimonides' approach to the human intellect and its Arabic philosophic sources, see, in particular, Herbert Davidson, *Alfarabi, Avicenna and Averroes on the Intellect* (Oxford: Oxford University Press, 1992), pp. 200-203.

18 It is not my intention here to delve into the problem of whether Maimonides in the *Guide* hints at a denial of human immortality altogether, a view expounded by Pines in his article, "The Limitations of Human Knowledge according to Al-Farabi, Ibn Bajja, and Maimonides" (above, n. 5). For a discussion of this issue, see Howard Kreisel, *Maimonides' Political Thought* (Albany: S.U.N.Y. Press, 1999), pp. 141-150.

19 *Dogma in Medieval Jewish Thought*, pp. 36-37.

I contend that Maimonides posited his principles because he thought that the masses ought not to be permitted to persist in false beliefs, especially false beliefs concerning God. Maimonides held this position for a number of reasons. First, the Torah as a whole sought to inculcate true doctrines; in laying such doctrines down for the masses Maimonides was furthering the aims of the Torah. Second, that the Torah inculcates true doctrines is a mark of its divinity; in laying down his principles as ‘foundations of the Torah’ Maimonides emphasized its divine character. Third, Maimonides held that perfected halakhic observance depends upon the holding of true doctrines about God since holding false doctrines about God is idolatry; thus it is impossible to observe the halakhah, Maimonides held, without accepting the first five principles at least. I think that it is fair to restate this point in stronger terms; one who conscientiously observes the halakhah while believing in the corporeality of God is, in effect, performing idolatry. Such a person is literally worshipping ‘a strange God’.²⁰

Kellner’s explanation is not without major problems, even if we confine his explanation to the first five principles. Maimonides indeed maintains that the aim of the Torah is to instill true doctrines, but the Torah itself never brings any organized list of such doctrines. It does not appear to be overly concerned with inculcating among its adherents any particular conception of God’s nature, except that there is one true deity. It does not even explicitly mention some of the principles in Maimonides’ list, such as the incorporeality of God.

The second reason Kellner gives for Maimonides’ positing of the principles is also one that Maimonides himself maintains in *Guide* 2.40 (cf. 3.27), but which finds no explicit support in the Torah itself. The most obvious reason the Torah should be considered divine (based on the Torah’s own account as well as the approach to Torah in Jewish

20 Ibid., p. 41.

tradition) is not that it teaches true doctrines but that it was given directly by God to Moses (as formulated by Maimonides in principle number eight). That being the case, one then has to look to sources outside the Torah, and indeed the Jewish legal tradition in general, to try to understand why Maimonides adopted this unusual position pertaining to the Torah's divinity.

The third reason Kellner brings is, in part, circular as well as highly problematic. It is circular because one can certainly not observe Jewish law properly, in Maimonides' view, without accepting the principles regarding God. This is because knowledge of God's existence and unity are treated by Maimonides not only as principles of Judaism but as Torah *commandments*. Yet, this legal determination, advanced by Maimonides in the opening section of his *Mishneh Torah*, is a pioneering move on his part, with little Jewish legal precedent.²¹ Moreover, these commandments involve no actions, according to Maimonides, but are fulfilled purely by one's intellect (namely, by the truths that one grasps conceptually). Thus, one cannot say that they are necessary in order to observe halakhic practice, if practice signifies the realm of physical activity (such as the prohibitions regarding idolatry).

In this case, too, one needs to ask what drove Maimonides to adopt this exceptional stance. Again, the answer would appear to lie primarily in Maimonides' philosophic sources, given the dearth of explicit Jewish legal sources that support this view.²² It should also be noted that nowhere does Maimonides maintain that anyone who worships God with the thought that God is corporeal is *legally* guilty of idolatry and can

21 Maimonides himself appeals to a homiletical (*aggadic*) statement in BT Maqqot 24a as his source. See his *Book of Commandments*, positive commandment no. 1. His most conspicuous legal precedent is from the Geonic period, namely Ḥefeš ben Yaśliaḥ's *Book of Precepts*. See Kreisel, *Maimonides' Political Thought*, p. 198.

22 That Maimonides' was in fact influenced by Alfarabi in treating certain philosophical views as fundamental religious obligations I shall attempt to show below.

be prosecuted for this grievous sin which, in principle at least, carries the death penalty. Maimonides certainly makes the claim that such person does not fulfill the commandment to hold a true conception of God and thus is a heretic. That this person does not truly worship God from a philosophical perspective is also the case, but this is a different issue. Maimonides himself is well aware that this is the case with the vast majority of Jews from the time of the giving of the Torah to his own day, insofar as they believe in a corporeal deity. It is this situation, in particular, that Maimonides seeks to change, at least in regard to publicly held beliefs.²³ Furthermore, even in regard to idolatry it would appear that, for Maimonides, its eradication is considered necessary in order to promote the true conception of the One God, and not the other way around.²⁴ Hence, Kellner appears to be guilty of treating as an end (halakhic practices) what Maimonides regards as a means, and treating as a means what Maimonides regards as the end (the true conception of God).

Until now, I have briefly pointed out the inadequacy of Kellner's explanation for Maimonides' positing of the metaphysical principles dealing with the Deity. His exposition certainly cannot account for all

23 See Kreisel, *Maimonides' Political Thought*, pp. 189-223. In order to advance this agenda, Maimonides adopts an exceptionally radical position in *Guide* 1.36. There, he treats those who believe that God is corporeal as "more blameworthy" than idolaters who worship intermediaries. The corporealists essentially worship something that does not exist, and not the Deity. Those who worship intermediaries at least worship something that exists. Yet, in this passage, Maimonides is certainly not writing from a legal perspective but a theological one.

24 This point emerges from his discussion of the origins of idolatry at the beginning of "Laws of Idolatry," as well as his discussion of idolatry in *Guide* 3.29. Kellner is certainly correct in maintaining that one who prays to a corporeal deity is not really praying to God, and, from this perspective, is not fulfilling the commandment, at least in spirit. Yet, ultimately, the commandment relating to prayer itself, in Maimonides' view, is a means to reinforce one's belief in God. Hence, for Maimonides, the highest form of prayer is not its legal form, but pure contemplation of metaphysical truths, as Maimonides hints in *Guide* 3.32 and 3.51.

the remaining principles, particularly if there is reason to believe that Maimonides does not regard all of them as literally true.²⁵ Thus, we are forced to look for the meta-legal foundation that underlies Maimonides' approach to his principles, one that can best be found in Maimonides' philosophic sources, as Berman has accurately pointed out in regard to Maimonides' approach to religious beliefs.

In this article, I will add further support to Berman's approach in understanding Maimonides' principles, as well as take a closer look at the influence of Alfarabi's thought on Maimonides in this matter. It should be stressed that Berman's approach, as well as that of Alfarabi, is not purely political, that is to say, the goal is not obedience to the state alone. Rather, there is a strong pedagogical element underlying the laws and beliefs promulgated by the *ideal state*, with the goal being the perfection of the citizens, both morally and intellectually. It is this model that very much appeals to Maimonides in his attempt to understand the Torah and to further these ends in his capacity as a legal authority in his own period.

A

Before examining Alfarabi's possible influence on Maimonides' decision to formulate principles defining Jewish belief and to posit their acceptance as mandatory for attaining reward in the next world and being considered a member of the Jewish community in this one, it is best to begin by ascertaining what writings of Alfarabi Maimonides knew at the time of his composition of the *Commentary on the Mishnah*. Maimonides does not mention any specific works of any of the philosophers in his commentary. He does, however, at times refer to "the philosophers" collectively, most notably in the general introduction to the commentary, later on in the introduction to *Perek Heleq*, and, finally, in the introduction to Tractate Avot, an introduction that he named

25 See below, note 47.

Eight Chapters. What is particularly noteworthy with regard to these references is that they never come in order to negate the views of the philosophers, but always to demonstrate his (and Judaism's) agreement with these views.²⁶ This is certainly an unusual move in a commentary on the central text of the Jewish Oral Law, a text in which philosophic ideas appear to play no role. Maimonides is aware that, in his own period, many look at philosophy as a form of heresy and regard the views of Aristotle and his followers as antithetical to Judaism. For this reason, in the introduction to *Eight Chapters*, he excuses himself from not mentioning explicitly the philosophic sources underlying his views in this work – and which Maimonides ascribes also to the Sages – and simply admonishes the reader: “Know the truth from whoever utters it.” It would appear that one of the unstated purposes of the commentary is to revise the manner in which the “philosophers” are regarded by traditionally minded Jews. Rather than treating their views, particularly those of Aristotle and his followers, as anathema to Judaism, they may be regarded as being in harmony with it on a number of fundamental points. Moreover, the careful reader of the commentary is led to the conclusion that a study of philosophy is mandatory for a true understanding of the words of the prophets and the homilies of the rabbinic sages. In other words, the study of philosophy is treated by Maimonides as a religious obligation. Not without irony, in the *Commentary on the Mishnah*, this point perhaps receives its boldest expression in Maimonides’ formulation of the thirteen principles, as we shall see below.

For all of Maimonides’ attempts to incorporate philosophical ideas into his commentary, it is still hard to determine what treatises he had read prior to writing the commentary. While the *Guide* cites numerous

26 It is true that in chapter one of *Eight Chapters*, he speaks of a fundamental mistake regarding the human soul made by many of the philosophers. His reference, however, is not to Aristotle and other leading Aristotelian philosophers, insofar as his approach there is based on the Aristotelian conception of the soul.

philosophers and their works, and Maimonides' subsequent epistle to the translator of the *Guide*, Samuel Ibn Tibbon, presents a recommended bibliography of philosophic treatises, it is problematic to assume that Maimonides had already read all these works in this earlier period, at least not without further support for this supposition.²⁷ When it comes to Alfarabi, the picture is even more problematic. In the *Guide*, Maimonides cites four works of Alfarabi: *On the Intellect*; *On the Variable Substances*; *Commentary on the Physics*; and *Commentary on the Nicomachean Ethics*.²⁸ The last three works are lost, and only the final one is directly concerned with political-ethical thought. In one version of his subsequent letter to Ibn Tibbon, Maimonides singles out Alfarabi's *Principles of the Existents*, more commonly known as *The Political Regime*.

27 The philosophers cited in *The Guide* are carefully analyzed by Shlomo Pines in his introductory essay to his translation. Herbert Davidson has already explored the question of the extent of Maimonides' philosophic knowledge at the time of the writing of the *Commentary* and subsequent *Mishnah Torah*; see his *Moses Maimonides: The Man and His Works* (Oxford: Oxford University Press, 2005), pp. 90-98. Davidson's conclusion is significant: "By the age of forty he was thus familiar with the contours of medieval Arabic Aristotelian philosophy, he had studied other sciences, and he was well-versed in mathematics and astronomy. But, nothing that has been said demonstrates extensive philosophic study or any direct knowledge of Aristotle. He could have learned everything encountered so far from introductory handbooks of philosophy coming out of the Arabic Aristotelian school (p. 98)." Furthermore, Davidson calls into question whether Maimonides wrote one of the most popular of these handbooks, namely the *Treatise on Logic*; see Davidson, "The Authenticity of Works attributed to Maimonides," in Ezra Fleischer et al. (eds.), *Me'ah She'arim: Studies in Medieval Jewish Spiritual Life* (Jerusalem: Magnes Press, 2001), pp. 118-125. While I am inclined to agree with Davidson regarding Maimonides' authorship of this treatise, it should be noted that the question of its authorship remains an open one. Certainly, if Maimonides did write it (and he purportedly wrote it at an early age) he must have possessed a comprehensive grasp of Aristotelian logic at least. Yet, even if he did not, he appears to have possessed far more philosophical knowledge already at an early age than Davidson suggests, as I shall try to show below.

28 See Pines, "The Philosophic Sources of *The Guide of the Perplexed*," p. lxxix.

While the book is mostly concerned with political thought, and only at the beginning focuses on metaphysics, surprisingly, Maimonides appears to treat it as an exceptional work of “logic.”²⁹ Since we cannot be sure that the singling out of this book was in the original version of the letter, it is difficult to ascertain the impact of this particular treatise on Maimonides’ thought. This is particularly the case when we realize that similar treatises by Alfarabi, such as *The Opinions of the Inhabitants of the Virtuous City*, and which, as we will see, Maimonides draws on, are nowhere mentioned explicitly by him. Even if we assume that Maimonides himself singles out Alfarabi’s *Principles of the Existents* by name, the question remains whether this work, or any other of Alfarabi’s works, was known to Maimonides at the time of his writing of the *Commentary*.

What then can be learned from Maimonides’ references to the “philosophers” in his *Commentary on the Mishnah*? It has already been shown that the one philosophic work that Maimonides undoubtedly read, and which has a huge impact on his thought, is Alfarabi’s *Aphorisms of the Statesman*. While this work is not mentioned explicitly by Maimonides in his subsequent writings, in his *Eight Chapters*, he not only presents many of its ideas, but goes so far as to copy numerous sentences from it word for word.³⁰ Thus, when Maimonides speaks of “knowing the truth from the one who utters it,” he definitely has Alfarabi, in addition to Aristotle, in mind. While we may speculate on his knowledge of other Alfarabian works at this point in his life, at least we can be certain that he is completely familiar with and deeply influenced by this particular work.

29 See above, note 5.

30 See Herbert Davidson, “Maimonides’ *Shemonah Peraqim* and Alfarabi’s *Fuṣūl al-Madani*,” *PAAJR* 31 (1963): 116-133; Jeffrey Macy, “A Study in Medieval Jewish and Arabic Political Philosophy: Maimonides’ *Shemonah Peraqim* and Alfarabi’s *Fuṣūl al-Madani*,” Ph.D. thesis (Hebrew University, 1982).

Yet, there is also good reason to suppose that Maimonides is already familiar with other treatises by Alfarabi, such as *Principles of the Existents* and/or *The Virtuous City*. Maimonides' summary of metaphysics and astral physics in chapters two and three of the first section of the *Mishneh Torah*, "Laws of Principles of the Torah" (written shortly after the completion of the *Commentary on the Mishnah*) reads as a good summary of Alfarabi's philosophic views in the *Virtuous City*.³¹ Alfarabi's approach to revelation in *Principles of the Existents*, as resulting from the conjunction with the Active Intellect, most probably is the source of Maimonides' approach to prophecy, both in the sixth principle of Judaism, in the *Commentary*, and in the seventh chapter of "Laws of Principles of the Torah". The role of the imagination in prophecy, as presented by Maimonides in the seventh principle as well as in "Laws of Principles of the Torah" appears to be primarily based on Alfarabi's discussion of prophecy in *The Virtuous City*.³²

In his commentary on *Pereq Heleq*, Maimonides mentions two fundamental Aristotelian ideas that he explicitly accepts: the final perfection of human beings, i.e., the perfection of the intellect in its grasp of metaphysics, and the identity of the thinker and the object of thought. Both of these ideas, however, are very well known and do not, in themselves, indicate a profound knowledge of the Aristotelian view of the soul or of Aristotle's metaphysics. Perhaps Maimonides' most

31 Richard Walzer, *Al-Farabi on the Perfect State* (Oxford: Oxford University Press, 1985), pp. 88-105.

32 See Jeffrey Macy, "Prophecy in al-Farabi and Maimonides: The Imaginative and Rational Faculties," in: Shlomo Pines and Yirmiyahu Yovel (eds.), *Maimonides and Philosophy* (Dordrecht: Martinus Nijhoff, 1986), pp. 185-201. See also Howard Kreisel, *Prophecy: The History of an Idea in Medieval Jewish Philosophy* (Dordrecht: Kluwer Academic Publishers, 2001), pp. 169-177, 241-246. Yet, even in regard to these ideas, one may still argue that Maimonides had no need to read any of Alfarabi's works in order to become acquainted with them, given their popularity in intellectual circles. Judah Halevi, for example, brings some of these ideas in the first treatise of the *Kuzari*, without appearing to have read any of Alfarabi's treatises.

important reference to philosophic literature is one in which the “philosophers” are not mentioned explicitly. In his discussion of the seventh principle (the uniqueness of Mosaic prophecy) Maimonides writes that in order to understand it fully, one must elaborate on the existence of the angels (i.e., the Separate Intellects), the distinction between their ranks and that of God, the soul and its faculties, and the images the prophets attribute to God and to the angels. He goes on to indicate that he has started a book on prophecy that deals, at least in part, with these subjects, and plans to write other works dealing with them in depth. This clearly suggests that at the time of his writing of the *Commentary*, Maimonides has attained more than a passing knowledge of these philosophic subjects, though it is certainly not clear which treatises serve as his sources. His more-than-passing knowledge of the human soul is reflected in his discussion of the powers of the soul in the first of the *Eight Chapters*.

The proposition that Maimonides began his study of philosophy at an early date is further supported by a passage that appears in *Guide* 2.9. He indicates there that he read astronomical texts under the guidance of one of the pupils of “the excellent philosopher Abū Bakr Ibn Ṣa’igh,”³³ a reference to the Andalusian philosopher Ibn Bajja. In all probability, this study took place in Maimonides’ youth (either while still in Spain or during his sojourn in Fez), before the writing of the *Commentary on the Mishnah*. Moreover, it is more than likely that Maimonides’ studies with the pupil of this famous philosopher were not limited to astronomical texts but included also philosophical ones.

Yet, in the final analysis, while we can be quite sure that, at the time of the writing of the *Commentary on the Mishnah*, Maimonides was acquainted with a range of ideas that can be traced to Aristotle or his followers, and some ideas that can be traced more directly to Alfarabi, the only work that we can say with complete confidence that he read carefully is the *Aphorisms*.

33 Pines translation, p. 268.

B

So, what did Maimonides find in his reading of Alfarabi, particularly the *Aphorisms*, that may have influenced him to compose the thirteen principles? In one of the aphorisms, Alfarabi writes regarding the city governed by the ideal ruler as follows:

In this city, love [*maḥabba*] first comes about for the sake of sharing in virtue, and that is connected with sharing in opinions and actions. The opinions they [the citizens] ought to share in are about three things: the beginning, the end, and what is between the two. Agreement of opinion about the beginning is agreement of their opinions about God, may He be exalted, about the spiritual beings, and about the devout who are the standard; how the world and its parts began; how human beings began to come about; then the ranks of the parts of the world, the link of some to others, and their level with respect to God – may He be exalted – and to the spiritual beings; then the level of human beings with respect to God and to the spiritual beings. So this is the beginning. The end is happiness. What is between the two is the actions through which happiness is gained. When the opinions of the inhabitants of the city are in agreement about these things and that is then perfected by the actions through which happiness is gained for some with others, that is necessarily followed by the love of some for others.³⁴

Several points are striking about Maimonides' list of principles when seen in light of Alfarabi's discussion. Perhaps the most striking is that the opinions which all members of the state are required to share, according to Alfarabi, concern three subjects: the beginning (God and the structure of the world); the end (happiness); and what is "between the two" (the actions that bring about happiness). It would appear that Maimonides

34 Charles E. Butterworth (trans.), *Selected Aphorisms*, in: *Al-Fārābī: The Political Writings* (Ithaca: Cornell University Press, 2001), p. 40, aphorism 61.

formulates his own principles in conformity with these three subjects: God, revelation, and final reward. Maimonides' list of principles was later reduced to three by Joseph Albo (1380-1444), following Shimon be Zemaḥ Duran (1361-1444), precisely along these lines.³⁵ Both of them appear to have been influenced by Averroes (1126-1198), Maimonides' contemporary, who, in his *Decisive Treatise*, formulates these three principles as incumbent upon everybody.³⁶ Maimonides does not appear to have been aware of Averroes' treatise – certainly not at the time of his writing the *Commentary on the Mishnah* – but Averroes was certainly acquainted with Alfarabi's works, and his political philosophy appears to be strongly influenced by Alfarabi's approach.³⁷ While it is true that Alfarabi does not explicitly mention revelation in the context of his list, his view that everyone should be inculcated with the belief that the actions that are commanded by the lawgiver bring about happiness can easily lead to the view that people should be convinced that these are the actions that are prescribed by God by way of revelation.³⁸

35 See Kellner, *Dogma in Medieval Jewish Thought*, pp. 24-27.

36 See Julius Guttmann, *Religion and Knowledge: Essays and Lectures* (Heb.) (Jerusalem: Magnes Press, 1979), pp. 170-176; and see Averroes, *Decisive Treatise and Epistle Dedicatory*, Charles E. Butterworth (trans.) (Provo, Utah: Brigham Young University Press, 2001), p. 18.

37 See in particular Averroes' discussion of the intention of the Law, *op. cit.*, p. 23. Compare with Alfarabi's discussion in *Book of Religion*, in: Butterworth, *Al-Fārābī: The Political Writings*, pp. 93-102.

38 In *Selected Aphorisms*, aphorism 94 (p. 63) Alfarabi deals with the distinction between the philosopher who determines the proper practice on the basis of his theoretical knowledge and the one who attains revelation without theoretical knowledge. The first is far superior to the second, in his view. He concludes his discussion, however, by contrasting the one who attains revelation (who is perfect in theoretical knowledge) with the one who attains revelation (without being perfect in theoretical knowledge). This distinction underlies Maimonides' discussion of prophets vs. non-prophetic legislators in *Guide* 2.37. In the *Political Regime* Alfarabi's ideal legislator is also said to attain revelation based on his conjunction with the Active Intellect. Alfarabi certainly does not believe that God is the

What reinforces the notion that in formulating his principles, Maimonides was particularly influenced by the passage from the *Aphorisms* cited above, is the manner in which Maimonides concludes his discussion of his principles:

When all these principles are perfectly understood and believed in by a person, he enters the community of Israel and one is obligated to love and pity him and to act towards him in all ways in which the Creator has commanded that one should act towards his brother with love [*mahabba*] and fraternity.³⁹

One may well expect Maimonides to conclude his discussion by reiterating that any final reward will be lost if the principles are rejected. What greater incentive does one require for accepting them in *toto*, or

immediate source of any laws. Yet he does appear to think of the ideal law (he never refers to this law as “divine,” in all likelihood for political-religious reasons) as resulting from one of two processes. Either the ideal lawgiver, as a result of attaining conjunction and perfect theoretical knowledge, consciously deliberates upon the laws leading society to true happiness, or the laws are “revealed” to him while in the state of conjunction, that is to say, they are the product of his intellect while in this state. This idea appears to underlie a passage in *Book of Religion*, where Alfarabi writes: “Now the craft of the virtuous first ruler is kingly and joined with revelation from God. Indeed, he determines the actions and opinions in the virtuous religion by means of revelation (*wahy*). This occurs in one or both of two ways: one is that they are all revealed to him as determined; the second is that he determines them by means of the faculty he acquires from revelation and from the Revealer, may He be exalted, so that the stipulations with which he determines the virtuous opinions and actions are disclosed to him by means of it. Or some come about in the first way and some in the second way. It has already been explained in theoretical science how the revelation of God, may He be exalted, to the human being receiving the revelation comes about and how the faculty acquired from revelation and from the Revealer occurs in a human being (*Al-Fārābī: The Political Writings*, p. 94).” Alfarabi’s statement: “they are all revealed to him as determined” does not signify that God is the immediate author of the particular laws. Rather, the mind of the individual determines the laws while in the state of conjunction.

39 See Kellner, *Dogma in Medieval Jewish Thought*, p. 16.

what better reason could Maimonides have for formulating them in the first place? Yet Maimonides instead concludes by stressing the connection between the principles and the communal bond, specifically mutual love between the members of the polity.⁴⁰ This is precisely the notion presented by Alfarabi in introducing the importance of the principles, as seen above. The political ramification of an acceptance of the principles, as presented by Maimonides, is therefore a clear echo of Alfarabi's approach. In my view, Maimonides' conclusion here is not simply an afterthought, adding to the all-important metaphysical dimension of the principles also a political dimension. Rather, it reveals the primary motivation underlying Maimonides' list.

The relation between the thirteen principles and the commandments contained in "Laws of Principles of the Torah," which opens the *Mishneh Torah*, sheds further light on this matter. The first four chapters in Maimonides' legal *magnum opus* contain five commandments all dealing with knowledge of God: to know the existence of God, not to believe in the existence of any other deity; to unify God in one's thought, to love God, and to be in awe of God. The last two commandments are treated by Maimonides as the necessary consequences of attaining knowledge of all the existents, their relation to God, and their interrelation, that is to say, the natural sciences and metaphysics, which he equates with the "Account of the Beginning" and the "Account of the Chariot" ("Laws of Principles of the Torah" 2.11, 4.10).⁴¹ Moreover, these commandments can only be fulfilled by grasping these subjects, for one does not truly love what one does not know, because, in that case, one only loves a

40 Love of fellow Jews is treated Maimonides as a Torah commandment in *Mishneh Torah*, "Laws of Character Traits." Hence it could be argued that Maimonides is simply defining those to whom this commandment is applied (or not applied). However, the linking of love with maintaining certain beliefs is not found there, although it characterizes Maimonides' Alfarabian source.

41 In rabbinic tradition, these are the most profound subjects of the Bible that only the greatest sages may be taught. See, for example, B.T. Hagigah 11b and follows.

figment of one's own imagination. In chapters 2-4 of this section, Maimonides gives a detailed outline of this knowledge. His conclusion of these commandments is particularly significant. He writes:

The matters of these four chapters regarding [the fulfilment of] these five commandments are what the early Sages called *pardes* [lit. orchard], as they had stated: "Four entered *pardes* (B.T. Hagigah 14b)." Despite the fact that [these four] were the great ones of Israel and great sages – not all of them possessed the power to know and comprehend all these things completely. I say that it is not fitting to roam in *pardes* unless one's belly is filled with bread and meat. "Bread and meat" consist of knowledge of the permitted and forbidden and so forth pertaining to the other commandments. Despite the fact that these things were called by the Sages "a small thing," for the Sages stated: "A great thing' – the Account of the Chariot; 'a small thing' – the [legal] disputes between Abbaye and Rabba (B.T. Sukkah 28a)," still it is appropriate to practice them first, for they put the mind of the individual to rest from the outset. Moreover, they are the great good bequeathed by God for the inhabitation of this world, in order to gain the life of the World to Come. All individuals may know them [all the other commandments]: old and young, man and woman, a person of broad heart [i.e., intellect] and one of narrow heart ("Laws of Foundations of the Torah" 4.13).

In his novel interpretation of *pardes*, Maimonides treats it not as a metaphor for a heavenly place (as was common among Jewish scholars before him), but as a metaphor for the Aristotelian theoretical sciences.⁴² His radical (mis)interpretation of the talmudic statement in B.T. Sukkah is just as striking, if not even more so. While the Sages are clearly

42 For a study of the Account of the Chariot in Maimonides' thought, as well as that of his predecessors and followers, see Howard Kreisel, *Philosophy as Religion: Studies in Maimonides and the Medieval Jewish Philosophers of Provence* (Boston: Academic Studies Press, 2015), pp. 209-269.

contrasting the relative value of knowledge of the “Account of the Chariot” (primarily an understanding of the opening chapter of Ezekiel) and knowledge of the details of the legal *argumentation* between Abbaye and Rabba, Maimonides interprets them as contrasting the relative value of knowledge of the theoretical sciences (and, by inference, the five commandments which mandate Jews to grasp these sciences) and knowledge of all the other commandments and fulfillment of them. It is the theoretical intellect alone that is directly involved in the fulfillment of the first five commandments – i.e., they involve no actions or restraint, only pure knowledge. Meanwhile, all the other commandments involve actions (or, at times, emotions). Maimonides is essentially saying that all the commandments of Torah, with the exception of the first five, serve as means for fulfilling the first five, either by contributing to the proper state of mind necessary to embarking on learning the theoretical sciences, or by creating a harmonious society that creates the social-material conditions that allow for in-depth study. Maimonides subsequently makes this point more explicitly in *Guide* 3.27.⁴³

The first three commandments in “Laws of Principles of the Torah” correspond to Maimonides’ first four principles, but the next two commandments, love and awe, introduce subjects not found in his principles, for they involve a detailed scientific knowledge of the world. Maimonides is essentially appropriating all the other subjects mentioned by Alfarabi in the list of topics that belong to the “beginning,” and which should be taught to all the inhabitants of the state – i.e., “the spiritual beings [...] how the world and its parts began, how human beings began to come about, the ranks of the parts of the world, the link of some to others, and their level with respect to God and to the spiritual beings, then the level of human beings with respect to God and to the spiritual beings.” It would appear that Maimonides saw that the principles in the *Commentary on the Mishnah* lacked a summary of all the theoretical

43 For a study of this issue see Kreisel, *Maimonides’ Political Thought*, pp. 189-223.

knowledge that should be taught in the state according to Alfarabi, and that he corrected this lacuna in the “Laws of Principles of the Torah” by attaching this knowledge to the commandments to love and be in awe of God.⁴⁴ His conclusion to chapter four shows that the *proper* fulfillment of these commandments is the final end of the Torah, and, in fact, of human existence. That is to say, attaining by one’s intellect the knowledge that fulfills these commandments is the final end, and as Maimonides briefly indicates, leads to the immortality of the intellect:

Therefore, when the body decomposes insofar as it is composed of the elements, and the rational soul (*neshamah*) vanishes, for it is found with the body and requires the body for all its activities, this form [the form of the soul = the acquired intellect] does not become extinct, for it does not require the rational soul for its activities. Rather, it knows and grasps the intellects that are separate from bodies [= the Separate Intellects], and knows the Creator of all, and remains for all eternity (“Laws of Principles of the Torah” 4.9)

All other commandments, as we have seen, are treated as means. Thus, Maimonides here strongly distinguishes the attainment of theoretical knowledge from all other activities commanded by the Torah. Absent from these four chapters is any clear allusion to principles number 5 to 13 (the principle that God alone is to be worshipped is the basis of the later section, “Laws of Idolatry”). Hence, one may conclude that the true beliefs taught by the Torah (the “welfare of the soul” in Maimonides’

44 For a study of the relation between “Laws of Principles of the Torah,” and Alfarabi’s thought, see Joel Kraemer, “Alfarabi’s *Opinions of the Virtuous City* and Maimonides’ *Foundations of the Law*,” in: Joshua Blau (ed.), *Studia Orientalia: Memoriae D.H. Baneth Dedicata* (Jerusalem: Magnes Press, 1979), pp. 107-153. For a study of love and fear in Maimonides’ thought, see Kreisel, *Maimonides’ Political Thought*, pp. 225-266; see also Daniel Lasker, “Love of God and Knowledge of God in Maimonides’ Philosophy,” in: Jacqueline Hamesse and O. Weijers (eds.), *Écriture et réécriture des textes philosophiques médiévaux: Volume d’hommage à Colette Sirat* (Turnhout, Belgium: Brepols, 2006), pp. 329-345.

parlance in *Guide* 3.27) and which lead directly to the perfection of the intellect, are the subject of these chapters and of the first four principles, while all the other principles are concerned with the beliefs that are necessary to the religious-social order.⁴⁵

This certainly does not lead to the conclusion that all the other principles are false, for this is clearly not the case, even from a purely philosophical point of view. Revelation and the World to Come as defined by Maimonides (conjunction with the Active Intellect and the immortality of the intellect), are regarded as true also in his philosophic sources, and, in some sense, are even implied in Maimonides' discussion of humanity in his summary of the natural science pertaining to the sublunary world in chapter 4 of "Laws of Principles of the Torah."⁴⁶ Other principles may not be accepted by the philosophers – such as the unique nature of Mosaic prophecy or the coming of the messianic king – but neither are they philosophically disproven by them. Others are rejected by them outright when understood literally – Torah from Heaven, God's knowledge of individuals and providence over them, and the resurrection of the dead – but Maimonides may be interpreted as

45 Significantly, in "Laws of Principles of the Torah" Maimonides formulates the knowledge contained in these principles in a succinct *philosophic* manner and not in a metaphorical one. Alfarabi, in a number of his writings, indicates that images should be employed in conveying this knowledge, as befitting society at large. Furthermore, the images should be chosen in keeping with the particular cultural climate of that society. In the *Guide*, Maimonides makes a similar point regarding the manner in which the Torah inculcates true beliefs: "... some of them are set forth in parables, for it is not within the nature of the common multitude that its capacity should suffice for apprehending the subject matter as it is (*Guide* 3.27, p. 510)." On possible reasons why Maimonides, as against Alfarabi (and the Torah itself, in Maimonides' view), decided to teach these truths in a philosophic manner (that was hardly suitable for many of his coreligionists), see Kreisel, *Maimonides' Political Thought*, chapter 6.

46 See "Laws of Principles of the Torah" 4.9 quoted above.

hinting that these principles should not be understood literally.⁴⁷ Still, principles relating to the acceptance of the activities creating the most conducive social environment and psychological state for pursuing human felicity (revelation of the Torah and its immutability) and popular incentives to practice them (all the principles relating to reward), may be conceived as necessary beliefs for society, whether they are literally true or false, rather than true beliefs which point to the philosophic knowledge wherein lies human perfection. Significantly, Maimonides includes all the principles relating to revelation and the Torah in the last four chapters of “Laws of Principles of the Torah,” attaching them to the commandments to heed the words of the prophet who speaks in the name of God, and, after he has been proven to be a true prophet, not to continue to test him. Yet the fact remains that Maimonides had already drawn a sharp distinction between the first four chapters of this section and the commandments they contain, and the rest of the *Mishneh Torah*.

Maimonides returns to list the beliefs contained in the thirteen principles in the last section of the first book of the *Mishneh Torah*, the *Book of Knowledge*, in the section entitled, “Laws of Repentance.” There, he lists all those who have no portion in the World to Come. Thirteen of the categories of people who have no portion in the World to Come refer to those holding certain false beliefs, while he adds eleven categories that refer to those who have performed certain types of vile actions.⁴⁸ At least two points are noteworthy about the list of beliefs: First, Maimonides does not include belief in final retribution (the World to Come), but

47 Already during his lifetime, Maimonides was accused by critics in the East and in the West of rejecting a literal belief in the resurrection of the dead. This prompted Maimonides to compose his *Treatise on Resurrection*. Still, there are good reasons to maintain that his critics were correct in their interpretation of his stance. See Robert Krischner, “Maimonides’ Fiction of Resurrection,” *HUCA* 52 (1982): 163-193.

48 On Maimonides’ possible sources for this list, see Adiel Kadari, *Studies in Repentance: Law, Philosophy and Educational Thought in Maimonides’ Hilkhot Teshuvah* (Heb.) (Beer-Sheva: Ben-Gurion University, 2010), pp. 100-108.

rather divides belief in the divine origin of the Torah into two beliefs: belief in the divine origin of each letter of the written Torah and belief in the Oral Torah. Second, Maimonides opens the list with the same five principles that headed his thirteen principles and designates anyone who denies any one of them a “*min*” (heretic), while choosing different designations for those rejecting the other principles. With regard to the first point, Kellner has convincingly argued that Maimonides wanted to stress the importance of belief in the Oral Torah, so he included it here as a separate principle for polemical reasons (against the Karaites who had a strong presence in Egypt but whose influence was less pronounced in Spain and North Africa). At the same time, Maimonides still wanted to preserve the number thirteen in the list of fundamental beliefs.⁴⁹ Indeed, in his desire to maintain the same number of principles, Maimonides may have found belief in final retribution (the World to Come) the easiest to disregard (despite the fact that this principle alone refers to the end of humanity, in Maimonides’ view, as well as also being philosophically true). The reason for this is that the centrality of this principle is already assumed by Maimonides’ list. That is to say, one must believe in the World to Come in order to accept Maimonides’ list of those who have no portion in the World to Come in the first place. As for the second point, here too we see that Maimonides wanted to maintain a clear distinction between those principles that involved metaphysical truths (with the addition of the fifth principle which was the most important safeguard to the acceptance of these truths), and all the other principles. Certainly, there is no compelling reason, based on Maimonides’ sources, or even his other writings, to designate those who

49 *Dogma in Medieval Jewish Thought*, pp. 23-24. For Maimonides and the Karaites, see, for example, Daniel Lasker, “The Influence of Karaism on Maimonides (Heb.),” *Sefunot* 20 (1991): 145-161

rejected these beliefs as “*min*.”⁵⁰ This distinction between different beliefs is less pronounced in the *Commentary on the Mishnah*, where Maimonides suggests some internal division between them only by means of the manner in which he orders them. It is far more pronounced in the opening section, “Laws of Principles of the Torah,” as we have seen. The basis for this distinction is made more explicit in the *Guide*, particularly 3.27-28.

Conclusion

The distinction between theoretical and practical philosophy, that is to say, between knowledge of the theoretical sciences and the knowledge that leads to the molding of ethical individuals and to social harmony – as well as a society that creates the ideal environment for the pursuit of intellectual perfection – is presented by Alfarabi in a number of his writings, such as *The Enumeration of the Sciences*, and the *Book of Religion*. Maimonides’ division of the *Mishneh Torah* into two parts – the first comprising of the four chapters, and the second, all the rest – reflects this division. The two types of belief that the Law teaches according to Maimonides’ discussion in 3.28, i.e., true and necessary, also reflect this division. They are clearly related to his distinction between the two aims of the divine law, “the welfare of the soul” and “the welfare of the body,” discussed by him in the previous chapter. While Maimonides’ example of a belief that is necessary for political welfare – God is violently angry with those who disobey Him – is also a false belief when understood literally, he may have thought that even certain true beliefs are to be inculcated primarily for the purpose of political welfare. They simply do not directly promote intellectual perfection, but the wellbeing of the society dedicated to this end.

50 For a study of Maimonides’ use of this term, see Hannah Kasher, *Heretics in Maimonides’ Teaching* (Heb.) (Tel Aviv: Hakibbutz Hameuchad Publishing House, 2011), pp. 44-66.

Certainly, Maimonides' thirteen principles can be seen along similar lines. The principles that are true and deal with ultimate ends are those concerning God, and are found at the beginning of the list. The principles of prophecy and the World to Come, *as they are formulated by Maimonides*, in a crucial sense belong to both categories – theoretical knowledge and political welfare – although their main function appears to be in promoting the latter. Yet, even the principles relating to God do not in themselves provide the requisite knowledge for achieving perfection but serve as pedagogic guides in the attainment of this knowledge. In other words, they are formulated from a social-political perspective. In the *Mishneh Torah* Maimonides goes much further in underlining the pedagogic role of the Law for the attainment of the perfection of the intellect.

It is the political-pedagogical interpretation – which is in accordance with Alfarabi's view of the ideal state and the manner in which it helps bring about individual perfection – that best explains Maimonides' motivation in formulating a list of thirteen principles and “legalizing” it as Judaism's official dogma. His creation of a list of principles is thus not so much intended to define Judaism more in terms of beliefs and less in terms of actions, though it certainly does this. Beliefs, though they concern the noblest part of the human soul (i.e., the rational faculty)⁵¹ are in themselves only a means by which the ideal state educates its citizens and strengthens their commitment to its laws and the *ultimate goal of these laws*. Hence, Maimonides' list of principles is ultimately designed to directly and indirectly promote what he regards as the ultimate end of Judaism, which is the ultimate end of the human species, namely, the perfection of the intellect. Each person is to pursue this perfection in accordance with his/her capacity, though only the elite few have the ability to attain it. Maimonides, the Jewish disciple of Alfarabi, seeks to direct the entire edifice of Jewish tradition, its commandments and teachings, to the pursuit of this goal. This task did not require any

51 See, in particular, Maimonides' discussion in *Guide* 3.8.

changes to the edifice itself, but it demanded certain critical and, essentially, radical additions to its foundation. The thirteen principles and “Laws of Principles of the Torah” are the most important two.

Appendix

In chapter fourteen of his *Tractatus Theologico-Politicus* Baruch Spinoza (1632-1677) sets out to “enumerate the dogmas of the universal faith.” Spinoza takes it for granted that there simply cannot be religion without dogma. Furthermore, for all his attempts to limit the authority of religion and combat its intrusiveness in social life, he still sees a positive role for it, even within his contemporary society.⁵² Religion does not teach philosophic truths in his view, but it is still important for insuring public morality. Consequently, Spinoza compiles a list of dogmas that, for him, should characterize a universal religion that is in harmony with Scripture. While Maimonides’ political approach to dogma is implicit, in accordance with the interpretation I have championed in this article, in Spinoza, the political approach to dogma is presented explicitly. Nevertheless, the approaches of Maimonides and Spinoza are fundamentally different not only in form (esoteric vs. exoteric) but in substance. Maimonides argues it is the purpose of divine religion to steer its adherents towards knowledge of truth, particularly regarding the nature of God – that is to say, it has a crucial pedagogical role to play. For Spinoza, the goal of religion is solely obedience, in order to insure the practice of justice and charity. In other words, for Maimonides, divine religion is concerned both with the welfare of the soul (true beliefs) and the welfare of the body politic (morality). For Spinoza, the goal of religion is solely the latter, and its dogmas are formulated accordingly. As Spinoza writes:

52 See Baruch Spinoza, *Tractatus Theologico-Politicus*, Samuel Shirley (trans.) (Leiden: E.J. Brill, 1991), pp. 220-227.

Finally, it follows that faith requires no so much true dogmas as pious dogmas, that is, such as move the heart to obedience; and this is so even if many of those beliefs contain not a shadow of truth, provided that he who adheres to them knows not that they are false. If he knew that they are false, he would necessarily be a rebel, for how could it be that one who seeks to love justice and obey God should worship as divine what he knows to be alien to the divine nature? [...] Each man's faith, then, is to be regarded as pious or impious not in respect of its truth or falsity, but as it is conducive to obedience or obstinacy [...] A catholic faith should therefore contain only those dogmas which obedience to God absolutely demands, and without which such obedience is absolutely impossible.⁵³

Spinoza lists seven such beliefs:

- 1) God (the Supreme Being) exists and is the exemplar of true life;
- 2) God is one alone;
- 3) God has dominion over all things, all are required to obey God absolutely;
- 4) Worship of God and obedience consists solely in justice and charity or love towards one's neighbor;
- 6) All who obey God by following this way of life, and only those, are saved;
- 7) God forgives repentant sinners.⁵⁴

Spinoza insists that it does not matter how these dogmas are interpreted, as long as they insure obedience. In short, dogma is to have no legal standing whatsoever, its role is purely pedagogical. Anyone who lives a moral life, *ipso facto* is considered to have accepted these dogmas, in Spinoza's view, while those who do not lead such a life have not. What is important is the type of life one leads, not the beliefs underlying it. Significantly, Spinoza still leaves open the possibility of interpreting these

⁵³ Ibid., pp. 223-224.

⁵⁴ Ibid., pp. 224-225.

dogmas in a philosophic manner, that is to say, in accordance with truth: "Every man is duty bound to adapt these religious dogmas to his own understanding and interpret them for himself in whatever way makes him feel that he can the more readily accept them with full confidence and conviction."⁵⁵ Hence, while one should separate religion from philosophy and ascribe different roles to both, according to Spinoza, this does not prevent one from interpreting the principles of religion philosophically for oneself. Spinoza's approach thus allows for much theological diversity while still maintaining not only common practice but certain beliefs that support this practice, even if Spinoza was against any policy of coercion in their acceptance.

Maimonides' view of divine religion is certainly dissimilar to Spinoza's. With good reason, Spinoza saw himself primarily as an anti-Maimonidean in his attempt to separate religion from philosophy. Yet, perhaps Spinoza's approach is the best way to treat Maimonides' dogma in the contemporary Jewish world, given how much the scientific-philosophic world view that underlies many of Maimonides' principles (particularly those relating to God), and which they are designed to promote, has changed.⁵⁶ Is not the (almost) universal acceptance of Maimonides' dogma in the Orthodox Jewish world basically a result of force of habit? That is to say, it is the result of the inculcation of these beliefs as dogmas in Jewish education over a long period of time.⁵⁷ Just as

55 Ibid., p. 225.

56 Menachem Kellner, in his *Must a Jew Believe Anything* (London: Littman Library of Jewish Civilization, 1999), has sought to counter what he regards as the negative influence of Maimonides' dogma on contemporary Orthodox Judaism, by arguing that the formulation of a fixed dogma is essentially a Maimonidean invention. Judaism, at its root, is a religion based on faith *in* God and acceptance of the commandments, but not the acceptance of a particular theology. His book calls for a more theologically open Orthodox Judaism, essentially reflecting a return to its biblical and rabbinic sources. In a sense, his argument (and understanding of Scripture) shares a fundamental similarity with that of Spinoza.

57 For a study of the acceptance of Maimonides' principles, and, more particularly, the opposition to them in modern Orthodoxy, see Marc B. Shapiro, *The Limits of*

Maimonides chose to break the habitual thinking of the Jews, particularly in regard to the Deity,⁵⁸ by introducing his principles, perhaps the time has come within the Orthodox Jewish world to break this habitual thought by eliminating them as a “central pillar of Judaism.” In other words, is a dogma defining Jewish faith still necessary or even desirable for Jewish Orthodoxy?

In some ways, our world still bears certain fundamental similarities to the world of Maimonides. The contemporary world still sees beliefs as a defining – if not *the* defining – characteristic of religion. Beliefs have always played a crucial role not only in supporting certain practices but also in determining membership. Already in rabbinic times, Jews were taught not only practices but certain binding fundamental beliefs whose denial was said to condemn the individual to a loss of any final reward and effectively place him outside of the “camp.” Moreover, given the fact that Maimonides’ principles have become hallowed by time and have undeniably become a pillar of Judaism in the eyes of many, it would appear that any attempt to undermine them directly at the same time undermines commitment to traditional Judaism and to Jewish practice, as well as to group solidarity within the Orthodox world, at least in part.

I do not think there is any simple answer to the question of the role played by Maimonides’ dogma in defining contemporary Jewish

Orthodox Theology (Oxford: Littman Library of Jewish Civilization, 2004). Yet, what is significant about Orthodoxy in the modern world, as Shapiro himself notes, is the extent to which Maimonides’ principles are accepted as “Judaism’s official dogma.” The nay-sayers, even in regard to any particular principle, are far outnumbered by those who accept them.

58 Maimonides himself speaks of the relation between habitual thought and error in *Guide* 1.31: “However in our times there is a fourth cause [of disagreement] [...] It is habit and upbringing. For a man has in his nature a love of, and inclination for, that to which he is habituated [...] In a similar way, man has a love for, and the wish to defend, opinions to which he is habituated and in which he has been brought up and has a feeling of repulsion for opinions other than those. For this reason also man is blind to the apprehension of the true realities and inclines toward the things to which he is habituated” (Pines, p. 67).

Orthodoxy.⁵⁹ It appears to me that a defined and agreed upon set of beliefs, which, in effect, Maimonides successfully provided, still serves an important social function in supporting what is thought of as traditional Judaism, irrespective of whether all these beliefs are literally true or not. It would appear, then, that the best course to take is to preserve Maimonides' list, but, at the same time, to make it less dogmatic, that is, there should be less concern with heresy and more concern with practice. This is essentially the course that Spinoza outlined – namely, anchoring religion in a non-dogmatic dogma.

Yet, perhaps this is not merely a desirable goal for today, but, in a crucial sense, has long been the case. In looking over the history of Jewish theology from the time of Maimonides' introduction of the thirteen principles to the present, one is struck by the fact of how small a role they have played in the development of Jewish theology. While (almost) everyone in the traditional world accepts Maimonides' list of beliefs (though not always as fundamental principles), most Jewish theologies effectively ignore them. One looks in vain for any central role these principles might play either in shaping kabbalistic thought and its offshoots (such as hassidic thought or the mystical theology of Rav Kook) or in shaping modern Orthodox rational theologies (such as that of Rabbi Samson Raphael Hirsch [1808-1888] or of Rabbi Joseph Dov Soloveitchik [1903-1993]). The principles have also played almost no role in the development of the Jewish legal tradition. Codifications of Jewish law subsequent to Maimonides' *Mishneh Torah*, such as the *Shulkhan Arukh*, have nothing to say about them, given the orientation of these codes to Jewish *praxis*. The problem of Jewish heresy most often raises its head among Jewish legal authorities when any of these principles is rejected outright, for such rejection is generally (and often correctly) seen as an attempt to undermine the binding nature of Jewish law.

59 It is interesting to note that the English term "orthodox" literally applies to beliefs (*doxa*), while the Hebrew term *dati* applies primarily to legal practices.

So, perhaps the best course is to stay the course. These principles should still be taught for the positive role they have in bolstering commitment to Jewish law and providing a common bond of belief among those devoted to its practice. Religious Jews should continue to accept them by one form of interpretation or another, which enables one to see them at least as figuratively, if not literally true, while avoiding openly rejecting any of them explicitly. At the same time, theological beliefs within the traditional world should remain unrestricted by the literal acceptance of them, and open to new and varied ways of understanding God, revelation, and eschatology, just as Maimonides attempted to introduce his novel ways of understanding these subjects when he formulated his thirteen principles in the first place.

Abstract

Over the years, scholars have offered various explanations for Maimonides' decision to compose his thirteen principles of Jewish belief and to treat them as incumbent upon every Jew to accept in order to be considered part of the Jewish community and to earn a portion in the World to Come. In this article, I lend further support to Lawrence Berman's suggestion that political-pedagogical considerations were the dominant factor in Maimonides' thought and that he was influenced primarily by the political philosophy of Alfarabi. After showing why the other explanations—metaphysical, polemical and legal—were at best secondary considerations for Maimonides, I analyze a passage in Alfarabi's *Aphorisms of the Statesman*, a treatise well known by Maimonides at the time of his formulation of the principles, which I argue holds the key to understanding Maimonides' decision. I also discuss the question of the extent of Maimonides' philosophic knowledge in this earlier period of his life. I conclude the article with some observations about the relevance of Maimonides' list of principles in the contemporary period.

Is there Room for Belief in Judaism?

Two German Jewish Thinkers

Debate Dogma in 1834

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There is probably no more distinctive sign of the differences between the 18th century thought of the Haskalah, the Jewish Enlightenment, and 19th century Jewish Reform theology than the re-introduction of dogmatic considerations into Judaism by the reformers. At least in this respect, there seems to be no basis whatsoever to the popular claim that Moses Mendelssohn (1729-1786), the preeminent *maskilic* thinker, can be considered the “father of the Reform Movement” of Judaism. Arguably, Mendelssohn’s most influential – albeit generally rejected – theory of Jewish belief was that Judaism knew no articles of faith (*Glaubenslehren*) but only revealed legislation (*geoffenbartes Gesetz*).¹ Mendelssohn hoped that this radical division between belief and deed, between reason and revelation, would enable him to solve a pressing problem in the general religious thought of his time: Following the discovery and conquest of almost the entire world, the inaccessibility of Jewish/Christian Holy Scripture to most of the newly found cultures (India, China etc.) made it philosophically impossible to uphold the dogma of an exclusive redemptive impact connected with knowledge of the Bible and with leading a life governed by its commandments. Since salvation must be available to all human beings in equal measure, Mendelssohn concluded, there must be means other than the Bible to achieve eternal bliss. In the spirit of the Enlightenment, he then brought

1 See Moses Mendelssohn, *Jerusalem, or on Religious Power and Judaism* (transl. Allan Arkush), Hannover 1983, p. 90.

under the umbrella of reason all those different paths to happiness. All that was necessary for the redemption of the human soul, he declared, was provided by human understanding, almost by the application of mere common sense. Redemption required neither the confession of dogmatic articles of faith nor the espousal of the truth of scriptural revelation. The traditional, distinct path to salvation, obligatory for Jews like himself, was neither shorter nor better than those of other religions, and, according to Mendelssohn, this path was historically, but not philosophically, justified.

This definite, and itself almost dogmatic, distinction between divine commandment and divine truth that Mendelssohn proposed in 1783 placed him at odds with accepted Jewish tradition. While the Talmud still did not know of strict dogmatics, one of the greatest *halakhists* of the Middle Ages, and at the same time one of the most radical philosophers of premodern Jewish thought, had formulated and successfully introduced into mainstream Judaism thirteen articles of Jewish faith that subsequently even found their way into the daily Jewish liturgy.² Then again, Maimonides' famous list of dogmas from the twelfth century had been subjected to intense debate from the moment of its appearance. At issue were the true intentions of its philosophical author, but, more especially, the list's supposed binding force on the Jewish believer.³ Mendelssohn, for one, was not impressed by Maimonides, and he was certainly justified in writing that, by his time, the Maimonidean *Iqqarim* had "not yet been forged into shackles of faith" in Judaism. It was important for Mendelssohn's own reading of Judaism to note that "although the thirteen articles of Maimonides have been accepted by the

2 For an attempt to write a Talmudic theology nevertheless, see Hyam Maccoby, *The Philosophy of the Talmud*, New York 2002.

3 See, for one of the latest waves of this debate, Marc Shapiro, *The Limits of Orthodox Theology: Maimonides' Thirteen Principles Reappraised*, Oxford 2004, and Menachem Marc Kellner, *Must a Jew Believe Anything?*, Oxford 2006.

greater part of the nation,” no Jew who has debated them has ever been branded a heretic.⁴

Such outright rejection by Mendelssohn of dogma and dogmatic thought within the Jewish religion rendered rather curious the return to the establishment of ‘articles of faith’ for Judaism proposed by the first reform theologians in the nineteenth century. In fact, this drastically differentiated their religious thought from the ideas of the Enlightenment, as the present study attempts to show. Historically, this return to dogma might be explained by the theological bankruptcy of Mendelssohn’s separation theory, already apparent in the generation of his students. It was not just a radical thinker like Salomon Maimon (1753-1800) but also David Friedländer (1750-1834) – perhaps Mendelssohn’s most devoted follower – who abandoned the practical observance of Jewish law the moment the master passed away.⁵ If eternal bliss was to be achieved by *all humans* through reason alone, even by force of using mere common sense, Friedländer seemed to have preferred the general *human* aspect of his existence over his being a “historical” Jew in the sense meant by Mendelssohn. This, however, led to Friedländer’s infamous (anonymous) letter to the Protestant Provost Wilhelm Teller in which he offered to embrace Christianity if he could only be spared having to believe in Christ.⁶ Teller rejected the proposal, but it was here that what might be called the secularizing ‘theology of the Haskalah’ came to a swift and sad end, already with the generation of Mendelssohn’s immediate disciples.

A few decades later, the first reformers, desperate to return religious self-confidence to educated young German Jews, were nevertheless

4 See Mendelssohn, *Jerusalem* (Arkush translation), p. 101.

5 On Friedländer, see still Michael Meyer, *The Origins of the Modern Jew*, Detroit 1966, and Steven M. Lowenstein, *The Jewishness of David Friedländer and the Crisis of Berlin Jewry*, Ramat-Gan 1994.

6 See the anonymous tract, generally attributed to Friedländer, *Sendschreiben von einigen Hausvätern jüdischer Religion*, Berlin 1799.

unable to demand a return to the wholesale observance of the “ceremonial law” of Judaism. They found a middle ground in their turn to Jewish articles of faith, that is, the formulation of a specifically Jewish dogmatic theology, which replaced law-observance as an important identity marker for the devoted Jew. More than anything else, they argued, to culture and civilization at large, Judaism had contributed eternal Jewish ‘dogmas’ like strict monotheism, future-oriented messianism, and religious humanism. As long as those Jewish ideas were not universally accepted, Judaism and the Jewish people had to exist as the arbiters of ethical monotheism. Reform Jewish thought thus developed its own mission theology, based essentially on articles of Jewish faith that, however, were believed to be universally valid and decisive for the advent of an age of perpetual peace and prosperity.⁷

And, while this reformed theology emerged in a sophisticated form only during the 1840s – especially with two great works of religious philosophy authored by Samuel Hirsch (1815-1889) and Salomon Formstecher (1808-1889)⁸ – the first indication that Judaism had returned to the idea of specific articles of faith could be detected decades before. Already the Haskalah era had brought a revival of the Jewish catechism, for example. According to Leopold Zunz (1794-1886), writing in 1832, some fifty such works had been published throughout Europe, first and foremost for use in the newly founded Jewish schools.⁹

7 See here: Max Wiener “The Concept of Mission in Traditional and Modern Judaism,” in: *YIVO Annual* 47/48, pp. 9-24. See also David Novak, *Jewish Social Ethics*, New York 1992, pp. 225-228.

8 Cf. Samuel Hirsch, *Die Religionsphilosophie der Juden*, Leipzig 1842, and Salomon Formstecher, *Religion des Geistes*, Frankfurt 1841.

9 Leopold Zunz, *Die Gottesdienstlichen Vorträge der Juden*, Berlin 1832, p. 457. Almost every better-known Reform rabbi published a catechism during the nineteenth century. This theological treasure awaits scholarly attention. See, however Jakob J. Petuchowski, “Manuals and Catechisms of the Jewish Religion in the Early Period of Emancipation,” in: Alexander Altmann (ed.), *Studies in Nineteenth Century Jewish Intellectual History*, Cambridge, MA 1964, pp. 47-64.

The publication of those often book-long catechisms, containing extended itemizations of theological assumptions that Jewish pupils were supposed to accept and learn by heart, was, in itself, striking proof of the transformation of Jewish identity-building processes during the nineteenth century – from observing practical law to what might be called a internalization of Jewish articles of faith. That those beliefs were thought to be perfectly rational and/or historical by the authors of the catechisms, and that the purpose of these books was rather more educational than religious, did not change the fact that Judaism had now become a confession instead of an way of life.¹⁰ But interestingly, as far as could be probed for the present study, none of those dozens of freshly introduced catechisms offered even as much as a preface presenting the history, function, meaning or authority of dogma itself within the tradition of Jewish thought.

While this absence of debate might have been due to the educational purpose of those books, which were, in part, intended for elementary school use, a discussion about dogma in Judaism soon sprang up beyond the context of the catechism-literature, namely, in the pages of the similarly new Jewish journals of academic research. For, in parallel to the reforming aspirations of German Jewry, there arose a new movement, no less ambitious, which for the first time in Jewish history, aimed to approach the entire corpus of the religious literature of Judaism with scientific tools and methodologies – and it was not a coincidence that the

10 This is far from saying that Judaism had *copied* here from Protestantism, as has often been claimed by today's scholars. (See, for example, Leora Batnitzky, *How Judaism became a Religion*, Princeton 2011) It is rather a consequence of an intra-Jewish modernization process that almost necessarily followed the fall of the ghetto walls and the decline of rabbinical authority. It seems to be more promising to take the strong anti-Christian tendencies of modern German Jewish scholars seriously than to assume "inadvertent" assimilation (Batnitzky, p. 6). In addition, at least until Harnack's *Wesen des Christentums* (1900) Protestant dogma was still largely irrational, which makes a confession of this dogma essentially an expression of blind belief – unlike Jewish confessionality.

two movements shared many protagonists. This new movement, which called itself the *Wissenschaft des Judentums*, was deeply rooted in the revolutionary paradigm shift that took place during the first half of the nineteenth century, when the new ideal of scientificity (*Wissenschaftlichkeit*) replaced the *Bildung* ideal of the Enlightenment. In other words, critical, empirical, and inductive methods of research replaced the great metaphysical ideas, and the specialized, university-trained expert replaced the aristocratic polymath.

The Reform of Judaism, then, was more than a mere demythologization of religious tradition. It is impossible to imagine it without its scientific basis; it could not have existed without it. Reform Judaism actually brought forth a scientific treatment of Jewish religion. "Reform in Judaism has created the science of Judaism," wrote Hermann Cohen in 1917.¹¹ Cohen (1842-1918), the most important Jewish philosopher at the turn of the twentieth century, should always be read as exemplifying the climax of nineteenth-century Reform theology and not as representing the beginning of twentieth-century Jewish existentialism. It is in this sense that he remarked, in a public lecture in Vienna in 1898, "For 50 years now, nobody has written a *dogmatic* of our religion." Referring explicitly to Formstecher and Samuel Hirsch, Cohen said that the claim that Judaism had no articles of faith was a "nonscientific delusion." To the contrary, he explained, "every systematic science needs its own dogmatics, let alone a religion." It would only indicate poor education to say that dogmatics required blind belief. In fact it was quite the opposite: neglecting dogmatics would mean, for Cohen, "to dry out the source of Jewish life."¹²

11 Hermann Cohen, "Zur Jahrhundertfeier unseres Graetz," in: *Neue Jüdische Monatshefte*, November 1917, p. 51-57, here: p. 54.

12 Hermann Cohen, "Das Judentum als Weltanschauung" (1898), reprinted in Dieter Adelmann, "*Reinige dein Denken*" – *Über den jüdischen Hintergrund der Philosophie von Hermann Cohen* (ed. Götge K. Hasselhoff), Würzburg 2010, pp. 322-23.

The present study will show that a revival of the debate about Jewish dogmatics can be observed a little earlier even than Cohen assumed, already in the middle of the 1830s, some fifty years after Mendelssohn's *Jerusalem*. The earliest critique of Mendelssohn's strong stance against Jewish dogma probably dates from 1834, when the young scholar and rabbi Moritz Freystadt (1810-1870) published a short essay in the journal *Sulamith* titled "Do the Jews possess articles of faith, or not?"¹³ *Sulamith* (which appeared between 1806-1848) was the first German-language journal published for a Jewish public – a journal that itself underwent an interesting development from the *maskilic* ideas of Mendelssohn to the reformatory thought of the *Wissenschaft* movement. Freystadt, born in Danzig, had studied in Königsberg with Johann Friedrich Herbart (1776-1841) and was one of the first Jews to be granted a doctorate at the Albertina University. In 1832, he published his Latin dissertation under the title *Philosophia cabbalistica et Pantheismus*. In this thesis, Freystadt attempted to show that, particularly for the theologian, Kabbalah was distinct from pantheism. His book was a courageous Jewish response to certain views held by several influential Christian philosophers. Freystadt aggressively confronted them with the claim that, unlike pantheists, all kabbalists maintained a distinction between creator and creation, between finite beings and infinite spirit.¹⁴ Friedrich Heinrich Jacobi (1743-1819), Friedrich Wilhelm Joseph Schelling (1775-1854), and others who held Spinozism and Kabbalah to be essentially identical systems of thought were simply ignorant of the original kabbalistic sources, the young Freystadt argued.¹⁵

13 Moritz Freystadt, "Haben die Juden Glaubensartikel, oder nicht?" *Sulamith* 1 (1834): 15-19.

14 Moritz Freystadt, *Philosophia cabbalistica et Pantheismus*, Königsberg 1832, pp. 112ff.

15 For a discussion, see George Y. Kohler, *Kabbalah Research in the Wissenschaft des Judentums (1820–1880): The Foundation of an Academic Discipline*, Berlin 2019, pp. 39-41.

Later, Freystadt authored several other books on philosophical subjects, but he was also active in political battles, as a pamphlet from 1862 against the anti-Semite Wilhelm Marr (1819-1904) shows.¹⁶ A reviewer of Freystadt's book on pantheism wrote that, at the time of his dissertation, the author was actually a candidate for the rabbinate, "but because he was inclined to more comprehensive studies he then acquired within a short time the knowledge necessary to follow university lectures and got acquainted with the modern philosophical achievements of the Germans."¹⁷ Freystadt himself revealed in the preface to his dissertation that, until the age of seventeen, he had studied only "Jewish theology in Hebrew and Aramaic"; that is, like most other young Jewish men of his generation, he had received only classical Talmudic training.¹⁸ Looking back at his youth, Freystadt reminisced in 1864 that, after attending several *yeshivot* in the area of Posen, he came to Königsberg, then fifteen years old, "as a little fanatic." In the German gymnasium there, however, he soon lost his Orthodox belief and turned "to the very opposite, to the obliquities of atheism." Only the study of Kant's *Critique of Pure Reason* saved him in his "desperate situation." He "devoured this book" and, through Kant, Freystadt eventually achieved what he later called "a

16 Moritz Freystadt, *Der Christenspiegel von Anti-Marr*, Königsberg 1862. See for background: Uriel Tal, *Religion, Politics and Ideology in the Third Reich: Selected Essays*, London 204, p. 173. Earlier, in 1843, Freystadt was involved in a local debate about emancipation with the anti-Semitic professor of theology Ludwig August Kähler (1778-1855) from Königsberg. (See: *Königsberger Allgemeine Zeitung*, 1843, pp. 47, 97f.)

17 A certain Dr. Rupp in the journal *Der Jude* of 1833, p. 24.

18 Freystadt, *Philosophia cabbalistica et Pantheismus*, p. viii. In 1837, Freystadt wrote a *Correspondenz* to the *Allgemeine Zeitung des Judentums* (23.9.1837, pp. 295-96) taking issue with an earlier all-out negative report about the cultural situation of the Jews in Königsberg from the same paper. For details, see the dissertation of Jill Storm, *Culture and Exchange: The Jews of Königsberg, 1700-1820* (2010), pp. 293-294 (<http://openscholarship.wustl.edu/etd/335>).

reasonable [*vernunftgemäß*] religious conviction.”¹⁹ In 1834, as an editorial footnote to Freystadt’s article on Jewish dogma, *Sulamith* editor David Fränkel (1779-1856) called on German Jewish communities to employ Freystadt as their rabbi, because “this young Israelite theologian” had mastered scientific knowledge alongside a thorough training in rabbinics – a combination that still seemed to have been rare at this time in Germany.²⁰

Indeed, Freystadt saw it as his mission, in his piece on Jewish dogmatics, to align Judaism with the dramatic progress made in the general philosophy of religion since Mendelssohn, especially in the wake of Immanuel Kant’s first *Critique* (1784) and its well-known rejection of any possibility of proving the existence of God. To oppose dogmatic belief, Freystadt wrote, was to misunderstand the essential character of religion in general, and particularly that of Judaism. But Freystadt was far from raising the historical truth of revelatory events or prophetic figures to the level of religious dogma. What he referred to here as “dogma” were rather the eternal truths that Mendelssohn himself had separated from the truth of history: belief in God, providence, and the immortality of the soul. Mendelssohn, however, lived and thought in the pre-Kantian era, Freystadt explained. Under the exclusive influence of the then-prevailing philosophy of Leibniz (1646-1716) and Christian Wolff (1679-1754), Mendelssohn was utterly convinced that God and immortality could be rationally demonstrated, “as easily as any law from the theory of quantities,” and even with more than one apodictic proposition. This opinion, which at this time was widespread, was

19 Moritz Freystadt, *Immanuel Kant: ein Denkmal seiner unsterblichen Philosophie*, Königsberg 1864, pp. 9-10.

20 In 1864, six years before his death, he still lived in Königsberg, however. During this year, he published the above-quoted booklet on Kant, on the occasion of the erecting of the famous Kant monument in Königsberg, created by sculptor Daniel Rauch. The statue later disappeared mysteriously from the park of Friedrichstein castle, where Marion Gräfin Donhoff had hidden it in 1945. Finally, a replica was made in 1992 and brought back to Königsberg.

enough to make Mendelssohn even “hostilely disposed” towards Maimonides’ dogmatic principles, Freystadt wrote. As a great admirer of metaphysics, in some of his works, Mendelssohn had transferred his conviction of the undogmatic, rational demonstrability of metaphysical ideas to the Jewish religion, especially because this provided him with a tool “to defeat insipid missionaries.”²¹

But while that reference to Mendelssohn’s apologetic epistle to Johan Caspar Lavater (1741-1801) seems to have included approbation of the Jewish philosopher, Freystadt noticed with some bitterness that, after Mendelssohn’s death, and especially after the Kantian revolution of religious philosophy, Mendelssohn’s view of dogma-less Judaism, as a religion confined to revealed legislation, took on a life of its own. Mendelssohn’s stance still “found its way into many theological works, some catechisms and many other popular writings” about Judaism – which was clearly “not to the advantage of religion.” Thoughtlessly, one Jewish author copied this theory from the other, Freystadt complained, without being aware of the absurdity that one could still claim today that “forgoing all academic definitions” of religious concepts, Judaism possessed no articles of faith. Kant had allowed for religion to be triumphant in its modest emphasis on faith and hope, Freystadt claimed. Kant’s *Critique of Pure Reason* had warned against all speculative theology. The work had shown “for all eternity” that there was no final knowledge of religious metaphysics because there could be no secure knowledge of the supernatural.²² Since Kant, faith had returned to all revealed – but also to natural – religion; this faith, however, was now no longer the blind faith that Mendelssohn rejected in his critique of dogma, but “the faith of reason, motivated by speculative as well as by

21 Freystadt, *Glaubensartikel*, p. 16. The reference made is to Mendelssohn’s works *Phädon* (1767) and *Morgenstunden* (1785), both dealing with immortality.

22 Freystadt, *Glaubensartikel*, p. 16 [für alle Ewigkeit]. Freystadt repeated this idea (in more detailed fashion) three decades later in his essay on Kant; see Freystadt, *Immanuel Kant*, p. 9.

practical interest.”²³ The certainty of such faith was, although full, still only subjective, because here, reason was lacking insight with respect to the divine object of this faith. That change in the nature of faith after Kant was why, according to Freystadt, Mendelssohn had been the last philosopher entitled to reject articles of Jewish belief. All those who still did the same, he opined, were either willing to return to the long-defeated religious metaphysics of Leibniz and Wolff or, even worse, were willing to “throw themselves into the arms of a modernized Spinozism, which is undermining every true religiosity.”²⁴ Only if God and world were identical, Freystadt seemed to emphasize here, could there be a last, slight, possibility for exact, proven knowledge of the Divine.

This sudden attack on pantheism can certainly be explained biographically: As we saw, in his dissertation, Freystadt had tried to differentiate between Judaism and pantheism, to the point of defending even kabbalah against the claim that it contained pantheistic aspects.²⁵ Spinoza and his modern followers might nevertheless have objected here that their pantheistic faith was a ‘faith of reason’ no less than Freystadt’s and the modern Kantians.’ Thus, what remains to be explained is Freystadt’s appeal to ‘true religiosity’ as the opposite of Spinozism. This perhaps anticipates the criticism of Spinoza by the later neo-Kantians around Hermann Cohen, who rejected pantheism as the arch-enemy of morality, which in turn was seen as the essence of religiosity.²⁶ Freystadt, at any rate, seems to have preferred even Kant’s postulated God, as a rational-religious dogmatic idea, over Spinoza’s philosophical *deus sive natura*. Kant’s oft-discussed claim in the second *Critique* that one could

23 Freystadt, *Glaubensartikel*, p. 17.

24 Ibid., p. 17.

25 For Freystadt’s continued interest in Jewish mysticism see his edition of Moses Haim Luzzatto’s work *Hoker uMekubbal*, introduced with a 25 page long biography of Luzzatto (Königsberg 1840, Hebrew title page).

26 See here: Robert Schine, *Hermann Cohen: Spinoza on State & Religion, Judaism and Christianity* (an annotated translation, with an introduction of Cohen’s 1915 monograph on Spinoza), Jerusalem 2014.

at least assume God existed because morality existed illuminates Freystadt's modernized Jewish dogmatism:²⁷ A religious dogma was now an article of faith that could be postulated or *assumed* through reason (but not positively demonstrated) – and this was still on the condition that it supported true 'religiosity' – a concept in all likelihood to be translated as 'true morality.' Anticipating another central element of classical Jewish reform theology, Freystadt now used this argument to counter the conceptually different Christian dogma: Mendelssohn was undoubtedly right when he wrote in *Jerusalem* that the Hebrew Bible simply presupposed that no one could deny the eternal, rational truths of religion. If this was correct, Freystadt continued, the belief in those rational truths had to always precede and consequently modify belief in the historical truths of the Sinaitic revelation – a consequence Mendelssohn was not yet willing to admit. The New Testament, however, and thus Christianity, was from the outset constructed "on mere secrets." Crucially, in contradistinction to Judaism's 'faith of reason,' Christian dogma was therefore forced to include a religious *duty* to blindly believe in its own truth.²⁸

Freystadt's conclusions in the essay were twofold: First, because they contained both historical beliefs and the 'faith of reason,' he called for generally maintaining Maimonides' thirteen articles of faith. Although the number thirteen could actually be reduced by logical operations, Freystadt asserted, the possible abridgement would only come at the price of clarity.²⁹ It was this nonbinding reintroduction of the Maimonidean list that the young rabbi-philosopher presented as the real reason for writing the essay. Nevertheless, second, Freystadt concluded, the time had come for modern philosophy to breathe its spirit into

27 Of course, Kant's argument is more complex than can be presented here. See, for details, Peter Byrne, *Kant on God*, London 2016, Steven Palmquist, *Kant's Critical Religion*, London 2000.

28 Freystadt, *Glaubensartikel*, p. 18.

29 Ibid., p. 18.

Jewish theology. Philosophy was the science of the sciences (*Wissenschaft der Wissenschaften*). As such, Judaism could only benefit if Jewish scholars eventually threw the light of philosophical critique on the intellectual traditions of their religion.³⁰ Interestingly, even in this early essay on Jewish dogmatism, one notes an almost intrinsic combination, often found later in the nineteenth century, of *Wissenschaft*, ethics, and Jewish identity – and it was the maintenance of dogma, albeit rational dogma, that was supposed to facilitate this combination.

Still the same year, in the fifth issue of *Sulamith*, published in 1834, a response to Freystadt's essay appeared that was authored by another important but almost forgotten figure of the early *Wissenschaft* movement, the Frankfurt-born Simon B. Scheyer (1804–1854).³¹ We know from the diary of the young Abraham Geiger (1810–1874), who later became one of the founders of the Reform movement, that Scheyer was highly instrumental in Geiger's decision not to jettison Jewish theology in favor of devoting his life to Oriental Studies, as he had originally planned in 1829. "The example of an acquaintance, Simon Scheyer, kept me from pursuing extreme steps," Geiger journalized, "[for] he had made the shift from inflexible Orthodoxy to unbelief, and his inner instability became an alerting example for me. By this very example, I was newly strengthened in my love for the Jews and Judaism."³² Still, Scheyer went with Geiger to Bonn, where they together studied the philosophy of Herbart and where Scheyer finally, according to Geiger's diary in 1830, "despite much indecision" remained a

30 Ibid., p. 19.

31 To his credit, Gad Freudenthal recently devoted much energy to scholarly research on Scheyer's life and work, thus essentially rediscovering this "distinguished pioneer" of the study of medieval Jewish philosophy. See his "Simon B. Scheyer (1804–1854): A Forgotten Pioneer of the Scientific Study of Medieval Jewish Philosophy," *Journal of Jewish Studies*, 2 (2016): 363–91.

32 *Abraham Geiger's Leben in Briefen* (ed. L. Geiger), Berlin 1878, p. 17.

theologian.³³ Scheyer later became one of the leading Maimonidean scholars of nineteenth-century Germany. In 1838, he published the first annotated, critical German translation of Maimonides' *Guide* (Part III only),³⁴ and, in 1845, another influential book on Maimonides' theory of the soul.³⁵ Scheyer's early and tragic death in 1854 (by suicide) prevented further volumes from appearing, yet his work stands as one of the most profound studies of Maimonides' philosophy penned in the nineteenth century.³⁶

In his *Sulamith* response from 1834, Scheyer wrote that Freystadt was to be praised for taking up the question of dogmatics within Judaism, and especially for addressing it in a scientific way. Scheyer agreed that it was a 'harmful error' to heedlessly repeat Mendelssohn's anti-dogma theory. Freystadt was further correct in considering the acceptance of articles of faith as essential for any revealed religion. But, Scheyer objected at this point, as Freystadt did not correctly grasp what had motivated Mendelssohn to reject Jewish dogma, he had failed to provide the right justification for his (in itself) fully justified demand to re-introduce articles of faith into Jewish theology. Interestingly, Scheyer's reading of Mendelssohn was more sophisticated than that of Freystadt

33 Ibid. p. 18. In Bonn, Scheyer joined for some time a study group consisting of Geiger, Samson Raphael Hirsch and others. (See Freudenthal, p. 365).

34 Simon Scheyer, *Dalalat al-Hairin, Zurechtweisung der Verirrten von Moses ben Maimon*, Ins Deutsche übersetzt mit Zuziehung zweier arabischen Mste. und mit Anmerkungen begleitet, Frankfurt 1838.

35 Simon B. Scheyer *Das psychologische System des Maimonides*, Frankfurt 1845. Already in 1842 Scheyer had published a book on Hebrew syntax, with the declared intention of facilitating the correct translation of the Bible into modern languages (*Die Lehre von Tempus und Modus in der hebräischen Sprache*, Fankfurt 1842).

36 Cf. George Y. Kohler, *Reading Maimonides' Philosophy in 19th Century Germany*, Dordrecht 2012, pp. 51-55.

and therefore seems to have done more justice to the Haskalah philosopher, despite his outright rejection of Jewish dogmatism.³⁷

First, Scheyer explained that, contrary to Freystadt's view, Mendelssohn's adherence to the metaphysics of Leibniz had no bearing on his repudiation of Jewish articles of faith. Rather, Mendelssohn had explained in *Jerusalem* that every moderately intellectually capable human being could understand the truth of God's existence and providence, for which no knowledge of Leibniz or any other complex philosophy was necessary. If that wasn't so, Scheyer wrote, if only philosophers were capable of turning their ideas and experiences into apodictic theological knowledge, Mendelssohn had to be blamed for a return to the pre-Enlightenment intellectual elitism that had been propounded by Jewish thinkers from Maimonides to Spinoza, who strictly distinguished between the 'uneducated masses' and the philosophical genius. This would have been, however, "to attribute a great absurdity" [*Ungereimtheit aufbürden*] to Mendelssohn, in Scheyer's view. Mendelssohn's opposition to Maimonides was instead founded on the opinion that it was not a rehearsed list of dogmas, but mere *common sense* that was enough to achieve a degree of knowledge that guaranteed virtue and felicitousness [*Tugend und Glückseligkeit*], even if this knowledge of the eternal truths was not (yet) apodictic.³⁸ Mendelssohn's opinion to this effect now made it self-evident, Scheyer argued, that a specific divine revelation could not have commanded beliefs or articles of faith but could, at the most, have included the legislation of specific actions.³⁹

37 Simon Scheyer, "Einige Bemerkungen über den Aufsatz des Herrn Dr. Freistadt: Haben die Juden Glaubensartikel oder nicht?" *Sulamith*, 5 (1834): 299-306, here: 299-300.

38 Indeed, Maimonides' list comes to the declared purpose to guarantee a place in the 'world to come' for *all* Israel (*Commentary on the Mishnah*, Sanhedrin 10).

39 Scheyer, *Bemerkungen*, p. 301.

If Leibniz had no bearing on Mendelssohn's view of Jewish dogma (but rather the belief in the power of common sense), as a consequence, accepting Kantian philosophical Criticism would not necessarily mean much for the opposite view, Scheyer continued. Therefore, Freystadt, too, could not infer that dogmas had to be re-introduced into Judaism just because, with Kant, all metaphysical proof of God was shown to be impossible. This was an interesting, innovative claim, because Scheyer – apparently the more traditional Jew of the two at the time of the debate – seemed thus to reject an interpretation of Kant that many conservative thinkers understood to be welcome Kantian support for a renewed traditional, belief-based religion. This interpretation was based on Kant's famous confession from the preface to the second edition of his first *Critique*: "I have therefore found it necessary to deny knowledge, in order to make room for faith..." – the very maxim to which Freystadt had referred. But even Freystadt had noted how Kant could be misinterpreted here as calling for *blind* faith. Thus, on close reading, the seemingly simple sentence turned out to be highly ambiguous, and the traditionalist interpretation, where religion took precedence, might have been just as misguided as factitiously forcing positive religion into philosophical systems. It was precisely the emphasis on both directions of the Kantian maxim that differentiated Kant's view from Orthodox positions that claimed Kant for their agenda: We can prove, intellectually, neither God's existence *nor* God's non-existence.⁴⁰

In fact, Freystadt and Scheyer were in full agreement on the meaning of the crucial word *faith* [*Glaube*] in Kant's statement. It meant what Kant himself frequently referred to elsewhere as *Vernunftglaube* [rational faith, faith of reason], a term that distinguished clearly between theoretical and practical reason. The truth of *Vernunftglaube*, according

40 For the use of Kant by German neo-Orthodoxy, see David H. Ellenson "German Orthodoxy, Jewish Law, and the Uses of Kant" in Ellenson's collection *Between Tradition and Culture*, Atlanta 1994, pp. 15ff. This essay, however, does not address the question of whether the Orthodox use of Kant was in any way legitimate.

to Kant, was justified solely by the practical moral interests of human beings. The ‘knowledge denied’ in Kant’s maxim, then, was the knowledge of the ‘things in themselves’ and the ‘faith’ that was made room for, was, rather, practical-moral knowledge.⁴¹ Thus, neither building on mathematical law nor natural science, *Vernunftglaube* constituted also no metaphysical knowledge of God or the soul. The decisive point that made Kant’s storied statement inapplicable for Orthodox purposes was that Kant had never intended to say faith and knowledge would directly contradict each other, so that faith was *counterposed* to knowledge, or even that it defied or confronted knowledge, as traditionalist readings (or mystical theologies) often had it. Kant, of course, was far from assigning to religious faith any sort of “higher certainty” or a different form of confidence for the believer than knowledge could offer. Because if understood in this non-Kantian, metaphysical way, religious faith represented, rather, a clear antithesis to philosophical ethics, to the very possibility of the practical use of human reason.⁴² Hence, Scheyer did not reject Freystadt’s reading of Kant but only his attempt to rationally ground the call for the reintroduction of Jewish dogma in Kantian epistemology – because Freystadt’s was an

41 With the increasing alignment of Jewish thought to the philosophy of Kant during the nineteenth century, this point about the possibility of rational ethics was later raised by many Jewish theologians. Thus, for example, the Kantian thinker Manuel Joel (1826-1890) wrote in 1857 that after Kant’s critique of reason “religion could again run up its victorious banner” because religion was rooted not in theoretical knowledge but in moral law – and virtue was not a mathematical problem (Manuel Joel in *Monatsschrift für Geschichte und Wissenschaft des Judentums* 1 [1857]: 37-40). See also the discussion of this text by Heinz Mosche Graupe in his *The Rise of Modern Judaism: An Intellectual History of German Jewry* (transl. John Robinson), Huntington, N.Y. 1978, pp. 158-60.

42 Compare here Hermann Cohen, *Ethik des reinen Willens*, Berlin 1904, p. 46: With the acceptance of this metaphysical interpretation of faith, “the possibility of ethics will be destroyed [*vernichtet*].”

argument that came dangerously close to certain Orthodox interpretations of Kant that Scheyer seemed to reject.

Both thinkers further agreed in their reading of Mendelssohn's pre-Kantian position that dogma had to be rejected because it was either blind or was no dogma – but while Freystadt proposed to re-introduce it as Kantian 'reasonable belief,' for Scheyer, Kant's epistemological denial of knowledge of the Absolute could not be the sole rational justification for Jewish dogmatics. This, Scheyer wrote, would be a "very volatile fundament for our revealed religion," even if it was built by a brilliant philosopher.⁴³ Instead, Scheyer suggested returning to the medieval idea of the complementarity of revelation and reason as espoused by nearly all Jewish philosophers of the Middle Ages, beginning with Saadia Gaon. While God had indeed 'revealed' much rational truth through nature and human experience, a religion of reason still stood in need of historical, scriptural revelation, "in order to gain grounding, reliability, [and] certainty," in Scheyer's words. This revelation, "God, in his fathomless wisdom, had offered to a people that because of its historical experience was the most suitable for its further propagation."⁴⁴ Here, Scheyer seemed to be again in closer agreement with Mendelssohn. "All [religious] laws [of Judaism] refer to, or are based upon, eternal truths of reason, or remind us of them, and rouse us to ponder them..." Mendelssohn had argued in *Jerusalem*,⁴⁵ and while this apparent *post facto* rationality of the religious ceremonies had no impact on the *authority* of Torah-law for Mendelssohn, it was nevertheless supportive of its observance in a pedagogical sense.

Surprisingly, however, Scheyer's strongest argument against the eternal and universal validity of Kantian metaphysical skepticism was the Jewish idea of the messiah. So far, all post-Kantian attempts to return some form of religious metaphysics had proved clearly untenable,

43 Scheyer, *Bemerkungen*, p. 302

44 Ibid., p. 302.

45 Mendelssohn, *Jerusalem*, Arkush translation, p. 99.

Scheyer knew, and would soon disappear. But did that mean that Kantian Criticism, that is, the subjectivity of all metaphysics, was demonstrated “with geometrical strictness, such that its opposite is unthinkable”? In order to answer this question, Scheyer had to resort to nothing less than Jewish messianism, and thus, apparently, to religious dogma itself. We await that “a twig shall sprout from the roots of humanity” [*Menschengeschlecht*], Scheyer hinted at Isaiah, a twig, on which the spirit of the Lord rested, that is, the spirit of wisdom.⁴⁶ And further modifying the prophetic verses, Scheyer continued: “With the rod of his mouth he will smite *Critical Philosophy*, the apparently invincible Goliath.” After heroically defeating Kant, Scheyer’s philosophical Messiah would then “take a deep look into nature and into our souls and thereby re-establish the timeless rights of human reason.” Ultimately, Scheyer’s Messiah would be able “to create the edifying conviction in all unprejudiced friends of truth that our understanding does not need to waive all knowledge of the real [*des Wirklichen*], and that metaphysical ideas, based on true epistemology, do have objective character.” If the Messiah succeeded in this mission, Scheyer explained, Freystadt’s theory was refuted: Freystadt would have to delete his articles of Jewish faith again from the catechisms and would have to “sacrifice them as a sign of tribute to this philosophical Messiah.”⁴⁷

Scheyer’s complex argument seemed to imply that the Messiah *had to* succeed, otherwise he wouldn’t be the Messiah. Even more than that, Scheyer, too, knew that this Messiah’s philosophical mission was impossible at present. Still, it was precisely the impossible that the Messiah was supposed to do – given that Jewish dogma was now re-established (as a ‘reasonable faith’ in ideas that were actually unprovable, like the coming of the Messiah), according to Freystadt. While Scheyer thus entangled his opponent in a net of internal contradictions, it is interesting to take a brief look at the concept of messianism behind his

46 Scheyer, *Bemerkungen*, p. 303 (referring to Isaiah 11: 1, and then 11: 4).

47 Ibid., p. 303.

hypothesis. Not only was this Messiah a philosopher and not a warrior, it was also probably not by chance that Scheyer replaced the tribal connection of the Messiah in the Bible with a humanistic one. His Jewish Messiah came to fulfill a universal mission – to refute Critical epistemology and re-introduce a religious metaphysics based on reason, first and foremost, apparently, in order to reclaim a ‘real’ God as an object of ontology. Not surprisingly, this historical universalism anticipated the rediscovery of the Messianic idea in Judaism by German Jewish reform theologians beginning from the 1840s – after Haskalah thought had generally ignored messianism.⁴⁸ Mendelssohn especially, the great opponent of dogma, had hardly a concept of the messianic, that is, of the intellectual and moral progress of humanity.⁴⁹

At any rate, this messianic argument was irrelevant to the discussion with Freystadt, Scheyer conceded, because Freystadt would not accept the possibility of Kant ever being refuted in the first place, as Freystadt wrote in his original essay.⁵⁰ Therefore, even this sophisticated messianic theory was developed by Scheyer only in support of Freystadt’s original call to re-establish the idea of Jewish dogma. But, if Freystadt’s justification for this call was too ‘volatile,’ as Scheyer claimed, what then

48 Lazarus Bendavid (1762-1832) declared that today Jews would find their Messiah merely in “good leaders who accord them rights equal to that of their fellow citizens.” See his *Über den Glauben der Juden an einen künftigen Messias*, Berlin 1823, p. 225. On the later rediscovery of Messianism in the 19th century: George Y. Kohler, “Prayers for the Messiah in the Thought of Early Reform Judaism,” in: Uri Ehrlich (ed.), *Jewish Prayer: New Perspectives*, Beer Sheva 2016, pp. 5-29.

49 However, Elias Sacks has recently pointed out that “Mendelssohn’s denial of global continuous progress should not obscure his conviction that some newly emerging philosophical systems may plausibly be judged to be superior to their predecessors.” (Elias Sacks, *Moses Mendelssohn’s Living Script*, Bloomington 2016, p. 65.)

50 See above, note 22. Kant was correct, for Freystadt, “for all eternity.” Indeed, Kant himself wrote of the three kinds of proof for the existence of God that he refuted: “There are no more of them, and there also *cannot be any more*.” (B 619, my emphasis). See Immanuel Kant, *Critique of Pure Reason* (transl. Paul Guyer and Allan W. Wood), Cambridge 1998, p. 563.

was his own reason for asserting the validity of Jewish dogmatism? Here, as previously mentioned, Scheyer resorted to Maimonides. Maimonides was the first thinker to have drawn up a list of Jewish articles of faith, *despite the fact* that he (like Mendelssohn) strongly held to the rational demonstrability of God's existence, Scheyer argued. Maimonides could still do this because he believed in the absolute conformity of the truth of reason and the truth of the Bible, of Jewish tradition, as he saw it.⁵¹ Scheyer agreed: This apriori presupposed conformity was the only way to justify dogmatic belief within Judaism. If it is assumed that the divinely revealed Torah contained both legal regulations *and* eternal philosophical truths, revelation did more than authorize practical commandments (as in Mendelssohn); it also consolidated and strengthened the acceptance of the great metaphysical ideas of religion (as in Maimonides). If, after Kant, the 'geometrical' proof of those ideas was shattered, as Scheyer seemed to imply here, Judaism needed even more support from the Bible's divine authority.

But here we must be careful. Mendelssohn was famously unable to find a commandment commanding religious *belief* in the divine, or in anything else, Scheyer recounted, but not because the Torah simply presupposed that only a "blasphemous ignoramus" could deny the eternal truths of religion, as Freystadt had it.⁵² To the contrary, according to Scheyer, it was the very purpose of the Torah to protect the Jews against blasphemy and ignorance. Rather, the word 'belief' did not appear in the biblical text because it would have been understood as a prohibition of free thought and inquiry, Scheyer reasoned. In the Hebrew Bible "the aspiration for apodictic conviction was not to be excluded from the truth of revealed doctrine." In Scheyer's view, divine wisdom eschewed the use of the word *belief* in order to prevent the

51 Scheyer, *Bemerkungen*, p. 304. He quoted here at length from Maimonides' *Guide* (III, 54) in his own German translation, almost identical with the version he published in 1838. (See Scheyer, *Dalalat al-Hairin*, p. 440.)

52 Freystadt, *Glaubensartikel*, p. 18 [*ruchloser Thor*].

possibility of Orthodox theology, that is, “the opinion of those who hold that revealed religion intended to suppress the development of our independence in its highest and noblest direction,” apparently meaning intellectual independence. But, in fact, Scheyer argued, there was no need for the Torah to demand belief in this or that doctrine, because the Torah obligated every Jew to believe in the divine origin of the Mosaic faith itself, including its metaphysics.⁵³ Now, if this was correct, Scheyer concluded, we could comfortably do without compiling lists of articles of faith. All that remained was one Jewish dogma: The divinity of the Pentateuch.⁵⁴

While apparently, according to Scheyer, only this single dogma had to be believed in order to uphold Judaism itself, his solution came at a price: Spinoza had already pointed out convincingly that Maimonides’ ambitious project to locate a preconceived metaphysical truth in the innocent lines of an ancient text had only been brought about by his assumption of its ‘divine origin,’ otherwise it would have been almost ridiculous.⁵⁵ Only if this text was ‘God’s word’ in a rather direct sense, must it necessarily have confirmed the results of human reasoning – but this was a circular argument. Jewish reform theology soon abandoned this last article of Jewish faith. Jewish neo-Kantians in the second half of the 19th century rejected Kant’s postulate-God together with a postulated divinity of the biblical text as unfounded presumptions, borne from necessities and not from *a priori* reason. When, in 1898, Hermann Cohen bemoaned the absence of Jewish dogmatics, as we saw above, he was clearly referring to theological ideas, that is, to hypotheses, and not to dogmatic articles of faith in the traditional sense. For Cohen, these hypotheses, that are regulative ideas such as ethical monotheism, social and universal messianism or unmediated atonement and no longer

53 Scheyer, *Bemerkungen*, p. 305.

54 Ibid., p. 306.

55 See in Baruch Spinoza’s *Tractatus Theologico-Politicus* (1670) – the long discussion of Maimonides at the end of chapter seven.

Kant's *Vernunftsglauben*, would form a 'scientific' *religion of reason*.⁵⁶ Here, eventually, no discrepancy whatsoever between religion and reason remained intact. Cohen indeed re-integrated the concept of God into his *a priori* philosophical thought, albeit not as an ontological reality (as in Scheyer) but as a regulative idea. He wrote: "If there is to be truth in the belief in God, God must be integrated into the science [*Wissenschaft*] of ethics." Only thus, built on the rationality of science, for Cohen, could belief be freed from attachment to tradition and all external authority – that is, be truly autonomous.⁵⁷ In our debate from 1834, however, Freystadt's preference for a 'reasonable faith' in God was still opposed by Scheyer's almost blind, messianic faith in reason.

Strikingly, however, the very conclusion to which Scheyer came was drawn almost one hundred years later, during the first truly scientific and analytic discussion of the role and definition of dogma in Judaism.⁵⁸ In 1926, a pathbreaking debate on the subject of dogmatism between Rabbi Leo Baeck (1873-1956), the philosopher Julius Guttmann (1880-1950), and some others erupted in the pages of the flagship Jewish *Wissenschaft*

56 Cohen himself wrote this theology of Judaism only in 1918, when he tried to show in his last work that a 'religion of reason' could be constructed from certain elements of Judaism (but not that Judaism itself was such a religion). See his *Religion der Vernunft aus den Quellen des Judentums*, Leipzig 1919. In his pathbreaking *Wesen des Judentums* (1905), Leo Baeck had already discussed dogma in the sense of doctrine.

57 Hermann Cohen, *Einleitung mit kritischem Nachtrag zur neunten Auflage der Geschichte des Materialismus von Friedrich Albert Lange* (1914), in: Cohen, *Werke* 5/II, Hildesheim 1984, p. 108. From 1915, Cohen differentiated between two concepts of God: The God of ethics, described above, and the God of religion, providing atonement for the individual.

58 See, even before that discussion, the first attempt by Kaufmann Kohler (1843-1926) to write a "Systematic Theology of Judaism" in 1910: Kaufmann Kohler, *Jewish Theology, Systematically and Historically Considered*, New York 1918 (first edition in German: Leipzig 1910).

journal, the *Monatsschrift*.⁵⁹ There, Guttman established that the only essential, pre-reform dogma Judaism really possessed was the divinity of the Pentateuch and, consequently, the authority of biblical and even rabbinic law. In premodern Judaism, too, the inherent validity claim of revelation did not allow for the question on which authority it was based.⁶⁰

It is not only in this limited sense, however, that the 1834 argument between Moritz Freystadt and Simon Scheyer anticipated many Jewish-theological ideas of the later 19th and early 20th centuries. The debate can be read as heralding the dawn of a new era in modern Jewish thought, after the short *maskilic* period had come to an end in Western Europe, an area, which had seen the renewal of Jewish dogmatic theories alongside the revival of the idea of messianism and the rediscovery of the religious philosophy of Maimonides. All this was accompanied by an increasingly open and well-argued rejection of Christianity as a moral substitute for Judaism. In addition, our debate sheds light on another important tension within 19th century Judaism: Was the emergence of the Reform movement, and especially its theology, a restoration of the ‘authentic’ Judaism of antiquity, as many reformers claimed – emblemized in the

59 Discussed in detail by Kerstin von der Krone, “Jüdische Wissenschaft und modernes Judentum: Eine Dogmendebatte,” in: Andreas Kilcher, Thomas Meyer (eds.), *Die “Wissenschaft des Judentums”: Eine Bestandsaufnahme*, Paderborn 2015, pp. 115-138.

60 This validity claim was later freely extended to the oral tradition of Jewish law by the Talmudic rabbis, who did not clearly define the dogmatic-theological preconditions for doing so. Belief in a divine source, even for Talmudic law, was dogmatically required from the Jew, but neither the theological differences, nor human involvement within such a concept of ‘revealed oral law’ were anywhere defined. See: Julius Guttman, “Die Normierung des Glaubensinhalts im Judentum,” in: *Monatsschrift für Geschichte und Wissenschaft des Judentums*, 5 (1927): 241-255. See before that: Leo Baeck, “Besitzt das überlieferte Judentum Dogmen?” *Monatsschrift für Geschichte und Wissenschaft des Judentums*, 4 (1926): 225-236. Max Wiener also contributed to this debate with his “Moses Mendelssohn und die religiösen Gestaltungen des Judentums im 19. Jahrhundert,” *Zeitschrift für die Geschichte der Juden in Deutschland*, 3 (1929): 201-212.

memorable metaphor of the pure core surrounded by the fossilized shell of ‘traditions’? Or was reformed Jewish theology a fundamentally new approach to Judaism, as Orthodox thinkers claim to this day (“the invention of a new religion”)?⁶¹ Tensions of this kind can only be resolved through a renewed interrogation of Jewish dogma, to include consideration of what, in fact, constitutes the core of Judaism.

Ultimately, the Freystadt-Scheyer debate demonstrates that, at the beginning of the 19th century, Judaism began a complex struggle for survival in modern times, keeping pace with enlightened Western philosophy as well as with its own rich intellectual traditions. It was the very “essence of Judaism” that was to be found through the renewed efforts to enumerate rational Jewish articles of faith. Identifying this ‘essence,’ according to many German Jewish theologians of the time, held the key to a justification for Jewish existence, first and foremost for modern Jews themselves.

Abstract

This paper traces the arguments in an 1834 philosophical debate between R. Moritz Freystadt (1810–1870) and the Maimonides scholar Simon B. Scheyer (1804–1854) on the question of whether Judaism possesses dogmas. While Freystadt proposed the re-introduction of Maimonides’ articles of faith into the Jewish religion after the Kantian abolition of all secure belief in the absolute as a form of “reasonable faith,” Scheyer argued that the only Jewish dogma was the divinity of the Pentateuch. For Freystadt, Kant had for all eternity refuted the possibility of religious metaphysics and Judaism had thus to rely on postulates of practical, that is, moral reason for its theological survival. Scheyer, in contrast, upheld the belief in a philosophical Messiah who

61 The best discussion of this tension is still Max Wiener, *Jüdische Religion im Zeitalter der Emanzipation*, Berlin 1933. Wiener unambiguously argued that Reform Judaism represented a theological revolution.

would eventually contradict Kant and return objectivity to faith. In the meantime, according to Scheyer, the revealed nature of Torah dogmatically authorized both its ceremonial and its philosophical messages. In this sense, the debate anticipated much of the later scientific analysis of the leading scholars of the *Wissenschaft des Judentums* regarding the emergence and function of dogma and religious authority in Judaism.