

because they did not wish to be left behind and out of touch with the rapidly growing Ashkenazi majority. However, the Antébis, the shes, the Manis, the Levys, and the Elmalehs knew better than the nazim how to manipulate the political system and how to wrest concessions from the authorities, because of their linguistic skills and intimate knowledge of the world of *bakshish* and nepotism, so much a part of daily life in the Ottoman bureaucratic jungle.

TWO MODELS OF JEWISH SPIRITUALITY

by

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Religion as madness is a madness springing from irreligiousness.¹

- 1 -

Iberian Jewry gave birth to two parallel, and in a profound sense mutually exclusive, spiritual traditions: one "rationalistic" and the other "mystical." These traditions originated in two different geographical areas, reflecting different semantic and cultural environments: the rationalistic tradition was developed in Moorish Spain, whereas the mystical tradition was born in Gerona and Catalonia, under the Christians. Both these traditions transcended their geographic and historical boundaries and have continued to dominate Jewish intellectual and spiritual life till the present.

Jewish rationalism in Spain was developed by elitist circles in Andalusia, particularly those connected with the Jewish Academy at Lucena. Its best exponent was Maimonides (1135-1204). Hence it will be referred to here as "the Maimonidean" tradition. Its most outstanding feature was that it had an urban, intellectual elite. This was essential to

¹Ludwig Wittgenstein, *Culture and Value*, trans. Peter Winch (Chicago: Chicago University Press, 1980), p. 13c.

the strategy of Jewish survival under Islam. What set apart the Jewish communities in the Near East from the Copts in Egypt or the Maronites and Nestorians in Syria and Iraq was the fact that they alone had a thriving, intellectual urban elite. It is a remarkable fact that out of the diverse minorities inhabiting the Islamic world, only the Jews were able to develop an urban elite. It has been noted that, as a consequence of the Abbasides policy of "openness" and "cultural pluralism," all other minorities, Christians included, lost their intellectual elite to Islam:

The remaining Christian elite of the cities succumbed to Hagarene monotheism primarily via the Hellenising pluralism which the 'Abbasid caliphs engendered, the phenomenon which in effect spelt doom to all the non-Muslim urban elites except the Jews.²

In Sicily, but more particularly in Spain, the Christian intellectual elite defected to Islam. Christianity was preserved mainly in non-urban centers, among the ordinary population and semi-educated folk.

For centuries, all of Jewish Spain was dominated by the life-style and traditions of their coreligionists in Andalusia. The philosophy, literary masterpieces, and legal works and institutions constituting the "Golden Age" of Spain were all the product of Andalusian Jewry. Things began to change in the twelfth century. With the destruction of the Jewish communities in Andalusia by Moslem fanatics from North Africa (the Almoravides and Almohades), the Jewish intelligentsia left the Iberian Peninsula. The resulting vacuum was filled by the Jewish communities in Castile. The great Talmudic Academy of Lucena, the most glorious of the Golden Age of Sepharad, had been transplanted to Toledo. Toledo became the cultural center for both Jewish and Christian humanists and scientists.³ This tradition was soon challenged by Northern Spain, mainly Gerona and Catalonia. Previously these communities had depended on their brethren in the South for instruction and direction. In their quest for spiritual guidance, Gerona and Catalonia looked up to their coreligionists in France and Germany. The appeal of these elements rested in the fact that they were the product of a Christian environment, akin to that of the Jews in Northern Spain. In the past, the tradition and values developed in Moorish

²Patricia Crone and Michael Cook, *Hagarism: The Making of the Islamic World* (Cambridge: Cambridge University Press, 1977), p. 84.

³See my *In the Shadow of History: Jews and Conversos at the Dawn of Modernity* (Albany: SUNY, 1992), pp. 9-10.

Spain had insulated the Jew, both intellectually and emotionally, from the Christian society. By contrast, the newly introduced values "made sense," i.e., they were semantically compatible with the Christian environment. Since this tradition was developed mainly in Gerona and Catalonia and passed from there to the rest of Spain, we shall refer to it as the "Catalonian" tradition. The anti-Maimonidean movement (1180-1240) was intimately connected with the ideology of this tradition. It culminated in the famous ban proclaimed in Barcelona—the capital of Catalonia—by R. Solomon ibn Adret (ca. 1235-ca. 1310) on July 26, 1305, against the Maimonideans.

When examining the events leading to the collapse of Jewish life in Spain, historians have failed to consider the role of the Catalonian tradition. Because their own religious notions about "Judaism" had been shaped and affected by a Christian environment, Jewish historians failed to recognize the link between the triumph of the Catalonian ideology and the subsequent history of Iberian Jewry.⁴ Unfamiliar with forms of Jewish traditions other than their own, Andalusian life style—fluency in secular science and lore and the analysis of faith by common reason—did not appear genuinely "Jewish." Thus, while noticing the peculiarities of the Andalusian tradition, they assumed that the Catalonian ideology was less "influenced" by the "outside" world. In fact, much of this tradition was the effect of a mimetic response to their Christian environment. To take one obvious example, the anti-Maimonideans were emulating Christians like Bernard of Clairvaux (1090-1153) and other anti-rationalists, who charged Christian thinkers with the crime of examining faith by ordinary reason, and had some or all of their works banned.⁵

- 2 -

Essential to Judaism is the belief that God must be worshipped exclusively according to the terms of the *berit* ('covenant') contracted at the foot of Mount Sinai.⁶ Thus, the Hebrew idea of monolatry—in the sense of worshipping God solely according to the specific terms prescribed in the covenant—stands at the basis of the Scriptural prohibition of 'aboda

⁴See *In the Shadow of History*, chap. 1.

⁵See *In the Shadow of History*, pp. 11-12, cf. 1-2.

⁶See my "Understanding the Covenant," *Tradition* 9 (1968), 33-55.

zara ('alien worship'). This term does not merely indicate the prohibition against worshipping images or another deity. It even forbids the worship of God with an "alien worship," that is, with cults or rituals not prescribed in the covenant. From this perspective, it is irrelevant whether one worships God with images or with an unprescribed cult.⁷ The Rabbis stipulated that even to worship angel Michael, the "ministering angel" of Israel, is '*aboda zara*.⁸ Similarly, Talmudic law regards Christianity as '*aboda zara* not because it worships images—images were introduced into Christianity after the Talmudic period—but because it worships with a cult that was not stipulated by the Sinaitic covenant.⁹

Intimately connected with the concept of monolatry is the concept that all duties must be regulated by *halakha* (Rabbinic law). The basis of *halakha* is the *berit*, the semantic content of which, known as the "Oral Law," was transmitted through an uninterrupted chain of tradition and deposited in the Talmud—the highest juridical source in Judaism. The Rabbis making up this chain of tradition were the members of the *Bet Din* (Jewish Court)—the highest Judicial Court of the Jewish people—and therefore had the authority to transmit, interpret, and legislate the Law of the *berit* (see below, section 3).

The place of Law and its relation to Love are pivotal for an understanding of Judaism and Christianity and of the ensuing conflict between the Andalusian and Catalan traditions. Both systems regard "Law" and "Love" as positive elements. Their difference pertains to the ultimate ground regulating man's relation to God: is it the Law or Love? For Christianity, the Law must be subordinated to Love. For Judaism, Law is supreme. Love, whether between humans or towards God, is regulated by Law. This emphasis on Law does not deny the value of love and human emotions. Quite the contrary. As the Prophets of Israel and the Rabbis preached throughout the ages, love and devotion are essential elements of divine worship. It stipulates, however, that pathos of any kind cannot serve as the ultimate constituent in man's relation to God: it must be grounded on the Law, i.e., the Sinaitic covenant. The individual pathos of the worshipper is significant, but only within the context of the Law: it

⁷See my "The Biblical Idea of Idolatry," *The Jewish Quarterly Review* 69 (1978), 1-26.

⁸*Tosefta Holin* 2:24.

⁹See my *Studies in the Mishne Tora* (Hebrew) (Jerusalem: Mossad Harav Kook, 1978), pp. 230-238.

cannot condition the Law or modify any of the terms of the covenant.

The preceding discussion is essential for grasping the legacy of Andalusian Jewry. The entire cultural and spiritual output of the Golden Age of Spain was dominated by Law: in the form of precise grammatical and philological rules regulating the hermeneutics of the sacred texts and their literary creations; in the form of rational and scientific principles regulating their intellectual investigations; and above all, in the form of *halakha*, specific laws and juridical principles regulating the institutions and religious life of the people. Even belief in God is circumscribed by the Law. According to Maimonides belief in God is a *mišva* (commandment) and therefore a *consequence* of the Law.¹⁰ An effect of such a system is that all commandments are regulated by precise legislation—not by intuition and pious impulse. This principle was best formulated by Judah ha-Levi (ca. 1075-1141). The commandments (*mišvot*) of the Law "have exactly known definitions" (*ḥudud mustaqāṣa ft-l-'ilm*), functioning as the ultimate categories of Judaism.¹¹ Judaism is not "obeying" God according to one's personal notions, but in executing the divine will "according to its [the Law] definitions and stipulations."¹² Thus, the Torah is "definite" (*mazbuta*), with precise demarcations.¹³ Legal categories, rather than "intuition and personal sagacity" (*l-dhauq w'l-tu'aqqal*),¹⁴ determine the religious duties of Israel.¹⁵ Therefore, Judaism excludes '*ijtihad* (personal endeavor,) implying both intellectual "diligence" and religious "fervor," as the source of religion. The precise sense of '*ijtihad* was properly interpreted by R. Jacob Abendana (1630-1685), the Spanish translator of the *Kuzari*, who rendered the Hebrew equivalent *bishtaddelut*, as *diligencia y fervoroso zelo* (diligence and

¹⁰See *MT Yesode ha-Tora* 1:1-9; *Studies in the Mishne Tora*, pp. 152-60. I have expanded on this point in my forthcoming article, "Law and Hermeneutics in Rabbinic Jurisprudence: A Maimonidean Perspective," *Cardozo Law Review* 14 (1993).

¹¹*The Kuzari*. All citations and pagination proceed from the original Arabic *Kitab al-Radd wa-l-Dalil fi 'l-Din al-Dhalili* [henceforth: *The Kuzari*], ed. David H. Baneth (Jerusalem: The Hebrew University Press, 1977), III, 49, p. 129.

¹²*The Kuzari*, I, 79, p. 20.

¹³*The Kuzari*, II, 50, p. 70.

¹⁴*The Kuzari*, p. 130; cf. I, 99, p. 34; III, 53, p. 135.

¹⁵Cf. *The Kuzari*, III, 53, p. 135.

fervent zeal).¹⁶ The purpose of the *Kuzari*, Judah ha-Levi's philosophical work, was to exclude religious fervor based on *'ijtihad* as a source of salvation. A pagan king, acting as the protagonist of the book, is described as an individual who was very "diligent" (*yujtabad*) in his religion. An angel warned him that although his intentions were good his actions were not—implying, thereby, that he would not be saved.¹⁷ According to this school, the sin of *'aboda zara*, as exemplified by the golden calf (Ex. 32:1-8), was not because the children of Israel had worshipped God with images, but because moved by *'ijtihad* in the form of religious fervor, they worshipped God with a ritual which was not specified by the covenant.¹⁸ The point of Judah ha-Levi—the poet laureate of Sepharad—was not to exclude pathos from Jewish worship, but to circumscribe it to the strict boundaries of the Law. From this perspective, the difference between Judaism and all other spiritual systems concerns the place and function of *'ijtihad*: whereas Judaism is grounded on the Law contracted at Sinai—personal endeavor having a strictly subordinate function—all other systems are grounded on *'ijtihad*. Personal endeavour, as a spiritual criterion, precludes any differentiation between heathenism, magic, and all religious systems.¹⁹

The preceding distinction between Law and personal endeavor excludes heroism—the highest form of personal endeavor. Specifically, Maimonides classified heroism as a vice, not a virtue. He mentioned disapprovingly

... those who regard heroism as virtue, and call heroes brave. When they see someone behaving with extreme heroism, moving toward death, facing his extinction deliberately. If saved by an accident, then they praise him, saying 'he is brave!'²⁰

¹⁶Jacob Abendana, *Cuzary* (Madrid: Libreria General de Victoriano Suarez, 1910), p. 196.

¹⁷*The Kuzari*, I, 1, p. 3. For a detailed analysis of ha-Levi's position on *'ijtihad*, see *Studies in the Mishne Tora*, pp. 126–132.

¹⁸*The Kuzari* I, 97, pp. 29–32; cf. I, 79 and IV, 14 and 23. For a brief analysis of this subject, see "The Biblical Idea of Idolatry," 10–11.

¹⁹See *Kuzari* I, 98, p. 32; cf. *ibid.* IV, 14 and 23. This subject had been fully developed and documented in *Studies in the Mishne Tora*, pp. 126–133.

²⁰*Shemona Peraqim*, IV, in *Pirush ha-Mishnayot le-ha-Rambam* [henceforth: *Pirush ha-Mishnayot*], ed. and tran. R. Joseph Qafih, 7 vols. (Jerusalem: Mossad Harav Kook, 1964), vol. 4, p. 381.

The concept of heroism bears directly on the concept of martyrdom. For Judaism, *Qiddush ha-Shem* ('Sanctification of the Name [of God]', or 'martyrdom') is not a form of *'ijtihad*—a Jewish equivalent of heroism.²¹ Like all other commandments, this, too, is regulated by precise legal definitions. Therefore, although commendable under the specific circumstances prescribed by the Law, martyrdom is sinful when the Law does not require it. Maimonides stipulated that an individual giving up his life when not required by the Law is not a martyr, and must render account for his folly before his Maker.²²

The place of fervor in Jewish thought was the focus of a dispute between Maimonides and an anonymous Rabbi urging North African Jews to die rather than to confess Muhammad's mission.²³ Before the ideological basis of this dispute is examined, it is important to note that according to standard *halakha*, as developed by the Ge'onim and Sephardic authorities up to the time of Maimonides, there were no legal grounds to demand martyrdom. Maimonides was emphatic on this point. Such a confession "does not mention or state anything which is contrary to the Law, in any way."²⁴ Three brief comments will help us gain a historic perspective of the halakhic issues involved. First, the Ge'onim—the highest Rabbinic authorities of post-Talmudic times—had ruled that Islam does not involve idolatry. Accordingly, Jews were free to sell wine which was manufactured or touched by Muslims. Furthermore, throughout the

²¹This basic point was overlooked in the discussion of David Hartman, *Crisis and Leadership: Epistles of Maimonides* (Philadelphia: Jewish Publication Society, 1985), pp. 46 ff., who continuously identifies *Qiddush ha-Shem* with heroism.

²²MT *Yesode ha-Tora* 5:1.

²³The Rabbi was not local. Cf. Maimonides, *Iggeret ha-Shmad*, in ed. Isaac Shailat, *Letters and Essays of Moses Maimonides* (Hebrew) (Maaleh Adumim: Maaliyot Press, 5748/1988), vol. 1, pp. 33, 45. His strong contention in favor of martyrdom, the earmark of Ashkenazic communities throughout the ages (see *In the Shadow of History*, p. 212), seems to indicate that he was from Ashkenaz, rather than Byzantium. This anonymous Rabbi appears to have been halakhically illiterate (*'am ha-'ares*) (see notes below). Consequently, Maimonides could not possibly treat him with the deference which must be awarded to a sage (*talmid hakhamim*).

²⁴*Iggeret ha-Shmad*, p. 32.

Muslim world Jews had their slaughter-houses point to Mecca (the *Qibla*).²⁵ Hence, confessing Muhammad's mission could not possibly be classified as an idolatrous act. Second, in Jewish law, only a performative utterance, in which the idol is accepted as a deity and prayed to directly with the second-person pronoun "thou," may be regarded as an idolatrous act.²⁶ Declarative or descriptive utterances do not fall into this category.

²⁵On the status of Islam according to the Ge'onim, see R. Simon bar Šemah Duran, *Ha-Tashbeš* (Amsterdam, 5498/1738), III, 133. For more detailed sources, see *Studies in the Mishne Tora*, pp. 235-236. Jews in Muslim lands had their slaughter-house pointing towards the *qibla*, Mecca. Although there was some opposition on the grounds that this practice imitates a gentile ritual (*huqqot ha-goyyim*) (see R. Solomon ibn Adret *She'elot uu-Tshubot ba-Rishba*, vol. 1, no. 345), even today Jews in Muslim lands comply with this requirement, in order to sell to Muslims the hind part of the animal, as well as those animals that were found to be *taref* (ritually blemished), or when the slaughtering was faulty according to Jewish law (*nebela*) (see R. David ibn Abi Zimra, *Teshubot ha-Radbaz*, vol. 2 (Venice, 5509/1749), no. 162; and the sharp remarks of R. Moses di Trani, *Se'elot uu-Teshubot*, vol. 2 (Venice, 5390/1630), II, no. 68 against those expressing reservations on this matter). For the meat to be ritually *halal* and fit for consumption, either a Muslim or the Jewish *shohet* ('slaughterer') had to recite the *basmala* (see R. Moses di Trani, *Se'elot uu-Teshubot*; R. Hezqiya da Silva, *Peri Hadash on Yore De'a* XIX, 6). And yet, no objections were raised on the ground that it involved an "idolatrous practice." Some Jews went as far as slaughtering for Muslims the sacramental sheep for 'id 'l-'adha. Opposition to this practice was grounded on the prohibition of slaughtering sacrifices outside the Temple, not because it was idolatrous, see *Ha-Tashbeš*, III, 133.

In a highly offensive article, motivated by unresolved oedipal complexes rather than scholarship, Hayim Soloveitchik, "Maimonides' *Iggeret ha-Shemad*: Law and Rhetoric," in ed. L. Landman, *Rabbi Joseph H. Lookstein Memorial Volume* (New York: Ktav, 1980), assails Maimonides on this issue. Unfamiliar with the halakhic sources cited above, he upbraids Maimonides for not discussing in detail the status of Islam: "One would expect that Maimonides would now proceed to discuss the nature of Islam and its status in Jewish law," he writes (p. 284), adding a little further, "The crux of his opponent's position that Islam is idolatry is casually dismissed" (p. 286). Maimonides was addressing himself to one of the most learned communities of the time—to have produced a R. Isaac Alfasi and contributed to the Rabbinic education of a Maimonides is no trifling achievement—not to a group of unfocused Rabbinic students.

²⁶See *Mishna Sanhedrin* 7:6, and *Sanhedrin* 63a. The formulas must contain the second personal pronoun 'atta, 'thou,' see *Sanhedrin* 63a and *MT 'Aboda Zara* 3:5. By virtue of the second personal pronoun the formula is transformed into a performative utterance, indicating personal speech (see my "The Hebrew Personal Pronouns," in ed. Arthur A. Chiel, *Perspectives on Jews and Judaism* [New York: The Rabbinical Assembly, 1978], 52-53). On the precise legal definitions of these formulas, see *Studies in the Mishne Tora*, pp. 215-216. Their constitutive elements are two: (i) the formulas (of either acceptance or prayers) must be performative utterances, and (ii) they must be executed in the presence of an idol and

ry.²⁷ Therefore, to identify oneself as "Fire worshipper"—the official religion of Persia in Talmudic times—was not regarded as an idolatrous act.²⁸ Third, although such a confession constitutes a formal acceptance

directed to it. Neither of these components were present in the case of Maimonides. Soloveitchik failed to grasp the legal aspects of the *Mishna*, and then he proceeded to upbraid Maimonides for "attempting to claim that apostasy must be by deed and not by word" ("Maimonides' *Iggeret ha-Shemad*," p. 287). Soloveitchik had no idea of the halakhic definition of "apostasy." According to Maimonides apostasy is committed only when one (i) abandons the Jewish people and (ii) goes to join (*ve-yyidabbeq*) the gentiles, (iii) out of contempt for the Jewish people (see *MT Teshuba* 3:9, and *Kesef Mishne*, ad loc.).

The distinction between performative and descriptive utterances parallels the distinction between performative witnesses (*edim le-qiyume*) and witnesses to verify (*librur*), examined by the elder R. Chayyim Soloveitchik, in *Hiddushe R. Hayyim ha-Levi on Girushin* 3:15.

²⁷The Muslim *shahada* or confession of faith is, as the name itself states, a testimony whereby the believer attests to his inner faith—but it is not an act of worship. Such a statement, therefore, is not performative but rather descriptive. As such it could be either true or false. This is why the anonymous Rabbi connected reciting the *shahada* with the prohibition of giving false testimony (see *Iggeret ha-Shmad*, pp. 32, 42). There is a poem by one of the victims of Islamic coercion, venting his inner feelings about such a "testimony." The poem was falsely attributed to R. Isaac ben 'Ezra (see ed. Menaḥem H. Schmelzer, Isaac ben Abraham ibn 'Ezra, *Poems* [(New York: Jewish Theological Seminary of America, 1980), p. 147]. Two of the lines read, "And if I said that a madman is the prophet of God/ and I praised him at the beginning of every prayer. My mouth said it, but my heart responded/ You are a liar, and your testimony is false."

²⁸*Nedarim* 62b states that in order to avoid taxes a Rabbinic student may declare: "I am a servant of the Fire" (*'abda de-Nura 'ana*). The gist of this passage is that since the Persian authorities exempted the clergy from taxation, a Rabbinic student may identify himself to a tax officer as a clergyman by saying that he is "a servant of the Fire"—an expression that the Persian officer would surely understand. The Aramaic *'abda*, like its Hebrew equivalent *'ebed*, 'slave,' 'servant,' means also 'worshipper,' 'cleric.' In this sense it was understood by Rashi, ad loc., s. v. *'abda*. There were some, like the scholar submitting a question to R. Solomon ibn Adret, who explicitly explained this term to mean *komer* 'priest' (see *Teshubot ba-Rishba* I, 84). However, Jewish authorities in Christian countries, concerned with the tide of assimilation, prohibited Jews from passing themselves, or even causing others to mistake them, for gentiles (see R. Judah he-Hasid, ed. R. R. Maragaliot, *Sefer Hasidim* [Jerusalem: Mossad Harav Kook, 5724/1964], no. 117, p. 141). Consequently, the above mentioned passage was interpreted to mean, "I am a servant of a priest of the Fire," see *Teshubot ba-Rishba* I, 84; *Tosafot on Nedarim* ad loc.; *Shitta Mequbbešet on Nedarim* ad loc.; R. Joseph Habboba, *Nimmuge Yosef on the Rif Nedarim*, 20b, and the very judicious remarks of the same author, in *Nimmuge Yosef on the Rif Baba Qamma*, 40a-b). To give textual legitimacy to this interpretation, some amended the text to read *de-be Nura* 'of the Temple of Fire' (see R. Meiri, *Bet ha-Behira on Nedarim* ad loc.; R. Abraham Min ha-Har *Pirush 'al Nedarim*

of their religion from the point of view of Islam, Jewish law regards a confessional pronounced under duress as meaningless.²⁹ Therefore, as

ve-Nazir (New York, 5722/1962), p. 131). A more elegant approach was quoted by R. Solomon ibn Adret, *Teshubot ha-Rishba* I, 84, interpreting "servant of the Fire," to mean "servant of the Blessed God, about whom it is written 'He is a devouring fire' (Deu 4:24, 9:3). Therefore, one is permitted to say something which may be understood by them to mean their Fire"; see R. Meiri, *Bet ha-Behira* on *Nedarim* ad loc. This view was codified by the *Shulhan 'Arukh Yore De'a* CLVII, 2. According to this position, a Jew may not identify himself as a gentile, even to save his life. However, he may say something equivalent to "I am the servant of the Fire," which the gentile would understand in one manner, but that he would intend to mean something else (cf. Rama ad loc. and below, n. 31).

Obviously, one cannot anachronistically project this late interpretation—the effect of specific circumstance within the Jewish communities in Christendom—into the text, and then expect Maimonides to subscribe to it. Another passage in the *Yerushalmi 'Aboda Zara* 2:1, 40c directly confirms the plain sense of the passage above. The discussion centers around the fact that because of circumcision a man would not be able to conceal his Jewish identity and therefore he is more exposed to harm from gentiles than a woman. It reads as follows: "a woman may conceal herself and say 'I am a gentile,' whereas a man cannot conceal himself and say 'I am a gentile.'" Cf. the attempt of Rosh *'Aboda Zara* 2:4 to explain this passage away.

Soloveitchik was unfamiliar with the above mentioned sources, and therefore failed to grasp the difference between a performative utterance, such as "Thou art my god, save me!" said to an idol, which Jewish law regards as idolatrous, and a declarative utterance used for identification purposes. After a hackneyed deliberation of Maimonides' view that confession of Muhammad's mission does not warrant martyrdom, Soloveitchik writes (p. 292): "At any rate, it is a very novel theory, and it detaches a sizable area of conduct from the domain of martyrdom which all [*sic*] have hitherto supposed to have belonged to it." One cannot appeal on intuitive grounds, and then proceed to conjure up the thesis that Maimonides, "the purest and greatest Sephardic scholar of the ages sat down at his table and wrote a letter in which he distorted the facts to whose ascertainment he had dedicated his life" (Soloveitchik, "Maimonides' *Iggeret ha-Shmad*", pp. 318-319). Intuition needs to be examined critically before one jumps to false conclusions.

²⁹See *Iggeret ha-Shmad*, pp. 37-40. The Rabbi in question overlooked this fundamental point (see p. 31). The same happened to Soloveitchik, who insists that such a confessional constitutes an "acknowledgment of the mission of Mohammed" and therefore "a denial of the supremacy of the Mosaic revelation," thus concluding that this is "the rankest of heresies" (p. 285). This is pure nonsense. Even if Jewish law regarded a confessional obtained under the threat of death as a valid "testimony" of faith—which it doesn't—nowhere, except for the disjointed babbling of Soloveitchik, does the formula "Muhammad is the messenger of God" express "a denial of the supremacy of the Mosaic revelation." In fact, common expressions such as "Old Testament" and "New Testament," as well as giving the dates according to the current calendar system, are theologically more offensive to Judaism than the formula "Muhammad is the messenger of God." [On the use of the Christian calendar, see *Studies in the Mishne Tora*, p. 232.] In Arabic, *rasul* does not

Maimonides pointed out, Jewish law does not demand martyrdom to avoid such a confession. "According to the Rabbis this [the requirement for martyrdom] does not apply in a case which does not involve an action, but he must let himself be killed when they force him to perform an action."³⁰ It is only when a Jew is coerced to worship in a manner specifically defined by Jewish law that martyrdom is necessary.³¹

necessarily connote prophetic supremacy. On the title *rasul* in Judeo-Arabic, see *Studies in the Mishne Tora*, p. 13 n. 2. Se'adya Ga'on used *rasul* to translate the Hebrew *'ebed* 'servant' (see ed. R. Joseph Qafih, *Daniel 'Im Targum wu-Firush Rasag* [Jerusalem: Ha-Va'ad le-Hoşa'at Sifre Rasag, 5741/1981], 9:6, 10, 11). Indeed, "a messenger" may be properly understood to mean someone who was inspired or moved by God, to act in certain manner—a common biblical belief, particularly concerning world leaders whose actions directly affect the destiny of the Jewish people. At the end of the *Mishne Tora* (uncensored editions *Melakhim* 11:20), Maimonides counted Muhammad (together with Jesus) as one of those religious leaders who brought humankind closer to the Messianic age. Although Moslems certainly understood this statement to imply that Mohammed was the greatest of all prophets, Jews could have understood it to simply mean that he was an instrument of God. In such a case, as it was codified by the Rama *Yore De'a* CLVII, 2: "Although it is forbidden to say that one is an idol worshipper, at any rate to save one's life one could say to them such an expression which could be understood in two ways, so that the idol worshippers would understand that he is an idol worshipper, and he should intend something else." See above, n. 28.

³⁰*Iggeret ha-Shmad*, p. 54.

³¹Jewish law demands martyrdom only in idolatrous acts involving direct worship. There are two versions of a passage in the *Yerushalmi* (*Shabbat* 14:4, 14d; *'Aboda Zara* 2:2, 40d), discussing the permissibility of using an *'ashera*—a tree dedicated to a pagan deity—for medical purposes. The case concerns a situation where the physician did not request that the substance should come from an idolatrous object, but such substances were only to be found in a tree or fountain consecrated to a pagan deity. According to one version this is forbidden, see *Hiddushe R. David Bonfid 'al massekhet Pesahim*, p. 124; the same version appears in *Hiddushe ha-Ran* on the Rif, *Pesahim* (chap. 2), 5b, s. v. *ba-kol*. According to this version *'abizrayhu* ('derivatives') of idolatry, even when not involving direct worship, require martyrdom. A second version of the *Yerushalmi* reads that it is permitted. This version is validated by oriental (see R. Hanan'el on *'Aboda Zara* 28a), Spanish (see the citation in name of R. Aaron ha-Levi, in pseudo-Ritba on *Pesahim* 25a, s. v. *'Amar R. Ya'aqob*; R. Solomon ibn Adret, in *Hiddushe ha-Rishba 'al massekhet 'Aboda Zara* [Jerusalem: Mossad Harav Kook, 5726/1966], p. 40; R. Moses Halewa, *Pirush 'al massekhet Pesahim*, p. 62 a-b), French (see Tosafot on *'Aboda Zara* 27b, s. v. *shane*, *Pesahim* 25a, s. v. *hus*; Tosafot R. Elhanan 'al *'Aboda Zara*, 31b, s. v. *ve'en*; R. Me'iri, *Bet ha-Behira 'al Aboda Zara* [ed. R. A. Sofer], p. 65), and German (see *Haggabot Maimoniyot* on *'Aboda Zara* 10, no. 9) authorities. This version was codified as the principal ruling by the *Shulhan 'Arukh*, *Yore De'a* CLV, 2). Therefore, although biblical law forbids drawing any benefit from

The real issue dividing Maimonides and the Rabbi was ideological: the place of fervor in Judaism. In one of his reasonings in favor of martyrdom, the Rabbi argued that since Christians would "rather die than confess his [Muhammad's] mission," Jews should also choose martyrdom. Following ha-Levi, that *'ijtihad* is synonymous with Christianity and Islam, Maimoni-

an idolatrous object (Deut. 13:18), since this case does not involve direct worship, martyrdom is not required.

A consequence of this position is that *'abizrayhu* ('derivatives') of idolatry, although forbidden by biblical law, do not require martyrdom (on the dependence of the notion of *'abizrayhu* on the first version of the *Yerushalmi*, see *Hiddushe ha-Ran*, ch. 2, 5b). This is the position of Maimonides and the Ge'onim, who maintain that when no direct worship is involved, martyrdom is not required. This principle is explicit in the Talmud. It was reported in *Sanhedrin* 74b that Jews could deposit fire into the containers carried by fire-worshippers for use in their religious services. The Ge'onim transmitted a tradition ascertaining that this ceremony took place in a day specially consecrated for this ritual (see ed. S. Assaf, *Teshubot ha-Ge'onim* [5689/1929], p. 171). This tradition was later incorporated in ed. S. Mersky, *She'illot*, vol. 3 (Jerusalem: Sura Institute, 5724/1964), XLIV, p. 48; ed. Alexander Kohut, *Aruch Completum*, s.v. *dimoniq*; R. Meir Abul'afya, *Yad Rama 'al massekhet Sanhedrin*, ad loc. s. v. *wu-maqshinan*; and Rashi ad loc. s. v. *bekhi*. According to the Geonic tradition cited above, depositing fire in the containers carried by the priests was part of the ceremony of the fire worshippers; thus the receptacles were formally classified as *meshanmeshe 'aboda zara* ('idolatrous instruments'). This tradition is supported by an ancient version (see *Aruch Completum*, vol. 7, p. 74 n. 2) stating that the fire taken from the Jews was *le-nura* ('to the Fire'), that is, to the deity itself, rather than to *be-nura* ('the Temple of Fire') as in the standard editions. Indeed, the Persian priest *habbar* collecting fire from the Jews was known in Talmudic sources as *'abda de-Nura* ('the worshiper of fire') (see *Nedarim* 62b, and R. Solomon ibn Adret, *Teshubot ha-Rishba*, vol. 1, no. 84). Accordingly, the fire deposited by the Jews was the very fire which was worshipped. This point is explicit in the *She'illot* (vol. 3, XLIV, p. 47), where it was explained that the fire was given to priests *le-bet 'aboda zara shel 'esh* ('to the Temple of Fire'). A slight variant, preserved in an ancient version of the same passage, cited by the editor ad loc.—*de-palhe la-'aboda zara nura* ('that worship to the deity Fire')—further confirms this tradition.

It follows that according to the Talmudic sources, as preserved by ancient readings, martyrdom is not required for *'abizrayhu* of idolatry, but only for direct worship of idols. Thus, in ed. E. Hildesheimer, *Sefer Halakhot Gedolot*, vol. 3 (Jerusalem: Mekize Nirdamim, 1988), p. 248 we read that under some circumstances, "Even in public he may transgress rather than die, even [when involving] idolatry, such as [when depositing fire] in the receptacles with which they worship in the Temple of fire."

From the preceding discussion it is evident that even if confessing Islam were "idolatrous"—which is not—it could involve martyrdom only as *'abizrayhu*—a notion developed by Ramban and other authorities living in Christian societies. This notion, however, was not held either by the Ge'onim or Maimonides, nor it is warranted by Talmudic sources.

des retorted, "Is it that there is no God in Israel that we have to learn about our faith from Moslems and Christians?" If one were to accept the notion that pious fervor is a true expression of religiosity, then, Maimonides argued, "we would have to burn ourselves and our children in the service of God," as heathens practiced in biblical times. This argument coincides with ha-Levi's position that also "the believers in dualism, in the eternity of the world, in [the conjuration of] spirits, hermits dwelling in seclusion in mountains, and those who burn their children in fire [as a religious service], are also striving (*muftabidun*) to draw near God."³² Therefore, Maimonides concluded that the Rabbi "concurred with the view of . . . Christianity," rather than with the Torah.³³

- 3 -

The exclusion of *'ijtihad* from Judaism meant that *qiyas* ('judicial analogy'), as well as all types of speculation and rationalization, could not serve as the ground of authority. Analogies, deductions, and inferences are also a form of *'ijtihad*.³⁴ This led to a different perception of Rabbinic authority concluding with the Talmudic period. There was unanimity that the Rabbinic sages used *qiyas* in their legal deliberation. The pivotal question was whether their authority was grounded on their ability to apply *qiyas*, or whether they could apply *qiyas* because they had judicial authority. For the school of Maimonides, the right of the sages, from early times until the closing of the Talmudic period, to transmit, interpret, and legislate stems from the fact that they were members of the *Bet Din*. The source of authority of the Rabbinic sages was not in the *qiyas* that they expounded, but in the Torah which has empowered the members of the Court to transmit, interpret, and legislate.³⁵ To underline this point, Maimonides emphasized in the Introduction to the *Mishne Tora* that all the members of the chain of tradition, from Moses to Rab Ashe (the compiler of the Talmud), functioned as members of the *Bet Din*—not as individual scholars. Moses did not entrust the Oral Law to individual

³²Kuzari III, 23, p. 112.

³³Iggeret ha-Shemad, p. 33.

³⁴*Qiyas* was particularly prominent in Karaite jurisprudence, see *Studies in the Mishne Tora*, pp. 86-94; for a detailed analysis of ha-Levi's position on this matter, see pp. 133-134.

³⁵See *MT Mamrim* 2:1.

scholars, but, rather, "it was taught by Moses our Teacher in his Court (*Be-bet Dino*) to the seventy sages," that is, the Supreme Court of Israel.³⁶ The same was true for the *Mishna*³⁷ and both Talmuds³⁸, the authoritative sources of Jewish legal tradition: they were effected by the Courts through successive generations, not by individual scholars. In sum, the Oral Law (*Tora se-be-'al Pe*) is "what was received by a Court directly from another Court" (*Bet Din mi-Pi Bet Din*).³⁹ Accordingly, Maimonides distinguished between the public, national *Bet Din* that came to an end with the closing of the Talmudic period, and *Bet Din shel Yehidim*, a private court like those flourishing during the Middle Ages and until our own days throughout the Diaspora, having jurisdiction only upon the local communities by virtue of having been accepted by them. The biblical commandment empowering the *Bet Din* to transmit, expound, and legislate the Law applies only to the national *Bet Din*, not to the post-Talmudic courts, which are *Bet Din shel Yehidim*. Post-Talmudic scholars have vicarious authority alone: they have legitimacy by virtue of their expertise and mastery in the Talmudic sources. They cannot, however, reinterpret the *halakha* or establish new prohibitions and definitions on the basis of their personal *'ijtihad*.

The purpose of this position was not to outlaw personal endeavour, but to give it a strict subordinate function. To have recognized the right of individual scholars to redefine a law or stipulate new duties and prohibitions on the basis of *'ijtihad* would lead to the kind of legal casuistry that would render any judicial system null and void. At the same time, the application of the law requires *'l-nazr 'l-fiqqy* ('judicial analysis')—a critical examination of the legal sources, with regard to the inner meaning and intention of the law and the precise legal demarcations established by the Rabbinic authorities. Within this perimeter, personal endeavour is a positive element, essential for the development and application of the Law. Thus, when trying to determine the *halakha*, knowledge of neither the traditional sources nor *'ijtihad* alone would suffice. As Judah ha-Levi insisted, it is the conjunction of both these factors that makes the system

³⁶See *MT* Introduction I. 10 (reference to lines are to eds. Moshe Katzenelenbogen and Saul Lieberman, *Mishne Tora* [Jerusalem: Mossad Harav Kook, 1967]). Cf. *MT Melakhim* 1:3.

³⁷*MT* Introduction, II. 53-4.

³⁸*MT* Introduction, II.93-5.

³⁹*MT*, *Minyyan ha-Miṣvot*, I. 505.

work:

Both elements are necessary. Because, if one were to disassociate judicial analysis [from the legal traditions and definitions], it would be possible to subject its [the Law's] elements to all types of craftiness that would prevent its implementation. And if one were to abandon the legal definitions which are the shield of the Law, and rely on *'ijtihad* alone, this would result in heresy, and the loss of everything.⁴⁰

A fundamental consequence of this view is that in the post-Talmudic period, the personal opinion or decree of a sage—no matter how worthy he may believe himself to be—is not binding on all Jewry. It may be binding only on those who had accepted him as their judicial authority.⁴¹ This point was the focus of a controversy between R. Isaac bar Sheshet (1326-1408) of Spain and R. Moses ha-Levi, a contemporary Rabbi from France. The French Rabbi was demanding compliance to one of his decrees, to which bar Sheshet responded:

Indeed, our teacher R. Moses ha-Levi is superb in wisdom and is superb in experience. However, still he is not a Prince standing over the members of our Nation in place of our Teacher Moses, as the head of the Superior Court (*Sanhadre Gedola*), to be able to pass decrees over all Israel and forbid that which is permitted. Furthermore, even a Prince would not pass decrees on his own but with the unanimous or majority consent of the Court (*Sanhedrin*).

After extensive documentation, he added: "An individual scholar, however, did not promulgate prohibitions upon all Israel, but only upon the people of his city and its precincts. Others, however, need not to accept his prohibitions."⁴²

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The Andalusian tradition was systematically challenged by R. Moses ben Nahman (1194-1270) known as Ramban—the most saintly and venerated Rabbi from the school of Catalonia. Although the Scripture states

⁴⁰*The Kuzari*, III, 49, pp. 130-131.

⁴¹Introduction to the *Mishne Tora* II. 117-25, for a full discussion of this subject see *Studies in the Mishne Tora*, pp. 42-5.

⁴²*She'elot u-Tshubot ha-Ribash* (Constantinople, 5307/1547), no. 271.

that the mandate of the Jewish Court is "for your generations, in all your inhabitation" (*le-dorotekhem be-khol moshebotekhem*) (Num. 35:29)—implying the legitimacy of the Court after the destruction of the Temple and throughout the Diaspora⁴³—Ramban insisted that with the destruction of the Temple, Jews ceased to have a Supreme Court (*Bet Din ha-Gadol*).⁴⁴ The sages of Israel must be perceived as schoolmen, in possession of some sort of hermetic knowledge, rather than as members of the judiciary. Their superior knowledge entitled them to expound the Scripture and unveil its true meaning. What the Rabbis deduced from the Scripture on the basis of hermeneutics is the real Torah. Thus, he rejected Maimonides' position that what was deduced by the Rabbis by means of hermeneutics is not identical to the Law itself.⁴⁵ This led to a radically new concept of hermeneutics. For the Rabbis, as well as the Geonic and Maimonidean schools, the purpose of hermeneutics is not to unveil the meaning of the text. The *peshaṭ* or *sensus communis* of the Scripture is known through tradition. The purpose of hermeneutics is to generate meaning, by establishing new relationships through the various elements of the text. This is why exegesis can never displace the text. Put in Maimonidean terminology, exegesis cannot be regarded as *de-'Oraita*—as if it were written in the Scripture. Quoting a Rabbinic principle, that exegesis "cannot displace the *peshaṭ* of Scripture,"⁴⁶ Maimonides classified what was learned through exegesis as *de-Rabbanan* (Rabbinical), and therefore, marginal to the text.⁴⁷ Thus, the polysemic character of Rabbinic hermeneutics.⁴⁸ As in the Christian tradition, the Catalanian school conceived of hermeneutics in Platonic terms. This type of herme-

⁴³See Ramban's Commentary ad loc.

⁴⁴See his *Haṣagot le-Sefer ha-Miṣvot*, *Miṣvat 'Aṣe*, no. 153, and *Studies in the Mishne Tora*, p. 43 n. 72.

⁴⁵See *Sefer ha-Miṣvot*, *Shoresh 2*, and *Studies in the Mishne Tora*, pp. 143–44.

⁴⁶*Shabbat* 63a.

⁴⁷*Sefer ha-Miṣvot*, *Shoresh II*. For a comprehensive discussion of this subject, see *Studies in the Mishne Tora*, pp. 25–32.

⁴⁸See my *Golden Doves with Silver Dots: Semiotics and Textuality in Rabbinic Tradition* (Bloomington: Indiana University Press, 1986), pp. xiii–xiv, xv, xix p. 150 n. 39. On the polysemic character of the Rabbinic *derashot* in Geonic tradition, see Moshe Zucker, *Saadya's Commentary on Genesis* (Hebrew), (New York: Jewish Theological Seminary of America, 1984), Introduction, pp. 48–57.

neutics assumes a theory, independent of the text, which then it projects into the text. The expositor "does not interpret outside the theory but rather that theory harbors its object within its own logic."⁴⁹ The ultimate ground of interpretation is the theory, not the text. It is because the expositor incarnates the theory that he has authority to expound the text, and reveal the "ideal Forms" concealed in the text. Once revealed, the text becomes marginal and is displaced by the revealed Form. Thus, what is learned by means of exegesis is *de-'Oraita*. The unveiled truth must be always Platonic: absolute and exclusive. Therefore, it is irrelevant whether it is known through the Sinaitic covenant, or through *qiyas*. Moreover, once discovered, this truth must displace the *peshaṭ*: the text becomes what exegesis has dis-covered. Rejecting Maimonides' position and the Rabbinic concept of a polysemic text, Ramban argued:

If we were to maintain that the hermeneutical canons were not received at Sinai, and that we were not commanded to apply them in the exposition of the Torah, then they would not be true. The truth would be only the *peshaṭ* of Scripture—not what was (learned) through exegesis—as the (Rabbinic) principle that he (Maimonides) had cited, "[exegesis] may not displace the *peshaṭ* of a verse." In such a case we would have revoked our tradition concerning the thirteen canons of hermeneutics, and most of the Talmud which is grounded on them. However, the Rabbi (Maimonides) acknowledges that the reason [for not accepting what was learned through exegesis as if they were written in the Scripture], is not because they are not true. But if they are true, what difference should it make whether they (Rabbis) mention it explicitly or implicitly. . . . If the (hermeneutical) canons are true, then everything it was received and known through Him!⁵⁰

Ramban also maintained that the Rabbinic authorities had biblical mandate only to expound the Scripture, but not to legislate.⁵¹ Explicitly, he rejected Maimonides' position that Rabbinic authority to legislate is biblical.⁵² Since the Rabbis' authority to legislate does not come from the Law, it follows that there must be a source, independent from the Law,

⁴⁹ Julia Kristeva, "Psychoanalysis and the Polis," in ed. W. J. T. Mitchell, *The Politics of Interpretation* (Chicago: Chicago University Press, 1983), p. 85.

⁵⁰*Haṣagot le-Sefer ha-Miṣvot*, *Shoresh II*, [3], s. v. *ve-'akshav*.

⁵¹See *Sefer ha-Miṣvot*, *Shoresh 1*.

⁵²See *Studies in the Mishne Tora*, pp. 14–19.

which determines our duties towards God.⁵³ Indeed, in his Commentary to the Pentateuch (Lev. 19:2) he recognized that one "can be depraved within the mandate of the Law." Traditionally, as R. Abraham ibn 'Ezra (1089–1164) had explained, to "be holy" was an exhortation to fulfill the Law, the ten commandments in particular.⁵⁴ For Ramban, however, to "be holy" does not refer to the observance of the actual commandments of the Law. There is a higher criterion than the commandments, "such as abstention from the pollution (*ha-tum'a*) that it was not forbidden to us by the Law," and yet is essential to attain perfection.⁵⁵

This was a direct challenge to the Andalusian position on *'ijtihad* and the entire concept of monolatry. According to this view, Judaism does not worship exclusively according to the cults determined by the Law. Explicitly, Ramban rejected Maimonides' position that the Jewish prayer (*'amida*) is a biblical commandment.⁵⁶ Since he also maintained that the Rabbinic authority to institute new legislation is not biblical, it follows that prayers, which are the highest form of Jewish devotion, must be regarded as a purely human institution—a form of Jewish *'ijtihad*—not unlike the cult of any other religion.

Acceptance of *'ijtihad* as an authoritative source of religion affected their very perception of Torah. For Maimonides and the Andalusian tradition, the Law—as a revealed text containing the covenant with God—is categorically distinct from wisdom or human science. Although the Torah may be understood rationally, and although it may generate rational principles and values, it is not reducible to human wisdom and science. The difference between this perception and that of the school of Catalonia is reflected in their interpretation of the following Rabbinic legislation. According to the Rabbis, only the Torah, but not secular documents (*shitre bedyotot*), may be read on the Sabbath.⁵⁷ What is the status of books of science? Are they to be considered as secular documents and therefore forbidden to be read on the Sabbath, or are they like the Torah, and

⁵³See *Sefer ha-Miṣvot*, p. 143.

⁵⁴See his Commentary to the Pentateuch, on Lev. 19:2.

⁵⁵Commentary on Lev. 19:2. See *In the Shadow of History*, p. 222 n. 23. Essentially, this thesis is akin to the Christian argument concerning the deficiency of the Law and the need for a new revelation, comprising and at the same time displacing the Hebrew Scripture.

⁵⁶See *Haṣagot le-Sefer ha-Miṣvot*, *miṣvat 'aše*, no. 5.

⁵⁷*Shabbat* 116b, 149a.

permitted be read on the Sabbath? According to Maimonides it is forbidden to read books of secular science on the Sabbath. Since the Torah is not reducible to "wisdom," works of science are excluded from reading on the Sabbath:

Everything, except the books of Prophecy and their interpretation, is forbidden to read on the Sabbath or a Holiday—even if it contains words of wisdom and science.⁵⁸

On the other hand, R. Solomon ibn Adret, the most distinguished legal mind to emerge from Christian Spain, allowed reading works of science on the Sabbath.⁵⁹ Responding to a query concerning the permissibility of reading medical works on the Sabbath, he declared:

It is permissible to read and carry books of medicine on the Sabbath, because these are books of science. And thus had ruled Ramban of blessed memory.⁶⁰

The above coincides with the thesis of R. Azriel of Gerona (thirteenth century), one of the fathers of mysticism in Christian Spain, that "whatever is derived from reason is called Torah."⁶¹

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The views held by the Catalan school changed the role of the Rabbi and his relationship to the Community. In the Maimonidean tradition, the authority of the Rabbi was grounded on the fact that he was a member of the local Community court (*Bet Din*). Theoretically, the Rabbinic clergy functioned as expert jurisconsults transmitting to their constituency the Talmudic law, as it was taught and processed by the Academies of the Ge'onim and great legal masters. Their authority was limited to the traditional legal corpus, and it could be tested on the basis of well accepted legal codes, accessible to the public, such as the *Halakhot* of R. Isaac

⁵⁸*Pirush ha-Mishnayot*, *Shabbat* 23:2, vol. 2, p. 89; cf. *Maggid Mishne* on *MT Shabbat* 23:19.

⁵⁹See Maran Joseph Caro, *Bet Yosef*, *'Orah Hayyim* CCCVII, s. v. *ketab she-taḥat ha-sura*.

⁶⁰*Se'elot u-Tshubot ha-Rishba*, vol. 7 (Warsaw, 5628/1868), #288, 22c.

⁶¹*Commentary on Talmudic Aggadah* (Heb.), ed. Isaiah Tishby (Jerusalem: Magnes Press, 1982), p. 77.

Alfasi, and the *Mishne Tora*. The school of Catalonia modified the traditional role of the Rabbi. Ramban's thesis concerning the authority of the Supreme Court and the role of the sage in Rabbinic times was further developed by the anonymous author of *Sefer ha-Hinnukh* from Catalonia, a member of Ramban's circle. In his view, the biblical commandment to submit to the Supreme Court of Israel is now to be fulfilled by obeying "the great sage among us during our days." However, unlike Ramban who maintained that the obligation to obey the Supreme Court cannot possibly be fulfilled now, according to this author it is to be fulfilled in post-Talmudic times by submitting to the local sages. Therefore, whoever "does not submit to the counsel of the great Torah sages of the times, in everything that they command," he wrote, "he is disregarding a positive commandment, and his penalty is very big." This view concurs with Ramban's on one fundamental point: after the destruction of the Temple the Rabbis enjoyed authority by virtue of their superior knowledge, and not because of their judicial position. However, rather than to restrict their authority to the Talmudic times, the author of *Sefer ha-Hinnukh* adopted Rashi's position that the biblical commandment to submit to the charges of the Supreme Court also applies to post-Talmudic times.⁶² This doctrine was further developed to give unlimited authority to local and community Rabbis. If one were to maintain that a sage stands in place of the Supreme Court, it would follow that the local Rabbi "has authority over them [the members of the Community] as the Supreme Court had authority over [the people] of the[ir] generation." Consequently, the decision of the local Rabbi must be upheld even when contradicted by more learned scholars:

... and all the city's sages and notables, although they may excel the community Rabbi in wisdom and expertise, they are irrelevant in regard to him. Since this authority was appointed over them, he has the legal status of royalty, ranking as the Supreme Court of Jerusalem, in regards to which all sages are irrelevant.⁶³

This view stands in sharp contradiction with the Maimonidean tradition. One of the reasons that the Rabbinic clergy supported the anti-Maimonidean movement was to impugn Maimonides and thus de-authorize the *Mishne Tora*. In this manner, their legal decisions could no longer be

⁶²See Rashi on *Holin* 52a, s. v. 'ella.

⁶³Opinion quoted by R. Elias Mizrahi, *She'elot uu-Tshubot Re'em* (Jerusalem: Horeb, 5698/1938), no. 57, p. 185.

tested by the laymen.⁶⁴

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One of the most significant figures in Christian Spain was the saintly R. Asher (ca. 1250-1321), the spiritual leader of the most important Jewish community of the time, Toledo. He was educated in Germany and shared many of the fundamental views of Ramban and the Catalanian school. R. Asher was not only the most distinguished legal mind to emerge from medieval Germany but also the champion of anti-intellectualism. In particular, he was the sworn foe of scholars and thinkers who represented the educational values and traditions of old Sepharad. Reflecting the notion that the local Rabbi was the incarnation of the Supreme Court of Israel, he was convinced of the infallibility of his opinions. Consequently, he regarded himself as the only representative of God and the Law of Moses. In a *responsum* cited below he declared, "As long as I am alive there is Law in Israel." In accordance with this ideal, he was authoritarian and doctrinaire, tolerating little dissent even from respected colleagues. His views were the views of God revealed at Sinai; there was an absolute identity between his mind and the Law of Moses: differing with him was an act of apostasy. To take a random example:

A contemporary Rabbi, Jacob de Valencia, issued a decision prohibiting his community the use on the Sabbath of a passageway which opened to a public thoroughway (*mahot mefullash li-rshut ha-rabbim*) from both ends, although a symbolic door (*surat ha-petah*) was attached to one of its entrances. In this, he was conforming with an old legal tradition. Although many authorities permit the use of such a passageway, there were others, like R. Solomon ibn Adret, who prohibited it unless a regular door was attached to one of its entrances.⁶⁵ After warning the Rabbi to desist, R. Asher wrote:

And I was told that you still persist in your defiance, and you cause the public to desecrate the Sabbath [*sic*!]. Thus I command you that after this letter is given to you in the presence of witnesses, that within two

⁶⁴See *In the Shadow of History*, pp. 16-17.

⁶⁵See *Maggid Mishne* on *MT Shabbat* 17:3. In an unpublished paper, I show that this was also the position of the Ge'onim and Maimonides (cf. 17:10).

weeks of receipt of this letter, you should affix the passageways that are open to the throughways (*mebo'ot ha-mefullashim li-rshut ha-rabbim*) with a symbolic door (*be-surat petah*). If you do not affix the passageways as I wrote [to you], I am excommunicating you. If you would have been at the time of the Sanhedrin, they would have put you to death, as you are uprooting the Talmud edited by R. Ashe and opposing all the great [authorities] who lived until this day—those who died, of blessed memory, and those who live today. Therefore, recant and do not forsake the Law of our Teacher Moses, of blessed memory.⁶⁶

To make sure that R. Jacob de Valencia would comply, he wrote to one of his confidants:

... The letter that I sent to that brainless [one], you and another should coerce him. In case he does not recant, I am warning you and all the community to excommunicate that madman, Jacob the son of Rabbi Moses. They should oust him and separate him from the Congregation of Israel. All this matter requires diligence, to prevent every crazy and witless [individual] from abrogating the Law of Moses, of blessed memory. And if he still will remain defiant, and would not comply with the excommunication, I command him by authority of our glorious king, that he should pay a thousand coins to the governor of the city, who would collect from him the said fine. And if all this would not suffice, I command you to inform me of everything. And there is a religious commandment (*mišva*) [*sic!*] to excommunicate him throughout all the Communities of Sepharad. And also that he should be condemned to death, as with the law of a rebellious judge. Because we must give up our lives for the Law of God, and burn out the wicked from our midst.⁶⁷

His authority was supreme even in matters in which he could not claim any proficiency. The following case is particularly revealing. It took place in the year 1321, a short time before his death.⁶⁸ It concerned a pre-nuptial agreement contained in one of the statutes (*taqqanot*) of the Community of Toledo, on the rights of the wife to the properties that she brought to the marriage. Since this was a communal statute pertaining to

⁶⁶ *She'elot wu-Tshubot ha-Rosh*, 21:8.

⁶⁷ *She'elot wu-Tshubot ha-Rosh*, 21:9.

⁶⁸ All our quotations and references are from *She'elot wu-Tshubot ha-Rosh*, 55:9. For an analysis of this case see Israel Ta-Shma, "Sbiqulim Filosofim be-Hakbra'at ha-Halakha bi-Sefarad," *Sefunot* 18 (1985), 99–109.

an agreement about money matters, it was not governed by standard Talmudic laws. Furthermore, it was written in classical Arabic, a language which R. Asher did not know. The focus of the issue was the expression "those authorized to her inheritance" (*li-mustahagqi miratibi*). There was no official Hebrew translation of the agreement. A Hebrew translation for the benefit of R. Asher was made by R. Israel de Toledo (d. 1321), secretary of the Court and one of its most distinguished members.⁶⁹ He and his family had been staunch supporters of R. Asher since he first came to Toledo. Applying to the translation the casuistry and dialectics that he regularly used to interpret the Talmud, R. Asher concluded that the agreement in question meant that the wife could only transfer her property to a legal heir. The translator, R. Israel de Toledo, argued that this interpretation violated the original sense. In its original, the expression in question meant that the wife had the right to dispose of her estate as she wished, and therefore she could transfer her properties even to those who were not her legal heirs. His argument rested on the semantic content of this expression. He noted that whereas in spoken Arabic, this expression had a restrictive sense, in classical Arabic it meant "to whomever she wishes to transfer her property," and not only those who are legally entitled to inherit from her. R. Asher ignored the semantic argument, stressing the fact that he acted according to the translation furnished to him by R. Israel de Toledo himself. Specifically, he rejected as ludicrous the idea that a legal document could have been written in a literary language, and "not in the vulgar language spoken by the masses." "It is unbelievable," he argued, "that a statute could be drafted in a language that is not understood by the masses." "If so," he asked ironically, "who would explain it to them daily? Every time, they would need to show it to an expert like you!" Therefore, his consultation with people familiar with spoken Arabic, but not with classical Arabic, sufficed. Likewise, he rejected as "nonsense" (*debarim beṭelim*) the idea that a translation cannot duplicate the thought pattern of a language. "For sure," he replied, "if a sage would explain to us the meaning of the words, according to his understanding, as you explained the words of the statute, I would no longer rely on him when he says, 'I had in mind another connotation that I couldn't express in [the] words [of the translation].'" He also dismissed the judicial precedents cited by R. Israel de Toledo, on the grounds that

⁶⁹ See *She'elot wu-Tshubot ha-Rosh*, 55:1. R. Israel appears as one of the signatories approving a decision of R. Asher (4:10).

these judges acted "by the authority of the king" (*be-koah ba-melekh*) i.e., they lacked the divine authority and legitimacy that he had.⁷⁰ Similarly, the testimony of the community's notaries and scribes was suspect, since they do their work "to increase their profit."

The principal argument against R. Asher was twofold. A distinction must be made between the semantic connotation of a term determined by the logic of a language, and those determined by the Law. Consequently, since R. Asher was not knowledgeable in Arabic he needed expert counsel to corroborate his interpretation. Although R. Israel de Toledo—like all legal experts—would oppose the interference of philosophy or any other extra-legal discipline in the rendition of a judgment, he insisted, nonetheless, that in certain areas of the law—as in the case at hand—the judge is required to obtain expert counsel. This had nothing to do with "philosophy," but with solid legal thinking. Cleverly, R. Asher reduced the above case to an issue of Philosophy vs. the Law of Moses. A dimension of his strategy was to classify as "philosophy" everything which did not correspond to the particular type of casuistry that he used in his Talmudic studies.⁷¹ Accordingly, he responded:

About what you wrote concerning matters determined by reason and matters determined by Law. What would I say to that? Let our Law not be as your meaningless chatter! Shall we bring a proof or a confirmation, to render a guilty or innocent verdict, to prohibit or to permit, from the science of your logic which was denounced by all the sages of the Law? Isn't it true that those who instituted it did not believe in Moses and in the righteous judgments and injunctions which were given in writing and by tradition? Then, how could those who draw from its waters bring from it a proof for the injunctions and judgments of our Teacher Moses, may he rest in peace! Or [how could they] judge a case

⁷⁰ It is worth recalling that in the responsum cited before, R. Asher himself referred to the authority that he had obtained from the king, and furthermore, that he was ready to involve the non-Jewish authorities to enforce his view. It is highly significant that there is a question addressed to R. Solomon ibn Adret, about the permissibility of insulting Rabbis appointed by the king, see *Teshubot ha-Rishba*, vol. 1, no. 475. This question was part of a series of queries (nos. 461–523) presented by R. Asher himself to ibn Adret. Concerning the authority of a Rabbi appointed by the king, see R. Isaac bar Sheshet, *Teshubot ha-Ribash*, no. 271; R. Simon bar Semah Duran, *Tashbeš*, I, nos. 158–159.

⁷¹ Modern Jewish historians, hopelessly ignorant of philosophy and legal thinking, both Jewish and western, unanimously accepted R. Asher's view that indeed this case concerned application of "philosophy" to matters of Jewish law.

with parables that they use in the science of their logic? This would not be so! No! Would in my days and in my place a case be judged with parables?! Thank God, as long as I live, there is still Law in Israel,⁷² to bring proofs from the Mishna, and the Babylonian and Palestinian Talmud, and you have no need to bring parables to render a judgment. Because the science of philosophy and the science of the Law and the judgments do not follow the same path. Because the science of the Law is the tradition received by Moses in Sinai. And the sage would expound it according to the hermeneutics which could be used to expound it, comparing one item to another. Although these things do not agree with physical science, we still would follow tradition. But the science of philosophy is natural, and they were very wise, and determined every item according to its nature. But from so much wisdom they went deep and they became corrupt. And were forced to repudiate the Law of Moses, because all the Law is not natural, but tradition. . . . And whoever would enter from the beginning into this science [philosophy], would never be able to escape from it, and to bring into his heart the science of the Law, because he would not be able to recant from the natural science to which he was accustomed, because his heart will always be attracted to it. Therefore, he would never be able to grasp the wisdom of the Law, which are the paths of life, because his heart will always be with the science of nature, and he would want to compare these two sciences, and to bring proofs from one to the other. And consequently he would twist the law, because they are mutually exclusive and are not compatible with one another.⁷³

In one single sweep R. Asher was disposing of the Maimonidean school as corrupt and illegitimate. Indeed, at the beginning of this *responsum* he declared:

Thanks to God, God had engraced me and I possess everything concerning the true reasoning of the Law of Moses our Teacher as [good] as all the sages of Sepharad who are found in these days.⁷⁴ And although I do not know your secular knowledge, blessed be the

⁷² Clearly, he believed himself to be the most superior and knowledgeable Jewish authority of his time, particularly in Sepharad. See the quotation from the beginning of his *responsum* cited below. Many of his contemporaries would have found this presumptuous, specifically in light of such towering figures as R. Yom Tob Ishbili (ca. 1250–1330), and R. Envidal de Tolosa (14th century), to mention just a few.

⁷³ *She'elot uu-Tshubot ha-Rosh* 55:9.

⁷⁴ See above n. 72.

Lord who saved me from it! And the sign and proof came [that it] had apostrophized man from the fear of God and His Law.

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A crucial element in the Catalan ideology was that what is learned through hermeneutics is the real Torah. In a study penned by either the Ramban or a member of his circle, it was taught that the Torah "is not only empty as in its common sense (*reqanit ki-fsbuta*), but it also has a soul (*nesbama*)."⁷⁵ Within a Christian environment, the term "soul" of the Torah brings to mind the distinction "letter and spirit" first applied by Paul (Cor. 3:6) to justify the abolition of the commandments of the Law.⁷⁶ Be that as it may, the notion "soul of the Torah" seems to be connected with another notion first advanced by Ramban. The ordinary text was transmitted in writing to Moses and he gave it to the people. However, in addition to this common reading there is a subtext made up of the consonants forming the Hebrew text, not as they are currently divided into words, but consecutively written without any space between them. This subtext, which God transmitted to Moses orally⁷⁷ and which somehow was now in the possession of Ramban and his associates, may be recombined to form supernaturally powerful secret names of God; some of these names had been compiled in a treatise.⁷⁸ "The whole Torah in its entirety," declared Ramban, "is names of God."⁷⁹ "In every section of the Pentateuch," he claimed, "there is the name by which that thing was

⁷⁵*Ma'amar 'al Penimiyut ha-Tora*, in ed. C. B. Chavel, *Kitbe Ramban*, 2 vols. (Jerusalem: Mossad Harav Kook, 5728/1968), vol. 2, p. 468.

⁷⁶See the valuable study of Boaz Cohen, "Letter and Spirit in Jewish and Roman Law," in his *Jewish and Roman Law* (New York: Jewish Theological Seminary of America, 1966), vol. 1, pp. 31-64.

⁷⁷Introduction to his Commentary to the Pentateuch, in *Pirushe ha-Tora le-R. Moseh ben Nahman* [henceforth: *Pirushe ha-Tora*], ed. Ch. D. Chavel, 2 vols. (Jerusalem: Mossad Harav Kook, 5722/1962), vol. 1, p. 7, cf. p. 6.

⁷⁸*Kitbe Ramban*, vol. 1, p. 168.

⁷⁹Introduction, *Pirushe ha-Tora*, vol. 1, p. 6. The same idea appears in R. Azriel, *Commentary on Talmudic Aggadoth*, p. 76 ll. 19-20.

created or made, or how that theme was realized."⁸⁰ King Solomon's wisdom came through possession of these names.⁸¹ Likewise, Moses was able to bring about the ten plagues and split the sea, because of the special name that was revealed to him.⁸² Knowledge of a certain name would allow an individual to resurrect the dead.⁸³ Another such name would produce "the secret miracles which are made for the pious."⁸⁴ "It is well known to many," maintained Ramban, concerning knowledge of one of these names, "that it was used by the pious of the generations who knew it, to kill and to resurrect, to desolate and to destroy, to demolish and to annihilate, to build and to plant."⁸⁵

Intimately related to this doctrine is belief in the power of necromancy. Moses was privileged with superior knowledge. After enumerating the areas known to Moses, Ramban added, "Higher than all, was that he knew all types of witchcraft, and from there he would ascend to the spheres, to the heavens and their hosts."⁸⁶ King Solomon, too, "was expert in witchcraft, which was the wisdom of Egypt."⁸⁷

Opposition to Maimonides and critical thinking was not based on the Scripture and Talmud, but on "scientific grounds." What truly irritated Ramban was that Maimonides had written that sorcery and witchcraft "are lies and falsehood."⁸⁸ This was also the position of the Rabbis, who described practitioners of witchcraft, as those "that defy" (*makhbishin*), in the sense of forging and misrepresenting, "the heavenly entourage"—a reference to the supernatural beings that magicians invoke in their

⁸⁰*Kitbe Ramban*, vol. 1, p. 168. Cf. R. Azriel, *Commentary on Talmudic Aggadoth*, pp. 28, 109, 114.

⁸¹Cf. Introduction, *Pirushe ha-Tora*, vol. 1, pp. 5-6.

⁸²*Pirushe ha-Tora* on Gen 17:1, vol. 1, pp. 98-99.

⁸³*Kitbe Ramban*, vol. 1, p. 168.

⁸⁴*Pirushe ha-Tora* on Gen 17:1, vol. 1, p. 98.

⁸⁵*Kitbe Ramban*, vol. 1, p. 168.

⁸⁶Introduction, *Pirushe ha-Tora*, vol. 1, p. 3.

⁸⁷*Ibid.*, p. 6.

⁸⁸MT 'Aboda Zara 11:16.

incantations.⁸⁹ Concerning the uselessness of idolatry and witchcraft for medical purposes, the Rabbis taught:

If an Israelite is sick, and he was told: 'Go to that idol and you will be cured'—it is forbidden to go. . . . Not only this is forbidden, if they would tell someone, 'take from what they had burned to the idol,' or 'take from the 'Ashera [a tree consecrated to a deity] and make yourself an amulet and you will be cured,' don't take it. . . . Why? Because they are nothing and useless. . . . God had said: 'since they are like a motionless stone, and have no significance, and need others to guard them not to be robbed, how could they cure?'⁹⁰

Referring to Maimonides as "those who pretend to be wise and emulate the Greek,"⁹¹ Ramban replied that the falsehood of this is clearly demon-

⁸⁹*Sanhedrin* 67a. This was the first interpretation given by R. Meir Abul'afya, *Yad Rama*, on *Sanhedrin* 67b. The second interpretation—"that weaken the heavenly entourage"—reflected current belief in magic, rather than the text of the Talmud. It was adopted by Ramban, *Pirush ha-Tora* on Deut. 18:9, vol. 2, p. 427; repeated by R. Solomon ibn Adret, H. Z. Dimitrovsky ed., *Teshubot ha-Rishba* (Jerusalem: Mossad Harav Kook, 5750/1990), vol. 1, p. 301; and later on defended by R. Isaac bar Sheshet, *She'elot uu-Tshubot ha-Ribash*, no. 92. As the editor of *Aruch Completum*, vol. 4, p. 351 noted, in Rabbinic literature the term *kishshuf* 'to do witchcraft,' is used as a synonym for 'to deceive,' 'to trick.' The Talmud (*Holin* 7b) reported that R. Hananya was unconcerned that a witch was taking dust from under his feet, to perform her craft against him. He said, "There is no one except Him" (Deut. 4:35). The implication of his remark is that a person who believes in monotheism cannot possibly believe in magic. See the valuable remarks of R. Hanan'el, quoted in Ch. Z. Toybes ed., *Osar ha-Ge'onim le-Massekhet Sanhedrin* (Jerusalem: Mossad Harav Kook, 5727/1966), p. 558.

⁹⁰*Shemot Rabba*, Bo, XVI, 2.

⁹¹Generally this is explained as an allusion to Aristotle. Although this was intended to be the obvious meaning, there are two basic reasons why would be difficult to believe that it actually refers to Aristotle. First, Ramban referred to Aristotle numerous times by name. Therefore there would be no reason to use an allusion here. Second, in no place did Aristotle deny the existence of demons; on the contrary, he seemed to have believed in them, see A. C. Person, "Demons and Spirits," in *Encyclopaedia of Religion and Ethics*, vol. 4, 193-94. The appellation "Greek," "philosopher," etc., seems to have been a code name for Maimonides. The reason that Maimonides was not referred by name was a matter of prudence. Maimonides was highly venerated by the public at large, and an open attack on him would not have been tolerated by the Jewish community. Elsewhere (*Pirush ha-Tora* on Deut. 18:9, vol. 2, p. 427) Ramban referred to those denying the efficacy of augury as "those who pretend to be saintly" (*mitbashedim*). Likewise, he referred to R. Abraham ibn 'Ezra as "one who pretend to be saintly" (*mitbashed*), because he denied the efficiency of augurs, see *Kitbe Ramban*, vol. 1, p. 149. Cf. below nn. 100, 131.

strated through the science of necromancy:

This could be known by spirits through the science of necromancy (*hokhmat ha-negromansia*). It also could be known to the minds through the clues of the Torah, to those who understand its secrets. I cannot explain further, as we would have to shut up the mouth of those who pretend to be wise about nature, emulating the Greek, who rejected everything that he could not perceive with the senses. And haughtily he and his disciples thought that everything that he did not grasp with his reason is untrue.⁹²

Ramban did not hesitate to substantiate his views from "*hokhmat ha-negromansia*."⁹³ He also was familiar with "*hokhmat ha-gesem ve-ha-nihush*" ('the science of magic and augury').⁹⁴ There were "ancient and authentic sciences," like chiromancy and chiromancy that at one time had been known to the sages of Israel, but were forgotten as a consequence of the disasters befalling the Jewish people. He was personally acquainted, "with a Greek man who had received from the German pious (*haside Ashkenaz*) this wisdom, and could tell by looking at the physiognomy marvelous things in the presence of gentiles. His name was [R.] Shabbetai the Greek."⁹⁵ Through the same circle, Ramban became familiar with "*kitbe shimmushe ha-shedim*" ('literature on the use of demons').⁹⁶ From R. Solomon ibn Adret, we know that the same pietistic circles in Germany were experts in demonology. "I clearly heard that the custom of the German pious is to engage themselves in matters concerning demons. They conjure them up, and send them and use them for various tasks."⁹⁷ Ramban was in close contact with "*ba'ale ha-shedim*" ('masters of demons'), who apprised him as to the *modus operandi* of demons,⁹⁸ and

⁹²Ramban's Commentary on Lev. 16:8. Some of the standard editions, including Chavel's, vol. 2 p. 91, are faulty. I have used the text in *Keter ha-Tora*, ed. R. Joseph Hasid (Jerusalem, 5730/1970), vol. 3, 122b. Concerning the identity of "the Greek and his disciples," see preceding note.

⁹³*Pirush ha-Tora* on Ex 20:3, vol. 1, p. 393.

⁹⁴*Pirush ha-Tora* on Ex. 20:3, vol. 1, p. 392.

⁹⁵*Kitbe Ramban*, vol. 1, p. 162.

⁹⁶*Pirush ha-Tora* on Gen 4:22, vol. 1, p. 46.

⁹⁷*Teshubot ha-Rishba* (Dimitrovsky), vol. 1, p. 307.

⁹⁸*Kitbe Ramban*, vol. 1, p. 146.

other magical practices.⁹⁹ He also had first-hand experience with demons, and witnessed their actions. His anger against the rationalists was moved by their obstinacy in denying what was patent and obvious to all. There was a close, intimate relationship, between demonology, spiritism, and religion. Accordingly, those who deny the existence of demons are guilty of the rankest heresy, worse than the pagans in pre-Mosaic times:

Look here at the cruelty of the head of the philosophers and his obstinacy, may his name be blotted out! for he denies many things witnessed by many, and we also witnessed their truth, and are well known throughout the world. In those pristine days, as in the days of Moses our Teacher, may he rest in peace, this was known to all. Because the sciences in those days were all spiritual, concerning the subjects of demons and witchcraft, and the types of incense for the forces of heaven. The reason for this was that since they were close to the time of the Creation of the world and the Flood, nobody denied Creation of the world, or rebelled against God. Although they wanted to benefit themselves by worshipping the sun, moon, and constellations, and they would build for them images to receive the heavenly power. In the book *The Talismans* it is written that even among the philosophers they drew into the images spirit and speech. And when the Greeks rose—they are a people who had not inherited any wisdom, as the author of the *Kuzari* ascertained—came that known person¹⁰⁰ who believed only in what can be sensed, and he investigated sensory sciences and denied spiritism and said that the subject of demons and the actions of witchcraft are nothing, and the only forces acting in the world are natural. However, it is well known and widely accepted that this is not so. At any rate, at the time of Moses our Teacher, may he rest in peace, there was no one [as] wicked or heretical that denied these. The only things that the gentile nations doubted was prophecy.¹⁰¹

⁹⁹See *Kitbe Ramban*, vol. 1, p. 149.

¹⁰⁰See above n. 91.

¹⁰¹*Kitbe Ramban*, vol. 1, p. 147. Cf. below, n. 132.

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Ramban was an ardent believer in astrology. According to his theory, images are essential to manipulate the spirits controlling the stars. In this manner, these spirits would respond in accordance to the images, while the stars continue in their usual trajectory:

And know now and understand the subject of witchcraft. The Creator blessed be He, when He created everything out of nothing, made that the higher should rule over the lower beneath it. He put the power of the earth and all that there is in it in the stars and constellations, according to their trajectory and their looks [i.e. astrological images], as it is tried in the science of astrology. And He appointed over the stars and constellations, rulers, angels, and ministers which are their soul. From the moment that they came to be and for ever, their conduct is governed by the superior which is over them. However, it was part of His mighty wonders that He put into the potency of the superior rulers types of images and powers to invert the ruling of what is underneath them. That if in the look of the stars in front of it facing earth is good or bad to the earth, or to a nation, or to a person, those superior faces could be inverted, by altering that very look [i.e. through astrological images]. As it was said the inversion of *NeGa'* ['plague'] is *'oNeG* ['delight'].¹⁰² And He did so because He Himself, blessed be his name, "Changes the seasons and the times" (Dan 2:21) . . . without changing the nature of the world, and that the stars and constellations would make their trajectory according to their order. Therefore the author of *Sefer ha-Lebana* (The Book of the Moon)—who was a sage in necromancy—said that when the Moon, which is called the sphere of the world, for example is at the head of Aries, and there is such and such a zodiac sign, make an image of such a thing, engraving in it the name of the time and the angel appointed over it, according to the names mentioned in that book, and if it would be made such an incense in such and such a manner, then it would look upon it for evil, to uproot and to destroy, to demolish and to ravage. But when the Moon is in such a constellation, make an image and an incense in such and such manner for all good, to build and to plant.¹⁰³

Ramban also believed in and practiced astrological medicine. According to this school of thought there is a relationship between the distribu-

¹⁰²Cf. R. Azriel, *Commentary on Talmudic Aggadah*, p. 28.

¹⁰³*Pirushe ha-Tora* on Deut. 18:9, vol. 2, p. 426.

tion of power in the zodiac and the human body. These powers could be altered through special astrological images directly affecting the spirits governing the stars, without affecting the course of these celestial bodies. Because the school of Catalonia believed in the essential power of magic, they permitted the usage of these images for medical purposes. These images were made according to strict astrological prescriptions, at the proper position of the zodiac, with specific metals, and in special forms, like that of a lion or a virgin, etc.¹⁰⁴ Supposedly, such images then acquired distinctive medical powers. For instance, the image of a lion would cure the right kidney, whereas the image of a virgin would cure the left kidney, etc. To be operative, the lion had to be made without the tongue, straight up, at the time when the sun is above the horizon, between the first and fifth degrees, preferably when Saturn and Jupiter are in the same configuration and the moon is in Aries. However, the moon cannot be either in the fourth, fifth, or sixth celestial houses. Likewise, Saturn cannot be in the eighth house, etc.¹⁰⁵ The theory for this type of medical image is the same theory underlying of all forms of idol worshipping: through incantations and other rituals, the "spirit" of the star or deity would be incorporated into the image, and the image would thus acquire special powers. As Ramban pointed out, the heathens built and worshipped idols, because they "wanted to benefit themselves by worshipping the sun, moon, and constellations, and they would build for them images to receive the heavenly power."¹⁰⁶ The same practice was held by some "philosophers"—probably necromancers of the type of the author of *The Book of the Moon* mentioned above—"that drew into the images spirit and speech."¹⁰⁷ In accordance with astrological medicine, Ramban himself manufactured and permitted the use of such zodiacal images.¹⁰⁸

Even some of the anti-Maimonideans were not ready to go that far.

¹⁰⁴See Joseph Shatzmiller, "The Forms of the Twelve Constellations: A 14th Century Controversy," (Hebrew) in *Shlomo Pines Jubilee Volume*, Part II, *Jerusalem Studies in Jewish Thought* 9 (1990), pp. 397-408.

¹⁰⁵ See "The Forms of the Twelve Constellations," pp. 405-06.

¹⁰⁶*Kitbe Ramban*, vol. 1, p. 147.

¹⁰⁷Cited above, n. 103.

¹⁰⁸See *Teshubot ha-Rishba*, [vol. 1], no. 167, at end. His reputation for the making of such images was known also among Christians; see "The Forms of the Twelve Constellations," pp. 400, 402-3.

When R. Abba Mare (fourteenth century)—one of the principal leaders of the anti-Maimonidean camp in Southern France—protested to R. Solomon ibn Adret for permitting the usage of such images, as this smacks of plain witchcraft and idolatry, the latter dismissed the complaint on the basis that

our teacher, the great Rabbi Ramban of blessed memory, permitted and made [such images]. And we had no one like him in wisdom, seasoning, and fear of sin.¹⁰⁹

R. Abba Mare replied by pointing out that

if one were to permit this image, then we would have also to permit other images. Because just as they make this special image for the constellation Aries, they also make special images for all the other twelve members of the Zodiac, to cure each of the main members [of the human body]. Were we to permit this, then people will pray neither to God nor go to physicians.¹¹⁰ A wise man told me that there is a special book for this subject, and it divides the celestial sphere into forty eight images.¹¹¹ These are: the twelve zodiacs, plus twenty one images to the south and fifteen to the north. From them are made all the works of witchcraft and these images. Some of these images are made with a special metal, and they are wrapped with a cloth dyed with a particular color, and incense of musk or wax is offered to them—and there is no doubt that this is idolatry—blessed be the Lord that separated us from them! And if you would permit [only] that small image of that book, then you must permit all, because all these types [of images] belong to a single class.¹¹²

The argument of R. Solomon ibn Adret was twofold. First, he rejected the premise that all images are forbidden. "I do not believe that all the images, as well as all [astrological] times, and all actions, and all words, are categorically forbidden, because [of the biblical injunction] 'Do not practice witchcraft and do not practice astrology' (Lev 19:26), or because they look like witchcraft and heathen practices."¹¹³ Second, Maimonides

¹⁰⁹*Teshubot ha-Rishba* (Dimitrovsky), vol. 1, p. 282.

¹¹⁰This is an allusion to 2 Chr. 16:12.

¹¹¹Probably the *Book of the Moon* mentioned above.

¹¹²*Teshubot ha-Rishba* (Dimitrovsky), vol. 1, pp. 274-75.

¹¹³*Ibid.*, p. 283.

had declared that witchcraft, idolatry, etc., were useless and futile.¹¹⁴ "From his words we may deduce," he concluded, "that everything which really produces a benefit cannot be included in what the Torah has forbidden [as idolatry]." It is immaterial whether this is because of "an actual inner property" known by experience, or a property (*segulla*) that came to the object through special circumstance, e.g., the use a nail from someone that was crucified as an amulet.¹¹⁵ The implication of this argument is that since these images were proven to be beneficial they could not possibly be forbidden.

Obviously, Maimonides was not giving a legal definition of 'idolatry' and 'witchcraft,' or implying that whatever is beneficial cannot be idolatrous. What he was plainly saying is that—as the Rabbis had taught¹¹⁶—in fact no benefit would come from such practices. The Rabbinic rule, "all [heathen habits] for medical purposes [*mishshum refu'a*] are permitted,"¹¹⁷ cited twice by ibn Adret in this context,¹¹⁸ is not a universal principle to be applied to astrology, witchcraft, and idolatrous prohibitions. It concerns, exclusively, the biblical prohibition to adopt the "rites" (*be-huqqot*) of the heathens (Lev. 20:23). The Rabbis applied this rule only to pagan lore and superstitious habits (*darke ha-'emori*), which although are not religious ceremonies in themselves, have a heathen undertone.¹¹⁹ Specifically, they allowed following some heathen practices when they were thought to have a medical value. The logic of this rule becomes clear when we realize that Jewish law defines a "rite" (*hoq*) as something done

¹¹⁴MT 'Aboda Zara 11:16. See above n. 88.

¹¹⁵*Teshubot ha-Rishba* (Dimitrovsky) vol. 1, pp. 285–86; he further developed this argument through the following pages. An essential premise of this argument is the belief, commonly shared by other Rabbis in Gerona and Catalonia, that a property (*segulla*) whose natural causes are unknown, e.g., as the effect of a magnet on iron, must be supernatural and belongs to the realm of the occult. On this point see the valuable article of Dov Schwartz, "Šurot Shonot shel Magia be-Hagut ha-Yehudit bi-Sfarad ha-Me'a ha-yad," *Proceedings of the American Academy for Jewish Research* 57 (1990–91), 36–39.

¹¹⁶See above n. 90.

¹¹⁷*Shabbat* 67a.

¹¹⁸*Teshubot ha-Rishba* (Dimitrovsky) vol. 1, pp. 298, 310.

¹¹⁹For a detailed description of these practices in Rabbinic literature, see *Tosefta Shabbat* 6(7)–7(8): 12, and the erudite commentary of Saul Lieberman, *Tosefta Kifshuta*, part III (New York: The Jewish Theological Seminary of America, 1962), pp. 79–96.

as part of a religious system or ceremony, not as something done because of its intrinsic pragmatic applicability or inner quality.¹²⁰ Accordingly, "pagan lore and superstitious habits" are prohibited only when practiced as a *hoq*—affirming thereby their religious connotation—not if practiced on account of their medical power. Maimonides explained this point clearly and succinctly:

There is a rule [in the Talmud] stating, "all [heathen habits practiced] for medical purposes (*mishshum refu'a*) are not classified as pagan lore and habits (*darke ha-'emori*)."¹²¹ On such things does not apply the verse "do not follow heathen rites" (*be-huqqot*) (Lev 20:23).¹²²

The operative term in the Talmudic formula cited by Maimonides, is *mishshum refu'a*. It means that a pagan healing may be permitted only when chosen for its medical, rather than for its magical qualities. Regarding this basic issue, Maimonides codified that "anything done *mishshum refu'a* [is permitted], providing that physicians say that it is useful."¹²³ Within this context, the distinction between "natural" and "magical" is a matter of attitude, rather than pure objectivity. As long as the healing method was determined on the basis of "natural reasoning" (*ba-'iyyun ba-tib'i*), whether correct or in error, it cannot be classified as an "idolatrous and heathen custom."¹²⁴ Applying this criterion, R. Menahem Me'iri (1249–1316)—one of the leading Talmudists of the time—concluded that even if one would try to create a totally new creature, as long as he intended to do it by natural means, it cannot be classified as

¹²⁰For a masterly examination of this concept in Jewish law, see R. Israel Moses Hazzan, *Kerakh shel Romi* (Leghorn, 5631/1871), no. 1. This is why, although to have a coiffure like that of pagans, or to dress in their fashion, is regarded as a biblical prohibition, see MT 'Aboda Zara 11:1, the Rabbis allowed a Jew working in government circles to have such a coiffure (see *Baba Qamma* 83a, and *Me'ila* 17a; MT 'Aboda Zara, 11:3). Since the prohibition concerns the imitation of a pagan *hoq* (see MT 'Aboda Zara 11:1), when the coiffure is done for fashion rather than religion, it is no longer a *hoq*, and thus it is permitted (see MT 'Aboda Zara 11:3).

¹²¹*Shabbat* 67a; the same principle was formulated in the *Yerushalmi Shabbat* VI, 10, 8c.

¹²²*Pirush ha-Mishnayot, Shabbat* 6:10, vol. 2, p. 42.

¹²³MT *Shabbat* 19:13.

¹²⁴*Guide* III, 37.

sorcery.¹²⁵ At the same time, he emphasized that the manufacturing of images for medical purposes was not medicine but rank idolatry:

Anything that does not cure according to natural reasoning (*ba-beqesh ba-tib'i*) or a known property (*segulla*), but according to a rite (*hoq*) and popular sorcery, this is not medicine, but the way of idolatry. What [the Rabbis] said: "all [heathen habits practiced] for medical purposes (*mishshum refu'a*) are not classified as pagan lore and habits (*darke ha-'emori*)," means something whose therapeutic value is evident, as drinking certain beverage and the dressing of a wound, but incantations and all its subsidiaries are forbidden as heathen practices (*darke ha-'emori*). One need not to mention the [use of] **images made according to astrological prescriptions** [bold print added] which without any doubt are a derivation of idol worship, as we have explained in *Sanhedrin*.¹²⁶

The failure to distinguish between things which are beneficial because of natural properties and magic follows Ramban's doctrine concerning the realm of the miraculous. The world is controlled by mysterious, supernatural forces, rather than nature. The premature death of an embryo, for instance, is as wondrous as any of the miracles of Scripture: in both cases the hand of the Lord had directly intervened against nature. This is a fundamental axiom of Judaism:

When we examine [this matter] properly we will see that no one has a portion in the Torah of Moses our Teacher, may he rest in peace, unless he believes that all of our things and actions, all of them, are miracles—not involved with nature or the procedure of the world. Since all the promises of the Torah are absolute miracles and wonders. . . . If one were to say that nature controls everything and is active in the world, [then we must say that] that man did not die or lived because of some merit or iniquity. However, since we believe that God is the one who destroyed this embryo before his day came according to nature, [we must admit] that the hand of God did thus, and changed nature as when the Red sea split.¹²⁷

¹²⁵Ed. R. Abraham Sofer, *Bet ha-Behira Sanhedrin* (Jerusalem: Qedem, 5734/1974), p. 248, cf. p. 251.

¹²⁶Isaak S. Lange, ed. *Bet ha-Behira 'al Shabbat* (Jerusalem, 1968), p. 249. The reference to *Sanhedrin* corresponds to *Bet ha-Behira, Sanhedrin*, p. 250; see preceding note.

¹²⁷*Kitbe Ramban*, vol. 1, p. 153; see *Pirush ha-Tora* on Gen 17:1, and 46:15 vol. 1, pp. 98, 254.

To suggest that nature is somehow operative is to deny the whole efficacy of religion. The punishment and rewards mentioned in Scripture

are all standing miracles, changing nature and the great constellation above in heavens and earth. Because according to nature if a ray of the sun does not [cause] humidity and vapor to rise from the ground, there will not be rain even if they [the people] would perform all the commandments, and pray and fast for rain. And if [the weather conditions] were propitious for rain, this would not stop [even] if the people were to bow down to some idol.¹²⁸

Belief in "hidden miracles" (*nissim nistarim*) pertain to "the foundation of the Law" (*me-yesode ha-Tora*).¹²⁹ From this perspective, the difference between the natural and the miraculous is vague and equivocal. "I am amazed at Maimonides," wrote Ramban, "that minimized miracles and maximized nature."¹³⁰

This perspective underlies R. Solomon ibn Adret's refusal to distinguish between healing effected by natural means and by the use of the supernatural. To admit the realm of the natural, meant the collapse of Ramban's notion of religion. In what appears as a casual remark but was in fact a direct attack on Maimonides, R. Solomon ibn Adret equated "what is found in the book of the philosophers, 'that the impossible has a permanent nature'" —a direct quotation from the *Guide for the Perplexed* (III, 15)—with heresies "which are forbidden to be heard, even more to be pronounced."¹³¹ Furthermore, prophecy and magic have parallel functions: one is operative in the Holy Land through prophets, whereas the other is operative outside the land of Israel through augurs and magicians. Accordingly, the biblical injunction against magic is primarily effective in the land of Israel and for Jews alone, and it was formulated in connection with the Jews entering the land of Israel (Dt 18:9). The reason that Jews

¹²⁸*Kitbe Ramban*, vol. 1, p. 153; cf. *Pirush ha-Tora* on Ex 6:2, vol. 1, p. 303.

¹²⁹*Pirush ha-Tora* on Gen 46:15, vol. 1, p. 253; cf. *Pirush ha-Tora* on Gen 17:1, pp. 98-9.

¹³⁰*Kitbe Ramban*, vol. 1, p. 154.

¹³¹*Teshubot ha-Rishba* (Dimitrovsky), vol. 1, pp. 296-97. The reason that he did not mention Maimonides by name was a matter of prudence, since the community would not have tolerated such a treatment of Maimonides, even by an authority of the rank of R. Solomon ibn Adret. This was also the policy of Ramban, see above n. 91.

did not need magic was because they had prophets

since they have no need for it, because [God] will send to them prophets there. . . . The gentiles, however, must learn about their future from sorcerers and magicians.¹³²

Finally, although the Torah clearly describes "astrologers, augurs, and sorcerers" as the "abominations (*to'abot*) of the nations" (Dt 18:9), stating that these are "God's abomination", and that "because of these abominations" God had expelled the Canaanites from the Holy Land (Dt 18:12), in reality "astrology and augury are not abominations, and God did not expel the Canaanites because of it, since everybody desires to know the future."¹³³ After examining different techniques of augury like the flight and cry of certain birds, as well as some astrological signs, Ramban remarked "all these, are not an abomination (*to'eba*) among the nations"—as a direct challenge to Maimonides, he added—"but should be considered of them as wisdom."¹³⁴

In light of this discussion, would it be unreasonable to surmise that in the Diaspora, with the absence of prophecy, Jews should no longer be

¹³²*Kitbe Ramban*, vol. 1, p. 150; cf. above n. 101.

¹³³*Pirushe ha-Tora* on Deut. 18:9, vol. 2, p. 427. Ramban dismissed the plain sense of the Scripture, arguing that the verse in Deut. 18:12 said, "every one who does these (*kol-'ose' elle*), but it did not say, who does all these (*'ose kol 'elle*)" [Meaning, that only some of the above mentioned, but not all are included as *to'eba*]. Hebrew syntax does not allow for such an hermeneutical option. Moreover, were the text to say *'ose kol 'elle*, then it would have meant that only doing all of the above mentioned, rather than only one, would be a *to'eba*! Furthermore, to make heads or tails of this argument the verse would have to read *kol, 'ose' elle*. However, in the Masoretic text the terms *kol-'ose' elle* are joined by the prosodic accents (*te'amim*); the first two terms are joined by a *makkaf*; and the last term is joined to the first two terms by a *shofar holekh*! In addition, such an interpretation would have to ignore the particle *ki* ('because,' 'since,' 'that'), the most powerful conjunction of the Hebrew language, joining v. 9–12. Specifically, v. 9 begins with *ki*, introducing the prohibition of not doing the *to'abot* of the Canaanites. Vv. 10–11 are an enumeration of all the magical practices of the Canaanites, including augury and astrology. V. 12 begins with *ki*, thus concluding that all of the above are abominations: *Ki to'abat Adonay 'Elohekha kol 'ose' elle*. The conjunction *ki* here closes all the terms first introduced by the same conjunction in v. 9. A final point. In the introductory v. 9 we have 'abominations' (*to'ebot*) in the plural, meaning that all of the following, enumerated in vv. 10–11, are included. In the concluding v. 12 we have 'abomination' (*to'abat*) in the singular, meaning each of the above mentioned magical practices.

¹³⁴*Pirushe ha-Tora* on Deut. 18:9, vol. 2, p. 428.

proscribed to delve into necromancy and the supernatural? Concerning the permissibility of practicing witchcraft for self-defense from antagonistic magical acts, R. Solomon ibn Adret wrote: "It is possible that it would be permitted to engage oneself in those forbidden practices in order to repeal an act of witchery performed by a witch."¹³⁵

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As mentioned earlier, in the Introduction to his Commentary to the Pentateuch Ramban taught that the entire Torah consists of names of God, whereby the letters of the text are to be divided and combined not according to the standard reading, but according to some mystical subtext. In what appears to be a random example, but from the perspective of normative Judaism was a devastating new challenge, Ramban read the first three words of the Torah (*bereshit bara 'elohim*) as *berosh yitbera 'elohim* "at the beginning was created God."¹³⁶ (The same example was given in another place.¹³⁷) Possibly, he meant by this the *sefira Keter*, which is called *Qadmon* "the earliest," or "first one"¹³⁸—something more or less akin to the Prime Mover who according to some mystics is not God, but the source of multiplicity.¹³⁹ Be that as it may, within a Christian semantic environment, such a doctrine could be used to challenge Jewish belief in absolute monotheism. More critical was the trinitarian doctrine discussed by R. Solomon ibn Adret. Conceptually, this doctrine may have been intimidated by Ramban who maintained that the secret name of God, consisting of seventy two letters, is to be divided into segments containing three letters each.¹⁴⁰ At any rate, in a *responsum* in which R. Solomon ibn Adret defended "the true mystical traditions which are in the hands of the sages of Israel," i.e., his contemporaries in the regions of Catalonia,

¹³⁵*Teshubot ha-Rishba* (Dimitrovsky), vol. 1, p. 305, cf. p. 306.

¹³⁶*Pirushe ha-Tora*, vol. 1, p. 6.

¹³⁷*Kitbe Ramban*, vol. 1, p. 168.

¹³⁸ There is an excellent discussion of this concept in I. Tishby, *The Wisdom of the Zohar* (Hebrew), vol. 1 (Jerusalem: Mossad Harav Kook, 1971), part I, pp. 107–17.

¹³⁹ See Isaac Albalag, *Sefer Tikkun ha-De'ot*, ed. George Vajda (Jerusalem: The Israel Academy of Sciences and Humanities, 1973), pp. 28–32.

¹⁴⁰ Introduction to *Pirushe ha-Tora*, vol. 1, p. 7.

Gerona, and Southern France, he quoted approvingly a trinitarian doctrine which was supposed to elucidate "the mystery" (*ba-sod*) of the prayer addressing God as "the God of Abraham, the God of Isaac, and the God of Jacob"—rather than "the God of Heavens and earth." Jewish apostates to Christianity had interpreted this doxology in trinitarian terms. In a Spanish manuscript written in the first third of the thirteenth century, a Jewish apostate explained it as a Jewish manifesto of the Christian trinity.¹⁴¹ The explanation discussed by R. Solomon ibn Adret centered on the three Hebrew consonants *B-R-K*, making the word *BaRuKh* ('blessed'). Following a technique mentioned by Ramban and other authorities in Gerona,¹⁴² these letters could be switched to read *RoKheB* ('mounted'), *BeKboR* ('first born'), and *KeRuB* ('cherub'). *RoKheB* stands for God the "Provident and Savior" (*Mashgiaḥ wu-Maṣṣil*). *BeKboR* stands for God's dominion and greatness. *KeRuB* symbolizes the intellect to which one ought to adhere. All three are one: *BaRuKh*.¹⁴³ This may have been an allusion to the first three *sefirot*. Among some mystical circles in France and Spain circulated trinitarian doctrines about the first three *sefirot*.¹⁴⁴ The famous mystic R. Azriel of Gerona maintained that God created the universe, "with three names of His great name"¹⁴⁵—a reference to the first three *sefirot*.¹⁴⁶ Likewise, he explained the term 'amen, consisting of the consonants 'MN, to mean 'aMeN, 'uMaN, and 'iMuN, paralleling *śekbel* (reason), *maškil* (rational), and *muškal* (reasoned) which also are "three names of a single essence."¹⁴⁷ It should be noted that "names"

¹⁴¹See Américo Castro, "Disputa entre un Cristiano y un Judío," in his *De la España que aun no conocia*, vol. 3 (Mexico: Finestere, 1972), p. 204, ll. 25–27. The language is early thirteenth century Castilian (see p. 205).

¹⁴²See above n. 102.

¹⁴³*Teshubot ha-Rishba*, [vol. 1] (Bologna, 5285/1525), no. 423, 86d.

¹⁴⁴See Shoshanna G. Gershenzon, *A Study of Teshuvot La-Meharef, by Abner of Burgos* (Thesis submitted to the Graduate School of the Jewish Theological Seminary of America, 1984), pp. 96–108.

¹⁴⁵See *Commentary on Talmudic Aggadoth*, p. 87.

¹⁴⁶See *Commentary on Talmudic Aggadoth*, p. 108; cf. pp. 109, 111.

¹⁴⁷ *Commentary on Talmudic Aggadoth*, pp. 24–5; cf. pp. 45, 81, 109–118. This triad comprises the first three *sefirot* (see p. 54) and is the object of prayers (p. 56). On the plurality of the divinity, see pp. 17, 56–7; on the relation of the plurality to the divinity itself, see pp. 16, 116.

are not simple appellations of the deity, but actual entities within the divinity.¹⁴⁸ Interestingly, R. Azriel also referred to God as *Rokheb*,¹⁴⁹ and identified *Kerub* with the *Shekhina* (Divine presence).¹⁵⁰ It could be that *Bekbor* here refers to the "primeval light that emanated from God . . . before the creation of the world," from which the other two *sefirot* were generated.¹⁵¹ Be that as it may, within the semantic context of the time, it would have been impossible not to associate *RoKheb* with the 'Father,' *BeKboR* with the 'Son,' and *KeRuB* with the 'Holy Ghost': all three being One in *BaRuKh*. The appellation *Bekbor* 'first born' implying the birth of the deity, is patently Christian. Christian Scripture designates Jesus "the first born" (see Rom 8:29; Heb 1:6; Col 1:18), and "the First born of all Creation" (Col 1:15). It is not difficult to imagine that in a dense Christian environment like that of fourteenth-century Spain, this appellation could be related to Ramban's doctrine that somehow, "at the beginning was created God." It is known that by switching the Hebrew *bara* 'created' to the Aramaic *bera* 'son,' Jewish apostates to Christianity had contaminated the Aramaic version of the Pentateuch, *Neophyti 1*, and translated the first verse, ". . . the son of God (*bera de-'adonai*) completed the heavens and earth."¹⁵²

In Spain circulated works from Ashkenazic mystical circles, professing that the trinity represents the most absolute form of monotheism. This view may have been related to Ramban's doctrine concerning the secret name of God, which is divided in segments of three letters each. Christians cited these trinitarian doctrines in their polemics against Jews. R. Solomon ibn Verga (d. ca. 1520) reported that a Jewish apostate argued:

But the trinity is not polytheism but simple monotheism to those who understand. And I saw three great men from the Ashkenazic sages and I learned from them in the books of mysticism, and I saw how from there it becomes evident how the trinity is monotheism. And according

¹⁴⁸This will be gathered from a careful reading of *Commentary on Talmudic Aggadoth*, p. 91 ll. 17–21.

¹⁴⁹See *Commentary on Talmudic Aggadoth*, p. 9.

¹⁵⁰*Commentary on Talmudic Aggadoth*, p. 11.

¹⁵¹See *Commentary on Talmudic Aggadoth*, p. 110; cf. pp. 20, 25.

¹⁵²Ed. Alejandro Díez Macho, *Neophyti 1*, vol. 1 (Madrid: Consejo de Investigaciones Científicas, 1968), p. 3. For further investigation on this reading, see the editor's note on p. 2.

to these words I asked them [the Jews]: Who are then better you or your forefathers?¹⁵³

The notion of plurality in Jewish monotheism was further strengthened by those who maintained that the ten 'mystical spheres' (*sefirot*) represent the very essence of God.¹⁵⁴ This concept makes clear, therefore, the point made by a Maimonidean, that "(Whereas) the Christians believe in the Trinity, the mystics believe in the Ten (*sefirot*)."¹⁵⁵

¹⁵³R. Solomon ibn Verga, *Shebet Yehuda*, eds. Azreil Schochet and Y. Beer (Jerusalem: Mossad Bialik, 5707/1947), VII, p. 37.

¹⁵⁴On this fundamental issue, see the illuminating article of Moshe Idel, "'Vasi' e Sefirot" (Heb), *Italia* III (1982), pp. 89-111.

¹⁵⁵Cited by R. Isaac bar Sheshet, *Teshubot ha-Ribash*, no. 157.

ISAAC ABRAVANEL'S CONCEPT OF MONARCHY

by

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Historians sometimes date the beginning of the Renaissance with the art of Giotto, the early fourteenth-century Florentine painter, sculptor, and architect, or with the literary works of Petrarch. Certainly, by the time of the deaths of Giotto and Petrarch in the 1370s, Europe had actively stirred from its medieval slumber, and humanism, in its many forms, was developing at a rapid pace. Yet while Europe lumbered forward from the Dark Ages toward the light of Renaissance classicism and humanism, the fate of its Jewish community was otherwise.¹ One of the last flourishing Jewish communities on European soil—and the most populous²—was expelled from Spain in 1492. The Spanish expulsion is a watershed in Jewish history. It marks the end of a period of great cultural richness and diversity among the Jews of the Iberian peninsula—indeed a renaissance, and the beginning of three hundred years of medievalism. Thus, while Europe as a whole moved toward the flowering of art, literature, and classical learning as the transition to the modern world, the Jews of Europe became increasingly cut off from the centers of western culture. The late medieval period of European Jewish history may be said to have spanned 1492-1789, from the Spanish expulsion till the French Revolution.

¹Jews were expelled from England in 1290, while the French expulsion took place in 1306. In Germany, Jews surviving the crusades were never officially expelled due to the lack of a central authority. "The larger significance of the Spanish Expulsion lay in the fact that, as a result, Western Europe had been emptied of Jews." Yosef H. Yerushalmi, *Zachor: Jewish History and Jewish Memory* (New York: Schocken, 1989), pp. 59-60.

²Estimates vary. A generally accepted figure is around 200,000. See Jacob R. Marcus, *The Jew in the Medieval World* (New York: Atheneum, 1938), p. 52.