

ANTI-MAIMONIDEAN DEMONS

José Faur
Netanya College

*To the blessed memory of R. Hayyim ha-Arukh of Segovia,
and my maternal grandfather, Jacob Arukh Joli*

It is a generally accepted truism that in his endeavor to explain Judaism “philosophically,” Maimonides “established principles which did not by any means bear a Jewish stamp on them, nor were they in consonance with the Bible, and still less with the Talmud.” It is reasonable therefore to argue that those, “whose learning was entirely confined to the Talmud” would oppose him.¹ To support this assessment, it was pointed out that some Maimonidean doctrines, such as those regarding “miracles,” “prophecy,” “immortality,” and particularly the status of the non-legal elements of the Talmud (*haggadah*), were “in the eyes, not only of the strict Talmudists, but also of more educated men, a heretical attack upon Judaism, which they believed it was their duty to energetically repel.”² To further substantiate this view, scholars point out to the high level of assimilation, heresy, and apostasy befalling Iberian Jewry. “There were many, it would seem, in Spain, who found in Maimonidean philosophy convenient support for their extreme liberalism,” remarked a celebrated historian. “These men accepted only a faith of reason and rejected popular beliefs. They put rational understanding ahead of the observance of the commandments.” In addition, they “denied the value of talmudic *aggadot*.”³ The cause, it is freely assumed, lies in the “philosophical” and “rationalistic” trends generated by the “Maimonideans,” “Averroism” in particular.⁴ In conscious opposition, the anti-Maimonideans are depicted as saintly men of superlative scholarship and impeccable

¹ H. Graetz, *History of the Jews*, vol. 3 (Philadelphia, 1894), p. 522.

² *History of the Jews*, vol. 3, p. 523.

³ Yitzhak Baer, *A History of the Jews in Christian Spain* (Philadelphia, 1961), vol. 1, p. 97.

⁴ See José Faur, *In the Shadow of History: Jews and Conversos at the Dawn of Modernity* (Albany, 1992), p. 235, n. 55.

behavior, motivated by altruistic ideals alone. Even when disagreeing with this or that particular act of some anti-Maimonidean, historians concur in the excellence of these men. In fact, the anti-Maimonideans are credited with stopping the tide of assimilation and standing in the frontline against “philosophy” and other “rationalistic” pursuits that, as it is well known, lead to religious laxity and apostasy.⁵

The purpose of this paper is to question this truism. In the ancient communities of Syria, Egypt, and Yemen, and throughout North Africa, where Maimonides’ works and intellectual tradition reigned supreme, none of the above took place. Why? For reasons having to do more with ideology than scholarship, historians failed to take into consideration the connection between the triumph of the anti-Maimonideans, the rise of Qabbala,⁶ and the decay of Jewish learning and leadership, leading to mass conversions and culminating in the Expulsion of 1492. It may not be superfluous to point out that mass apostasy to Christianity took place *after* not *before* the ban against Maimonides. Nobody cared to notice that apostates of the like of Petrus Alfonsi (twelfth century), Nicholas Donin (thirteenth century) and Pablo Christiani (d. 1274) were all product of the anti-Maimonidean type of schooling.⁷ Elsewhere I proposed that rather than stopping assimilation, the anti-Maimonidean movement (1180-

⁵ This is the assumption underlying Yitzhak Baer, *A History of the Jews in Christian Spain*, vol. 1, pp. 96-110. The best work on the subject is the monograph by Daniel Jeremy Silver, *Maimonidean Criticism and the Maimonidean Controversy* (Leiden, 1965). For important insights and information on some of the historical and ideological issues, see Jeremy Cohen, *The Friars and the Jews* (Ithaca, 1982), pp. 52-60. For detailed and critical discussions of some of the relevant issues, see J. Shatzmiller, “Towards a Picture of the First Maimonidean Controversy,” (Heb.) in *Zion* 34 (1969), pp. 126-144, and A. Shohat, “Concerning the First Controversy on the Writings of Maimonides,” (Heb.) in *Zion* 36 (1971), pp. 25-60.

⁶ The present analysis *does not* apply to the doctrines authoritatively taught by the celebrated mystic ha-Ari. Rather, it pertains to the mystical doctrines developed after and as a consequence of Jewish massacres committed by the Crusades (eleventh-thirteenth centuries). For some insights into the psychological consequences of these tragic events and the theological and ideological developments, see Lippman Bodoff, “Jewish Mysticism: Medieval Roots and Validation; Contemporary Dangers and Problems,” in *The Edah Journal* 3:1, Fall 2002. See also idem, “The Real Test of the Akedah,” in *Judaism* 42 (1993), pp. 71-92.

⁷ Contrary to John Tolan, *Petrus Alfonsi and his Medieval Readers* (Gainesville, 1993), Petrus Alfonsi was born in Northern Spain and was not “Andalusian.” He knew neither Hebrew nor Arabic well and his knowledge of Bible and Talmud was extremely shallow.

1240) brought about mass defection from Judaism and the total collapse of Iberian Jewry.⁸

I

The anti-Maimonidean movement was the effect of assimilation to Christian patterns of thought and feeling, whereby the persecuted adopts the spiritual and psychological apparatus of the persecutor. Persecution creates the “others,” in religious terminology, “heretics”—not the other way around.⁹ Responding to a mimetic impulse, the anti-Maimonideans went on a witch-hunt in the pursuit of Jewish “heretics,” precisely as Christians had engaged in the persecution of men of the stature of Peter Abelard (1079-1153) and Thomas Aquinas (1224/5-1274). Their source of inspiration were men like Bernard of Clairvaux (1090-1153)—described as the “great detective of heresy” and “the Father of Mysticism”—not the sages of Israel.¹⁰ Take note of the reason given by R. Solomon ibn Adrete (ca. 1235-ca. 1310) for the ban against the Maimonideans. On July 26, 1305, he wrote:

Go into the far away lands inhabited by Canaanites [a code term for “Christians”] and all gentiles! They would condemn them [the Maimonideans] as heretics, even for a single heresy and abomination that they had written in their books . . . and they would tie them up in vine branches and incinerate them till they turn into ashes!¹¹

A mark of the anti-Maimonidean ideology (whereby zeal displaces halakhah) is the sanction of violence as a legitimate means for the implementation of “religion.” A strategic decision—with horrendous consequences as of yet not fully explored by historians—was to approach the ecclesiastical authorities to fight Jewish “heretics.” The anti-Maimonideans argued that in their endeavor to stamp out heresy, the ecclesiastical authorities should also incinerate the works of Jewish heretics.¹² Consequently, they went on “crying and begging” the

⁸ The principal themes of this paper were discussed by me in *In the Shadow of History*; in “Two Models of Jewish Spirituality,” in *Shofar* 10 (1992), pp. 5-46; and in “A Crisis of Categories: *Qabbala* and the Rise of Apostasy in Spain,” in Moshe Lazar, et al., ed. (Lancaster, 1997), pp. 41-63.

⁹ See *In the Shadow of History*, p. 2.

¹⁰ See *In the Shadow of History*, pp. 11-12.

¹¹ In *Minhat Qena’ot* (Pressburg, 1838), vol. XX, p. 61. See below n. 16.

¹² “*Milhemet ha-Dat*,” ed. J.I. Kobakak, *Jeshurun* VIII (Bamberg, 1875), p. 49.

ecclesiastical authorities, “to pass judgment” also on “other works [of Maimonides].” The anti-Maimonideans succeeded “and on their command they made a large fireplace” and burned Maimonides’ works.¹³ R. Jonah Gerondi (c. 1200-1263)—one of the most venerated men in Jewish pietistic circles—went first to the Franciscans and then to the Dominicans, imploring them: “Look! Most of our people are heretics and unbelievers, because they were duped by R. Moses of Egypt [Maimonides] who wrote heretical books! You exterminate your heretics, exterminate ours, too!”¹⁴

R. Solomon ibn Adrete, who had the privilege to study under the saintly R. Jonah,¹⁵ applauded the spirit of ecumenicalism exhibited by the Church, and penned these golden lines:

Could I blame people who are not of the covenant [i.e., Christians] if they would stretch their hands against this corruption and blasphemy by the people of our Law, and they [i.e. Christians] just like us, would open their mouths [against them]?¹⁶

Violence became the earmark of “devotion,” both religious and intellectual.¹⁷ Jewish authorities saw nothing wrong with R. Jonah Gerondi’s brand of devotion. In appreciation, the community in Toledo awarded him the position of preacher, which he kept until his death.¹⁸ A

¹³ “*Milhemet ha-Dat*,” p. 50.

¹⁴ *Iggerot Qena’ot*, in *Qobes Teshubot ha-Rambam* (Leipzig, 1859), III, 4c. Cf., *History of the Jews*, vol. 3, pp. 542-544. Thus a tradition was inaugurated in Europe of burning Jewish books, continuing until recent times. For some interesting glimpses on this matter, see Stephen J. Whitfield, “Where They Burn Books . . .” in *Modern Judaism* 22 (2002), pp. 213-233. I cannot help thinking that the sanction of violence as a genuine expression of Jewish devotion, earmarking Jewish conflicts throughout history, e.g., as with the murder of a liberal rabbi and his daughter by a Hasidic Jew, see the reference in Lippman Bodoff, “The Message of the Prophet Elisha,” in *Midstream* (February/March, 1999), p. 12, n. 9, was a factor in the assassination of Prime Minister Rabin; see the insightful essay by Lippman Bodoff, “Religious Murders: Weeds in the Garden of Jewish Tradition?” in *Midstream* (January 1988), pp. 9-14.

¹⁵ See *Hiddushe hs-Rishba, Shabbat*, ed. Y. Bruner (Jerusalem, 1986), *Shabbat* 50a s.v. *ve-rab*, col. 247; R. Shem Tob ibn Gaon, *Migdal ‘Oz*, on *Mishne Torah, Sisit* 1:15.

¹⁶ *Teshubot ha-Rishba*, ed. Ch.Z. Dimitrovsky (Jerusalem, 1990), vol. 1, pp. 398 (ll. 47-48).

¹⁷ Violence and zeal, both intellectual and emotional, are supreme expressions of religiosity according to the Islamic-Christian concept of *ijihad*. It was rejected by the Andalusian tradition, but not by the anti-Maimonideans; see “Two Models of Jewish Spirituality,” pp. 7-17, 19-23. On the legal and judicial implications of the concept of “violence,” see José Faur, “Law and Hermeneutics in Rabbinic Tradition,” in *Cardozo Law Review* 14 (1993), pp. 1662-1666.

¹⁸ Modern historians perform breathtaking acrobatics to *misread* the obvious facts.

telling detail of the anti-Maimonidean brand of scholarship is the aggressive style characterizing their writings. It attained a level of invective unprecedented in Jewish literary history. The strictures are designated *hasagot* (singular *hasaga*) meaning to “seize” a victim in hot pursuit (see Exod. 15:9, Deut. 28:45, Ps. 7:6).¹⁹ A more benign nomenclature is *haggaha*, “emendation”—a term referring to a scroll of the Torah that is “ritually void” (*pasul*); such a text may not be kept unless properly “amended.”²⁰ Thus, the strategy of faultfinding, disinformation, and intimidation accepted as standard norms of “Rabbinic discourse” (both past and present).²¹

II

Popular wisdom notwithstanding, the anti-Maimonideans were *not* motivated by concern for the preservation and promotion of “the Talmud.” Their alleged zeal should be carefully reviewed in light of the fact that they were directly responsible for bringing about the burning of the Talmud, beginning in 1242. One need not be particularly bright to have realized that requesting from the Dominicans to burn Maimonides’ works established an extremely dangerous precedent.²² It should be a matter of some interest to note that those

On the oft-heard apology that the Jewish communities would not have tolerated this, see *Maimonidean Criticism and the Maimonidean Controversy*, pp. 150, 154, 155, which ignores the power of zeal and the marginality of halakhah in the actual lives of ideologues. On the life and ideology of this revered figure, see *A History of the Jews in Christian Spain*, vol. 1, pp. 250ff.

¹⁹ Cf. below n. 124.

²⁰ R. Abraham of Posquières regarded members of his own community, although in error, “as superiors and better” than Maimonides even when conceding that he was right, see *Mishne Torah, Teshuba* 3:7. (Shocked by the tone and the harm that this may cause to the anti-Maimonidean crusade, some pious hands rewrote these words; see *Kesef Mishne*, ad loc.) In another stricture on *Mishne Torah, Tum’at Okhalin* 15:1, he excluded Maimonides from the community of “righteous” (*yesharim*), probably for the same reason. A poignant example is the treatment given to R. Zerachya ha-Levi who had been critical of some of R. Abraham of Posquières’ interpretations. In the heart of winter, he was prevented from entering the city and he had to spend the night in the outskirts, where he subsequently died. R. Abraham of Posquières, however, had access to the Holy Spirit, see below n. 115. For a impassioned panegyric by a worthy representative of this august figure, see I. Twersky, *Rabad of Posquières* (Cambridge, 1962).

²¹ Concerning the function of intimidation in pagan society, see José Faur, “On Cultural Intimidation and Other Miscellanea,” in *The Review of Rabbinic Judaism* 5 (2002), pp. 34-50.

²² See *The Friars and the Jews*, pp. 60-76.

instigating the ecclesiastic authorities were apostates like Donin and Pablo Christiani, who obtained their spiritual formation at Yeshives reflecting anti-Maimonidean ideology. More alarming was the disappearance of the famous library of Lucena. It contained the oldest and most valuable collection of Talmud and Rabbinic literature in Spain, going all the way back to the Geonic period. After the collapse of the Jewish communities in Andalusia, the library was transported in its entirety to Toledo. It seems, that the last known scholar to have had access to it was R. Meir Abulafya (c. 1170-1244) the chief Rabbi of Toledo.²³ As a result of the triumph of the anti-Maimonideans, it totally vanished: “Andalusian” copies of the Talmud became a rarity. The library had been the depository of works reflecting the long and rich literary and intellectual traditions of the Golden Age of Sepharad—values that were not necessarily congruent with the new ideologies. In addition, the copies of the Talmud and Rabbinical works it contained were at variance with the “improved” editions being circulated by the anti-Maimonideans.²⁴ Furthermore, the fact that the text of both Talmuds (Babli and Yerushalmi) were sloppily edited (it is hardly possible to find a single page free from error!) by two apostates, Felix Pratensis and Jacob ibn Adoniah (c. 1470-c. 1538) and printed by a Christian, Daniel Bomberg (d. ca. 1549/53), should cast some doubt as to the earnestness of these self-appointed “guardians” of “Talmud.” If we consider as well the *pilpul* methodology—precluding any intelligent comprehension of the subject at hand—one might wonder what their true motivation really was.²⁵

²³ See R. Abraham Zacuto, *Yohasin ha-Shalem*, eds. Herschell Filipowski and A.H. Freimann (Jerusalem, 1963), pp. 214 a-b. On Abul’afya’s ancient manuscripts of the Talmud, cf., Mordechai Sabato, *A Yemenite Manuscript of Tractate Sanhedrin* (Heb.) (Jerusalem, 1998), p. 217.

²⁴ The incunabula fragments of the Talmud printed in Spain, collected and edited H.Z. Dimitrovski, *S’ridei Talmud*, 2 vols. (New York, 1977) need to be carefully examined. I have studied the fragments of *Erubin*; although there were many significant readings, they were not consistent with what are known as “Andalusian” readings.

²⁵ Traditionally, Rabbinic scholarship focused on *what* was said. In the footsteps of the scholastics, the anti-Maimonidean concern is on *who* said this or that *about* the text, thus degenerating into a hierarchical system of *auctores majores ad minores*. Concerning the value of the *pilpul* methodology of these Yeshives, see Ludwig Blau, “Methods of Teaching Talmud,” in *Jewish Quarterly Review* 15 (1903), pp. 121-134. Cf., José Faur, “The Legal Thinking of Tosafot,” in *Dine Israel* 6 (1975), pp. 43-72. Concerning the *pilpul* in modern Yeshives, see William B. Helmreich, *The World of the Yeshiva* (Hoboken, 2000), pp. 108-113. A corollary of this methodology is belief in reincarnation. Since no one could ever finish studying the whole Talmud accord-

The notion that the Maimonideans were scoundrels, willfully flouting the Law and tradition, needs to be critically evaluated. In a letter addressed to R. Judah al-Fakhkhar (d. 1235) the leader of the anti-Maimonideans in Toledo, R. Meshullam of Lunel (ca. 1175-ca. 1250), stressed that those who support Maimonides' *Guide* were thoroughly observant of the Law, "And if their heart follows the *Guide*, as they were inspired by heaven, they are God fearing and uphold His Law."²⁶ A similar point was made by R. David Qamhi (ca. 1160-ca. 1235). The anti-Maimonideans were not more punctilious in the observance of the Law. In fact, the opposite may be the case. In a letter addressed to R. al-Fakhkhar he wrote:

We are the ones who strengthen the Law, rely on the teachings of the Rabbis of blessed memory, and give aid without deceit. [We are the ones] who rise early in the morning and stay late at night in the House of the Lord, and stand with awe and reverence as it is [fit] for Israel. [We are] punctilious in the words of the Scribes, and we are those who [actually] teach the Law, not like the alleged accusations of [those] rebels.

Adding:

We have inherited the legacy of our Patriarch Abraham, about whom the Lord testified, "In order that he should direct his children and family [to practice charity and justice]." Our houses are wide open for travelers and those in need of respite. We toil in [the study of] the Torah day and night. We support the poor secretly, we distribute alms at all times and hours. Among us there are some who consecrate books for [the benefit] of the poor who need [those books], and they disburse the[ir] fee to study Scripture and Talmud.

Concluding with this overwhelming question:

Are these to be called "transgressors of the Law"?²⁷

Jewish scholars had tacitly answered the question in the affirmative. As a corollary, the anti-Maimonideans are portrayed as shining examples of "Jewish" behavior.

ing to the *pilpul* method, of necessity one must believe in a long series of successive transmigrations to finish just the Babli, let alone the Yerushalmi! Cf., below nn. 159, 161.

²⁶ *Milhemet ha-Dat*, p. 92.

²⁷ *Iggerot Qena'ot*, III, 3d. For some background literature, see *Maimonidean Criticism and the Maimonidean Controversy*, pp. 175-182.

The conviction that the anti-Maimonideans were more punctilious in the observance of the Law is without foundation. In what follows, I will try to show that the question posed by R. Qamhi deserves to be taken seriously, rather than dismissing it, simply, by assuming, as is often done, on the basis of truisms.

III

The view that some of the Maimonidean doctrines constitute “heresy” is the result of Christian assimilation, whereby zeal and devotion displaces halakhah.²⁸ The same applies to the professed learning of the anti-Maimonideans. Because modern historians are themselves the product of the anti-Maimonidean tradition, they could not realize that their standards do not measure by the standards of the Rabbinic schools of Andalusia and the Geonim. Studying the anti-Maimonidean writings today from the vantage of contemporary scholarship, one wonders whether any of them possessed the intellectual tools to pass a critical judgment on Maimonides’ *Guide*. It was written in Arabic, a language foreign to them, about topics demanding a high level of intellectual training and sophistication. The Hebrew translation of the *Guide* could not help this type of reader any more than a Hebrew translation could help a Yeshive student make heads or tails of Wittgenstein’s *Tractatus* or Whitehead and Russell’s *Principia Mathematica*.

The same applies, all the more, to the anti-Maimonidean reading of the *Mishne Torah*—a work based on a meticulous legal examination of the Talmud and juridical traditions of the Geonim. The anti-Maimonideans were unfamiliar with the rudiments of Semitic philology, Rabbinic rhetoric and jurisprudence, and the major halakhic and hermeneutic principles developed in the geonic academies. The texts they studied, including Scripture and Talmud, had been subjected to countless whimsical instances of “doctoring” by careless and semi-lettered scribes.²⁹ Most of the objections against Maimonides rest on

²⁸ See *In the Shadow of History*, pp. 21-22; “Two Models of Jewish Spirituality,” pp. 7-19.

²⁹ See the illuminating paper by Israel Ta-Shma, “*Qelitatam shel sifre ha-Rif, ha-Rah, ve-Hilkhot Gedolot be-Sarfat wub-Ashkenaz beme’ot ha-Yod-Alef-Yod-Bet*,” in *Qiryat Sefer* 55 (1980), pp. 191-201; and idem, “*Sifriyatam shel Hakhme Ashkenaz bene ha-Me’a ha-Yod Alef-Yod Bet*,” in *Qiryat Sefer* 60 (1985), pp. 298-309. The obsession with “emendations” was also applied to the text of Scripture. Eventually, it reached such a

faulty texts, flawed readings, and unfamiliarity with geonic scholarship. The following example is indicative of their intellectual standard.

A principal argument to delegitimize the *Mishne Torah*—frequently repeated by modern scholars—is that Maimonides did not cite his sources. Characteristically, no one thought to ask them for *their* source that a code or a legal decision—whether in Jewish or in general jurisprudence—is not authoritative unless stipulating its sources. Obviously, a public not versed in Rabbinics could not make heads or tails of a presumed “source.” Such a public would have to rely on one authority or another (or on the supposed reliability of the presumed “source”)—but could not pass a critical judgment on the matter.³⁰ Such information could be helpful only to a scholar with a partial knowledge of the subject under discussion. The anti-Maimonideans (and Jewish historians) did not know that the Rabbis *barred* passing such information to a scholar wishing to participate in a halakhic discussion. Specifically, the Rabbis stipulated that when examining a halakhic subject, “it is not to be explained to a scholar” (*hakham*), that is, either the logic or the source of the halakhah under discussion. Moreover, if the scholar in question did not catch the halakhah the first time, a request to repeat it should be denied: “. . . it is not [even] to be repeated to a scholar” (*hakham*).³¹ The sense of this norm is that someone unfamiliar with *all* relevant sources, or having a span of attention requiring hearing the halakhah more than once, is unqualified to participate in an intelligent discussion of the subject. It takes a certain level of brazenness to criticize a scholar for not providing his less literate foes with sources that could help them discredit his writing in the eyes of an unlettered public.³²

chaos that Rama, *Shulhan Arukh, Orah Hayyim*, CXLIII, 4, concludes that their “Torah scrolls are not very accurate,” and therefore there would be no point in returning a scroll because a word should have been written *plena* or defective; cf., R. Arie Lieb, *Sha’agat Arye* (Warsaw, 1869), #36, and below, n. 81.

³⁰ See R. David ‘Arama, *Perush ‘al ha-Rambam* (Salonika, 1570), 2c; *Studies in the Mishne Torah*, p. 55, n. 66.

³¹ *Sifra, Mesora*, par. III, 5, 11, 75c, as cited in Joshua Finkel, ed., *Maimonides’ Treatise on Resurrection* (New York, 1939), p. 37. The same text appears in Louis Finkelstein, ed., *Sifra* (New York, 1956), p. 324; in R. Aaron ibn Hayyim, *Qorban Aharon* (Venice, 1609), 153c, and in his commentary *ad loc.* The *Sifra* (Vienna, 1862) 75c renders a slightly different version, it reads: “it is not to be repeated to a scholar (*hakham*) . . . it is not to be explained to a scholar (*hakham*).”

³² More significant is the fact that in the formulation of the law, Maimonides invariably retained a key-term indicating to a master of Rabbinics—scholars of the rank of R. Envidal de Toledo and Maran Joseph Caro—the source from which the halakhah derives.

Consequently, the anti-Maimonideans did not dare present their criticism to a Rabbinic scholar. When R. David Qamhi—by far the most learned Jew in Western Europe at the time—sought to come to Toledo to present a defense of Maimonides, permission was denied. (See below sections IX and XI.)

IV

Essential to the anti-Maimonidean crusade was the axis “French Rabbis” → “Qabbala.” “French” Rabbis meant those circles in France and Germany sympathetic to the anti-Maimonidean policies (to the exclusion of lesser “French” Rabbis in the region of Provence who were not anti-Maimonideans).³³ These “French” Rabbis were invested with absolute hegemony over *all* Israel. “*Our* French Rabbis,” announced R. Joseph ben Todros Abul’afya (twelfth and thirteenth centuries), one of the earliest Spaniards to join the anti-Maimonideans in Castile, are those who “from their waters we drink, and *in all the confines of the land*, we live by their mouths.”³⁴ Similarly, R. al-Fakhkhar denied permission to R. David Qamhi to present a defense of Maimonides in Toledo, “in compliance with the decree of *our* French Rabbis.”³⁵ Their supreme dominion has been recognized by the saintly R. Moses ben Nahman (1194-1270), known by the acronym Ramban. He addressed them: “Oh! *Our Lords*, French Rabbis, we are your pupils and by your words we live!”³⁶ Their inalienable right as the supreme authority of all Israel was not predicated on their superlative knowledge alone but also on the fact they “grow in the fields of Qabbala, plump and fresh.”³⁷ The anti-Maimonidean strategy becomes crystal clear upon notice that unless one accepts the theological notions of the Qabbala, there is nothing heretical about the Maimonideans. Conversely, without an *a priori* recognition of the

³³ See the valuable study of E.E. Urbach, “The Participation of German and French Scholars in the Controversy about Maimonides and his Works,” (Heb.) in *ẓion* 12 (1947), pp. 149-159.

³⁴ “*Milhemet ha-Dat*,” p. 29.

³⁵ “*Milhemet ha-Dat*,” p. 40.

³⁶ In his “Letter to the French Rabbis,” in *Iggerot Qena’ot*, III, 8b.

³⁷ “Letter to the French Rabbis,” in *Iggerot Qena’ot*, III, 8c.

hegemony of “our Lords, the French Rabbis,” there is no means by which the authenticity of the Qabbala could be established. To put this less ponderously: without “Qabbala/French Rabbis” there would be no “Maimonideans/heretics.” The entire anti-Maimonidean movement would be then reduced to a cluster of irresponsible assertions backed up by neither reasoned argument nor palpable evidence. Hence, the axis “Qabbala” → “French Rabbis” → “anti-Maimonideans.”

Accordingly, R. Joseph Abulafya chided the Maimonideans for being wrathful at “our French Rabbis” and for not “following in the footsteps of the sages of the Qabbala.”³⁸ Clear evidence of the supremacy of the Qabbala, lies in the fact that “all the sages of the Qabbala whom I saw, or I heard their words or read their works, follow in the paths of our French Rabbis.”³⁹ Conversely, the French Rabbis are the superior masters of Israel, because they are “the instructors, who teach and reveal to us every [Qabalistic] mystery.”⁴⁰ In stark contrast, Maimonideans undermine “the foundations of the Qabbala,”⁴¹ and obliquely “speak ill of our French Rabbis.”⁴² Thus, Abulafya’s plea to the Maimonideans to recant and “rely on the sages of the Qabbala . . . because all that the sages of the Qabbala have planted are flourishing trees, full of trustworthy seeds.”⁴³ To defy the sages of the Qabbala is nothing less than insubordination against God. Emphatically, it was declared that no one “should either rebel against the Almighty, or confront the sages of Qabbala.”⁴⁴

In this precise sense, Qabbala, from its incipient moment, was synonymous with strife. As aptly noted by the great historian Heinrich Graetz (1817-1891), “Discord was the mother of this monstrosity [Qabbala], which has ever been the cause of schism.”⁴⁵ (See below section VIII.)

³⁸ “*Milhemet ha-Dat*,” p. 30.

³⁹ “*Milhemet ha-Dat*,” p. 45; cf., *ibid.*, p. 22.

⁴⁰ In the introduction to *Dine De-Garme*, by the Ramban, printed at the end of his Commentary to Baba Batra. To soothe the fears of these rabbis, he assured them that in Spain “no one” [as of yet] has condemned or disparaged against “our Qabbala;” “Letter to the French Rabbis,” in *Iggerot Qena’ot*, 9a. Cf., below n. 152.

⁴¹ “*Milhemet ha-Dat*,” p. 22.

⁴² “*Milhemet ha-Dat*,” p. 45.

⁴³ “*Milhemet ha-Dat*,” p. 32.

⁴⁴ “*Milhemet ha-Dat*,” p. 46. Cf., below section VI and nn. 113-115.

⁴⁵ *History of the Jews*, vol. 3, p. 547.

V

In the following five segments I touch upon five areas in which anti-Maimonidean teachings shadowed the boundaries between Judaism and Christianity, thus contributing to apostasy and heresy, particularly within the dense and oppressive environment of medieval Spain.

1. *Instituting the Qabbala as the Supreme Theology of Israel*

We have seen the strategic linkage between the anti-Maimonidean movement and Qabbala. It originated in Gerona and Barcelona, among the same circles leading the anti-Maimonidean campaigns. “The rise of this secret lore,” noted Graetz, “coincides with the time of the Maimunistic controversy, through which it was launched into existence.”⁴⁶ Strategically, the anti-Maimonidean movement may be seen as a ruse designed to discredit the standard interpretations of Judaism, in order to promote their own brand of theological mysticism (see below). A major objective of the anti-Maimonidean → Qabbala movement was to undermine central authority and Rabbinic tradition. Originally, the term *qabbala* designated the *traditions* received by way of an uninterrupted chain by the *national* institutions of the Jewish people: the two Talmudic Yeshivot (academies) in Babylonia and their *Bet Din* (court). Later on this term was extended to include the academies and courts of the Geonim in quality of their expertise knowledge. By appropriating the term Qabbala to designate the new theological teachings, the anti-Maimonideans simultaneously awarded a mantle of respectability to their doctrines in the eyes of the unlettered and vacated authentic Rabbinic tradition.⁴⁷ (See below section XI.)

Displacement of Rabbinic *qabbala* came about in subtle ways, so as not to arouse the ire of the public. Let me offer the following illuminating example. In a question addressed to R. Solomon ibn

⁴⁶ *History of the Jews*, vol. 3, p. 547.

⁴⁷ The original version of *Sifre, Shofetim*, #154, was as per Maimonides, *Mishne Torah Mamrim* I, 2: “*asher yaggidu lekha—zu ha-qabbala she-qibbelu ’ish mi-ppi ’ish*,” our current versions bear a later anti-Maimonidean revision. On the different connotations of this term in Sepharad, see Gerson D. Cohen, *Sefer ha-Qabbala* (Philadelphia, 1967), pp. LVI-LVII. Until modern days in the East, mystic lore was referred to as *sod*, “esoterics,” not as Qabbala. The term “Qabbala” was only used to indicate a specific school, e.g., *qabbalat ha-’ari*.

Adrete,⁴⁸ concerning a Rabbinic *haggadah* that the world will last six thousand years and in the seventh thousandth it will lay “wrecked” (*harob*),⁴⁹ he formulated the principle that although one may interpret some passages of the Scripture allegorically,⁵⁰ what “has been received in our hands” (*mequbbal be-yadenu*) must be accepted in its literal sense.⁵¹ For reasons that will become evident in the course of our discussion, he omitted the fact that there were other conflicting Rabbinic views on this matter. More seriously, he failed to mention the *qabala* of the Geonim and sages of old Sepharad. From Se’adya Gaon (882-942) down the chain of tradition, the Geonim—including Sherira (c. 906-1006), Hayye (939-1038), and their disciples R. Hanan’el (d. 1055/6) and R. Nissim (ca. 990-1062)—upheld the principle that *haggadot* may be explained figuratively and could even be dismissed altogether (*en somkhin ‘al dibre aggadah*).⁵² This has been the consensus of all legal experts of old Sepharad, including R. Isaac Alfasi (1013-1103) and R. Judah al-Bargeloni (late eleven century), as well as the renowned poet R. Judah ha-Levi (ca. 1075-1141).⁵³ In a letter addressed to the chief anti-Maimonidean in Toledo, R. David Qamhi reminded him that the principle stipulating that *haggadot* may be interpreted figuratively was not established by a group of trouble rousers, but by the highest authorities of Israel! From the hands of these sages the Jewish people received the entire Rabbinic apparatus, including the text of the Talmud and its interpretation.

Concerning the *haggadot* we explain them in accordance with the laws and [rational] evidence, since they are bonded to reason and allude to wisdom, as we were taught by our predecessors the Geonim, such as our teachers Sherira, Hayye, Isaac Alfasi, and the rest of the Geonim, pillars of the world and the foundations of the earth! Concerning the [interpretation] of *haggadot*, we depend and rely on their teachings and words, not on others!⁵⁴

⁴⁸ *Teshubot ha-Rishba*, vol. 1 (Bnei Brak, 1958), #9, 3b-6a.

⁴⁹ *Rosh ha-Shana* 31a and parallels. See below, n. 62.

⁵⁰ Cf., his *Commentary* on Megillah 15a, Ch.Z. Dimitrovsky, ed., *Hiddushe ha-Rishba* (Jerusalem, 1981), col. 98.

⁵¹ *Teshubot ha-Rishba*, vol. 1, #9, 4b.

⁵² *Geonic Responsa* (Heb.), Eleazar Hurvitz, ed. (New York, 1995), p. 211. For additional sources see, *Studies in the Mishne Torah*, pp. 184-185. Cf., “*Milhemet ha-Dat*,” pp. 133-138, 151-152.

⁵³ See *Studies in the Mishne Torah*, p. 192, n. 92, and pp. 185-186.

⁵⁴ *Iggerot Qena’ot*, III, 3d. The point of Qamhi’s argument is that by de-authorizing their tradition and treating them as heretics, the anti-Maimonideans were in fact

The absence of any mention of the Geonim and authorities of Old Sepharad in this *responsum* was deliberate. The term *qabbala* and its derivatives appear in that *responsum* no less than twenty seven times! Not only are we appraised as to the importance of “the *qabbala* held in the hands of Israel from the mouths of their sages,” including “the *qabbala* that was received one generation after another from our teacher Moses,” and “the *true qabbala*” (*ha-qabbala ha-amitit*) which “was received by us,” but also of the authenticity of “the *qabbala* in the hands of the old men and old women of our people.”⁵⁵ An obvious implication of this omission is that the *qabbala* of the Geonim and the sages of old Sepharad is to be regarded as illegitimate.⁵⁶ To make sure that the attentive reader would not miss the point, R. Solomon ibn Adrete declared at the opening of this *responsum*, that he would have nothing to say to “the heretics” (*ha-kofrim*). He then proceeded to identify these heretics, as those who maintain that “the impossible has a permanent nature”—a direct quotation from the *Guide* (III, 15)!⁵⁷ Elsewhere, he equated this view with those heretical doctrines “that are forbidden to be heard, even more to be voiced.”⁵⁸ In his view, the whole premise of the Geonim since Se’adya and of the sages of Old Sepharad, that it is permissible to study physical sciences and Torah, is an illegitimate oxymoron, since “all of their words rest on the premise [of the validity of] nature.” He concludes that, “Truly, it is impossible to join together two opposites [Torah and nature].”⁵⁹ Thus, the intellectual tradition of old Sepharad and the Geonim is to be dismissed as illegitimate. Indeed,

bringing down the entire edifice of Israel. This is exactly what happened, see below section VIII.

⁵⁵ Cf., below, n. 173.

⁵⁶ But if not from them, then from whom were these communities believed to have received the Talmud, etc.?

⁵⁷ *Teshubot ha-Rishba*, vol. 1 #9, 3b-4a. His disciple, R. Joel ibn Shu’eb, *Derashot* (Constantinople, 1523), *Beshallah* (n.p.), quotes an epistle of his in which he distinguished between two types of “impossibilities,” one epistemological, in relation to man, and another ontological, in relation to God. Only the second class is branded “heretical.” Obviously, ibn Adrete was assuming that Maimonides was referring here to the second class. Unfortunately, he did not spell out the grounds for assuming that the “impossibility” discussed by Maimonides belongs to the second type and not to the first. See, however, above, n. 11.

⁵⁸ *Teshubot ha-Rishba* (Dimitrovsky), vol. 1, p. 296 (ll. 195-196); cf., *ibid.*, pp. 341-342. See “Two Models of Jewish Spirituality,” p. 41.

⁵⁹ *Teshubot ha-Rishba* (Dimitrovsky), vol. 1, pp. 341-342. R. Asher upheld this dogma, see below, n. 128, and “Two Models of Jewish Spirituality,” pp. 25-30.

expressions such as the Qabbala “that has been received *in our hands*” (*mequbbal be-yadenu*), and “the *true*” Qabbala (*ha-qabbala ha-amitit*),⁶⁰ was meant to delegitimize the “other,” i.e., the *qabbala* of the Geonim and Old Sepharad.

For our purpose, it should be noted that the Rabbinic view that the world will last six thousand years and lay in a state of desolation in the seventh is, like so many *haggadot*, deliberately ambiguous. If one were to explain that the world would be actually destroyed, then the expression “one [thousand]” would make little sense. On the other hand, if one were to explain “wrecked” (*harob*) to mean “devastated” and not “annihilated” then the expression “one [thousand]” could refer to the period of time in which the world would remain in a state of devastation. It follows that in order to explain “wrecked” (*harob*) to mean *annihilation*, one would have had to explain “one [thousand]” in a figurative way. R. Solomon ibn Adrete recognized the problem:

Concerning your question: “How could those thousand [years] be measured, since there is no time without the orbiting of the spheres?” This would have been right if one would have taken the subject matter in its precise sense (*al sad ha-kivvun ha-amiti*).⁶¹

The question thus arises: since at least one of the terms must be interpreted figuratively, on what basis can it be determined that “wrecked” (*harob*) must be interpreted “in its precise sense” but not “one [thousand]”?⁶² Remarkably, ibn Adrete justified this decision on the basis of the Qabbala “received in *our hands*” (*mequbbal beyadenu*);⁶³ thus reverting to the cycle Qabbala → Maimonidean heresy.

Within the context of this investigation it would be helpful to note that in the course of his discussion ibn Adrete referred to the “*true* Qabbala” (*ha-qabbala ha-amitit*).⁶⁴ This expression is synonymous with what was “received in *our hands*” (*mequbbal beyadenu* or *beyadenu mequbbal*).⁶⁵ It is essentially and fundamentally a restrictive category: it

⁶⁰ See below, nn. 66-69.

⁶¹ *Teshubot ha-Rishba*, vol. 1 #9, 5a.

⁶² R. Solomon ibn Adrete omitted the fact that there are other Rabbinic passages expressing a conflicting view about the duration of the world, see “*Milhemet ha-Dat*,” pp. 150-151.

⁶³ *Teshubot ha-Rishba*, vol. 1 #9, 4b.

⁶⁴ *Teshubot ha-Rishba*, vol. 1 #9, 4a (*in fine*).

⁶⁵ *Teshubot ha-Rishba*, vol. 1 #9, 4b.

excludes those Rabbis who were not the recipients of God's grace. In a different *responsum*, when he discussed the true mysteries of Israel, he exclaimed: "fortunate is he whom God privileged with knowledge of their holy mystery" (*ashre mi shezikkahu ha-shem yitbarakh la-ʿamod besodan shel ha-mequddash*) (of the Divine Trinity, see below segment five). He identified this class of Qabbala with the "true Qabbala that was entrusted in the hands of the sages of Israel" (*ha-qabbala ha-amitit hamesura bide hakhme yisrael*). Unlike the prosaic *qabbala* of the Geonim and Old Sepharad, Qabbala is the exclusive patrimony of "those who were graced by God" (*lemi shehanano ha-shem yitbarakh*).⁶⁶ This is why in the *responsum* examined earlier he identified this class of esoterics with the Qabbala "which is in our hands," and that "which is accepted in the hand of some of the sages of our Torah" (*mequbbal beyad miqsat me-hakhme toratenu*).⁶⁷ This point acquires further depth and precision upon considering that according to this rabbi, "this Qabbala which is in the hands of some of the sages of Israel is as if it was heard from the mouths of the prophets" (*sheze qabbala beyad miqsat hakhme yisrael kemippi hanebi'im*).⁶⁸ These were men endowed with supernatural powers. They had direct access to God, the angels, and the entire gamut of the supernatural, and bore the title *nabi*, "prophet." These men could ascend to heaven and consult with the ministering angels (*mal'akhe ha-sharet*) and all types of supernatural beings.⁶⁹ We can now understand why ibn Adrete refused to include the Geonim and the sages of Old Sepharad in said privilege.

It would be of some interest to note that the Qabbala that was in "the hands of some of the sages of Israel" defended so diligently by ibn Adrete, and which is equivalent to prophecy, was formulated by no other than the great Spanish mystic Isidore of Seville (d. 636), who believed that the week of creation parallels the weeks of the world. It was now in "the hand of some of the sages of Israel," specifically Ramban and his disciples. On the basis of Isidore de

⁶⁶ *Teshubot ha-Rishba*, vol. 1 #423, 175b; and similarly below 176a: *lemi shehanano ha-shem yitbarakh*. The expression *ha-qabbala ha-amitit* appears twice in that *responsum*. As we shall see below, segment five, these are the sages who know the mystery of the Divine Trinity.

⁶⁷ *Teshubot ha-Rishba*, vol. 1 #9, 4b, or *ibid.*: *beyadenu qabbala*, and 5b.

⁶⁸ *Teshubot ha-Rishba*, vol. 1 #9, 6a.

⁶⁹ On this topic see the magisterial essay by Abraham Heschel, "Inspiration in the Middle Ages," in *Alexander Marx Jubilee Volume*, Hebrew Section (New York, 1950), pp. 175-208. On the title *nabi*, see *ibid.*, pp. 180-190.

Seville's doctrine, they developed their vision about the final restoration of all things to their pristine origin, which constitutes also "their return to the mystical pure Nothingness."⁷⁰

2. *Subordination of Halakha to Qabbala*

Although professing the abolition of the Law and spiritual freedom, Christendom soon discovered that human society could not be properly organized without a legal system. Canon law differs from other legal systems (including the Jewish) because it posits a theological apparatus to which all juridical matters must be subordinated. By contrast, in Judaism (as in all modern legal systems), the law is not subordinated to another, hierarchically superior system. In Judaism theology is the *consequence*, not the grounds, of law.⁷¹ Thus, halakhah is an autonomous concept, and it cannot be manipulated by extraneous ideologies. A principal objective of the anti-Maimonideans was to subordinate halakhah to a theological system generated *outside* Jewish canonical texts and Rabbinic tradition.⁷² Since in Judaism theology is only implicit in the classical texts—never explicit as with Christianity—the submission of halakhah to theology means, for all practical purposes, the abrogation of the Law to whatever whimsical "theological" explanation is supplied.⁷³ Consider the doctrine taught by R. 'Azriel (thirteenth century), one of the fathers of Spanish Qabbala, that "the Mishnah"—the highest authority of Jewish law—represents "the darkness" (*sheha-hoshekh zu ha-mishnah*).⁷⁴ Echoing the Christian doctrine that the Law is dead, we are taught that the Mishnah is Moses' sepulcher: "his sepulcher is the Mishnah"

⁷⁰ See Gershom Scholem, *The Origin of the Qabbala* (Princeton, 1987), p. 409. Cf., Moshe Idel, "Nahmanides, *Qabbala*, *Halakha*, and Spiritual Leadership," in Moshe Idel and Mortimer Ostow, eds., *Jewish Mystical Leaders and Leadership in the 13th Century* (Northvale, 1998), pp. 65-69.

⁷¹ Therefore Maimonides included the basic theological and ethical principles of Israel in his legal code *Mishne Torah Yesode ha-Dat* and *De'ot*, under the rubric of twenty one biblical commandments.

⁷² For a highly informative and substantive study, see J. Katz, "Halakhah and Kabbala—First Contacts," (Heb.) in *Yitzhak F. Baer Memorial Volume* (Jerusalem, 1980), pp. 148-172. On the supremacy of the Talmud over mystical lore in Old Sepharad, see R. Judah al-Bargeloni, *Perush Sefer Yesira* (Berlin, 1885), pp. 186-187.

⁷³ See below, nn. 100-101.

⁷⁴ *Commentary on Talmudic Aggadoth* (Heb.), Isaiah Tishby, ed. (Jerusalem, 1982), p. 111.

(*wuq-bura dileh Mishnah ihi*).⁷⁵ It confirms the most fundamental of all Christian doctrines, namely, that the “Old” Law *per se* does not grant ultimate salvation. Ramban graced this doctrine with an insightful thesis: one may be depraved within the confines of the Law (*nabal birshut Torah*). Significantly, in the long list he provides to substantiate this doctrine, in which he enumerates matters of moral character and spiritual edification recommended by the Rabbis, he adds “abstention from the pollution (*ha-tum’a*) that was not forbidden to us by the Law” and yet essential to attain salvation.⁷⁶ As Professor Idel has incisively argued, “The significance of such a close relationship between theosophy and theurgy is . . . crucial for understanding the dynamics of the main trend of *Qabbala*.”⁷⁷ In fact, there is no split “between Nahmanides the qabbalist and Nahmanides the halakhist.” A revolutionary consequence, at least from the perspective of the Geonim and Old Sepharad, is the application of esoterics to halakhah. In fact, concerning the *Qabbala* of Ramban in particular, there is little doubt, “that certain mystical elements can also be found in his conception of halakhah.”⁷⁸

3. *Hermeneutics Displaces the Text of the Torah*

A cornerstone of anti-Maimonidean ideology is that hermeneutics reveals the “true” meaning of the Scripture, thus displacing Scripture. The thirteen rules of hermeneutics used by the Rabbis pertain not only to the methodology but also to whatever was obtained through them. Therefore, there can be no difference between Scripture and the interpretation of Scripture. Thus, although the Rabbis stipulated

⁷⁵ *Zohar* (Leghorn, 1858), vol. 1, 27b; cf., *ibid.*, vol. 3, 244b.

⁷⁶ *Perush ha-Ramban* on Lev. 19:2, Ch. D. Chavel, ed., (Jerusalem, 1966), vol. 1, pp. 115-117. See *In the Shadow of History*, p. 222, n. 23.

⁷⁷ “Nahmanides, *Qabbala*, *Halakha*, and Spiritual Leadership,” p. 68.

⁷⁸ “Nahmanides, *Qabbala*, *Halakhah*, and Spiritual Leadership,” p. 69. E.g., Ramban’s insistence that wine which is not red is unacceptable for *Qiddush*. There are no Rabbinic sources for this view; on the contrary, according to Rabbinic sources, if white wine is superior, it is preferable to red; see Maran Joseph Caro, *Bet Yosef, Orah Hayyim* CCLXXII, s.v. *garsenan*. A major consequence of the marginalization of halakhah and classical Rabbinic texts was the emergence of the charismatic leader. Since the text could no longer serve as an objective criterion, there was a need for a charismatic leadership that could determine the content of Judaism. On this topic see “Inspiration in the Middle Ages,” pp. 175-208. One of the most successful models of this type of leader was Shabbetai Zvi.

the principle that hermeneutics cannot displace the *peshat* or *sensus communis* of Scripture,⁷⁹ Ramban argued that since the “truth” is one, what difference would it make whether something is explicit in the text or learned through hermeneutics.⁸⁰ A consequence of this theory is the view advanced by R. Asher (c. 1250-1321) that the Scriptural commandment to write a scroll of the Torah is “nowdays” permuted: “instead one should write the five books of the Torah separately, the Mishnah, Talmud, and commentaries, so that he and his children could use them for studying.”⁸¹

As with Christian literary theory, the purpose of this brand of hermeneutics is to “un-cover” the “original” mind of the author and the pristine sense of the text. It assumes a *theory*, postulating an a priori knowledge of the “ideal” sense of the text. In this case, Julia Kristeva pointedly observed, “. . . one does not interpret something outside theory but rather that theory harbors its objects within its own logic.”⁸² The interpreter’s agenda is to “un-cover” the text and “reveal” the “ideal forms” within. In fact, projecting the concepts that he had developed *outside* the text *onto* the text. In this fashion, the “ambiguity” intrinsic to every written text is replaced by an interpretation that simultaneously explains the text and displaces it. The

⁷⁹ See José Faur, “Basic Concepts in Rabbinic Hermeneutics,” in *Shofar* 16 (1997), pp. 1-12; and idem, “Retórica y hermenéutica: Vico y la tradición rabínica,” in E. Hidalgo-Serna, et al., eds., *Pensar Para el Nuevo Siglo* (Napoli, 2001), vol. 3, pp. 917-938.

⁸⁰ *Hasagot le-Sefer ha-Misvot, Shores II*, [3], s.v. *ve-‘akshav*.

⁸¹ Rosh, “*Hilkhot Sefer Torah*” #1, in *Halakhot Qetannot* (printed at the end of Talmud *Menahot*). This is the position of his son, R. Jacob, in *Tur, Yore De‘a CCLXXX*, at the beginning, see *Perisha ad loc.*, *Shakh* n. 5; *ha-Gra ad loc.* n. iv; R. Aharon Kotler, *Mishnat Aharon*, vol. 1 (Jerusalem, 1985), #32, p. 152. It is pertinent to our discussion to recall that, as R. Arie Lieb, *Sha‘agat Abye*, #36, had shown, the commandment to write the Torah has nothing to do with the commandment to study Torah. Because the hermeneutic theory underlying R. Asher’s position was not fully understood, some insisted that R. Asher meant to say that in *addition* to writing a scroll of the Torah, one should also write the commentaries, etc., see Maran Joseph Caro, *Shulhan Arukh, Yore De‘a CCLXXX*, 2. For a summary discussion of this view, see R. Hayyim Palaggi, *Birkat Mo‘adekha le-Hayyim* (Izmir, 1868), vol. 1, 50a ff. For some additional notes, see *Studies in the Mishne Torah*, p. 181, nn. 36, 39. Recently, the view of R. Asher was brought to bear on an interesting question. In sickness, a lady made a vow to donate a Torah scroll to a synagogue. Upon her recovery, a formal question was submitted to the late R. Aharon Kotler, whether she could renounce her vow and donate the sum instead to assist a Rabbinic student to study Tora. An important factor in the decision to permit her to do this was R. Asher’s thesis; see *Mishnat Aharon*, vol. 1, pp. 152-159.

⁸² Julia Kristeva, “Psychoanalysis and the Polis,” in W.J.T. Mitchell, ed., *The Politics of Interpretation* (Chicago, 1983), p. 85.

methodology is similar to the Christian dogma ascertaining that the Christian Scripture simultaneously interprets “Old Law” and displaces it; i.e., it displaces it by interpreting it. (See following segment.)

4. *Preeminence of the Hermetic Subtext of the Torah*

A primary strategy of Pauline anti-nomism is the distinction between the “letter” and “spirit” of the Law (Cor. 3:6). Spanish Qabbala, too, distinguished between the “empty” sense of the evident tenor (*peshat*) of the Torah and the “soul” (*neshama*). The Torah, we are appraised, “is not only empty as per its common sense (*en torat reqanit kifshuta lebad*), but it also has a soul that I [i.e., God] blew into the Torah, and that is what in fact is the most important (*abal yesh lah neshamah shenafahti ani ba-Torah, ve-hu ha-‘iqar*).”⁸³ The “soul” (probably identical to “the secret names of God”) is encoded in the subtext of the Torah, made up of the Hebrew consonants. By combining and rejoining the consonants it is possible to obtain “the secret names of God.” Indeed, “the Torah in its entirety is made up of names of God.”⁸⁴ These names award the individual something far above wisdom: *magical power*.⁸⁵ “In every section of the Pentateuch,” declared Ramban, “there is the name by which that thing was created or made, or how that theme was effected.”⁸⁶ King Solomon’s wisdom came to him through possession of these names.⁸⁷ Similarly, Moses was able to bring about the ten plagues and split the sea, because of a magical name that had been revealed to him.⁸⁸ Possession of a

⁸³ *Ma’amar ‘al Penimiyut ha-Torah*, in *Kiṭbe ha-Ramban*, vol. 2, p. 468. See *Torat ha-Shem Temina*, in *Kiṭbe ha-Ramban*, vol. 1, p. 142. Cf., the theory of R. David ibn Abi Zimra, cited in José Faur, *Golden Doves with Silver Dots* (Bloomington, 1986), p. 136. Since Moses transmitted the Oral Law, upon which rests the entire halakhic apparatus, publicly to the entire community of Israel (see B. Erub. 54b), it must belong to the “empty” category. This is consistent with other similar views suggesting that the revealed Torah does not save.

⁸⁴ “Introduction,” in *Perush ha-Ramban*, vol. 1, p. 6. The same idea appears in R. ‘Azriel, *Commentary on Talmudic Aggadoth*, p. 76 (ll. 19-20).

⁸⁵ Ramban was an ardent astrologer who practiced astrological medicine; see the “Two Models of Jewish Spirituality,” pp. 33-43; cf., his astrological diet, in a poem published by C.D. Chavel, *Kiṭbe Ramban* (Jerusalem, 1963), vol. 1, pp. 385-386. He also was an ardent believer in necromancy, see below, section X.

⁸⁶ *Kiṭbe Ramban*, vol. 1, pp. 167-168; cf., *Commentary on Talmudic Aggadoth*, pp. 28, 109.

⁸⁷ See “Introduction,” in *Perush ha-Ramban*, vol. 1, pp. 5-6.

⁸⁸ *Perush ha-Ramban* on Gen. 17:1, vol. 1, pp. 98-99.

certain magical name bestows power to resurrect the dead.⁸⁹ Another “produces the secret miracles made for the pious.”⁹⁰ “It is well known to many,” he declared solemnly, that these names were “used by the pious of the generations.” In this fashion, the pious “knew how to kill and to resurrect, to desolate and to destroy, to demolish and to annihilate, to build and to plant.”⁹¹ Moses transmitted these secret names to a selected few who managed to pass them secretly until eventually reaching the hermetic circles in and around Catalonia.⁹² (See below section X.) This is consistent with the doctrine advanced by R. ‘Azriel that “whatever is derived from reason is called Torah.”⁹³ By “reason” he probably meant the “spirit” or “soul” of the text “revealed” through their peculiar brand of hermeneutics.

5. *Dismantling a Word into Its Consonants and Rearranging the Consonants to Form a New Word, Thus Revealing a Hitherto Unknown Theological Doctrine Developed Outside the Torah and Rabbinic Tradition*

One of the methods peculiar to anti-Maimonidean hermeneutics is to dismantle a word into its consonants and then to proceed to reconstruct a new term with these consonants. On the basis of the reconstructed term, a dogma developed *outside* the Scripture and

⁸⁹ *Kiṭbe Ramban*, vol. 1, p. 168.

⁹⁰ *Perush ha-Ramban* on Gen. 17:1, vol. 1, p. 98; cf., *Kiṭbe Ramban*, vol. 1, pp. 191-132.

⁹¹ *Kiṭbe Ramban*, vol. 1, p. 168.

⁹² See “Introduction,” in *Perush ha-Ramban*, vol. 1, p. 7, cf. p. 6. Cf., Gershom Scholem, *On the Qabbala* (New York, 1969), pp. 37-42. Eventually this textuological approach affected the core concept and function of the liturgy. The prayer book was transfigured into a series of strategically placed series of conjurations, made up of the rearranged consonants of the text, designed to maneuver and control the realm of the divine. Some conjurations have a comical flavor. The following is only one example among many. A most solemn prayer pronounced at the end of the Sephardic services (but not of the Spanish and Portuguese!) the night of Rosh ha-Shanah invokes the “great and holy name dicarnosa” (*vulm’ān ha-shem ha-gadol ve-haqadosh diaqarnosa*) that is supposed to be encoded in the subtexts of two Scriptural passages. This superlative magical name is nothing more than the Spanish “*dea carnosa*” or “fleshy”—probably in the sense of “portly”—“goddess.” Let us not forget that, until recently, only plump ladies were regarded as sexually attractive. I once casually brought this point to the attention of an acquaintance. Upon realizing the gravity of the matter, he wished to request from the rabbi removal of this conjuration from the prayer. I remember telling him that since nobody, including the rabbi and cantor, had the foggiest idea of what they were saying, there was no point in removing it. See however below, n. 115.

⁹³ *Commentary on Talmudic Aggadoth*, p. 77.

Rabbinic tradition is “revealed.” An illuminating example of this brand of hermeneutics is the Trinitarian doctrine examined by R. Solomon ibn Adrete.⁹⁴ The discussion appears in a *responsum* in which he defended “the true mystical traditions which are in the hands of the sages of Israel,” i.e., the anti-Maimonideans in the regions of Catalonia, France, and Germany. Most notably, this doctrine supposes to elucidate “the mystery” (*ha-sod*) of the prayer addressing God as “the God of Abraham, the God of Isaac, and the God of Jacob.” For a proper evaluation of this matter it would be important to remember that already by the first third of the thirteenth century, Jewish apostates had interpreted this doxology as a Jewish manifesto of the Christian Holy Trinity.⁹⁵ The explanation discussed by R. Solomon ibn Adrete centered on the three Hebrew consonants B-R-K, making the word *BaRuKh* (“blessed”). Following a technique used by Ramban and other authorities in Gerona, the consonants were rearranged to read *RoKheB* (“mounted”), as God “Provident and Savior” (*mashgiah wu-massil*); *BeKhoR* (“First Born”) for God’s “dominion and greatness over all” (*memshala ve-hagedulla ‘al ha-kol*); and *KeRuB* for the “intellect onto which one ought to cleave” (*sekhel shera’ui le-hiddabeq bo*). All three personas are one in “*BaRuKh*.”⁹⁶ Similarly, R. ‘Azriel of Gerona proposed that God had created the universe, “with three names of His great name.”⁹⁷ In the same theological mood, he explained that *’amen*, consisting of the three consonants ’-M-N, could be rearranged as *’aMeN*, *’uMaN*, and *’iMuN*, paralleling *sekhel* (reason), *maskil* (rational), and *muskal* (reasoned)—“three names of a single essence.”⁹⁸ Within this context, “names” are not appellations of

⁹⁴ It may have derived from Ramban’s dogma stipulating that the secret name of God consisting of seventy two letters, is to be divided into segments containing three letters each, see “Introduction,” in *Perush ha-Ramban*, p. 7; cf., *Teshubot ha-Rishba*, vol. 1, #220.

⁹⁵ See Américo Castro, “Disputa entre un Cristiano y un Judío,” in his *De la Espana que aun no conocia* (Mexico: Finestere, 1972), vol. 3, p. 204, ll. 25-27. The language is early thirteenth century Castilian; cf., *ibid.*, p. 205.

⁹⁶ *Teshubot ha-Rishba*, vol. 1, #423. See *In the Shadow of History*, pp. 15 and 223, n. 37.

⁹⁷ *Commentary on the Talmudic Aggadoth*, p. 87, this was probably an allusion to the first three *sefirot*, see p. 108 and cf., p. 109.

⁹⁸ *Commentary on Talmudic Aggadoth*, pp. 24-25; cf., pp. 45, 81. This triad comprises the first three *sefirot*, see *ibid.*, p. 54, and are the object of prayers, *ibid.*, p. 56. On the plurality of the divinity, see *ibid.*, pp. 17, 56-57; on the relation of the plurality to the divinity itself, see *ibid.*, p. 16, and *Tiqqune ha-Zohar* (Leghorn, 1886), XVIII, 34b. See below n. 105.

the deity but real persona within the divinity.⁹⁹ R. ‘Azriel had also referred to God as *Rokheb*,¹⁰⁰ and identified *Kerub* with the *Shekhina* (“Divine presence”).¹⁰¹ In the semantic context of the time, it would be difficult not to identify *RoKheb* with the “Father,” *BeKhor* with the “Son,” and *KeRuB* with the “Holy Ghost,” these three persona being One in *BaRuKh*. The Christian Scripture, too, refers to Jesus as “the first born” (see Rom. 8:29; Heb. 1:6; Col. 1:18), and “the First born of all Creation” (Col. 1:15). Ramban, too, proposed that the first three words of the Torah (*bereshit bara elohim*), “At the beginning God created,” should be rearranged to read, “at the beginning God was created” (*berosh yitbera elohim*).¹⁰² This fundamental dogma was later substantiated by Jewish apostates who changed the vocalization of the Hebrew *bara* (“created”)—the second word of the Torah—to Aramaic, rendering it *bera* (“the son”), yielding: “At the beginning the son of God (*bera de-adonai*) completed the heavens and earth.”¹⁰³ Concerning the divine name ’E-Lo-H-Y-M (“God”), R. Bahye bar Asher (thirteenth century), a distinguished disciple of ibn Adrete, explained “that according to the Qabbala” it “comprises two words: ’EL, HM [They] <are> [God] -Y-” which in Hebrew stands for number ten.¹⁰⁴ The famous mystic R. Abraham Abul’afya (1240-after 1291), reproached R. Solomon ibn Adrete for sponsoring this doctrine:

Accordingly, let me inform you, that the masters of Qabbala [and] the *sefirot* thought to profess the unity of God and escape the Trinitarian

⁹⁹ This may be gathered from a close reading of *Commentary on Talmudic Aggadoth*, p. 91 (ll. 17-21).

¹⁰⁰ *Commentary on Talmudic Aggadoth*, p. 9.

¹⁰¹ See *Commentary on Talmudic Aggadoth*, p. 11. It is also possible that *Bekhor*, here refers to the “primeval light tha emanated from God . . . before the creation of the world” from which the other two *sefirot* were generated, see *ibid.*, p. 110 and cf. pp. 20, 25.

¹⁰² “Introduction,” in *Perush ha-Ramban*, p. 6. Gershom Scholem, *The Origin of the Qabbala*, p. 409, n. 201, observed that Ramban quotes from the Christian Scripture and used Christian sources in developing his doctrine on the nature of the Purgatory.

¹⁰³ Aramaic version of the Pentateuch, Neophyti 1, Gen. 1:1. Belief in the Divine Trinity was an important factor among Jewish heretics and mystics, particularly after the Expulsion; see “A Crisis of Categories,” p. 57.

¹⁰⁴ R. Bahye bar Asher, *Perush*, C.D. Chavel, ed. (Jerusalem, 1977), on Gen. 1:1, vol. 1, p. 15; cf., editor’s note ad loc. See Samuel David Luzzato, “*Viqquah ‘al ha-qabbala*,” in *idem, Mehqare Yahdut* (Warsaw, 1913), vol. 1, pp. 140-141. In his *Perush* on Deut. 29:9, R. Bahye seems to say that as a consequence of their sin, the covenant at Sinai was abrogated and therefore there was a need for a second covenant, thus obliquely confirming the Christian argument about *Verus Israel*.

doctrine and [in fact] they made him ten. In the same fashion that the gentiles say “He is three and the three are one,” some Qabbalists say that the divinity is ten *sefirot* and the ten are one.¹⁰⁵

VI

The anti-Maimonidean movement had nothing to do with Maimonides. The attacks could have been launched against any other Rabbinic authority in the East, including Se‘adya Gaon and Sherira Gaon; or in Spain against R. Judah al-Bargeloni and R. Judah ha-Levi. Targeting Maimonides was a matter of expediency. Before the publication of Maimonides’ Code, no one except for the Rabbinic clergy had access to the law of Israel. In Toledo, for example, Rabbis refused to teach the lay public not only the Talmud but also such a basic work as R. Isaac Alfasi’s *Halakhot*. The public was at the mercy of the clergy. Referring to R. Meir Abul‘afya, an earlier anti-Maimonidean and the chief Rabbi of Toledo, the president of the community wrote: “[He] would render judgments on his own, according to his whim. Nobody could challenge him because they did not know what the law was.” The publication of Maimonides’ Code changed all this. For the first time, the public could, on its basis, assess the decisions rendered by the clergy. Again, referring to the Chief Rabbi, the head of the community made this valuable observation:

Upon seeing this, the above-mentioned judges, of whom this conceited idiot, speaking arrogantly is one of them, their envy grew, their anger kindled and they tried to allure those who support the “Law of Moses” [Maimonides Code] . . . to depart from the right path. Now they are further sinning, speaking slanderously (about Maimonides) to the ignoramuses, like what that idiot wrote in a book. Many more things were [added later to the slander] *in order that they* [the public] *should obey him* [the chief rabbi] *and not depart from his words.*¹⁰⁶

The anti-Maimonideans challenged Talmudic authority. This was implicit in a doctrine advanced by Ramban. Concerning the man-

¹⁰⁵ In Adolph Jellinek, ed., *Ginze Hokhmat ha-Qabbala* (Leipzig, 1853), p. 19. See *In the Shadow of History*, p. 15.

¹⁰⁶ *In the Shadow of History*, pp. 16-17. R. Meir Abul‘afya was basically an honest man. Eventually, he realized that he had been manipulated by unscrupulous individuals and fully recanted, see *ibid.*

date of the Jewish court, the Scripture states that it is valid, “for your generations, in all your inhabitations” (Num. 35:29)—that is, even after the destruction of the Temple and throughout the Jewish diaspora.¹⁰⁷ Nonetheless, he stipulated that with the destruction of the Temple, the Jews ceased to have a Supreme Court¹⁰⁸—a doctrine that Spinoza would exploit to show that Rabbinic authority was void. Shrewdly, Ramban rejected Maimonides’ view that the authority of the Rabbis (including the Mishnah and Talmudic periods) was Scriptural, and insisted that their authority to legislate has no basis in the Torah.¹⁰⁹ Basic to this view is the belief that the authority of the sages of Israel did not derive from the national institutions of Israel (the academies and the judiciary), but because they had access, like the ancient prophets of Israel, to the Holy Spirit.¹¹⁰

There are serious consequences to this view. Traditionally, the authority of a rabbi stemmed from the fact that he was a member of the local court of justice (*bet din*). The clergy functioned as expert jurists transmitting to their constituency the Talmudic law, as it was taught and processed by the academies of the Geonim and the great legal masters of Israel. Their authority was limited to the traditional legal corpus. The general public and legal scholars could test their decision on the basis of settled law. When new situations arose, the local community would enact special decrees to deal with the situation. The fact that legal decisions did not rest on an individual, but on a communal institution—the *bet din*—solidified the authority of the community.

¹⁰⁷ See Ramban’s Commentary ad loc., *Perush ha-Ramban*, vol. 2, pp. 338-339.

¹⁰⁸ See his *Hasagot le-Sefer ha-Misvot*, *Misvat ‘Ase* #153, and *Studies in the Mishne Torah*, p. 43, n. 72.

¹⁰⁹ See *Hasagot le-Sefer ha-Misvot*, *Shores I*, and *Studies in the Mishne Torah*, pp. 14-15, 19-25.

¹¹⁰ Cf. “Nahmanides, *Qabbala*, *Halakhah*, and Spiritual Leadership,” pp. 69-70. This doctrine does not derive from Rabbinic sources. In an unpublished paper, R. Josh Yuter, “Ramban,” located this doctrine in Tertullian, *De Pudicitia*, 21, *The Later Christian Fathers: A Selection from the Writings of the Fathers from St. Cyril of Jerusalem to St. Leo the Great* (Oxford, 1977), p. 113:

For the Church is properly and primarily the Spirit, in whom is the trinity of the one divinity, the Father, the Son, and the Holy Spirit. The Spirit makes the assembly of the Church, which the Lord established in three persons. And thus, the whole number of those who have leagued together in this faith is given the status of the Church by the Church’s author and consecrator. . . . For the right of judgment belongs to the Lord, not to the servant; to God himself, not to the priest.

In line with Ramban's view, the author of *Sefer ha-Hinnukh* (a member of Ramban's circle) proposed a radical doctrine: the biblical commandment to submit to the Supreme Court is now to be fulfilled by obeying "the great sages among us during our days." The submission must be total; whoever would "not submit to the counsel of the great Torah sages of the time *in everything that they command* is disregarding a positive commandment and his penalty is very grave." He arrived at this doctrine by surreptitiously introducing two revolutionary concepts. First, the authority of the Supreme Court includes the power to determine "what is the mystery of the Torah" (*sod ha-Torah*). Second, he redefined the term "judge" (*shofet*) to mean "sage." Thus, when paraphrasing the Scriptural commandment determining the judicial authority of the Supreme Court (Deut. 17:10), he wrote:

Included in this commandment is the obligation to obey and execute at all times, as ordered by the judge, that is, *the greatest sage among us in our time*. As our Rabbis, of blessed memory taught: Jephthah in his time is as Samuel [was] in his [generation].¹¹¹

Some Rabbinic authorities extended this doctrine to include the local rabbi: he must be obeyed as if he were "the Supreme Court having authority over (the people) of their generation." He is inerrant and his decisions could not be appealed:

¹¹¹ *Sefer ha-Hinnukh*, #492 [2], pp. 607-608 and #508 [4], p. 627. The doctrine ascertaining that a rabbi who is not a member of the judiciary has Scriptural authority, is the result of combining Ramban's view, that after the destruction of the Temple the authority of rabbis is a function of their superior knowledge (and not of their judicial office), with Rashi's view at B. Hul. 52a, s.v. *ella*, that even in post-Talmudic times a judge (that is, a member of the community's *bet din*) has Scriptural mandate. Accordingly, the author of *Sefer ha-Hinnukh* proposed that the Rabbinic doctrine, "Jephthah in his generation [has the same mandate] as Samuel in his generation," means that the *sages* of one generation [although not members of the local *Bet Din*] are equivalent to the prophet Samuel and they must be equally obeyed, regardless of how insignificant they appear in the eyes of their contemporaries. This runs contrary to Scripture (1 Chr. 9:20) and the rabbis who maintained that Pinehas, Aaron's grandson, was alive during Jephthah's time; see J. Theodor and Ch. Albeck, eds., *Bereshit Rabba* (Jerusalem, 1965), LX, 13, vol. 2, p. 643. And yet, the rabbis recognized the authority of Jephthah—the presiding judge—and not of Pinehas! This means that the authority rests in the hands of the judiciary, not the "sages." According to Se'adya Gaon and Maimonides the doctrine, "Jephthah in his generation, as Samuel [was] in his generation" comes to establish parity between the supreme courts of different historical periods; see *Studies in the Mishne Torah*, p. 36, n. 28. Concerning the unsuitability of seeking that litigation be adjudicated by "a great sage" instead of the local judge, see R. Hayyim Palaggi, *Sifre Hayyim* (Izmir, 1881), #153, s.v. *al*.

... Although all the city's sages and notables may surpass the community rabbi in wisdom and expertise, they are irrelevant in regard to him. Since his authority was allotted over them, he has the legal status of royalty, ranking as the Supreme Court of Jerusalem, in regards to which all sages are irrelevant.¹¹²

It is pertinent to our present discussion to consider that this brand of rabbi was believed to have been entrusted with a "divine spirit" and therefore was "inerrant." The theological ground for this assertion is that invariably God himself is acting through the judges. God, "is the real factor who decides and, accordingly, a court cannot fail to decide justly."¹¹³ Since the anti-Maimonidean rabbi acts by and through the "Spirit of God" and has access "to revelatory experiences," that would permit him, as with Ramban "a greater creativity in the domain of Halakhah,"¹¹⁴ in which case, as the celebrated R. Abraham of Posquières announced "the Holy Spirit appeared in our School!,"¹¹⁵ i.e., he was inerrant.

¹¹² Quoted by R. Elias Mizrahi, *She'elot wu-Tshubot Re'em* (Jerusalem, 1938), #57, p. 185.

¹¹³ "Nahmanides, *Qabbala, Halakha, and Spiritual Leadership*," p. 71. This is contrary to the Scripture that specifically requires an expiatory sacrifice when the supreme court of Israel errs; as well as the Mishnah, Tosefta, Babli, and Yerushalmi (two versions) to Horayot; see "Law and Hermeneutics," pp. 1670-1672; José Faur, "One-Dimensional Jew," in *Annual of Rabbinic Judaism*, 2 (1999), pp. 34-36.

¹¹⁴ "Nahmanides, *Qabbala, Halakha, and Spiritual Leadership*," p. 71. In plainer words: unrestrained manipulation of halakhah. This equals abrogation of halakhah and its substitution for a system akin to canon law. As R. Josh Yuter, showed in "Ramban," there are no legal norms that could not be manipulated by theological considerations. In this case, "Torah" is a rhetorical tool designed to justify the rabbi's whims. As argued by Yuter: "This allows for almost limitless subjectivity regarding what is considered to be the Law." In such a system, "the rabbis cannot be held accountable to an objective source," simply because, "there is no objective source which could not be manipulated to reach any desired conclusion." In more contemporary language: "daas Torah." On this groundbreaking concept, see "One-Dimensional Jew," p. 45; *The World of the Yeshiva*, pp. 68-69. A more effective and less pompous expression, now peddled in neo-orthodox circles, is "the spirit of halakhah." It allows the rabbi halakhic clairvoyance without the need to know a single *iota* of Jewish law. In either case, these "halakhic decisions" are standardless. See below, n. 157.

¹¹⁵ On *Mishne Torah*, *Lulab* 8:5; cf. *Mishne Torah*, *Bet ha-Behira* 6:15; and his *Teshubot wu-Psaqim*, #211, p. 263. See "Inspiration in the Middle Ages," pp. 192-193. There were other such men with access to the supernatural, who formulated legal queries in their dreams (*she'elat halom*) and received authoritative replies from heavens. One such an individual was R. Jacob de Mervaise [or Marvege] (twelfth and thirteenth centuries). He published his questions and answers, *She'elot wu-Tshubot min ha-Shamayyim* ("Queries and Replies from Heaven"), R. Reuben Margoliot, ed., (Jerusalem, 1957). All these men possessed *Ruwah ha-Qodesh* ("Holy Spirit") and thus were inerrant.

An interesting corollary of the above is that those who express a different halakhic view are to be treated as heretics. Conflict could only be resolved through strife. Subsequent Jewish history illuminates the wisdom of this doctrine.

VII

In one of his frequent digressions in praise of “the pious of Ashkenaz,” the author of a critically acclaimed study on the history of Sepharad, wrote this luminous passage:

The pietists of Germany, like their forefathers who had founded the communities and academies in the Rhineland, still drew vigor from the vitalizing fountains of talmudic lore. And even though they were influenced by theological ideas and popular beliefs current among their Christian neighbors, these simple men understood the fundamental principles of the lore of our sages better than any other generation in the history of the Diaspora.¹¹⁶

There is little doubt that their most successful representative—a proud embodiment of their noble ideals, so lofty and so pure—was none other than the saintly R. Asher. In 1305, heaven rewarded the anti-Maimonideans and they succeeded in installing him as the rabbi of Toledo, Castile, and as such, as the supreme spiritual authority of all Jews in Christian Spain. Throughout their ministry he and his children brought to bear “the spirit of inerrant piety”—commonly known as “*hasidut*”—into Spain.¹¹⁷ He was Torah incarnate. “As long as I am alive,” he wrote, “there is Torah in Israel.”¹¹⁸ R. Asher was aware of his excellence. No one could vie with him either in wisdom or humility: “Thanks to God, God had graced me, and I possess all that pertains to the true reasoning of the Law of Moses our

How else could one explain that every stroke of their pen would contain such a wondrous wisdom? See “Inspiration in the Middle Ages,” pp. 193-195, and Israel Ta-Shma, “Tosafot Gornish,” in *Simai* 68 (1971), pp. 85-86. According to that tradition, the occult is a fundamental dimension of “Rabbinic wisdom.” Hence, the function of conjurations, mystical lore, and the occult in general among these rabbis; cf., “Inspiration in the Middle Ages,” pp. 190-208.

¹¹⁶ *A History of the Jews in Christian Spain*, vol. 1, pp. 98-99.

¹¹⁷ See the eminent study by Israel Ta-Shma, “*Hasidut Ashkenaz bi-Sfarad: Rabbenu Yona Gerondi, ha-ish wu-fá'olo*,” in *Galut Ahar Gola* (Jerusalem, 1989).

¹¹⁸ *Teshubot ha-Rosh* 55:9, cited below.

Teacher, as [good] as all the present sages of Sepharad today.” The Rabbinic authorities preceding him in Toledo were, in his view, illegitimate, because their authority derived from “the authority invested on them by the king.”¹¹⁹ The scribes and notaries, too, were untrustworthy, since they did their work “to increase their profit.”¹²⁰ This meant, that for all practical purposes, one could refer neither to the early decisions of the court nor check with community clerks about legal practices and procedures. It stands without saying that he would not recognize the right to cite Maimonides to any one “who is not thorough with the Mishnah and Talmud”¹²¹—this meant to exclude anyone that was not approved by him. “Damned be (*tippah ruham*) those who judge on the basis of the books and writings of great [scholars] and do not know Mishnah and Talmud at all.”¹²² Differing with him constituted an affront to the Law of Moses and formal apostasy. Take, for example, the case of R. Jacob de Valencia. Following standard halakhic practice in Sepharad, he prohibited in his own hometown the use of a public thoroughway on the Sabbath, unless a real door would be appended to one of its entrances. R. Asher disagreed. Consequently, he threatened R. Jacob with excommunication: “I am excommunicating you. If you would have been at the time of the Sanhedrin they would have put you to death.”¹²³ To make sure that he would comply, he wrote to some of his confidants, “you and other should persecute him.” He then issued the following judgment:

I am warning you and all the community to excommunicate that madman, Jacob the son of Rabbi Moses. . . . And there is a religious commandment 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.

¹¹⁹ His appointment too came from the king, not from God. In *Teshubot ha-Rosh*, 21:9 cited below, n. 124, he refers to the authority invested on him by the king. Nonetheless, the “other” rabbis lacked divine authority and legitimacy. In a series of queries presented by R. Asher to ibn Adrete, *Teshubot ha-Rishba*, vol. 1, (##461-523), he consulted (##475) about the permissibility to verbally abuse rabbis appointed by the king. For a halakhic discussion on the authority of such a rabbi, see R. Isaac bar Sheshet, *Teshubot ha-Ribash*, #271; and R. Simon bar Semah Duran, *Tashbes*, I, ##158-159.

¹²⁰ See *In the Shadow of History*, p. 18.

¹²¹ *Teshubot ha-Rosh*, 31:9.

¹²² *Teshubot ha-Rosh*, 43:12.

¹²³ *Teshubot ha-Rosh*, 21:8.

If he would not recant, then he would impose on R. Jacob de Valencia, “by the authority invested on me by our lord the king, the fine of a thousand coins to be paid to the governor of the city.”¹²⁴

His authority was supreme even in matters in which he could not claim proficiency. The case we are about to examine took place in the year 1321, a short time before his death.¹²⁵ It concerned the text of a pre-nuptial agreement in the by-laws of the community of Toledo. It was written in classical Arabic, a language that R. Asher did not know. There was no official Hebrew translation. R. Israel de Toledo (d. 1321), secretary of the court and one of R. Asher’s staunchest supporters, made a translation for his benefit. R. Asher rendered a decision on the basis of this translation. The translator (as an expert witness) argued that R. Asher’s interpretation violated the *semantic* connotations of the original Arabic.¹²⁶ Actually, as the presiding judge, R. Asher had the final authority to reject the translator’s testimony without further ado. Instead, he chose to justify his decision: he had based his decision on the very translation furnished to him by R. Israel de Toledo. The point of the translator, however, concerned the *semantics*, not the actual translation. R. Asher was a master in sidestepping questions with long, irrelevant digressions, full of dubious oversimplifications and highly debatable assertions. Part of his strategy was to *impute* to the opponent untenable views. Thus, he deflected what constituted basically a judicial issue (see below) to a confrontation of “philosophy vs. the Law of Moses.” Shrewdly, he

¹²⁴ *Teshubot ha-Rosh*, 21:9. See “Two Models of Jewish Spirituality,” pp. 25-26.

¹²⁵ All quotations and references are from *Teshubot ha-Rosh*, 55:9. See “Two Models of Jewish Spirituality,” pp. 26-29.

¹²⁶ The view of R. de Toledo appears in *Teshubot ha-Rosh*, 55:9. The underlying argument is that the *text* of a private agreement between two parties ought not to be interpreted according to Talmudic hermeneutics and linguistic connotations but according to the linguistic environment of the place and time. The requirements for the proper interpretation of such a document are two, “common sense” (*sebara*), which is familiarity with the syntactical and semantic apparatus of the speaking community, and proficiency in classical Arabic, the language in which the pre-nuptial agreement was written. To substantiate his argument, de Toledo pointed out that the basic terms of the pre-nuptial agreement in question, such as “marriage,” “wife,” “inheritance,” have a semantic field of their own (within the speaking community), *independent* of the legal system (both Jewish and non-Jewish) which is more restrictive and specialized. Forgetting with whom he was dealing, de Toledo made the fatal mistake of using the term “reason” (*sekhel*) to indicate the syntactical relations determined by the linguistic apparatus. Cleverly, R. Asher took this term and associated with the infamous “philosophy”—something akin to “socialist/capitalist” in some political quarters, and launched a devastating attack on the poor translator.

branded R. Israel's "reason" [semantic objections] "philosophy." He would be representing the Law of Moses. In what undoubtedly constituted the supreme moment of his ministry, he produced a gem: eerily lucid and convincing. It is a resonant testimony to a type of disciplined intelligence that only someone truly wise and pious could master. I will quote the pertinent passage at some length to give an idea of R. Asher's graceful and witty style.

About what you wrote concerning matters determined by reason [i.e., the semantic connotations of the original Arabic] and matters determined by Law. What could I reply? Let *our* Torah not be as *your* meaningless blabber! Shall we bring a proof or a confirmation, to render a guilty or innocent verdict, or to prohibit and allow, from the science of *your* logic [the linguistic analysis presented by the translator], which was denounced by all the Torah sages? Isn't it true that those who instituted it did not believe in Moses and in the righteous judgments and injunctions that 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 with parables that they use in the science of *their* logic? It shall not be so! No! Would in my days and in my place a case be judged with parables?!

We can picture this angelic figure pausing at an inward-looking moment. In trying to overcome the moral agony, he adds these painfully honest words, thus granting the public a privileged admission into the hearts and minds of the truly wise and pious:

Thank God, as long as I live, there is still Law in Israel, to bring proofs from the Mishnah and the Talmud Babli and Yerushalmi,¹²⁷ and you have no need to bring parables to render a judgment. Since the science of philosophy and the science of the Law and judgments do not follow the same path—because the science of the Law is the tradition received by Moses at Sinai. The sage would expound it according to the hermeneutics that could be used to expound it, comparing one item to another. Although these things do not concur with physical science, still we will 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 down and they became corrupt, and were forced to repudiate the Law of Moses, because all the Law is not natural, but tradition. . . .

¹²⁷ In our case, however, the good rabbi failed to substantiate his thesis from either the Babli or Yerushalmi, cf., below nn. 131, 135-138.

Concluding with these cogent and minimally flawed lines:

Whoever would enter from the beginning into this science [philosophy] will never escape from it and bring to 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 will never grasp the wisdom of the Law, which is the paths of life, since his heart will always be with natural science. He would wish to compare these two sciences, bring proofs from one onto the other. As a result he would twist the Law, because they are mutually exclusive and are not compatible with one another.¹²⁸

Indeed, at the beginning of his *responsum* he solemnly declared: “And although I do not know your secular knowledge, blessed be the Lord who saved me from it! And the sign and proof came [that it] had apostatized man from the fear of God and from His Law!” Thus, in one sweep, R. Asher was disposing of the Geonic tradition and the Spanish Golden Age as corrupt and illegitimate! It is pertinent to our discussion to note that on a different occasion R. Asher had asked R. Israel de Toledo to explain to him a passage in Mishnah Kilayyim having to do with a halakhah bearing on elementary plane geometry, a subject a bit too complex for the learned rabbi to handle, and help him decide between two conflicting interpretations.¹²⁹

R. Asher’s position was not universally accepted. R. Envidal de Toledo (fourteenth century) did not hesitate to base a halakhic decisions on the basis “of the science of optics.”¹³⁰ R. Asher’s doctrine was rejected by no lesser a figure than R. Moses Isserles (1525/30–1572)—the Rama—one of the great halakhic authorities of all times! In what is an obvious allusion to R. Asher’s view, he noted that the ban issued against “philosophy” never included the study of physical sciences. They may have intended to prohibit some Aristotelian works,

They never intended, however, to prohibit the study of the works of scholars and their investigations concerning the material world and its

¹²⁸ *Teshubot ha-Rosh* 55:9. Significantly, R. Asher’s thesis is found in *Zohar*, vol. 2, 124a.

¹²⁹ Quoted in full by Maran Joseph Caro, *Kesef Mishne, Kīl’ayyim* 6:2.

¹³⁰ *Maggid Mishne* on *Mishne Torah, Sukka* 5:15. This view was cited approvingly by Maran Joseph Caro, *Bet Yosef, Or ha-Hayyim* 631 s.v. *sekhakhah*. Similarly, R. Jacob Hajez, *Halakhot Qetannot*, part I, #218 brings proof to his halakhic view from chemistry; cf. *ibid.* #282. See R. Menahem de Lonzano, *Shete Yadot* (Jerusalem, 1970), 80b, and below, nn. 135–136.

nature. On the contrary, through [this type of investigation] the greatness of the Creator becomes more manifest.

In support of this position, Rama recalled that the Talmud had declared: “Whoever pronounces a word of wisdom, although from the nations (i.e., a gentile) he should be entitled “sage” (*hakham*).”¹³¹ Furthermore, even those claiming that the philosophical works of heathens may be somehow perilous, they would have to concede that this could not apply if their ideas are learned,

From the works of the sages of blessed memory, from whose waters we (constantly) drink. In particular, from Maimonides, of blessed memory! No one ever thought to prohibit this! We could state with absolute certainty that nothing pernicious can be found in any of his works.

To let us know that he was aware of the events surrounding Maimonidean works, he added:

Although some sages disagreed with him and burnt his works, nonetheless his works have spread among all the later authorities of blessed memory! Everyone placed them [Maimonides’ works] as a crown on their heads, and bring proofs from them as if they would constitute “a *halakhah* received from Moses at Sinai” (*ke-halakhah le-moshe mi-sinai*).¹³²

Attesting to his conviction, he began his famous *Mappa* on *Shulhan ‘Arukh, Orah Hayyim* with a quotation from the *Guide*.¹³³

Modern Jewish historians, hopelessly ignorant of both philosophy and law, reiterate R. Asher’s view and identify the above-mentioned issue as one of “philosophy vs. the Law.”¹³⁴ In fact, it is a purely

¹³¹ B. Meg. 16a.

¹³² *She’elot wu-Tshubot R. Moshe Iserlikh* (Amsterdam, 1711), #7, 4c. It should be pointed out that in his note on *Shulhan ‘Arukh, Eben ha-‘Ezer* CLVI, 4, he rejected a Rabbinic decision, “although the Talmud ascertains that . . . many have been shocked by this since it is contradicted by common experience.” The source for this view is in Maran Joseph Caro, *Bet Yosef, Eben ha-‘Ezer* CLVI s.v. *katub bi-tshubot*.

¹³³ Similarly, Maran Joseph Caro, *Bet Yosef, Yore De’a* CLXXXI s.v. *haqafat*, rejected a disparaging remark made by R. Jacob in the *Tur* against Maimonides (for dealing with the reason of one of the Scriptural Commandments, in the *Guide*). It is pertinent to our discussion that Maran began his reply by rejecting the view that R. Jacob *imputes* to Maimonides [a classical anti-Maimonidean tactic, see below section IX]: “It is unworthy [to suggest] that Maimonides held this!” Posing to him this fundamental question: “Who actually cared for the honor of the Tora and commandments more than him?”

¹³⁴ See *A History of the Jews in Christian Spain*, vol. 1, pp. 318-319. For a detailed analysis of this case, see Israel Ta-Shma, “*Shiqulim Pilosofim be-Hakhrat ha-Halakhah bi-Sefarad*,” in *Sefunot* 18 (1985), pp. 99-109. While it is within the authority of the court to *consult* with an expert witness or with the *opinion* of a non-Jewish court,

halakhic matter having nothing to do with “philosophy.” Early in its history, the Jewish court recognized the value of expert testimony, regardless of whether the expert witness was Jew or gentile.¹³⁵ Concerning translations, the Talmudic sages consulted pagans to learn from them the nuances of foreign terms.¹³⁶ This type of consultation is permitted even when pertaining to the text of the Scripture! Thus, Hayye Gaon would consult with the local head of the Syrian Church about biblical lexicography.¹³⁷ The issue raised by the translator is a legitimate one: it pertains to the extent that a judge is bound to take into consideration the semantic connotations of the original document, which are not reflected in the translation. Specifically, when the expert witness, in this case the translator himself, argues that the decision violates the connotation of the document. Se‘adya Gaon discussed the matter; obviously, it is up to the court to either accept or reject the points raised by the expert witness.¹³⁸ The fact that neither the saintly rabbi nor the learned historians appear to come to grips with the halakhic issues and Rabbinic sources pertaining to the case at hand, speaks for itself.

R. Asher’s son, R. Judah (1270-1349), shared the views and policies of his father; after R. Asher’s death (1321), he was appointed his worthy successor. This prodigious rabbi, too, belonged to the inerrantly pious, known simply as “pious” (*hasid*). Aware of the special lineage, he requested in his last will from his children that they, too, “should become pious” (*lihyot hasidim*).¹³⁹ There were complaints about his ministry.¹⁴⁰ The incident we are about to examine took

generally it would not be permissible to ask a non-Jewish court to certify or approve of a halakhic decision, since this would compromise the autonomy of the Jewish judiciary, see R. Hayyim Palaggi, *Huqqot ha-Hayyim* (Izmir, 1872), #1, 5d-6a.

¹³⁵ On the status of expert witnesses in Jewish law, see José Faur, “*Ve-Nishu Hakhme Ummot ha-Olam et Hakhme Yisrael*,” in Aharon Barak and Menashe Shawa, eds., *Minha le-Yisraaq* (Jerusalem, 1999), pp. 113-133. As I showed in that article, the final authority rests with the judge to either accept or to reject expert opinion. However, it would not be regarded as an affront to the court for an expert witness to argue his point, as in the case of R. Israel de Toledo.

¹³⁶ See Y. B.B. 8:8, 16c. Cf., Saul Lieberman, *Greek in Jewish Palestine* (New York, 1965), p. 26, n. 76.

¹³⁷ See *Golden Doves*, p. 124.

¹³⁸ *Teshubot*, in Joel Muller, ed., *Ouvres Completes de R. Saadia . . .* (Paris, 1897), vol. 9, p. 133.

¹³⁹ In his last will, published by S. Schechter, “*Savd’a*,” in *Bet-Talmud* 4 (1885), p. 345.

¹⁴⁰ All the following quotations and references proceed from R. Judah ben ha-Rosh, *Zikhron Yehuda*, J. Rosenberg and D. Cassel, eds., (Berlin, 1846), #54, 9a.

place at about the year 1345. Some expressed concern at the numerous halakhic conflicts dividing the community (see below). R. Judah denied the fact. On the contrary, in the last forty years “there never were fewer conflicts among the judicial experts.”¹⁴¹ The second complaint concerned the circulation of “malicious slander” about the rabbi. Addressing the officers of the community, he said:

(Occasionally) when (people were) incensed (at the rabbi’s behavior), you declare that you do not believe it (the accusation) in your hearts, since you are my witnesses and also the community, that from the day that you chose me to sit on my father’s chair, I showed favor to no one in a judicial process. It is possible, however, that unknowingly I blundered, “Surely I am brutish, unlike a man, and have not the understanding of a man” (Prov. 30:2). However, if rebelliously, or with impunity, or maliciously, I committed any injustice to anyone, may God never forgive me! This is why it gives me great pain that they are suspicious of me on any of those matters. Therefore, if an important person that no one in this land can judge either says or does anything with the intention of defaming me among the public, let God judge between me and him and repay him for his ill.

From the preceding one may wrongly conclude that unlike his father, R. Judah did not regard himself inerrant. This, however, was not the case. The above was expressed as a conciliatory remark, for public relations purposes. In reality, he, too, was inerrant. This may be gathered from the explanation he gave for dismissing the community’s petition to adopt Maimonides’ code. To quell the controversy surrounding him, some proposed to adopt Maimonides’ code, as it was done throughout Sepharad. To this end a preliminary accord (*haskama*) was drafted. For reasons that he did not care to divulge, he rejected the petition. “There are reasons,” replied R. Judah, “that exclude approving their accord, which I do not wish now to spell out.” Instead, he offered this curious argument: “You should not learn from [the policies of] others in Sepharad! On the contrary others should learn from you because the city of Toledo is the metropolis of Israel and their grandees are the grandees of the diaspora of Ariel!”—the term “Ariel” was an allusion to himself (Judah = Ariel).¹⁴² The gist of this remark becomes obvious, upon considering

¹⁴¹ The good rabbi, however, did not explicate how he arrived at this highly significant piece of information.

¹⁴² See *Studies in the Mishne Torah*, p. 60, n. 87.

that early in the same *responsum* he had argued that although most of Maimonides' decisions were correct, some are not. By inference, one may conclude that his decisions were all free from error.¹⁴³ We can now appreciate his snide remarks about and impatience with those daring to disagree with him.

The following case is paradigmatic. It also permits a glimpse at the grounds for some of the rumors surrounding the rabbi. Let us pay close attention to the particulars; they illustrate the type of ministry that the anti-Maimonideans fought so hard to establish (see below, section IX). The case pertains to a decision issued by the Rabbinic court in Segovia, presided by R. Hayyim ha-Arukh (fourteenth century).¹⁴⁴ The case revolved around three witnesses of dubious character testifying on behalf of a certain Moses 'Atias to the effect that he had contracted matrimony with a certain lady. In the process of collecting these testimonies, the court discovered that in a previous case one of the witnesses had been found guilty of willfully committing perjury in a judicial proceeding (*shebu'at sheqer*). The court also determined that the second witness had been found guilty of giving false testimony (*shehe'id 'edut sheqer*). The third witness was known to have desecrated the Sabbath willfully (*shehillel shabbat be-mezid*). Since these witnesses were unqualified to testify in a Jewish court, and since the alleged bride denied that the ceremony had taken place, R. ha-Arukh issued a decision declaring the alleged wedding void and null and the presumed bride free to marry without the need for a bill of divorce. R. Judah disagreed and declared the decision illegitimate and the marriage valid.

Halakhic disputes are common. What makes this case worthy of attention is the patronizing, dismissive vein with which the presiding rabbi of the court is treated. We shall call attention to three aspects of R. Judah's response. First, R. ha-Arukh wrote a legal decision on the case. Except for a slur he allegedly made, R. Judah was

¹⁴³ See *Studies in the Mishne Torah*, pp. 59-60.

¹⁴⁴ All of the following quotations and references proceed from *Zikhron Yehuda* #89, 36a-38a. As indicated by the ed., R. ha-Arukh was the father of R. Menahem, who maintained halakhic correspondence with R. Isaac bar Sheshat, *Teshubot Ribash* (Constantinople, 1547), ##229-233, at Salamanca, and, #312, at Zamora. See below, n. 149. There are numerous families in the Eastern Mediterranean communities bearing this name; see, for instance, the case examined by R. Moses ben Habib, *She'elot wu-Tshubot Moharm ben Habib* (Jerusalem, 1927), #5, 35b-48c.

careful *not* to quote from it.¹⁴⁵ Rather, he sidestepped it, declaring that he would not “address himself to all the nonsense (*debarim betelim*) that he [R. ha-Arukh] wrote in his decision.” Stated crudely, this means that the reader would not be permitted to consider the merits of the case, but would have to rely solely on R. Judah’s *conclusions*. Without even a window of insight, R. Judah resolved to act on the on the basis of hearsay (*shama’nu mi-pi maggide emet*) and rumor (*sheyasa qol*)—most probably stemming from the party of the groom—that the court’s verdict was illegal. Second, with prophetic clairvoyance he *assumed* that the members of the court, including the presiding judge, were illiterate boors. Without presenting a shred of evidence, he argued: *perhaps (im)* the witness did not commit perjury in a judicial procedure but only failed to fulfill a promissory oath (*shebu’at bitui*); *perhaps (im)* the other witness had not committed the kind of crime that would disqualify him (*lav sheyyesh bo malqut*); *perhaps (im)* the third witness only transgressed a Rabbinic prohibition. To *impute* such gross errors to a court of law, on the basis of hearsay, without first instituting a formal judicial investigation is so malicious a slander that it might be regarded as defamation. Third, rather than to hold judgment and invite the court to rebut these charges, he issued a series of invectives (“he deserves to be banned under excommunication, and to be cursed and punished by incarceration and death;” “he never studied nor read;” “we will not address ourselves to the sources he brought to prove the case from the Talmud, tractates Yebamot, Gittin, and Baba Mesia; it is not worthy of reply because even a chick that did not yet open its eyes could not have written what he wrote, and furthermore he does not deserve to receive a response,” etc.). On the basis of these invectives, he issued the following judgment:

To the Holy Congregation, the Congregation of Segovia (may God protect them):

You are hereby warned! This letter or a copy should be sent immediately to that R. Hayyim ha-Arukh, (notifying him) that we are rendering a judgment (against him) and (issuing an) excommunicatory sentence, that on the day he shall see this letter or a copy of it certified by witnesses, he should immediately renounce his above mentioned verdict and decision and declare it void. Furthermore, that he should

¹⁴⁵ See below, n. 149.

send it therewith to [the community of] Segovia within a period of eight days, so that it can be read (in the presence) of the community.

Fortunately, the authorities in Segovia managed to preserve a sense of humor and did not react in kind. At the end of the *responsum* the scribe appended a note stating that R. ha-Arukh withdrew his decision. Thereupon, the community of Segovia arranged a meeting between him and the representatives of R. Judah, at the Rabbinic court in Seville (a city in which anti-Maimonideans were not permitted to roam freely). At the meeting, R. ha-Arukh presented his written decision and was given an opportunity to reply to the Rabbis of Toledo.¹⁴⁶ The matter was fully debated, “And the Rabbis of Seville agreed with the aforementioned judgment of R. Hayyim ha-Arukh.”¹⁴⁷

IX

The foregoing is paradigmatic of the anti-Maimonidean tactic. As in the case of R. Qamhi, the “other” is not allowed to present his views. If by chance a careless editor overlooked a contrary view, as in the case of Yeda‘ya of Bezièrs (thirteenth century), then it must be confined to conspicuous silence (ibn Adrete did not issue a reply to R. Yeda‘ya);¹⁴⁸ or snidely dismissed, as R. Judah with R. ha-Arukh: in either case *real* confrontation must be avoided. Essential to the anti-Maimonideans tactic is to muzzle the “other.” More particularly, by assuming the persecutors’ inviolable right to *impute* the views supposedly held by the persecuted, the persecuted is muzzled and his actual views put out of circulation. It is a very effective procedure widely used. Ironically, by relying on what the anti-Maimonidean *impute* to their foes, without critical analyses and documentation, historians jump to preordained conclusions. They, too, end up promoting the same ideology and procedure. The result is a didactic (rather than critical) judgment, chuck full of the same old prejudices.¹⁴⁹

¹⁴⁶ For a detailed discussion of the halakhic issues of this particular case, see Y. Shiber, “The Status and Confirmation of Witnesses at Wedding Ceremonies in Jewish Law,” Ph.D. thesis presented at Bar Ilan University, Fall, 2003, pp. 126-129.

¹⁴⁷ For further details, see below, n. 149.

¹⁴⁸ See *Teshubot ha-Rishba* vol. 1, #419.

¹⁴⁹ A sorrowful example of the scholarship of the enlightened is I.F. Baer, *Toledot*

Consider the oft-heard claim that the anti-Maimonideans acted to safeguard the public from “heretical” views. And yet we have seen outrageous heresies penned by anti-Maimonideans with hardly any

Hayyehudim bi-Sfarad ha-Nosrit (Tel Aviv, 1959), pp. 519-520, n. 71. Without a single insight into the legal issues between R. Judah and R. ha-Arukh examined above (section VIII), Baer disposes of the decision of the court of Segovia simply by *imputing* to the party in Segovia the *views* assigned to them by R. Judah. Pointing the finger of blame at the court of Seville (for siding with R. ha-Arukh), Baer intones this grave sentence: “It means that they decided against clear cut *halakha* and against the view of the preachers of the generation in Toledo,” i.e., R. Judah. An illuminating example of Baer’s competence concerns a remark made by R. ha-Arukh on an opinion held by R. Moses de Coucy. Apparently, there were some conflicting views about the status of one of the witnesses, in which case there would be a single witness testifying to the alleged wedding. De Coucy believed that a marriage performed in the presence of a single witness has some validity (*hosheshin le-qiddushah*). Since his view was rejected by most authorities, including R. Judah’s own father, R. Asher (see *Hilkhot ha-Rosh*, *Qiddushin* III, 12), R. ha-Arukh, in accordance with standard halakhic practice in Sepharad (*Bet Yosef*, *Eben ha-Ezer* XLII, s.v. *hameqadesh*), dismissed this view. It is pertinent to add that in the case at hand, where the alleged bride denied having consented to the marriage, even those authorities upholding R. de Coucy’s view, considered the case without merits (see *Bet Yosef* and R. Moses Iserlikh, *Darke Moshe*, *ibid.*, n. ii). Accordingly, R. ha-Arukh dismissed de Coucy’s view with the remark “*let de-hash le-qimheh*,” [“no one cares about his flour,” i.e., no one accepts his view]; see *Zikhron Yehuda*, 37a. This is the *only* quotation of R. ha-Arukh made by R. Judah! Why? Since he could not find something substantive to assail him, he found a pretext to abuse him personally, by alleging that this was an offensive remark. To this effect, he wrote: “In order that not even a single letter (of what R. ha-Arukh wrote) would be regarded as true, we have to be extensive and discredit him by citing his own words.” R. Judah, who was an expert in diversionary tactics and name-calling, jumped at the opportunity to pour against the rabbi a series of invectives: “This alone suffices to excommunicate you, for you have spoken ill of the world luminaries and slur them [in the plural]. [Scholars who are] greater than you and your teachers upheld and apply his decisions” [namely himself—not a single legal authority in Spain shared this view. His younger brother, R. Jacob, simply *mentions* this opinion but does ascertain that the halakhah is according to this view. How could he, particularly when even their own father and mentor, R. Asher, decided against de Coucy?!] There is nothing remotely offensive about the expression “*la hash le-qimheh*,” which is found in the Talmud (B. Suk. 54a and parallels) and means “heedlessness” (see Rashi, *ad loc.*, s.v. *dela*). In fact, Maran Joseph Caro used it to dismiss a view held by R. Jacob ben ha-Rosh; see *Tur* and *Bet Yosef*, *Yore De’a*, CCCXL, s.v. *ve-shi’ura* (*in fine*). A similar expression “*let de-hash lah*” is found in B. B.M. 110b, B. Bekh. 3b, etc. In B. Ned. 7b it was used to dismiss a view held by no lesser a figure than R. ‘Aqiba! (*let de-hash lah le-ha de-ribbi ‘Aqiba*). Hoping for a Rabbinically illiterate reader, R. Judah grabbed the opportunity to assail his opponent and create a diversionary tactic. On the basis of prejudice alone and without having the foggiest idea of the meaning of these words, Baer repeats the same gibberish about “*let man de-hash le-qimheh*.” Alerting against this type of historiography, scholars, from Graetz to Baron warned about historians acting as theologians, in our case by preaching rather than teaching. Incidentally, R. Isaac bar Sheshat, *Teshubot ha-Ribash* #230, *in fine*, addressed the son of our R. Hayyim as “the wise and learned Rabbi, our teacher Menahem, may God guard him, the son of the honorable Rabbi, our teacher Hayyim, may he rest in peace, ha-Arukh.” A similar formula is found at the end of #233.

notice from the Rabbinic establishment.¹⁵⁰ The text of the Scripture was subjected to extra-canonical systems of interpretation, whereby the “empty, common sense” of the Torah, could be imbued with a “soul,” like “BaRuKh” representing the Divine Trinity; or by dividing the first three words of the Torah to read *be-rosh yitbera elohim*, “at the beginning God was created.” Since it was appropriate to dismantle a word, it did not appear unseemly, as with Christian hermeneutics (*derashot shel dofi*), to tear a word out of its context and challenge a fundamental Jewish doctrine. Thus, the “face of the Lord” (*pene ha-adon*) would be equated with that of a human. Commenting on the verse, “Three times a year all of your male (population) should be present before the face of the Lord, God” (Exod. 22:17), the following question was asked: “To whom does ‘the face of the Lord, God’ refers”? To this query a highly suggestive answer is proposed: “That is R. Simeon bar Yohai” (*man pene ha-adon? Da, ribbi shim'on bar yohai*).¹⁵¹ Within the context of that time and place, it would have been impossible not to associate the foregoing with the doctrine, “I am the way, the truth, and the life: no man cometh unto the Father, but by me” (John 14:6). And yet, not a peep was raised in alarm.¹⁵²

For reasons transcending the scope of this paper, it seems that the anti-Maimonideans were more interested in undermining the central authority of the communities than teaching “Torah.” A crucial first step was to de-legitimize the *Mishne Torah* and to discredit the values of Israel as formulated by the Geonim and the Golden Age. Anti-

¹⁵⁰ Since in Judaism theology is implicit rather than explicit, the submission of halakhah to theology means surrendering the Law to whatever nonsensical “explanation” is supplied. An excellent illustration is the painful fact that with few exceptions the halakhic authorities hardly protested the abominations perpetrated by the Sabateans in the name of their mystical abominations. A similar situation prevails today with Lubavitch’s messianism; see the courageous work of David Berger, *The Rebbe, the Messiah, and the Scandal of Orthodox Indifference* (London, 2001).

¹⁵¹ *Zohar, Bo*, vol. 2, 38a.

¹⁵² Ramban and his colleagues knew quite well what would happen if the public would have discovered the subversive nature of their mysticism (see below, section XI). “No one [as of yet] has condemned or disparaged against our Qabbala,” Ramban assured some of his associates in France, “Letter to the French Rabbis,” in *Iggerot Qena’ot*, 9a. There was nothing “enigmatic” about his reluctance to acknowledge or disseminate his ideology, but plain prudence. See, however, Moshe Idel, “We have no Kabbalistic Tradition on This,” in I. Twersky, ed., *Rabbi Moses Nahmanides (Ramban): Explorations in his Religious and Literary Virtuosity* (Cambridge, 1983), pp. 50-73.

Maimonidean Rabbis would fill the ensuing vacuum. Unlike the Rabbis of Old Sepharad, these Rabbis were inerrant. To question their excellence is heresy. Since their excellence is above those not privileged to freely receive the grace of God,¹⁵³ the “unprivileged” ought to be, first and foremost, a *fidelis subditus* (faithful subject), that is, he must remain in a state of constant submission to the hierarchically superior clergy (*emunas hakhomim*).¹⁵⁴ This doctrine is not found in the Talmud. It was formulated by Pope Gregory the Great (sixth century), who declared, “The verdict of the superior—no matter whether just or unjust—has to be obeyed by the inferior subject.”¹⁵⁵ The Jew, too, as with the *fidelis christianus*, ought to express his faith, not by allegiance to an accessible system of laws and values—as with the Old Law—but through *obedience* (*emunas hakhomim*) to those who are *hierarchically* superior, as with the Christian clergy: “because the subject has faith in the superior’s institutions.”¹⁵⁶ Intimately bound up with this doctrine is the idea “inerrancy.” One is “inerrant” because those who owe him *obedience* (*emunas hakhomim*) may not challenge him. This essential point is implicit in a bull issued by Pope Boniface in 1302, establishing the principle that, “If the supreme power err it can be judged only by God and not by man.”¹⁵⁷

From the preceding it should be apparent why the application of critical knowledge, as promoted by the Maimonidean and old Rabbinic tradition, constitutes an act of *insubordination*: a challenge by the inferior *subditus* to the hierarchically inerrant superior.¹⁵⁸

¹⁵³ See above, n. 66.

¹⁵⁴ Originally it meant “the faith of the sages;” anti-Maimonideans changed the semantics of this term to mean “faith *in* the sages.” Since generally their audience is grammatically illiterate, the change remained unnoticed.

¹⁵⁵ Quoted in *In the Shadow of History*, p. 36. This argument was used by Nazis such as Eichman; see *ibid.*, pp. 174-175.

¹⁵⁶ Quoted in *In the Shadow of History*, p. 33.

¹⁵⁷ Quoted in Jeffrey Burton Russell, *A History of Medieval Christianity* (New York, 1968), p. 168. Cf., “One-Dimensional Jew,” pp. 44-46.

¹⁵⁸ In Rabbinic tradition, even the High Priest at the Temple in Jerusalem is subject to error and could be tried and duly punished by the supreme court; see José Faur, “Law and Hermeneutics in Rabbinic Tradition,” pp. 1666-1669. An important aspect of Qabbala is its fundamental inaccessibility to the masses. In this basic point the esoteric teachings of Qabbala, imposing a vertical relationship between “the enlightened” and the masses, differs from Maimonidean esoteric that is horizontal; see José Faur, *Homo Mysticus* (Syracuse, 1999), pp. 1-3, 22-52. It should be noted that the *illuminados* in Spain, almost all of whom came from a Jewish background, were, in this fundamental aspect, closer to Ramban than to Maimonides.

Since the excellence of the anti-Maimonidean rabbi is not demonstrable on the basis of his expertise in halakhah and Rabbinic literature, it was important to marginalize their value. Very aptly, the Mishnah came to represent “darkness” and “the Sepulcher of Moses.” Within this context, the function of *pilpul* is invaluable. Talmudic studies would be easily reduced to an incoherent hodgepodge. This is how R. Joseph Jabès (d. 1507) an eyewitness to the Expulsion, described the Talmudic academies in Castile. As a result of the *pilpul* methodology,

they wasted all their days, never attaining the intent of the Law. One needs not to mention that they never attained the ultimate goal, which is [proper] behavior, but (*failed to attain*) even (basic) knowledge of the laws needed in daily life.¹⁵⁹

The results of the new rabbinate were devastating. Far from bringing spiritual solace and guidance, the new spiritual leaders further contributed to the dissolution of Jewish values and the demoralization of the people. Here is how R. Solomon Al‘ami (c. 1370-1420), himself a foe of philosophical studies, described the new ministry produced in Spain:

Some of our recent sages lost their way in the wilderness! They erred [even with] the most obvious! Because they hate and are jealous of each other, and put up for sale the Torah for presents. Their goal of their curriculum is to know how to read [the Torah] meticulously and expand their own innovations. The study of Talmud and other works [also is wanting] because they are concerned with every minute detail of the law and the different views and opinions [not with its substance]. They thrust aside the humility of the virtuous, temperance and holiness. What [one rabbi] instructs the other darkens; what [one rabbi] permits the other prohibits. Through their quarrels the Law had become two! They knit [their views] on a spider’s web, embarrassing themselves and exposing their wickedness: their eyes are closed and cannot see; their hearts fail to understand. They show favor [when issuing legal decisions] of the Law, and fail to tell the people their disgrace. Because God had poured over them a spirit of foolishness and had close their eyes. This is what disgraces the Torah in the eyes of all those who see and hear [them].¹⁶⁰

¹⁵⁹ Introduction to *Or ha-Hayyim* (Ferrara, 1554), n.p. See *In the Shadow of History*, p. 20.

¹⁶⁰ R. Solomon Al‘ami, *Iggeret Musar*, A.A. Haberman, ed. (Jerusalem, 1946), pp. 40-41. On this opposition to philosophical studies, see *ibid.*, pp. 32-33, 41-42.

Thus, the ministry of the anti-Maimonideans brought about the spiritual, intellectual and material collapse of Iberian Jewry. Erroneously, some, particularly “the best and the wisest” that could not accept pretentious and incoherent blathering as a substitute for “Torah,” chose to defect to escape the madness reigning in the *Juderías*. This is how R. Moses Arragel described the situation in Spain in 1422, about one hundred and fifteen years after the anti-Maimonideans succeeded in installing the inerrantly pious in the rabbinate of Toledo.

The Jews of Castile in the past prospered and were the crown and garland of all the Jewish diaspora. . . . Now our best and wisest children have left us. Nothing remains of our science . . . and at the riverbed whose waters once carried ships, there cannot be found today even small brooks. Our science has thus vanished.¹⁶¹

The final unfolding of the ministry of the inerrantly pious took place in 1492, when the last Chief Rabbi of Spain chose to convert rather than to join his brethren in the Expulsion.

It appears that some historians share not only the same anti-Maimonidean fundamentalism but also their intellectual apparatus: intuition needs not to be examined critically. Indeed, what can be more reliable than accusations hurled against the persecuted, particularly when the persecutors are folk-heroes of fabled deeds?

IX

The personal integrity of the anti-Maimonideans has been greatly overrated. In fact, in spite of all the accusations hurled against the Maimonideans there is yet to be found any documentation substantiating these charges. From all the abundant documentation of that period, there is not a single case of a Maimonidean that could serve as a counterpart to such apostates as Abner de Burgos (c. 1270-1340) or Jerónimo de Santa Fe (d.c. 1419). The same is with the alleged religious laxity of the Maimonideans. There is not a shred of evidence to these charges.

The case of the Maimonidean scholar R. Levi ben Hayyim (b.c. 1250), from Provence, gives credence to this view.

¹⁶¹ In *Biblia de la Casa de Alba* (Madrid, 1920), p. 13. Cf., *In the Shadow of History*, pp. 2, 19.

The anti-Maimonideans had embattled him mercilessly for his alleged heresies and laxity. No lesser a figure than the late Professor Abraham Halkin (1903-1990) investigated these allegations. On the basis of a careful study of all the documentation available, he showed that the opposite was the case. Concluding with these lines:

Statements of this sort, in my humble opinion, prove conclusively that a grave injustice has been done to Levi ben Abraham ben Hayyim in branding him a heretic, a seducer and a subverter. His love of his faith, coupled with his admiration of philosophy, impelled him, as it did his fellow intellectuals, to strive zealously to demonstrate that Judaism contains all wisdom, nay, that it is the mother of all learning, which is now the proud possession of others.¹⁶²

Historians have performed great rhetorical acrobatics to explain why so may Jews failed at the time of the Expulsion. There is some cynicism in these efforts. In view of the preceding, it would be more appropriate to ask why, after two hundred and fifty years of spiritual and intellectual pandemonium, so many brave souls chose to leave Spain and Portugal rather than live as Christians!

X

Ramban's crusade against the Maimonideans was not based on dogma, or on a simplistic distaste of rationalism, as is often taught.¹⁶³ It was grounded on objective, scientific grounds. The fault with the Maimonideans—and the Andalusian tradition lingering in Sepharad—

¹⁶² "Why Was Levi ben Hayyim Hounded?" in *Proceedings of the American Academy for Jewish Research* 34 (1966), p. 76.

¹⁶³ See *Perush ha-Ramban* on Gen. 9:12, vol. 1, p. 64, where he discarded the view of the Torah in favor of the "Greeks." First, he admitted that according to Scripture the rainbow was created after the deluge. "However, we must believe the view of the Greeks that the rainbow comes through nature from the rays of the sun on the humid air." After some discussion, he said: "whether the rainbow was [created] now [as Scripture says] or it was from ever by nature . . ." and then he goes on to discuss "the hidden mystery" that he is about to reveal. This coincides with the thesis concerning the "empty" sense of the Torah that can be discarded in favor of the "Greeks," in contradistinction with the "soul" that he would be infusing in the Torah. See *Teshubot ha-Rishba*, vol. 1 #9, 4a, s.v. *veda' ki kol hakham*, where he spells out the criterion of "the pious" (*hasidim*) for making this type of exegesis. On the attitude of Ramban's circle to philosophy, see Israel Ta-Shma, "Rabbi Yonah Girondi: Spirituality and Leadership," in *Jewish Mystical Leaders and Leadership*, pp. 155-177.

was that they had the impudence to reject the dynamics of spiritism and demonology (*ruchnios*). Maimonides went so far as to classify sorcery and witchcraft as “falsehood and fabrications.”¹⁶⁴ This was a shameful lie, designed to hurt people of good faith like the Qabbalists! Referring to the Maimonideans as “those who pretend to be wise and emulate the Greek” (a code name for Maimonides),¹⁶⁵ Ramban ascertained that the falsehood of this statement could be objectively proven on the basis of “the science of necromancy.”¹⁶⁶ To discard this type of evidence is to refuse the most luminous truth.¹⁶⁷ Ramban himself was personally familiar with “the science of magic and augury.”¹⁶⁸ Through the pietistic circles in Germany (*haside ashkenaz*), he became acquainted with demonology¹⁶⁹ and the various activities of evil spirits.¹⁷⁰ This type of spiritual experience was not something peripheral, confined to a group of saintly sages: it touches the heart and soul of Israel. Consider these undeniable truths. Moses’ excellence rested on his mastery of the science of witchcraft and necromancy. After enumerating some of the areas in which Moses excelled, Ramban added: “higher than all that, was that he knew all types of witchcraft, and from there he would ascend to the spheres, to the heavens and their hosts.” King Solomon, too, “was expert in witchcraft, which was the wisdom of Egypt.”¹⁷¹ Moreover, spiritism (*ruchnios*) and belief in occultism and demonology constitute the basis of religion. By denying belief in demons and the realm of the spiritistic (*ruchnios*), the Maimonideans were in fact rejecting the grounds of religion. This is why their teaching represents the rankest of all heresies. Worst than heathens in pre-Mosaic times:

¹⁶⁴ *Mishne Torah*, ‘Aboda Zara 11:16; cf., *Letters and Essays of Moses Maimonides* (Heb.), Isaac Shailat, ed. (Maale Adumim, 1988), pp. 479-480.

¹⁶⁵ On the precise meaning of this expression, see “Two Models of Jewish Spirituality,” p. 32, n. 91.

¹⁶⁶ *Perush ha-Ramban* on Lev. 16:8, vol. 2, p. 91. See *Perush Ramban* on Exod. 20:3, vol. 1, p. 393; Ch.D. Chavel, ed., *Teshubot ha-Ramban* (Jerusalem, 1975), #104, p. 155. Cf., *In the Shadow of History*, p. 223, n. 32.

¹⁶⁷ See *Kiṭbe Ramban*, vol. 1, p. 162.

¹⁶⁸ See *Perush ha-Ramban* on Exod. 20:3, vol. 1, pp. 392-393; and “Two Models of Jewish Spirituality,” pp. 35-40.

¹⁶⁹ See *Perush ha-Ramban* on Gen. 4:22, vol. 1, p. 46.

¹⁷⁰ *Kiṭbe ha-Ramban*, vol. 1, p. 146; cf., *Teshubot ha-Ramban*, #104, p. 157. See “Two Models of Jewish Spirituality,” pp. 33-34.

¹⁷¹ “Introduction,” in *Perush ha-Ramban*, vol. 1, p. 3.

In those pristine days, as in the days of Moses our Teacher, may he rest in peace, all knew this. Because the sciences in those days were all spiritistic (*ruchnios*), involving the gamut of demons and witchcraft, and the types of incense [needed to attract] the forces of heaven. The reason for this was that since they were close to the time of Creation of the world and of the Flood, nobody either 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. . . . At any rate, at the time of Moses our Teacher, may he rest in peace, no one was [as] wicked or heretical as to deny these (beliefs). The only thing that the gentile nations doubted was prophecy.¹⁷²

Background noise aside, and within the ordinary limits of human error, the esoterics of *ruchnios* is indistinguishable from the old cosmic sacrality, common to pagan humanity. For reasons of mental health and stability, both the Rabbis and the Church resisted this. It still lingered, however, among the peasants in Europe. This is how Mircea Eliade described Qabbala:

Although in the eyes of a Puritan the cosmic religion of the south-eastern European peasants could have been considered a form of paganism, it was still a “cosmic, Christian liturgy.” A similar process occurred in medieval Judaism. Thanks mainly to the tradition embodied in the Qabbala, a “cosmic sacrality,” which seemed to have been irretrievably lost after the Rabbinical reform have been successfully recovered.¹⁷³

In conscious contrast, Maimonideans regarded spiritism and magic as pure nonsense. Here is how R. Samuel ibn Tibbon (c. 1160-c. 1230) the Hebrew translator of the *Guide*, defined *ruchnios*—the spring of Ramban’s religion:

¹⁷² *Kutbe ha-Ramban*, vol. 1, p. 147. See “Two Models of Jewish Spirituality,” pp. 30-34. Let it be noted, that by recognizing the mechanics of magic and identifying Judaism with it, Ramban was further blurring the differences between Judaism and Christianity. This will become evident upon recalling that Christendom, as D.F. Walker, *Spiritual and Demonic Magic* (Notre Dame, 1975), p. 36, so aptly put it, viewed the mass with all its paraphernalia as the greatest magical act ever. “The mass, with its music, words of consecration, incense, lights, wine and supreme magical effect—transubstantiation.” The reason the Church condemned magic was because, “The Church has her own magic”—the mass; therefore, “there is no room for any other.”

¹⁷³ Mircea Eliade, *The Quest: History and Meaning in Religion* (Chicago, 1969), preface (n.p.). On the notion of cosmic sacrality and its importance in Qabbala mysticism, see *Homo Mysticus*, pp. 3-5.

Spiritism (*ruchnios*). There were heathens who believed that the emanations of stars descend upon images specially built for the stars, and upon the Asheroth that they specially planted for their sake. They imagined that these images and Asheroth knew the future as per prophecy, and that they spoke to them.¹⁷⁴

From the Maimonidean perspective, the mystical and theological notions introduced as “Qabbala” were disjointed hallucinations experienced by emotionally troubled spirits: an index of mental dislocation and nothing more.¹⁷⁵ Ramban was gifted with a sharp and quick mind, and understood quite well the implications that denial of demonology meant, both for him personally and for the brand of spiritualism (*ruchnios*) that he was promoting. Hence, his anger at Maimonides and the Maimonideans. They were heartless. Actually, the real purpose behind their teachings was just to cause mental pain to those saintly figures who, like him, had witnessed demons and kept intimate contact with them and other supernatural beings. Thus, the anguish in Ramban’s impassionate cry:

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 they [these truth] are fully acknowledged throughout the world.¹⁷⁶

These are “objective facts” witnessed by thousands and thousands of people, like those night-flying witches, metamorphoses, and witches’ sabbath filling the late medieval and renaissance world. These objective facts, as so aptly put by Trevor-Roper, could be “disbelieved only (as a doctor of the Sorbonne would write in 1609) by those of unsound mind.”¹⁷⁷

Those who investigated the psychological grounds of demonology offer the following description of the mechanism involved in the dynamics of witnessing demons:

¹⁷⁴ In the appendix to this Hebrew translation of the *Guide*, s.v. *Ruhaniyut*. I want to thank my son, R. Abraham Faur, for bringing this passage to my attention. For further background, see R. Judah ha-Levi, *Kuzari*, Yehuda Even Shmuel, ed. and trans. (Tel-Aviv, 1994), I, 79, pp. 23-24; I, 97, p. 34; IV, 23, p. 178. Cf., “A Crisis of Categories,” pp. 52-53; *Homo Mysticus*, pp. 11-13.

¹⁷⁵ For a bird eye view of some of their main doctrines and ideas, see *History of the Jews*, vol. 3, pp. 547-558.

¹⁷⁶ *Kutbe ha-Ramban*, vol. 1, p. 147. See above, n. 167.

¹⁷⁷ H.R. Trevor-Roper, *The European Witch-Craze* (New York, 1967), p. 92.

Because it often appears as something unconscious that is independent of, and often counter to, my conscious intentions, it is experienced as something happening outside of me. That is the demons. As Paul says, they cause me not to do the good that I would do and to carry out the evil that I would not (Rom. 7:19). Since they often thwart my will, I experience them as alien to my ego. Thus there is a strong tendency to set them up outside myself. The danger there, of course, is that they then elude my ability to deal with them. In that case, they can easily transform into my neighbor.¹⁷⁸

Eliade offered a similar insight:

The conception of the enemy as a demonic being, a veritable incarnation of the powers of evil, has also survived until our own days. *The psychoanalysis of these mythic images that still animate the modern world will perhaps show us the extent to which we project our own destructive desires upon the "enemy."*¹⁷⁹ (italics added)

Psychologically, anti-Semitism, ethnic hatred, and all forms of bias and persecution, are nothing more than demons projected by one segment of the population onto the "other."¹⁸⁰ Significantly, in spite of the rich documentation of the period, not a word of the anti-Maimonidean allegations can be supported by record. It seems to me, that just like the Christians were projecting their *own* demons onto the "other" (the Jews), the anti-Maimonideans, in mimetic response, were projecting their *own* demons onto their *own* "other," the Maimonideans. Until the laxity and heresy of a *single* "Maimonidean" will be actually documented and properly analyzed, it would be safe to assume that the demons that the anti-Maimonideans combated so heroically, inhabited deep inside their own psyche and nowhere else.

XI

Post-Script. Fundamentally, anti-Maimonideanism was a subversive movement. Indeed, many Jews in antiquity and the Middle Ages,

¹⁷⁸ Alfred Ribi, *Demons of the Inner World* (Boston and London, 1990), p. 192. These demons are organically connected with the "traces" roaming throughout the unconscious mind, discussed by Maimonides, see *Homo Mysticism*, pp. 132-137.

¹⁷⁹ Mircea Eliade, *Images and Symbols* (Princeton, 1991), p. 38.

¹⁸⁰ As the rabbis (B. Qid. 70a) taught: "Whoever blemishes others, he is projecting his own blemish." Cf., *The European Witch-Craze*, chapter 3.

even among the pious and learned, espoused superstitious beliefs prevailing in pagan society. Prudently, the Rabbis tolerated some of these practices and beliefs: witch hunting was never popular among Jews. What is truly radical with the anti-Maimonideans is to have elevated spiritism to a supreme dogma, a cardinal principle upon which the entire edifice of Judaism rests, and that rejection of demonology is rank heresy. In this, they were following not the Rabbis but a basic Christian dogma. Simply stated, one cannot accept Christianity unless he accepts the validity of spiritism and demonology, confirming Jesus' ministry. "In the New Testament," writes Ribi, "Jesus is the conqueror of demons, the exorcist who at the end of time will render the Devil and his demons powerless (John 3:8)."¹⁸¹ Leading Catholic theologians confirm this view. Concerning basic doctrines concluded at the Vatican Council II, a spokesman for the Sacred Congregation for Divine Worship—one of the most authoritative Vatican Congregations—helpfully points out that to deny demonology is

to admit that at these critical moments of the consciousness of Jesus, despite its evident lucidity and self-mastery in face of the Jews, was in fact subject to delusions and that his world lacked all consistency.¹⁸²

When "the Council wishes to present the Church as God's kingdom," we are taught, "it appeals to the miracles of Jesus and specifically to his exorcisms."¹⁸³ In fact, "it was precisely with reference to exorcisms that Jesus made the well-known statement: 'The reign of God is upon you' [Luke 11:20, see Mat. 12:28]."¹⁸⁴

As with all subversive movements, for the anti-Maimonideans, too, *appearances* are of the essence.¹⁸⁵ With this purpose in mind, key-terms such as *qabbala*, *Torah*, *halakhah*, *barukh*, *elohim*, etc., were emptied of their *original* sense and packed with *subversive* connotations. A *sine qua*

¹⁸¹ *Demons of the Inner World*, p. 25. For a historical analysis of this subject, see the studies of F.C. Conybeare, "Demonology of the New Testament," in *Jewish Quarterly Review* 8 (1896), pp. 576-608; idem, "Christian Demonology," in *Jewish Quarterly Review* 9 (1897), pp. 59-114.

¹⁸² S.C.D.W., "Christian Faith and Demonology," in Austin Flannery, O.P., ed., *Vatican Collection* (Collegeville, 1982), vol. II, pp. 459-460.

¹⁸³ The source for this reference is cited in "Christian Faith and Demonology," p. 484, n. 106.

¹⁸⁴ "Christian Faith and Demonology," p. 472.

¹⁸⁵ For some insights into this type of subversive literature, see José Faur, "Don Quixote, Talmudist and *mucho más*," in *Review of Rabbinic Judaism* 4 (2001), pp. 141-144.

non for their success was addressing a public *not* proficient in Jewish fundamentals; in particular, an audience incapable of making the distinction “exterior/interior” and noticing the nuances hidden within. We can now appreciate the motivation for discrediting Maimonidean texts and Maimonidean scholars. The literary *genre* associated with this crusade bears this thesis. Instead of writing their *own* books, many anti-Maimonideans expressed their views in the books of others. With this end in mind, they used popular works, such as the *Halakhot* of R. Isaac Alfasi and Maimonides’ *Mishne Torah* as conduits (in “aggressive” editing, by appending glosses, “commentaries” and digressions, or by introducing slight changes that would not be noticed by the unsuspecting reader). Why? It is true, that, generally, anti-Maimonideans did not feel comfortable expressing themselves in correct Hebrew and would avoid exposing themselves to a public that still was familiar with basic grammar. There may have been, however, another more substantive reason. It pertains to the *subversive* character of their ideology. By using works that have gained the confidence of the public for packaging, they could gain circulation among the semi-literate and silence the opposition at the same time. Anti-Maimonideans *dread* confronting *real* Maimonideans. It was imperative not to allow the opposition to express their *own* beliefs in their *own* words. This enabled them to control the flow of ideas. There was, in my view, yet another, more powerful reason. The “other” must believe in what “we”—the inerrant pious—*impute* to them. Or else, how could “we” cope with these nasty demons? In fact, upon some reflection it will be obvious that only anti-Maimonideans could know the beliefs lurking in the minds and hearts of Maimonideans. After all, they are their own demons and they ought to know them better than anybody else.