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# Maimonidean Studies

*edited by*
Arthur Hyman

Volume 2


The Michael Scharf Publication Trust of
Yeshiva University Press
New York 1991

ISSN 1050-1636
ISBN 0-88125-434-7

Manufactured in the United States of America

*The publication of*
*Maimonidean Studies*
*is made possible through a generous grant from*
*The Michael Scharf Publication Trust of*
*Yeshiva University Press*

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# ABBREVIATIONS

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|---|---|
| *AJS Review* | *AJS Review: The Journal of the Association for Jewish Studies* |
| *CCAR Yearbook* | *Central Conference of American Rabbis Yearbook* |
| *EI* | *Encyclopaedia of Islam* |
| *EJ* | *Encyclopaedia Judaica* |
| *HTR* | *Harvard Theological Review* |
| *HUCA* | *Hebrew Union College Annual* |
| *IOS* | *Israel Oriental Studies* |
| *JAOS* | *Journal of the American Oriental Society* |
| *JJS* | *Journal of Jewish Studies* |
| *JNES* | *Journal of Near Eastern Studies* |
| *JQR* | *Jewish Quarterly Review* |
| *JSS* | *Journal of Semitic Studies* |
| *KS* | *Kirjath Sepher* |
| *MGWJ* | *Monatsschrift für Geschichte und Wissenschaft des Judentums* |
| *PAAJR* | *Proceedings of the American Academy for Jewish Research* |
| *REJ* | *Revue des études juives* |
| *ZfHB* | *Zeitschrift für hebraeische Bibliographie* |

# STATEMENT OF PURPOSE

*Maimonidean Studies*, an international, interdisciplinary annual, conceives its area of interest in broad terms and will be hospitable to articles on a variety of subjects. In the field of Halakhah it will carry interpretations of Maimonides' legal works, studies dealing with their talmudic and geonic antecedents, the influence of his legal writings on subsequent commentators and decisors, and comparative legal studies. In the field of philosophy it will publish interpretations of Maimonides' philosophic writings, and studies of their Greek, Hellenistic, and Islamic antecedents, as well as their impact on Jewish philosophy in the later Middle Ages, on Latin scholasticism, and on the philosophy of the Enlightenment and the Haskalah. Besides these, *Maimonidean Studies* will carry articles on Maimonides as Bible commentator, physician, scientist, and communal leader, and on the history of Maimonides' time, the Maimonidean family, and the Maimonidean controversies. The annual will also publish articles on the language of Maimonides' Hebrew and Arabic witings and bibliographic information.

Since *Maimonidean Studies* is largely intended for an English-reading audience, its primary language is English. Since, however, a substantial part of Maimonides research is being conducted in Israel, each issue will contain some articles in Hebrew. As the need arises, there will also appear articles in French and German. There will be English summaries of articles in languages other than English.

*Maimonidean Studies* is not committed to any one interpretation of Maimonides' work; its editorial policy is determined by the very history of Maimonides research. As is true of the work of any seminal thinker, that of Maimonides has given rise to a variety of interpretations and has found, from the very beginning, its adherents as well as its critics. One need only think of Maimonides' own controversy with Samuel ben Ali, the *hassagot* of Abraham ben David, the various commentaries on the *Mishneh Torah*, the Maimonidean controversies, down to the controversy in our own days between Julius Guttmann and Leo Strauss concerning the interpretation of Maimonides' philosophic views. The sole criteria governing the editorial policy of *Maimonidean Studies* are: defensible thesis, cogent arguments, proper documentation, and the observance of scholarly proprieties.

# MAIMONIDES IN EGYPT: THE FIRST STAGE

*by*

MENAHEM BEN-SASSON

## I

Rabbi Moses, son of the *dayyan* Maimon, arrived in Egypt in 1165. Within less than six years, in 1171, Maimonides had become the *raʾīs al-yahūd*, the official head of the Jewish community in Egypt and its immediate sphere of influence—Palestine, Greater Syria, and Yemen. His occupancy of this exalted office is attested by the fact that these communities began to invoke his name at the beginning of official documents, by writing: "under the authority (*reshūt*) of our master, Moses, the great rabbi in Israel."[1] How

[1] See, Jacob Mann, *The Jews in Egypt and in Palestine under the Fatimid Caliphs*, 2 vol. (1920, 1927; New York: Ktav, 1970) 1:242–47; 2:310–23. These matters are further clarified in studies by Shlomo Dov Goitein: "The Life of Maimonides in Light of New Genizah Discoveries," *Peraqim* 4 (1966): 29–42 [Hebrew]; "Moses Maimonides, Man of Action—A Revision of the Master's Biography in the Light of the Genizah Documents," *Hommage à George Vajda; Etudes d'Histoire et de pensée juive*, ed. G. Nahon and Ch. Touati (Louvain, 1980) 155–67. For recent summaries of these questions and their background, see Simon Shtober, "The Historiographic Work of Joseph Sambari, the author of *Sefer Divrei Yosef*" (diss., Hebrew University of Jerusalem, 1988), 213–18 [Hebrew] and Mark R. Cohen, "Maimonides' Egypt," *Moses Maimonides and His Time*, ed. Eric L. Ormsby (Washington: Catholic University of America Press, 1989) 27–28.

I accept the overall framework of dates proposed by Mann and Goitein for Maimonides' activity as the Head of the Jews in Egypt, despite corrections in certain details, which will be brought below. These dates are based upon the use of the term "authority" (*reshūt*) as indicative of his holding the highest office in the Jewish community, and are combined with evidence from parallel historical sources in establishing the fact that the individuals in question indeed held this office. Mann (*Jews in Egypt* 1:217–18, 233, 266–68) has suggested that, in those cases where *reshūt* is mentioned in connection with two different personalities during the same years, this may be explained in terms of a division of authority. However, even in such cases, it is quite clear that the carriers of *reshūt* enjoyed a high political-institutional status (see below, n. 19).

did a great scholar and physician, who had not much earlier immigrated to a country filled with local Jewish leaders, come to occupy the highest political office in its hierarchy of leadership? What were the initial stages of the involvement in public affairs that brought him to this office?

The country to which Maimonides had come did not suffer from a dearth of leaders. While Egypt during the second half of the twelfth century was indeed a center of immigration for refugees from West and East, it was also an established center of Jewish leadership in the Near East. There were many experienced candidates for communal leadership to be found at the time in Fusṭāṭ and in Cairo who had already lived there for a considerable time, including several with good ground to claim authority and leadership: wealthy individuals, including great merchants connected with the trade to Yemen and India; descendants of the families of the Exilarchs; heads of the Palestinean *yeshivot* (academies) who had moved to Egypt during the first quarter of the century; and others who were close to the rulers by virtue of their office—e. g., tax-collectors, government officials, and physicians.[2] As Maimonides' descendants continued to head the Jewish communities of Egypt and the Near East for more than two hundred years following his death, the question of Maimonides' rise to prominence as the head of the Jewish community is one the elucidation of which sheds light, not only upon the life of the great man himself, but also on the nature of the forces acting in the Jewish communities of Egypt, Palestine and the Near East during the period of his leadership.

Several years ago, Professor. S. D. Goitein suggested that Maimonides' rapid rise to leadership of the Jewish community of Egypt was the result of his being "a man where there were no men." As evidence, he cited a letter which Maimonides wrote to the Jewish communities in Egypt urging them to redeem the captives of the city of Bilbays. This letter, according to Goitein, was written in the year 1168/69, less than four years after Maimonides' arrival in Egypt and before he occupied any official position. Goitein notes that this effort on behalf of the captives contributed to the public perception of him as the leader of the generation, not only spiritually but also in worldly matters.[3] But already at the time that Goitein published this document, a number of questions remained unanswered. First, was Maimonides' activity on behalf of the captives of Bilbays a sufficient reason for preferring him over others when the time came to appoint a leader of the communities two years later? He was, in fact, assisted in redeeming these captives by various figures from the traditional leadership of the Egyptian community, as Maimonides himself explicitly states in his letter. Secondly, and more important, in order to prod the public to respond to his appeal and to assist him in this matter, he already needed to be a well-known public figure, one whose authority was established and whose ability to engage in practical activity was already accepted—not only by virtue of the circular letter, but because of his other activities—so that those who received the letter would not puzzle over the identity of its sender. In addition, one may add a further challenge to the chronology proposed by Goitein. Professor Mordechai Akiva Friedman, after examining the original of Maimonides' letter to the communities, reopened the possibility of the reading proposed by two earlier scholars, Rabbi Samuel Hirsch Margulies of Florence and Norman Bentwich.[4] The date of the letter seems in fact to be a year or two after Maimonides' appointment to the office of Head of the Jews. Hence, the substantive questions raised above, together with the problem of the date of the letter, bring us back, so to speak, to the query of the people of Sodom: "Shall one but come to live and make himself judge?"

For nearly a hundred years, accepted scholarly opinion has associated Maimonides' rise to public prominence with the affair of Zūṭa, Head of the Jews, who was known, like many others of his contemporaries, by a variety of other names and bynames, such as Yiḥya and Abū Zikri. This incident is the focus of the present study. In our opinion, the answer to the questions posed at the beginning of this article is rooted in this affair, which we shall examine in light of a series of old and new sources, some of which have not yet been related to it. These sources will assist us in clarifying the various stages in the affair of "the evil Zūṭa."

The primary source for this affair is a scroll composed by one Abraham b. Hillel in the year 1197, some fifty years after the beginning of the events

[2] See Mann, *Jews in Egypt* 1:220–50; Mann, *Texts and Studies in Jewish History and Literature*, vol. 1 (1931; New York: Ktav, 1972) 21–34.

[3] S. D. Goitein, *Ha-Yishuv be-Erez Yisra'el be-reshit ha-Islam uvi-tequfat ha-Ẓalbanim le-'or kitvei ha-Genizah* [Palestinian Jewry in early Islamic and Crusader times in the light of the Genizah documents] (Jerusalem: Yad Yitzhak Ben-Zvi, 1980) 312–20 [Hebrew]; according to his findings there, see his remarks in "Moses Maimonides, Man of Action" 156–61, and Cohen, "Maimonides' Egypt" 27.

[4] Mordechai Akiva Friedman, "New Sources from the Genizah for the Crusader Period and for Maimonides and His Descendants," *Cathedra* 40 (1986): 72–75 [Hebrew]. I examined this document during the winter of 1988 while working at the Library of the Jewish Theological Seminary and found Friedman's hypothesis to be a plausible one.

involving Zūṭa in Egypt and shortly after their completion, recounting the salvation of the community from the hands of an enemy. Concerning some of the events recorded in the scroll, the author notes: "I was told [about some of them] by my father and teacher/my honor and glory," while some of the later events he witnessed himself. The affair involved three distinct stages; at the beginning of each of these Zūṭa was appointed to the office of Head of the Jews, while at the conclusion of each he was deposed from this position.[5]

The first stage occurred during the term of office as Head of the Jews of Samuel b. Ḥananiah ha-Nagid (1141–59), and it took place prior to the year 1148. At that time, Zūṭa gave 1,000 dirhams to the Muslim ruler, evidently al-Ḥāfiz (fl. 1130–49), or to the official appointed over the gate of the sultan, Ibn al-Salar (assassinated 1153), in order to remove Samuel from the post of Head of the Jews and give it to him instead. Zūṭa's request was succesful, but after a period of sixty-six days, Samuel was restored to office and Zūṭa was deposed. Following Samuel's death, Zūṭa again hoped to receive the office by virtue of the information he had given to al-Fā'iz (ruled 1154–60), to the effect that 10,000 gold coins were buried under Samuel's body. But it soon became clear that this was not true, and Zūṭa was not returned to office until the ascent of a new ruler over Egypt.[6]

In the second stage, the author of the scroll notes, "And after those many days, the king of Egypt died and there arose a new king over Egypt, and the leadership was assured to him [Zūṭa] for 200 dinars each year . . . and he [Zūṭa] ruled nearly four years."[7] If the second stage was in fact proximate in

[5] Passages from this scroll have been published in various forums (the Leningrad MS now bears the number Firk. II A 1425.1–4). The full text of the scroll was published by David Kahana, "The Scroll of the Evil Zuta," *Ha-Shiloah* 15 (1905): 175–84 [Hebrew], and by Zvi Malachi, *Sugyot ba-Sifrut ha-ʿIvrit shel Yemei ha-Beinayim* [Studies in medieval Hebrew literature] (Tel Aviv: Nophet, 1971) 42–51. All references below are to the latter edition, hereafter abbreviated as "Scroll." A critical edition of the scroll, based upon all extant fragments and citing alternative readings, is still a desideratum.

The date of composition is given at the end of the scroll: "Wednesday, 6th of Av, may it be changed into joy, [the year] 1508 [אתק"ח] of the Seleucid era"—i. e., July 23, 1197. The above-mentioned published versions should be corrected accordingly.

[6] "Scroll" 44–45; for the calculation of dates for this period, see below, near note 29.

[7] "Scroll" 45. The phrase "And after those many days" does not necessarily indicate the passage of a long period of time, as it is clearly required by the second half of the expression, "the king of Egypt died"—both borrowed from Exod. 2:23.



time to the first stage, the Egyptian king [Sultan] referred to here must have been the last of the Fāṭimid rulers, al-ʿĀḍid (1160–71).

At that time, a kind of salvation came to the Jewish community at the hands of Maimonides, as the scroll continues:

> Until the Rock looked down from his high place/and took pity upon the multitude . . . and sent a faithful servant/a sign of glory and a wonder of the times/Rabbi Moses/the light of East and West/the clear light and the brilliant star/the unique one in the generation and its miracle/from the rising of the sun until its setting/and he restored the Law as of old/and established it properly/and removed the image from the sanctuary/and he made an effort and overcame/and the beginning of the salvation took place through his hand/to the seed of his beloved one.[8]

The character of Maimonides' involvement in the second stage of the Zūṭa affair may be seen from a halakhic question addressed to him, to be discussed after a description of the third stage of Zūṭa's activity.

The third stage followed the ascent of an honest king who refused to take bribes. At this point, Zūṭa and his son tried another tactic. Taking advantage of the heavy atmosphere of suspicion against those who had collaborated with the enemies of the new Muslim king [Sultan]—suspicions which could easily be directed against the Jews—Zuṭa and his son offered their services in apprehending the collaborators. This description fits sometime at the beginning of the Ayyūbid rule, probably ca. 1172–73 as there were elements within the population which remained loyal to the Fāṭimids even after the Ayyūbids seized power in Egypt.[9] Some of the Jews—particularly the heads of the community—had good reason to remain loyal to the Fāṭimid rulers, who provided them, not only with physical protection, but with honored positions in the

[8] "Scroll" 45–46. The accepted interpretation of this passage is that it refers to the ascent of the Ayyūbid dynasty. However, the atmosphere portrayed in the third stage of Zuta's activity makes it more likely that this period was marked by political change in Egypt. This reading corresponds to the date of Maimonides' arrival in Egypt and what we know about events within the Jewish leadership of Egypt during the 1160s.

[9] On the transitional period in Egypt and the sense of suspicion, see Ronald J. C. Broadhurst, *A History of the Ayyubid Sultans of Egypt* (Boston: Twayne, 1980) 37–43; Claude Cohen, "Ayyubids" *EI*² 1:796–807; Richard S. Humphreys, *From Saladin to the Mongols: The Ayyubids of Damascus, 1139–1260* (Albany: SUNY Press, 1977) 15–39; Joshua Prawer, *Toldot Mamlekhet ha-Ṣalbanim be-Erez Yisra'el* [A history of the Latin kingdom of Jerusalem], vol. 1 (Jerusalem: Mossad Bialik, 1971) 333–43 [Hebrew]; and J. Drory and A.S. Ehrenkreutz in: J. Kraemer (ed.) *Perspectives on Maimonides* (Oxford: Oxford University Press, 1991) 295–307.

government. Thus, Zūṭa's "loyal" proposal to the new king may be connected with the early days of Ayyūbid rule. The king rewarded Zūṭa in the anticipated manner: "And the king said . . . write concerning this one that he should return to his place [i. e., his office], and the eye of the king shall be over his people."[10] Zūṭa remained at the head of the Jewish community for at least two years, and, in accordance with his promise, turned five Jews over to the government.

The author of the scroll notes that Zūṭa, in his stupidity and foolishness, had said that "the light of salvation will spring forth in my lifetime, and from me will they receive the Messiah,"[11] This period—the age of the failure of the Crusades in Egypt, and of the Muslim reaction which led to the first battles of the Arabs to reconquer the Land of Israel from the Crusaders—was indeed marked by a feeling of pride and expansiveness within the Jewish community, and echo of which may be found in contemporary writings.[12] Moreover, the declaration of the Head of the Jews that he would herald the Messiah corresponds to the impression gained from a *Genizah* letter of that period, in which Zūṭa is mentioned in the same breath with such a claim. According to the author of this letter, a judge in Alexandria who had been appointed to his post by the Head of the Jews, the *gaon*,[13] that is, Ẓūṭa, both he and a number of other people around him had been denounced to the authorities and an attempt was made to condemn them to death by burning, on the grounds that they belonged to the camp of Zūṭa and supported his messianic claims.[14]

In the light of what has been said one may now better understand the combination of circumstances mentioned in the scroll which led to Zūṭa's final deposition as head of the Jews. The scroll reports that when the "prince" who had helped Zūṭa went to Palestine—evidently in the context of Ayyūbid activity there—several leaders of the community, first and foremost Isaac b. Sasson ha-Dayyan, succeeded in ridding themselves of the burden of Zūṭa.[15] Zūṭa never again returned to office. Thus, the third period of his activity ended during the mid-1190s, at the time of the writing of the scroll.

Given the time frame of these events—namely, the last third of the twelfth century—Maimonides' involvement in Zūṭa's activity was almost inevitable. Indeed, the scroll explicitly states that the salvation from Zūṭa began by virtue of Maimonides. This occurred at a time when Zūṭa had acquired a good deal of power, during the second period of his activity, a four-year interval between 1160 and 1170.

[10] "Scroll" 49. It is related in this passage that three of those turned over were "strangers, poor and destitute Jews . . . who came from a distant land to the Land of Egypt." One may speculate that these were among the earliest Jewish immigrants from Europe to Egypt and Palestine during the last third of the twelfth century. Concerning population, and economic, cultural, and social problems related to their arrival, especially in the thirteenth century, see Elhanan Reiner, "Pilgrims and Pilgrimage to Eretz Yisra'el (1099–1517)" (diss., Hebrew University of Jerusalem, 1988), 24, 37–39, 51–69 [Hebrew]. On the prominent place of these immigrants among the recipients of aid in the communities of Egypt, see S. D. Goitein, A *Mediterranean Society*, vol 2 (Berkeley: University of California Press, 1970) 126–31 (the *rūm*).

Zūṭa's unusual energy during this period is explained by the author of the scroll in light of the fact that Zūṭa's patron had been transferred to a task in Palestine, and hence, evidently, Zūṭa needed to demonstrate especially intense activity. If the "prince" referred to in this passage is other than the "king," I am unable to identify the Ayyūbid administrator-military man referred to here who went to Palestine. However, it may refer to someone who arrived as a prince and became the Sultan. Two years (if this term is not a repetition of Gen. 41:1) had passed from the time that the people of Cairo had begun to recite the *ḫutbah* in the name of the ʿAbbāsids until Saladin went out to battle in 1173 (see Broadhurst 37–45, n. 9; Prawer, *Toldot Mamlekhet ha-Ẓalbanim* 350–53). His father, Nujum al-Din, might have been considered king for these purposes, as he was resident at the time in Egypt; see below, n. 42.

This departure was cause for rejoicing in the camp of Zūṭa's opponents, as is explicitly stated in the scroll: "'When the Lord restored the captivity of Zion we were as dreamers,' for we saw that the prince who had helped him had gone to the Land of the Hart [i. e., the Land of Israel]." It is not impossible to associate the beginning of this quotation with the events surrounding the conquest of Jerusalem by Saladin in 1187.

[11] "Scroll" 46.

[12] Concerning contemporary events, see Prawer, *Toldot Mamlekhet ha-Ẓalbanim* 1:347–53, 526–61; see there concerning the special religious fervor in the Muslim and Christian camps which accompanied the later battles. For reactions within the Jewish camp, see J. Mann, "The Messianic Movements in the days of the First Crusades" *Ha-Tequfah* 24 (1926): 349–51 [Hebrew]; J. Prawer, *The History of the Jews in the Latin Kingdom of Jerusalem* (Oxford: Clarendon Press, 1988) 68–70; Reiner, "*Pilgrims and Pilgrimage*" *5, 39–44.*

[13] On this title, see below, section II.

[14] The letter is TS 16.272. For references to this discussion, all of which are to S. D. Goitein, see Stefan C. Reif, ed., *Published Material from the Cambridge Genizah Collections: A Bibliography [1896–1980]* (Cambridge: Cambridge University Press, 1988) 257, to which one may add Goitein, *Mediterranean Society* 2:60, 62. I was assisted in my work on this document by the S. D. Goitein Laboratory for Genizah Research of the National and University Library in Jerusalem. See recto, line 31: אן גאון אלאקתדאר ואנה תסמא באלמסיח ואן כל מן יקול בקולה ילזמה אלחרק verso, line 21: אן האולאי אצחאב זוטא אלמסמא באלמקתדר ובקיו אלנאס מתחרקין לא יקצדו עלי חילה מן אלכוף.

[15] See "Scroll" 49–50.

A halakhic query directed to Maimonides suggests something of the beginning of his involvement. In this query, members of the community of al-Maḥalla sought Maimonides' opinion concerning an oath they had sworn in order to strengthen an edict they had made. The local *dayyan*, Peraḥiah b. Yosef, had been required by the Head of the Jews—Abu Zikri, alias Yiḥya, alias Zūṭa—to collect a payment from those who had come to him to request halakhic decisions, a fixed part of which was to be set aside for the Head of the Jews. Zūṭa evidently intended to discharge his obligation to pay 200 dinars to the ruler by means of taxes imposed upon the public officials who were appointed by him and subject to his authority. There was centuries-old precedent for such procedures in Jewish Babylonia, but they were unheard of in the area of jurisdiction of Egypt and Palestine. The judge of al-Maḥalla and his community refused to cooperate with Zūṭa in this matter. But as this was liable to cost the judge his position and meant, for the community, the appointment of a new judge who would cooperate with Zūṭa, the community took the preventive measure of swearing an oath not to obey the instructions of the Head nor to accept any other judge.[16]

More than a *public leader*, the people of al-Maḥalla needed the support of a *halakhic authority:* one whose authority stemmed from his knowledge and his writings, and who was not considered an interested party one way or the other in public controversies. Hence, they turned to Maimonides.

Maimonides' stand on this matter may have led him to a more general involvement in the Zūṭa affair. In his *Commentary on the Mishnah*, Avot,

[16] The responsum pertaining to the edict was published in two stages: Maimonides, *Responsa*, ed. Joshua Blau, 4 vols (Jerusalem: Mekize Nirdamim, 1957–86) responsum 270, 2:516–19 (based on MS TS 16.135); addendum: 4:8–9 (based on MS TS 13 J 25.16). Goitein, who first observed the connection between these two passages, likewise noted the connection between this responsum and the Zūṭa affair, and demonstrated that the name given for the Head of the Jews in that responsum, Abu Zikri, was one of the known bynames for the Head of the Jews appearing in the scroll, Yiḥya. See Goitein, "A New Autograph by Maimonides and a Letter to Him from His Sister Miriam," *Tarbiẓ* 32 (1963): 191–94 [Hebrew]. An echo of these events may also be found in Maimonides' letter to R. Pinhas ha-Dayyan of Alexandria, cited near n. 39.

Concerning the removal of the judge from his office in those years, possibly under similar circumstances, in the community of Minyat Zifta, see Goitein: *Mediterranean Society* 2:405–06 (based on MS GW II) and below, n, 35.

On the custom of receiving money for legal procedures in Babylonia, and the Palestinean custom in these matters, see Goitein, *Mediterranean Society* 2:5–23.



Maimonides had already formulated his opinion concerning payments made to judges by litigants. However, these events may have led him to formulate it in the specific manner in which he did, despite the fact that he originally saw no need to expand upon the subject. Maimonides writes in his *Commentary:*

> "Nor [make the Torah] a spade with which to dig" (Avot 4.7). After I had decided not to speak of this [matter] because it is so clear . . . I went back on my intention and will speak of it without paying heed to my predecessors or my contemporaries . . . For when we examine the words of the sages, we do not find that they sought money from people or that they gathered money for the honorable and glorious yeshivot, nor for the heads of the exile *nor for their judges*, nor for the teachers of Torah *nor for any one of the great ones.*[17]

In his responsum to the people of al-Maḥalla, Maimonides does not directly denounce the step taken by the Head of the Jews in asking payment from those who came before the judges, but contents himself with defending the action of the members of the community by confirming the oath they had sworn. He reinforces this by citing the ruling made by the judges of Fusṭāṭ in support of his step, thereby further strengthening both his own ruling and the action of the members of the al-Maḥalla community.[18]

[17] Avot 4:7. Maimonides, *Commentary on the Mishnah*. ed. J. Kafaḥ vol. 4. Seder Neziqin (Jerusalem: Mossad Ha-Rav Kook, 1965) 441–44. On this mishnah as reflecting the essence of Maimonides' social thought, see Hayyim Hillel Ben-Sasson, *Rezef u-Temurah* [Continuity and Variety], ed. J. R. Hacker (Tel Aviv: Am Oved, 1984) 302, 312–15; and see below, n. 26.

[18] See the signatures of Isaac ben Sasson, Samuel ha-Levi bar Saadyah, and Manasseh bar Joseph, and the sustaining of the testimony by Nathan ha-Cohen b. Mevorakh, Solomon b. Nathan, and Berakhot b. Ephraim, on whom see Goitein, *Mediterranean Society* 2: 513–14. The practice of confirming the legal ruling of a halakhic authority by additional signatures of the official judges of the community is not widely found in Maimonides' responsa. On this phenomenon, see S. D. Goitein, "Maimonides as Chief Justice," *JQR* 49 (1959): 193, n. 5; Maimonides, *Responsa*, ed. Blau, 3:13; M. A. Friedman, "New Passages from the Responsa of Maimonides," *Meḥqerei ʿEdot u-Genizah* [Studies in Genizah and Sepharadi heritage presented to S. D. Goitein], ed., S. Morag and others (Jerusalem: Magnes, 1981) 110 [Hebrew].

Prof. Yaakov Levinger, in private conversation with the present author in the wake of his lecture, suggested that the Zūṭa–Maimonides affair be dated later than the dating proposed here (the late 1160s), and that Zūṭa not necessarily be identified with the

At about the same time, in 1170—which, according to our proposed reconstruction, was the approximate date of the end of the second period of Zūṭa's activity—some communities took it upon themselves to abandon even the most elementary act of obeisance to the Head of the Jews. They no longer mentioned his name in the Sabbath prayers and at the beginning of all legal documents, which demonstrated the recognition of his authority (*reshūt*). This refusal was the same as that of the people of al-Maḥalla, which had enjoyed the approval of Maimonides and of the judges of Fusṭāṭ. Some communities went so far in their opposition that they took an oath threatening to excommunicate anyone who recognized the *reshūt* (i. e., the authority) of the Head of the Jews by mentioning his name in the prayer customarily recited on the Sabbath after the reading of the Torah and at the beginning of legal documents.[19]

Head of the Jews (*raʾīs al-yahūd*). Among the arguments for his opinion, he noted an additional occasion on which Maimonides and the signatories of the al-Maḥalla ordinances were mentioned together, and the fact that Zūṭa is not mentioned in this ordinance. He refers here to an ordinance concerning the appointment of judges for personal matters in the community of al-Maḥalla and two other communities in Egypt (see Maimonides, *Responsa*, ed., J. Blau, responsum 348, 2:624–25; cf. M. A. Friedman, "Social Realities in Egypt and Maimonides' Ruling of Family Law," *Maimonides as Codifier of Jewish Law*, ed. Nahum Rakover [Jerusalem: Library of Jewish Law, 1987] 232–33). The generally accepted date for this ordinance is the year 1498 of the Seleucid era (i. e., *le-minyan shetarot*=1187 C. E.); it appears thus in MS. Paris–Alliance Israélite Universelle AL 130 H: fol. 61a. But there is no reason to assume that this group of people assembled only for such ordinances, as its assembly was proximate in time to the other events. The very fact that the ordinance was made without mentioning the Head of the Jews is indicative of the tension which prevailed between these communities and the Head of the Jews, Zūṭa/Sar Shalom; hence, the absence of his name from the ordinances. It is interesting to note that, if we accept the date given for the ordinance concerning the appointment of judges found in some versions—namely, 1478 of the Seleucid era (1167 C. E.)—this comes out close to the time of the Zūṭa–Maimonides–al-Maḥalla community affair proposed in the present paper. My thanks to Prof. Levinger for his comments, which were invaluable in sharpening several issues in this paper.

[19] *Responsa*, ed. Blau, responsum 329, 3:596–99. The quotation is from p. 598 (on the date of this event, see n. 49). On this matter, see also S. D. Goitein, "The Renewal of the Controversy over the Prayer for the Head of the Community at Abraham Maimuni's Time," *Sefer Zikaron li-khevod Prof. Yiẓḥak Yehudah Goldziher* [Ignace Goldziher memorial volume], ed. Samuel Löwinger et al., vol. 2 (Jerusalem: Rubin Mass, 1958) 49–54 [Hebrew].



There was at least one more incident in the confrontation between Maimonides and Zūṭa. This evidently took place during the third stage of Zūṭa's activity, which followed Maimonides' first term as Head of the Jews in the years 1171 to ca. 1172.[20] According to the account of R. Abraham, Maimonides' son, his father had sought to unify the liturgy of Egypt in accordance with the Babylonian rite, but the "most evil leader" (*sharr al-ʿashrār*) prevented him from doing so. J. Mann already suggested that the "most evil leader" mentioned by R. Abraham was Zūṭa. To Mann's suggestion we add that Zūṭa at that time occupied the office of Head of the Jews. (In calling Zūṭa, his father's opponent, *sharr al-ʿashrār*, R. Abraham, in a multiple entendre, alludes to his position as the leading prince, *sar ha-sarim*; to his name *Sar Shalom*; and to his role as the leading enemy, *ṣar ha-ṣarim*.) In this case there was a certain justice in Zūṭa's opposition, since, as the head of the Palestinian *reshūt*, he was expected to guard and preserve the Palestinian traditions.[21]

The fact that there were individuals whose names were mentioned in connection with *reshūt* (see above, end of n. 1), yet who were not Head of the Jews, is mentioned by Maimonides himself in this responsum: "The Exilarchs and *yeshivah* heads and the other princes and *geʾonim*." However, even those who were not "Heads" were among the *de facto* leaders of the world or local Jewish community. Regarding Maimonides and Sar Shalom, there is extant testimony from other sources to the effect that they held the office of *raʾīs al-yahūd*; hence, there is no reason to classify them in the other category of those who held *reshūt*.

[20] Concerning the chronology of the period of Maimonides' activity, see the literature cited above in n. 1. At the end of Zūṭa's term of office, the Ayyūbid ruler in Syria nominated Abū al-Maʿālī ʿAbdallāh (ʿObadya) as head of the Jewish communities under his rule. He did this to express his independence from the Egyptian Ayyūbid center. One can expect, therefore, that two *reshuyot* would be mentioned during this period. See Geoffrey Khan, "A Muslim Document of Appointment of a Jewish Leader in Syria, Issued by al-Malik al-Afḍal in 589 A. H./1193" [forthcoming]. I wish to thank Dr. Khan for sharing his discovery with me and permitting me to cite it prior to publication.

[21] R. Abraham b. Moses Maimonides, *Sefer ha-Maspik le-ʿOvdei ha-Shem*, ed. Nissim Dana (Ramat Gan: Bar-Ilan University Press, 1989) 180. This passage is discussed in Adolf Buechler, "The Reading of the Law and Prophets in a Triennial Cycle," *JQR* 5 (1893): 421; Mann, *Texts and Studies* 1:416–17, n. 3; Ezra Fleischer, *Tefillah u-Minhagei Tefillah Erez-Yisraʾeliyim bi-tequfat ha-Genizah* [Eretz-Israel prayer and prayer rituals] (Jerusalem: Magnes Press, 1988) 216–18; Y. Levinger, *Ha-Rambam ke-filosof uke-poseq* [Maimonides as philosopher and codifier] (Jerusalem: Mossad Bialik, 1190) 251–52. For the name Sar Shalom in our context, see below, n. 36.

Already at this point, then, one may suggest a tentative outline of the stages of Maimonides' involvement in communal matters during the course of the controversy surrounding Zūṭa. By virtue of the prestige Maimonides had acquired as a talmudic scholar and a man of halakhah, the community of al-Maḥalla turned to him for halakhic support for the political step they had taken. Maimonides' reply and the further support he marshaled were suggestive of the direction for a solution for other communities. From this, we may understand the formula used by the author of the scroll: "the beginning of salvation came about through his [Maimonides'] hand." As this took place during the second stage of Zūṭa's rulership over the communities, one might suggest that the controversy concerning the collection of money from litigants who came to the courts raged between the years 1165 and 1171, about the time of Maimonides' arrival in Egypt.

The attempt of the author of the scroll to diminish Zūṭa's importance has been taken up by all who deal with this incident, so that Zūṭa is generally presented in the light in which he was presented by his most severe opponents—namely, as a vain, power-hungry individual, opposed by all and despised by all.[22] In light of the predominance of leaders who came from groups of family pedigree and lineage, knowledge and power, as we described at the beginning of this article, is this picture likely in the context of twelfth-century Egypt?

It was, moreover, impossible for anyone to attain public office in those days—even positions lower than that of the Head of the Jews—without the support and backing of central public leaders. Thus, Zūṭa could not have been an ordinary person who brought about a homespun palace revolution. Presumably, he was a leader with authority, surrounded by supporters who assisted him in achieving his position and who were indebted to him for favors rendered. Hence, Maimonides' involvement in a polemic with the Head of the Jews, even if indirect and taking place in the context of a purely halakhic discussion, would immediately have placed him at the focus of public attention. He was now no longer only a halakhic authority, but a public figure as well.

As if all this were not enough, it is worth mentioning that the polemic with Zūṭa served as a turning point in Maimonides' public activity. However,

[22] See Mann, *Jews in Egypt* 1:234–35; Goitein, "Life of Maimonides" 32; "Moses Maimonides, Man of Action" 166; Cohen, "Maimonides' Egypt" 27.



it is still worthwhile to clarify the stature of him with whom the confrontation took place, by clarifying the following secondary questions: What was the nature of the office of Head of the Jews during this period? Who were its occupants? Who was this Zūṭa who succeeded in attaining it by means of the combination of circumstances noted above?

## II

The office of Head of the Jews (*raʾīs al-yahūd*) was generally occupied by someone who enjoyed the support both of the leaders of the Jewish community and of the Muslim rulers. The Head of the Jews was officially responsible for the Jewish communities within the boundaries of the lands governed by the Muslim princes who confirmed his appointment. During the period of Fāṭimid rule and of the Ayyūbid dynasty immediately thereafter, this meant that the Head of the Jews was responsible for the Jewish communities in Palestine, Syria, and Egypt. The writs of authorization given to those who occupied this office, which are confirmed in many documents from the same period and area, indicate that the Head was responsible for all matters concerning the Jews—individual, public, and institutional. He was responsible for the observance of religious law, for public order and appropriate behavior by the Jews, and for the preachers in the synagogues. He supervised matters of marriage and divorce, and was the one to impose and remove bans. The Head of the Jews was the supreme judicial authority; he appointed ritual slaughterers, cantors, religious judges, and community heads, defined the scope of their activity, supervised them, and had the authority to dismiss those who did not fulfill their tasks to his satisfaction. Those areas under the authority of the Head of the Jews were designated by the legal-technical term as areas of his *reshūt*. As stated above, recognition of the authority of the head of the *reshūt* was customarily expressed by mentioning his name in the synagogue prayers and at the beginning of all legal documents. Such documents always mentioned that the document was written at such-and-such a place under the *reshūt* of such-and-such a Head of the Jews.

A more tangible example of this recognition was expressed by putting aside fixed percentages of the incomes of those who were subject to the supervision of the Head and had been appointed by him to be responsible for specific communal functions. The most striking example of this was the

income from the meat markets and from the writing of legal documents. Half the income of the ritual slaughterers and the scribes was transferred to the treasury of the Head of the Jews. From the hundreds of testimonies from the *reshūt* of Ereẓ Yisra'el and Egypt in all its various changes, it follows that no charge was ever collected in the rabbinic courts, nor is there any indication that the judges in the rabbinic courts appointed by the Head of the *reshūt* needed to pass on any fixed sum to the Head. In light of what is known of Babylonia during the same period, namely, that the heads of the *reshūyōt*—i. e., the Exilarch and the heads of the *yeshivot*—collected fixed sums of money, not only from the slaughterers and scribes but also from the rabbinic judges, this point needs to be emphasized.[23]

Maimonides refers to the Babylonian practice in strongly critical terms, both in the previously mentioned passage from the *Commentary on the Mishnah* and in a letter to his disciple Joseph ben Judah written at the time of the polemic with the Babylonian *ga'on*, R. Samuel b. Eli:

> How can my son [i. e., his disciple, to whom the letter is addressed] complain that he [i. e., the *rosh yeshivah* or *ga'on*] has adopted for himself such characteristics: a person who from his youth was trained to believe that there is none like him in his generation, and who has been aided by age, high office, by the prominence of his ancestors, by the absence of discriminating people in that state, and by his relation to his fellow men to place in their heart that same abominable brew: that all people await every word that they will hear from the *yeshivah*.[24]

Regarding the collection of money from judges, Zūṭa had sought to act in the same manner as those who placed that same "abominable brew" in the minds of the people of Babylonia. Zūṭa's authority among the Jewish communities in Egypt and adjacent areas was thus identical to the extensive authority of the Head of the Jews which we described above.

[23] These matters have been discussed in detail in several articles and books. For a summary, see Goitein, *Mediterranean Society* 2:5–40.

[24] Maimonides, *Epistles*, ed. David Zvi Banet (Jerusalem: Magnes Press, 1946) 54. There may be an allusion, further on in this epistle, to the beginnings of tension between Maimonides and Rabbi Samuel ben Eli. Maimonides was involved in the appointment of the Exilarch in Babylonia, as indicated by his remarks concerning the Exilarch: "And I wrote the head of the *yeshivah* that, had I known that there was a controversy and quarrel, I would not place myself between them. But as I have already done so, and 'the horn has already been sounded in Yavneh,' I have explained to him this matter and informed him that it was impossible for me to recant" (p. 65).



During most of the first period of Muslim rule in Palestine (638–1099), the office of Head of the Jews was occupied by the heads of *yeshivat ereẓ yisra'el*, also known as *yeshivat ereẓ ha-ẓevi* or *yeshivat ge'on ya'aqov*. This *yeshivah* was not only an academic institution, but also a high court, a body which legislated and introduced regulations, and the residence of the Head of the Jews. The head of *yeshivat ge'on ya'aqov* was referred to as the *ga'on*. Hence, the *ge'onim* of the Land of Israel were the Heads of the Jews in Egypt, Syria, and Palestine, with all that follows from this office.

When the *yeshivah* went into exile in the 1070s, moving first from Jerusalem to Tyre, and subsequently, at the beginning of the twelfth century, to Syria, distinguished figures of the Jewish community of Egypt began to enjoy the influential office of the Head of the Jews. Among these were persons who were close to the Muslim court, members of the family of the Exilarch, and wealthy members of the community. Some of these were called *nagid*, while others only held the title given them by the Muslim authorities, defining the authority of its bearer: *ra'īs al-yahūd*. During the 1120s *yeshivat ereẓ ha-ẓevi* went into exile once more, this time from Syria to Egypt. Members of the family of the Palestinian *ge'onim*, some of whom had borne the additional title of *rosh yeshivah shel ha-golah*, began to appear among those who carried the title of *ra'īs al-yahūd*.[25] Referring to the distinction in title between *rosh yeshivat ge'on ya'aqov* and *rosh yeshivah shel ha-golah*, Maimonides writes disparagingly in his *Commentary of the Mishnah*:

> And do not be misled . . . by those names, known in Palestine and Babylonia, by which some people are called *rosh yeshivah* and others *av bet din*; and they draw a distinction between the *rosh yeshivah* of *ge'on ya'aqov* and the *rosh yeshivah shel ha-golah* . . . For these things are simply empty elaborations, going after the titles and pedigrees. And I have already seen in Palestine people who are called *haverim*, and in other places there are those who are called *rosh yeshivah*, and they are not even a beginning student.[26]

[25] Goitein, *Mediterranean Society* 2:5–19; M. Ben-Sasson, "Egyptian Jewry in the Tenth–Twelfth Centuries: From Periphery to Center," *Bulletin of the Israeli Academic Center in Cairo* 8 (1987): 14–16.

[26] Maimonides, *Commentary on the Mishnah*, Bekhorot 4.4, ed. Y. Kafaḥ 5:244–47; Isadore Twersky, *Introduction to the Code of Maimonides (Mishneh Torah)* (New Haven: Yale University Press, 1980) 82; Gerald J. Blidstein, *'Eqronot Mediniyīm be-Mishnat ha-Rambam* [Political concepts in Maimonidean halakhah] (Ramat Gan: Bar-Ilan University Press, 1983) 143–45 [Hebrew].

## III

Between the middle of the twelfth century and 1195, the period that lies at the focus of our present discussion, the leadership of the Jews in Egypt was dominated by a particular branch of the family of the *ge'onim* of the Land of Israel: namely, the family of the house of Nethanel Ha-Levi.

Some of the scions of this Palestinian geonic family served as physicians in the courts of the rulers and in governmental hospitals, and, as members of this family, enjoyed close connections with Muslim government officials. Three members of the family served as *ge'onim* of the *yeshivah* and as Heads of the Jews, while another son, who was a wealthy merchant in the India trade, had excellent connections with governmental officials and community leaders in Yemen. The family was named *Benei Ha-Shishi* ("the children of the Sixth"), in honor of one of its early forebears who had attained the level of the sixth in *yeshivat erez yisra'el*—this, despite the fact that in later generations they reached the second-highest office in the *yeshivah*, that of *av bet din*, or even the office of the *ga'on* itself.[27]

The first *Benei Ha-Shishi* whose positions are known to us are Moses, Eli, and Khalfon, sons of Nethanel Ha-Shishi. Khalfon, a merchant in the India trade, attempted, with the help of the heads of the community, Muslim government officials, and the ruler of Yemen, to force a cantor who had come to Yemen to mention the *reshūt* of *yeshivat erez yisra'el* in his prayers—an incident that is clarified in several letters sent from Yemen to Egypt.[28] Khalfon sought to avenge the insult to *yeshivat erez ha-zevi* occasioned by the omission of the *reshūt*, because he was a member of the family of the leaders and a brother of Moses ben Nethanel, who served as *av bet din* of *yeshivat erez yisra'el* in Egypt at about the time, in the middle of the 1120s, when it was transferred from Syria to Egypt. The same Moses, also known as Abū Sa'ad Moshe, was a physician by profession and served in the governmental hospital in Cairo. Prior to 1148, when he was evidently already *rosh yeshivah*, he also sought the office of Head of the Jews. This event took place during

[27] See Mann, *Jews in Egypt* 1:233–39; *Texts and Studies* 1:255–62; Goitein, *Mediterranean Society* 2:32–33; and see below on the members of his family.

[28] S. D. Goitein, *Ha-Teimanim: Historiyah, Sidrei Ḥevrah, Ḥayyei Ruaḥ*, [The Yemenites: history, communal organization, spiritual life] (Jerusalem: Makhon Ben-Zvi, 1983) 53–74 (and see the index there under his name); on the brother Eli, see the references there, 26, 114 (note to line 28) [Hebrew].



the term of Samuel b. Ḥananiah ha-Nagid, and for a brief period Moses was successful in attaining his goal.

> The one appointed over the gate of the Sultan was Ibn al-Salar, and he owed a debt of gratitude to the *ra'īs*, 'Bu-Sa'd the Syrian [i. e., Moses who came from Syria with *yeshivat erez yisra'el*]; therefore, they went to him [Ibn al-Salar] and gave him much bribery. And he [Moses] said to him [Ibn al-Salar], I am deserving of this distinction, and I have documents pertaining to it . . . Then the *nagid* [Samuel b. Ḥananiah] went in to our master [the Fāṭimid Caliph].

In an earlier passage from this report, the author explains the special relationship of the *nagid* to the court:

> And he [the Fāṭimid Caliph] repaid this with great thanks and with promises of love, because . . . the glorious nagidate always went to great length in serving him [the Caliph].[29]

Something of the atmosphere of the Jewish elite circles in which the sons of Moses were educated may be gathered from a letter sent to a friend by the eldest son, Nethanel. This letter implies that they were close to the society of the sons of Jewish and Muslim wealthy families, who spent part of their leisure time in riotous behavior and in practical jokes. The father, Moses, wanted his sons to acquire knowledge, and therefore bribed Nethanel to cut himself off from his friends and to invest every possible moment in study. In order to prevent the son from claiming that he had completed his daily quota of study, his father forbade him to leave the house, even to go the bathhouse; he likewise saw to it that those friends who were a bad influence would not be allowed to visit his son. The program of study prepared by the father included medicine, grammar, Talmud, and *Kalām*. In return for agreeing to this program of education in isolation, Nethanel received a stipend of 25 dinars, a sum sufficient to support an average family for a period of almost a year. In his letter, Nethanel writes:

> By God! I am unable to leave the house at all, for several reasons. First, because I sit and study medicine, grammar, Talmud, and the science of *Kalām*, and in

[29] TS Ar. 54.60. A passage from this is brought below, near n. 39. It was published by Eliyahu Ashtor, "Some Features of the Jewish Communities in Medieval Egypt," *Zion* 30 (1965): 156–57 [Hebrew]; for an interpretation of these matters in context, see Goitein, *Mediterranean Society* 2:528, n.46; 535, n.118.

> exchange for sitting at home and [engaging in] my studies I have received twenty-five dinars, on condition that I not go out, even to the bathhouse.[30]

The efforts of Moses, the *rosh-yeshivah*, were not in vain. Following his death, two of his sons received positions as head of the *yeshivah*. Ḥibat Allah Nethanel, who was also a physician, served as *rosh-yeshivah* and Head of the Jews for several years between 1160 and 1169. During his term in office, Maimonides arrived in Egypt. After a son from another branch of the heads of *yeshivat erez ha-zevi* challenged Nethanel's claim to the gaonate, the latter received a documet from the Exilarch confirming his right to the office, crowning him with the title, "*rosh yeshivah* of the Diaspora."[31]

Nethanel's brother, Sar Shalom, who was recognized as an authority in organizational matters, was already operating alongside him at that time, despite the fact that Sar Shalom had not yet held the office of Head of the Jews. One of the legal documents from this period concerns a scribe who was negligent in writing the titles of a certain prominent personality mentioned in a document he was preparing. The scribe argued in his own defense that he had done this under the influence of the brother of the *raʾīs*, Sar Shalom ha-Levi.[32] Nethanel left the post of Head of the Jews fifteen years before his death, receiving a generous government pension.[33]

The third son of the Ha-Shishi family to serve simultaneously in the offices of *gaʾon* and Head of the Jews was the just mentioned Sar Shalom ha-

[30] S. D. Goitein, *Sidrei Ḥinukh bi-yemei ha-Geʾonim uveit ha-Rambam* [Jewish education in Muslim countries, based on records from the Cairo Genizah] (Jerusalem: Yad Ben-Zvi, 1962) 200–02 [Hebrew].

[31] The letter is composed of the following three *genizah* fragments found in Leningrad, London, and New York: MS Antonin 1131 (published by Simha Assaf, *Qovez shel Iggerot R. Shmuʾel ben Ali u-venei doro* [Letters of R. Samuel b. Eli and his contemporaries] [Jerusalem, 1970] 125–34 [first published in *Tarbiz* 1 (1930): 69–71, 75–77]); ENA 4011.74 (published by Mann, *Jews in Egypt* 467–68 [which includes references to earlier publications]; Assaf, *Qovez*); TS 8 J 2 (published in Solomon Schechter, *Saadyana* [Cambridge: Deighton & Bell, 1903] 106–11; Assaf, *Qovez*). All of the passages are discussed in further detail by Mann, *Texts and Studies* 230–35; Goitein, *Mediterranean Society* 2:18. Prof. M. A. Friedman adds that adequate attention seems not to have been paid in the documents to the *reshūt* of Daniel Nasi in 1164/5 in connection with the turmoil during transition period. Mann suggested that he was Daniel ben David ben Daniel and Friedman adds that he took advantage of the confused situation of that year to try to make a comeback for his family.

[32] MS in the Leningrad Library, Antonin 1154 (published by Mann, *Texts and Studies* 1:261–62; see the discussion of the details of this event there, 259–61).

[33] Goitein, *Mediterranean Society* 2:32, 244.



Levi b. Moses, Nethanel's brother. The documents pertaining to his term of office are relatively numerous. The dates of his acivity, which was cut short, may be reconstructed from the references to his *reshūt* in legal documents. He served as Head of the Jews until 1171 and again, for a period of about twenty years before 1196. Maimonides served in this office between the first and second terms of Sar Shalom's rule, as well as after his second term.[34] Thus, even if there was no direct confrontation between the two, there was certainly friction during the period of their activity.

From the preserved records of the period of his activity, it would appear that Sar Shalom—the son of physicians and of people who were close to the rulers—carried out his office in the customary manner of Egyptian Jewish community leaders. He appointed community heads who were indebted to him for the favor of their appointment; he also dismissed community leaders and religious functionaries—such as the head of the community of Qalyūb, Isaac al-Siqili, who was replaced by one Mussa b. Levi ibn al-Ahūv; or the *mohel* (ritual circumciser) Moses b. Eliah ha-Levi, who was fearful that the *gaʾon* would appoint another *mohel* for his community, and who practically begged him to maintain his status and income. Sar Shalom circumscribed the income of public officials in a third community, when he prohibited them from receiving full benefit from certain sources of financing which they had previously enjoyed. In order to enjoy benefits from these sources, Sar Shalom decreed, people would now be required to set aside a portion of their income for the Head of the Jews, as had been customary regarding income from the writing of documents. Finally, Sar Shalom did not hesitate to remind one of the wealthy merchants, Moses ha-Cohen b. Khalfon, of his custom of giving him a garment every time he returned unharmed from a business trip abroad.[35]

The Ha-Shishi family's claim to leadership was thus based upon a mix-

[34] Mann, *Jews in Egypt* 1:237–39, 244–46, 469; *Texts and Studies* 1:257–59; Goitein, "Life of Maimonides" 32–34; *Mediterranean Society* 2:32–33.

[35] Qalyub: ENA 4020.4 (published by Mann, *Jews of Egypt* 1:298); on the heads of the community in Qalyub, see the page from the collection of the National Library in Vienna published by D. Z. Banet, "Genizah Documents on Jewish Communal Affairs in Egypt," *Alexander Marx Jubilee Volume: Hebrew Section* (New York: JPS, 1950) 87–90 and Banet's detailed explanation of the incident and its offshoots there, 77–79; on the case of the *mohel*, see TS 13 J 20.18 (Mann, *Jews of Egypt* 300–01); on public monies: TS 10 J 24.7 and TS 10 J 29.4 (Goitein, *Mediterranean Society* 2:122); clothing: (a *tallit* so as to tie upon it *zizit*): TS 13 J 31.3 (Mann, *Jews of Egypt* 299); see above, n. 16.

ture of family pedigree, connection to influential figures in the Jewish community, and proximity to the Muslim rulers.

## IV

At this stage of our study, several facts begin to coalesce: the period of activity of members of the Ha-Shishi family as Heads of the Jews corresponded to that of Zūṭa and of Maimonides; Maimonides appears in the background of events in the histories both of Zūṭa and of the Ha-Shishi family; the "evil Jewish leader," presumably Zūṭa, supported the customs of the Palestinean *yeshivah* and its synagogue in opposition to Maimonides, who wished to abolish the liturgical customs of the Palestinian rite; the interruption in the term of office of the *ga'on* Sar Shalom ha-Levi, nearly unprecedented in the history of the gaonate of *yeshivat erez ha-ẓevi*, is reminiscent of the interruption in Zūṭa's activity; and Zūṭa is cited by the author of the scroll as claiming expertise in all areas of knowledge, both Jewish and general—Torah, Prophets, Writings, Mishnah, Talmud, *halakhot*, commentaries, Greek wisdom, speech, *Kalām*, poetry, and medical books—in a manner highly reminiscent of the syllabus imposed upon Nethanel b. Moses, and the tradition of the Ha-Shishi family in its involvement with medicine. Could it be that there was more than a vague connection between the protagonists of these two dramas which took place during the same time period?

The author of the scroll notes that Zūṭa was unjustifiably named Head of the Academy (*rosh yeshiva*), and with regard to the name of the protagonist of the Zūṭa scroll, he said:

> His parents called him Yiḥya, and he changed his name to Sar Shalom . . . and he said in his foolishness and his awesome stupidity, "Is not the office fixed in my name, an inheritance from my father and mother? Moreover, in my dream, I saw it resting on my shoulders. Be comforted, be comforted my people, for the horn of salvation shall spring forth in my days, and from me they will receive the Messiah."[36]

Even if Abraham b. Hillel was not always precise about details, he presented the information available to him in a clear manner:

1. Zūṭa's name was also Sar Shalom.

[36] *Rosh Yeshivah*: "Scroll" 48; citation 46.



2. Zūṭa/Sar Shalom saw himself as asociated with the coming of the Messiah.
3. Zūṭa/Sar Shalom was the scion of a family which had served in the office of Head of the Jews in a permanent manner and saw it as their familial inheritance.
4. Zūṭa saw himself as Head of the Academy (*rosh yeshivah*).
5. Zūṭa had good connections with the governmental authorities, from whence stemmed his political power.

We may add to the above-mentioned enumeration that, in addition to his function as the one who appointed *dayyanim*, Zūṭa is referred to, in the letter concerning his messianic character, with the title of *ga'on*. Hence, we may add that:

6. Zūṭa/Sar Shalom was the scion of a geonic family.

I would like to suggest once again that the protagonists of the Zūṭa Scroll are none other than the Levites, members of the Ha-Shishi family, who held the office of the gaonate and the Head of the Jews as described above. I use the word "again" advisedly, because such a possibility was suggested, in passing, by S. Posnanski some seventy-five years ago, in his book on the gaonate during the post-geonic period.[37] J. Mann, in his work on the Jews of Egypt during the Fāṭimid period, rejected such a possibility out of hand; this rejection was subsequently accepted by all scholars. Mann argued that it was inconceivable that Zūṭa, who was so sharply denounced in the scroll, could be identical with the *ga'on* Sar Shalom, whose authority was accepted by the Jewish communities, as shown in his letters to the communities and in the letters sent to him.[38]

[37] Samuel A. Poznanski, *Babylonische Geonim im nachgaonaeischen Zeitalter nach handschriftlichen und gedruckten Quellen* (Berlin: Mayer & Müller, 1914) 103–04; see also: David Kaufmann, "Abraham bar Hillel, the Egyptian historian and poet," JQR, os, 9(1896/7): 168–69; Simon Eppenstein, *Abraham Maimuni etc.* (Berlin, 1914) 13.

[38] For Mann's insistent remarks on this, see Mann, *Jews in Egypt* 1:234–35. The proof (235, in parentheses) that Hillel b. Ẓaddok Av signed a *ketubbah* which opens with an invocation of the *reshūt* of Nethanel, and that he was the father of the author of the Zūṭa Scroll, is not convincing because: (1) the father of Abraham was Hillel b. Niśśim and not Hillel b. Ẓaddok; it seems logical that the family of Ẓaddok here should be connected with the Head of the Jews, the *gaon* of *Yeshivat Erez ha-Ẓevi*, who belonged to the Ha-Shishi family; (2) his cooperation with one brother, Nethan-

But is all this really so certain? The rejection of Zūṭa, as well as his "worthlessness and wickedness," are reported in great detail in the literary sources by his enemies; what else might one expect from such descriptions? Until one finds the responses of Zūṭa's supporters to his opponents' accusations, it is worth considering the following question: how were the personality and activity of Zūṭa perceived in the surviving historical fragments from the Egyptian *genizah*, which are the main sources on the activities of the persons under discussion?

Even if we only had the writing of Zūṭa's opponents, assuming we were prepared to give a hearing to the other side of the case, we might hope to find the following details in the *Genizah* documents, on the basis of our acquaintance with what is to be found in the historical documents: descriptions of community appointments; the activity of the Head of the Jews in supervising the work of communal officials subject to his authority; references to the *ga'on*–Head of the Jews using the name which he found preferable—i. e., Sar Shalom, and not Yiḥya, and certainly not Zūṭa [=Mr. Small]; his attempts to see to the interests of *yeshivat erez ha-zevi*; and indirect testimony of his connections with the rulers, and the truncation of his term of rulership.

All these may be found in the description of the activity of Sar Shalom, the *ga'on* and Head of the Jews, and we have detailed them above.

Zūta's source of authority and power base, as well as his public weak points, are no longer surprising. By his own account, he inherited the office from his ancestors and he enjoyed enormous power by virtue of the close connections of his family with the Fāṭimid rulers who governed Egypt until 1171. It therefore should not be surprising that with the ascent of the Ayyūbids his stature began to decline and someone else was called upon to serve as Head of the Jews. Had he made an appropriate commitment to cooperate with the Ayyūbid rulers, similar to his earlier offer to assist in identifying opponents of the new regime within the Jewish community, the new ruler would likely have instructed his officials to write to Sar Shalom: "that he return to his place and be an eye for the king among his people." But Zūṭa's messianic claim thoroughly disrupted matters: he lost his sensitivity to the political implications of such an approach, seeing himself now within an entirely different context, in which even the ruler was unable to harm him. The *ga'on*'s opponents in the Jewish community found this an appropriate time to take revenge by reporting his messianic pretensions to the ruler. Thus, the ruler needed to take a practical stand against one who contested his rule and the supremacy of Islam.

el, did not necessitate cooperation with the other brother, Sar Shalom; (3) the invocation of the *reshūt* does not indicate any agreement with what is written there but, on the contrary, implies the ignoring of the *reshūt*; there is some indication of protest here.

One should not infer from the identification of *ha-nagid* Sar Shalom with Zūṭa in his later work, *Texts and Studies* 1:416–17, that Mann recanted his earlier position, as he does not identify this individual with the *ga'on* Sar Shalom, nor does he identify him by the family title of Ha-Levi. Compare Fleischer, *Tefillah* 218 n. 10; Levinger, *Rambam ke-poseq* 250. On this way of not accepting this identification, see Goitein, *Mediterranean Society* 2:32–33; "Moses Maimonides, Man of Action" 166, where Goitein sees Zūṭa as challenging the *ga'on* Sar Shalom (see his remarks in "The Life of Maimonides" 30–33, which correspond to the image drawn by the author of the scroll); and Levinger 252 (for his well-reasoned claims concerning the order of times in the scroll, see the suggestion cited below for the reading of the scroll as a "family scroll.")



At this period (around the mid-1190s), Zūṭa's status reached its nadir. To quote Maimonides' letter to R. Pinhas ha-Dayyan of Alexandria:

> You asked concerning the matter of Abu Zikri, who seized power through lowness and poverty. He is afraid of the smallest one in the community, and no one helps him. Do not take note of him, and let not the words of passersby confuse you. He gave 90 dinars for nought and in vain, and the king did not give him a writ at all, but only permission, as follows: If the Jews should want you—let them. And he comes and says to the elders: If you reject me, I will go out; and he wept at night before them until they let him [keep the position]. This is the truth of the matter.[39]

The author of the scroll portrayed Zūṭa's activities from the mid-twelfth century until the 1290s. It is true that this time-frame does not correspond exactly to the official period of rule of Sar Shalom, the earliest testimony concerning the *ga'on* Sar Shalom as Head of the Jews only appearing in 1170. Moreover, in the 1150s and 1160s his father, Moses, and his brother, Nethanel, occupied the gaonate and the position of Head of the Jews. One might force the issue by saying that, just as Sar Shalom assisted his brother when the latter held this high office, so did he assist his father; hence, his negative mention there by the author of the scroll.

But a careful reading of the description of events and of the dates found in the scroll suggests a different explanation. The precise nature of the account

[39] Maimonides, *Epistles*, ed. Isaac Shailat, 2 vols (Jerusalem: Ma'aliyot, 1987–88) 2:450.

given by Abraham b. Hillel, the author of the scroll, reflects his own sources of information—his father and the elders of the generation—together with those events which he himself witnessed in his maturity. Such details as the sixty-six days which Zūṭa reigned originally , the four years of the second reign, the nature of Maimonides' intervention, and other details, are the result of this. Indeed, there was an individual who challenged the leadership of the *nagid* Samuel b. Ḥananiah, who even occupied the office of *nagid* for a brief period (possibly sixty-six days; the number is not given in the parallel historical documents), just as is written in the scroll. This challenger was Zūṭa/Sar-Shalom's father, Abū Saʿad Moses b. Nathanel Ha-Shishi. The close ties of this challenger to the Fāṭimid rulers, according to the author of the scroll, are confirmed by paralled documents in contemporary sources.[40]

Zūṭa enjoyed a second term of four years as Head of the Jews after promising to give 200 dinars to the ruler. According to our suggested reconstruction, this period commenced at the beginning of the 1160s, during the Fāṭimid rule. At the end of that period, Maimonides intervened in the matter of the al-Maḥalla community. In fact, the term of office of Zūṭa/Sar Shalom's brother, Nethanel ha-Levi, who was assisted by his brother Sar Shalom in a certain senior office,[41] lasted four years. As mentioned above, Nethanel enjoyed excellent connections with the last of the Fāṭimid rulers and with the royal treasury, and enjoyed a generous pension from the ruler. During the period of his rule, Maimonides arrived in Egypt; it was evidently at this point that he was asked by the people of al-Maḥalla about the collection of fees by religious court judges. It may thus be possible that Nethanel and his brother Zūṭa/Sar Shalom had to leave their office under these circumstances. When Nethanel and Sar-Shalom left their office, they were replaced as Head of the Jews by a certain Saadya.

The third period of Zūṭa's activities was divided into two: two years and a lengthy period of continuous rule over the communities. Maimonides did not receive the position of Head of the Jews on the first occasion (the al-Maḥalla affair of the 1160s), perhaps because he was directly involved in the struggle to depose the brothers, or perhaps because, despite his involvement, he was not yet ready for the highest office. Sar Shalom subsequently returned to

[40] See the references above, n. 29.

[41] See the incident concerning the writing of titles, mentioned above near n. 32.

[42] For Saadya, see Goitein, "Life of Maimonides" 31; "Moses Maimonides, Man of Action" 161; for Zūṭa, see "Scroll" 49; for the division of Sar Shalom's rule into two periods see Mann, *Jews in Egypt* 294 n. 5; and above n. 10.



serve as *gaʾon* and Head of the Jews for a term of about twenty years. During this period, as we learn from the historical documents, he behaved in a high-handed manner. This last period, which ended close to the time of composition of the scroll, was that which led to the critical tone towards the *gaʾon*, Head of the Jews, Zūṭa/Sar Shalom. The fact that the dominant *gaʾon* at the time the Scroll was written was Sar Shalom led the author of the scroll to subsume all of the traditions concerning the family of Sar Shalom under his name, and to place the responsibility for their failures upon his shoulders. Or, to put it differently, the Zūṭa of the scroll was in fact a conflation of three different figures from the same family: Moses b. Nethanel, the father; Nethanel ha-Levi, the son; and Sar Shalom, the second son.[43]

✡

[43] The following is a tabular summary of the chronology referred to in the article:

| *Head of the Jews* | *Zuta Scroll* | *Muslim Rulers* |
|---|---|---|
| Samuel b. Ḥananiah and Moses b. Nethanel compete (1141–60) | 66 days | first king Al-Faʾīz (1154–60) |
| Nethanel b. Moses ha-Levi and Sar Shalom his assistant (1160–67) | four years | second king Al-ʿĀḍid (1160–71) |
| Saadya (1169) | | |
| Sar Shalom ha-Levi (before 1171) | | |
| Maimonides (1171–ca. 1172) | | third king |
| Sar Shalom ha-Levi (ca. 1172–73) | two years | Saladin (1171–93) |
| (ca. 1173–96) | period of the scroll | |
| Maimonides (1196–1204) | | |

A similar phenomenon involving the ascription of a series of contemporaneous events to one dominant figure, despite the fact that he was not the only personality involved, concerns R. Kohen-Ẓedek, the *gaʾon* of the *yeshivah* of Pumbedita, in the story of Rabbi Nathan the Babylonian. R. Kohen-Ẓedek (the ally of the Exilarch David ben Zakkai) appears there as the antagonist of Ukba and of the Exilarch David ben Zakkai, rather than R. Mebaser b. Kimoi ha-Kohen. As R. Kohen-Ẓedek was the dominant figure in the leadership of Pumbedita from about 917 until 935/36, all of the struggles

This is the way in which Maimonides received the office of Head of the Jews and the dynasty of the Palestinean *ge'onim* was pushed aside from its position of senior leadership. But it is the nature of social processes that they are not sharply severed at one time. The term of office of Maimonides and of his son, R. Abraham Maimonides, represents a transitional period between the leadership of the Palestinian gaonate and that of the Maimonidean dynasty. During this transition, members of the family of the Palestinian gaonate still attempted to acquire power and to return to positions of leadership; at this point, rule had not yet been firmly established in the hands of the Maimonides family. The struggle between the previous dynasty and the future one was renewed in the days of R. Abraham b. Maimonides.

Relatives of Maimonides obtained senior positions in the administration of the charity-houses in Egypt.[44] Certain of these houses, which were run by the communal charity fund for the benefit of the poor, may have been harmed during the period of R. Abraham Maimonides, because members of the family of the Palestinian gaonate and their associates attempted to avoid paying their pledges to these charity-houses. A more serious testimony is found in a letter written by one of the supporters of the family of the Palestinian *geonim*, which states that there were some people within the Jewish community who sought to remove R. Abraham b. Moses Maimonides from the office of Head of the Jews, and who even went so far as to appeal to the Sultan to assist them in this goal. His opponents argued that R. Abraham had introduced innovations in the liturgy and in the order of divine worship in the synagogue. While this attempt failed, it is interesting to note that the leading figures to denounce R. Abraham to the Sultan were, again, none other than members of the Ha-Shishi family.[45]

of the *yeshivah* of Pumbedita with the Exilarch were attributed to him. For the source and references to scholarly literature, see M. Ben-Sasson, "The Structure, Goals and Contents of the Story of Nathan ha-Bavli," *Tarbut ve-ḥevrah be-toldot yisra'el bi-yemei ha-beinayim* [Culture and society in medieval Jewry: studies dedicated to the memory of Haim Hillel Ben-Sasson], ed. Robert Bonfil et al. (Jerusalem, 1989) 137–38, 148–53, 181–88 [Hebrew].

[44] S. D. Goitein, "A Letter to Maimonides and New Sources Regarding the *Negidim* from his Family," *Tarbiz* 34 (1965): 232–56 [Hebrew]; Moshe Gil, *Documents of the Jewish Pious Foundations from the Cairo Geniza* (Leiden: Brill, 1976) 45–47; and see there in the index, p. 560, under "Isaiah ha-Levi."

[45] See S. D. Goitein, "New Documents from the Cairo Geniza," *Homenaje a Millás-Vallicrosa*, vol. 1 (Barcelona: Consejo superior de investigaciones cientificas, 1954) 702–20. From the statement in the original (TS Ar. 51.111), "and it was his



## V

There is also another, more familiar side to Maimonides' struggle with the *ge'onim* of Eretz Yisrael. Both in his theoretical works and in his epistles, Maimonides formulated his opinion concerning the holders of titles and of offices, as did his son.[46] The outspoked formulations of R. Moses and of R. Abraham Maimonides, which lie at the center of our image of the former figure, who insisted that leaders in Israel in all generations be men of the spirit, receives an additional dimension in light of this struggle with Zūṭa/Sar Shalom and the prestige of the Palestinian *ge'onim*. To these formulae, we may now add new information concerning Maimonides' earliest steps in Egypt, which entailed political, and not only spiritual, leadership of the Jewish people. While these originated in his stature as a spiritual leader, they continued as the fruit of what was in every sense a political struggle.

According to our proposed reconstruction, the Zūṭa with whom Maimonides struggled was neither an unknown and obscure figure nor a worthless, empty person who forced his way into becoming Head of the Jews. Maimonides confronted—and defeated—a dominant, high-handed leader; one close to the Muslim rulership, who enjoyed the greatest possible family pedigree in terms of the leadership of the Jews who dwelt in Egypt and in Palestine, who was a scion of the family of Palestinian *ge'onim*, and who himself held the titles of *ga'on* and *ra'īs al-yahūd*. During the course of our investigation, we have seen that the transition from the Fāṭimid to the Ayyūbid dynasty was a period of distress for those who were close to the old rulership, but beneficial to those who were close to the new leadership. In order to more sharply define the struggle which brought about this change, we have deliberately ignored the impact of the North African immigrants who arrived in Egypt

intention in this to catch them according to the law of Torah and to show their wickedness and their scant religiosity, and to place upon them a ban in this way, and not because of their bringing a complaint before the Sultan," we may understand why R. Abraham Maimonides took the indirect method of imposing a ban upon those who did not pay their debts to the poorhouse of Dammuh. He thereby imposed a ban upon the party which was opposed to him, which was deserving of the ban because of their slandering, while the ban itself was free of personal motivation. This point will be clarified in another chapter of my study of the Maimonides family.

[46] On Maimonides, see above, near n. 26; on R. Abraham Maimonides, see R. Abraham Maimonides, *Responsa*. ed. Abraham Ḥayyim Freimann and S. D. Goitein (Jerusalem: Mekize Nirdamim, 1938) 4:13–26, esp. 19–22 (on this matter, in the context of the generation of R. Abraham, see the previous note).

during this period, as well as of the ties of marriage between Maimonides and the families of the community leaders (*parnasim*). Similarly, we have deliberately ignored his medical function in the government hospital and with the Ayyūbid ruler. All of these factors, together with the convenient timing—the end of the 1160s and the decade of the 1170s—strengthened the momentum gained from Maimonides' involvement in the polemic with the *ge'onim* of Palestine, the ultimate result of which was his assumption of the office of Head of the Jews.

This affair also sharpened, so to speak, the paradoxical nature of Jewish leadership in the Middle East; Maimonides rose to greatness after his struggle with the last members of the Palestinian dynasty. This was a practical struggle, whose theoretical formulation entailed the denunciation of those leaders who argued for their supremacy by virtue of their descent from prominent families. The sun of the ge'onic dynasty did not set before it was eclipsed by the rising sun of the firm opponent of dynastic leadership, who was to become the first member of the new dynasty of the Maimonides family.

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(Translated from the Hebrew by Rabbi Jonathan Chipman)

This paper, a chapter of my study of the Maimonides family, was written with the help of a grant from the Memorial Foundation for Jewish Culture, 1987–88; I wish to thank the administration of the Foundation for their kind assistance. I would like to thank Prof. J. Kramer, who read the first draft of this article, correcting and clarifying certain problematic aspects. The essential thesis of this paper was delivered as a lecture at the Ben-Zvi Institute for the Study of Jewish Communities in the East on November 4, 1988. The responsibility for the contents is the author's alone.

# A NEW ISLAMIC SOURCE OF THE *GUIDE OF THE PERPLEXED*

*by*

STEVEN HARVEY

Shlomo Pines, at the beginning of his magisterial monograph on the sources of *The Guide of the Perplexed*, cites a passage from Maimonides' famous letter to Samuel Ibn Tibbon, the first translator of the *Guide* into Hebrew, for "invaluable indications regarding Maimonides' attitude toward earlier philosophers."[1] In the letter Maimonides lauds Alfarabi, Ibn Bājjah, and Averroes among the Islamic philosophers. The works of Alfarabi are described as "faultlessly excellent. One ought to study and understand them, for he was a great man." Ibn Bājjah is referred to as a "great philosopher, and all his writings are of a high standard." Averroes is praised for his commentaries on Aristotle, which are said by Maimonides to be necessary for a proper understanding of the Aristotelian texts. Maimonides mentions only two other Islamic philosophers in his letter—Alrazi and Avicenna. Alrazi's philosophical writing is dismissed as "of no use," for he was "a physician only [and not a philosopher]."[2] Avicenna is, curiously, not mentioned until the end of the

[1] Shlomo Pines, "The Philosophic Sources of *The Guide of the Perplexed*," in his translation of Maimonides' *Guide of the Perplexed* (Chicago: University of Chicago Press, 1963) lix.

[2] The portion of the letter in which Maimonides presents his views on earlier philosophers exists in two Hebrew versions, published side-by-side by Alexander Marx in "Texts by and about Maimonides," *JQR* ns 25 (1935): 378–80. This passage is intentionally omitted in the Verona manuscript of the letter published by Isaiah Sonne in "Maimonides' Letter to Samuel b. Tibbon according to an Unknown Text in the Archives of the Jewish Community of Verona," *Tarbiz* 10 (1939): 332 [Hebrew]. Sonne argues (305–06), against the conventional opinion, that this portion of the letter was written originally in Hebrew, and that the Adler manuscript, the second version of the letter published by Marx, does not represent a second Hebrew translation from the Arabic, but a Hebrew stylist's reworking of Maimonides' Hebrew text as it was preserved in the Verona manuscript. Sonne may have been right about the relation between the Adler and Verona manuscripts, but there is other evidence that argues that this portion of the letter was written by Maimonides in Arabic. See Isaac Shailat,

letter, where Maimonides not very enthusiastically recommends his writings.[3] Conspicuous for their absence are Alkindi, Miskawayh, Algazali, and Ibn Ṭufayl.

Pines wisely takes this letter as the basis for his study of the sources of the *Guide*. He explains:

> These evaluations may be taken as expressing the real opinion of Maimonides. At least, there is no reason for thinking otherwise. Furthermore, the evidence of the letter is sometimes corroborated by direct or oblique references occurring in the *Guide* to the philosophers mentioned in the letter or to their teaching. Conversely, the letter may sometimes help to interpret such references. In this way, the history of philosophy as conceived by Maimonides falls into focus.[4]

Pines proceeds to analyze carefully the influence of the various thinkers on the *Guide*. His detailed discussion proves his point. Among the Islamic philosophers, Alfarabi and Ibn Bājjah exerted the greatest influence, traces of Avicenna may be found, and Alrazi is cited only in a disparaging way. Averroes' commentaries were probably not known to Maimonides at the time of the writing of the *Guide*.[5]

Pines's study, in its broad outline of the philosophic sources of the *Guide*, has been viewed by scholars as authoritative. While some historians have squabbled with Pines over some point or emphasis, they have all respected his study as the starting-point for any discussion of the sources of the *Guide*. Modern scholarship over the past twenty-five years since the appearance of the study has borne out its results and built upon them. Indeed, a comparison suggests itself between the effect of Pines's study on contemporary students of the *Guide* and the effect of Maimonides' letter on medieval students of Jewish philosophy: in the former instance, the modern student is directed to those philosophers who will be useful to him in his understanding of the *Guide*; in the latter instance, the medieval student was directed to those philosophers who would be useful to him in his understanding of philosophy. For the past quarter-century, Pines's monograph has determined which Islamic philosophers would be studied by contemporary students of the *Guide*, just as Maimonides' letter determined which Islamic philosophers would be studied by Jewish thinkers in the centuries after him.[6]

An important Islamic philosopher not mentioned by Pines in his monograph, never mentioned by Maimonides, and, in fact, apparently not cited or mentioned by any medieval Jewish thinker, is Aḥmad ibn Muḥammad Miskawayh (d. 1030).[7] Notwithstanding Miskawayh's obscurity in the Jewish world, there is evidence that Maimonides may have made use of his popular ethical treatise, *Tahdhīb al-akhlāq*, in the writing of the *Guide*.

*Iggerot ha-Rambam* (Maaleh Adumim: Maaliyot Press, 1988) 514–15, and my "Did Maimonides' Letter to Samuel ibn Tibbon Determine Which Philosophers Would Be Studied by Later Jewish Thinkers?" (*JQR*, forthcoming). My citations from the letter are from Pines's translation in "Philosophic Sources" lix–lx.

[3] Pines's rendition of the section of the letter dealing with Avicenna is a bit misleading. It reads: "Though the works of Avicenna may give rise to objections and are not as [good] as those of Alfarabi, Ibn Bājjah was also a great philosopher, and all his writings are of a high standard" (lx). This sentence combines a part of Maimonides' statement about Avicenna near the end of the letter with a prior statement about Ibn Bājjah. This procedure is reasonable, but a key phrase has somehow dropped off. The passage should read: "Though the works of Avicenna . . . as those of Alfarabi, there is still benefit in them, and one must look into his words and reflect upon his meanings. Ibn Bājjah was also [like Alfarabi] a great philosopher . . . high standard." Similarly, Pines's translation of the other version of the statement about Avicenna should be completed as follows: ". . . and are not as [good] as the words of Alfarabi, they are, nonetheless, useful, and he is also among those whose words it is fitting for you to study and upon whose compositions it is fitting for you to reflect" (lx, n. 4). The Hebrew version of "Philosophic Sources" in *Bein Maḥshevet Yisra'el le-Maḥshevet ha-ʿAmmim* (Jerusalem: Bialik Institute, 1977) 105, likewise needs to be corrected. The note there, however, quotes the statement about Avicenna in full, although not, as it states, from the other version.

[4] Pines, "Philosophic Sources" lx.

[5] See "Philosophic Sources" cviii. See further the references in Alexander Altmann, "Maimonides on the Intellect and the Scope of Metaphysics," *Von der mittelalterlichen zur modernen Aufklärung* (Tübingen: J. C. B. Mohr, 1987) 69, n. 76.

[6] The statement that Maimonides' letter determined which Islamic philosophers would be studied by Jewish thinkers in the centuries after him is defended in my forthcoming essay referred to in n. 2, above.

[7] See, however, Appendix A, below. According to Dwight M. Donaldson (*Studies in Muslim Ethics* [London: S.P.C.K., 1953] 122), Miskawayh's *Tahdhīb al-akhlāq* "is the most important book on philosophical ethics in Muslim literature." On Miskawayh, in addition to Donaldson 121–33, and the entries in encyclopaedias and histories of Islamic philosophy, see Joel L. Kraemer, *Humanism in the Renaissance of Islam* (Leiden: E. J. Brill, 1986) 222–33, and Mohammed Arkoun, *Contribution à l'étude de l'humanisme arabe au IV-/X- siècle: Miskawayh. philosophe et historien* (Paris: Librairie philosophique J. Vrin, 1970).

There are several general points of similarity between the *Tahdhīb* and the *Guide* which, given the Aristotelian underpinnings of the former, bespeak no influence, but only their common source. For example, Miskawayh speaks of the two perfections of man: the theoretical (*al-naẓarī*) and the practical (*al-ʿamalī*). The former consists in knowledge of all the beings (*al-mawjūdāt kullhā*); the latter is a moral perfection (*al-kamāl al-khulqī*) that "begins with the setting in order of one's faculties . . . so that his actions take place in accordance with his discerning faculty and are ordered (*muntaẓamah*) in a proper way. It ends with political governance (*al-tadbīr al-madanī*) in which actions and faculties are properly regulated among the people in such a way that they . . . achieve a common happiness."[8] Maimonides, in *Guide* 3.27, also speaks of the two perfections of man: the perfection of the soul and the perfection of the body. The first perfection consists in "knowing everything concerning all the beings (*al-mawjūdāt kullhā*) that it is within the capacity of man to know"; the second consists in "the acquisition by every human individual of moral qualities (*akhlāq*) that are useful for life in society so that the affairs of the city may be ordered (*yuntaẓam*)." This second perfection aims at the "governance of the city (*tadbīr al-madīnah*) and the well-being of the states of all its people according to their capacity."[9] Not surprisingly, both Miskawayh and Maimonides cite the Aristotelian dictum that man is political by nature (*al-insān madanī bi'l-ṭabʿ*).[10] Of greater interest is that Maimonides' well-known catchphrase, "*ṣalāḥ al-nafs wa-ṣalāḥ al-badan*" ("the welfare of the soul and the welfare of the body"; Hebrew: *tiqqun ha-nefesh ve-tiqqun ha-guf*), is also found in Miskawayh's *Tahdhīb*.[11]

[8] Miskawayh, *Tahdhīb al-akhlāq*, ed. Constantine K. Zurayk (Beirut: American University of Beirut, 1966) 2:39–41. English citations from the *Tahdhīb* are, for the most part, taken from Zurayk's English translation, *The Refinement of Character* (Beirut: American University of Beirut, 1968). For this citation see 36–37.

[9] Maimonides, *Guide of the Perplexed* (*Dalālah al-ḥā'irīn*), ed. Solomon Munk and Issachar Joel (Jerusalem: J. Junovitch, 1931) 3.27:371–72 (English: 510–11).

[10] The dictum is cited in both Miskawayh and Maimonides exactly as it is translated by Isḥāq ibn Ḥunayn in his medieval translation of the *Nicomachean Ethics*, ed. ʿAbdurrahmān Badawi, *al-Akhlāq* (Kuwait, 1979) 66 (to 1097b11). See *Tahdhīb* 1 (Arabic: 29, English: 25) and 5 (Arabic: 155, English: 139) (cf. 4 [Arabic: 115, English: 103]), and *Guide* 2.40 (Arabic: 270, English: 381) and 3.27 (Arabic: 372, English: 511).

[11] The phrase occurs in *Guide* 3.27 (Arabic: 371, English: 510). The phrase is found in Miskawayh in the third discourse of the *Tahdhīb*, where it is part of a lengthy quotation from Abū ʿUthmān al-Dimashqī's tenth-century translation of *The Virtues of the Soul*, a text attributed to Aristotle. For a discussion of this quotation and its Aristotelian roots, see Shlomo Pines, "Un texte inconnu d'Aristote en version Arabe," *Archives d'histoire doctrinale et littéraire du moyen-âge* 23 (1956): 5–43. The phrase occurs in the following sentence from the *Tahdhīb* (Arabic: 86, English: 78, Pines trans., "Un texte inconnu" 9): "Then comes the second rank in which man directs his will and efforts to what is best for the welfare of the soul and the body (*ṣalāḥ amr al-nafs wa'l-badan*)."



Another example of a similarity between Miskawayh and Maimonides is that they both discuss those who think that man's end (*al-ghāyah*) consists in his pleasure (*al-ladhdhāt*), specifically eating, drinking, and sexual intercourse (*Tahdhīb: al-maʾākil, al-mashārib, waʾl-manākiḥ; Guide: al-akl, al-shurb, waʾl-nikāḥ*). Both attribute this wayward opinion to the multitude (*al-jumhūr*) and the ignorant (*Tahdhīb: al-juhhāl; Guide: al-jāhil, al-jāhiliyyah*), and both explain that these pleasures should be indulged in only to the extent necessary.[12]

Similarly, both Miskawayh and Maimonides discuss those who overvalue the possession of goods. Miskawayh explains that, according to the philosophers, material goods are "not worthy of the name happiness, for happiness is something fixed, abiding, and unchanging." Maimonides explains that, according to the philosophers, "the efforts directed by man toward this kind of perfection are nothing but an effort with a view to something purely imaginary, to a thing that has no permanence." For both thinkers, material goods and possessions do not affect the standing of the individual because they are apart from (*khārijan ʿan*) his self. These possessions exist in their own right, and may indeed be beautiful, but they cannot change the individual, and when they are taken from him, his essence remains the same.[13]

Another point of similarity between Miskawayh and Maimonides is that both hold that man's love for God is dependent on his knowledge of Him, and, therefore, possible only for the few.[14]

[12] *Tahdhīb* 2 (Arabic: 43–44, 48–49, English: 38–39, 44); *Guide* 3.33 (Arabic: 389–90, English: 532–33). See also *Guide* 3.35 and 3.48–49.

[13] *Tahdhīb* 6 (Arabic: 196–98, 181–82, English: 174–76, 162–63) and 3 (Arabic: 80–81, English: 72–74); *Guide* 3.54 (Arabic: 468, English: 634).

[14] *Tahdhīb* 5 (Arabic: 147–49, English: 133–35); *Guide* 3.51 (Arabic: 457, 462–63, English: 621, 627–28). Cf. Maimonides, *Mishneh Torah*, Teshuvah 10.2–6. On the relation between the account of love of God in the *Tahdhīb* and that in the *Guide*, see my "The Meaning of Terms Designating Love in Judaeo-Arabic Thought and Some Remarks on the Judaeo-Arabic Interpretation of Maimonides," *Proceedings of the First Conference on Judaeo-Arabic Studies*, ed. Norman Golb (forthcoming).

Elements in Miskawayh's *Tahdhīb* are also present in Maimonides' *Eight Chapters*. For example, both texts speak of the health of the soul (*ṣiḥḥah al-nafs*), the diseases of the soul (*amrāḍ al-nafs*), and the cure (*ṭibb*) for the diseases of the soul. Both put forth the doctrine of the mean (*Tahdhīb: al-wasaṭ, al-mutawassiṭ; EC: al-mutawassiṭ*), and locate virtue (*faḍīlah*) between the two extremes (*ṭarafān*) of excess (*Tahdhīb: ziyādah; EC: ifrāṭ*) and deficiency (*Tahdhīb: nuqṣān; EC: taqṣīr*). In both texts, the cure for the diseased soul can be effected by moving from the one extreme to the other, that is, from one vice to its opposite.[15]

The above general points of similarity between Miskawayh and Maimonides, as we have already stated, do not prove the influence of the former upon the latter. In fact, Maimonides' direct sources for some of these themes have already been uncovered, and each is far closer to Maimonides' language and argument than is the text of the *Tahdhīb*.[16] On the other hand, some of the common phrases in the above examples tempt one to ponder the possible influence of the *Tahdhīb* upon Maimonides. Stronger evidence for this influence is afforded by part of Maimonides' discussion of the ranks of men in the parable of the palace in *Guide* 3.51.

Maimonides writes:

> Those who are outside the city are all human individuals who have no doctrinal belief, neither one based on speculation nor one that accepts the authority of tradition: such individuals as the furthermost Turks found in the remote north, the Negroes found in the remote south, and those who resemble them from among them that are with us in these climes. The status of those is like that of irrational animals. To my mind they do not have the rank of men, but have among the beings a rank lower than the rank of man but higher than the rank of the apes. For they have the external shape and lineaments of a man and a faculty of discernment that is superior to the faculty of discernment of the ape.[17]

[15] *Tahdhīb* 6 (Arabic: 175–207, English: 157–83) and 4 (Arabic: 112 and 129–30, English: 100–01, and 114–15); *Commentary on the Mishnah*, Eight Chapters (cited hereafter as *Eight Chapters*), ed. Josef Kafaḥ in *Maimonides' Commentary on the Mishnah*, Neziqin (Jerusalem: Mossad Harav Kook, 1964) 3–4:378–87 (trans. by Charles E. Butterworth and Raymond L. Weiss in their *Ethical Writings of Maimonides* [New York: New York University Press, 1975] 65–74). In *Eight Chapters* 3 (Arabic: 378, English: 65), Maimonides attributes the view that "the soul can be healthy or sick, just as the body can be healthy or sick" to the ancients (*al-aqdamūn*); in his *al-Fuṣūl fī al-ṭibb*, he attributes this view to the philosophers (see Butterworth and Weiss, *Ethical Writings* 98, n. 1). His immediate source is actually Alfarabi, *Fuṣūl muntazaʿah*, ed. Fauzi M. Najjar (Beirut: Dar el-Mashreq Publishers, 1971), sec. 1:23. See Herbert Davidson, "Maimonides' *Shemonah Peraqim* and Alfarabi's *Fuṣūl al-Madanī*," *PAAJR* 31 (1963): 39.

[16] See, e.g., Alexander Altmann, "Maimonides's 'Four Perfections,'" *IOS* 2 (1972): 15–24; Davidson, "Maimonides' *Shemonah Peraqim*," 33–50; and my "Meaning of Terms."



A parallel statement in the *Tahdhīb* occurs in the second discourse and reads as follows:

> The first rank in the human realm, which touches the limit of the animal realm, is the rank of the people who dwell in the farthest parts of the inhabited world both to the north and to the south such as the remotest Turks in the country of Gog and Magog and the remotest Negroes and similar nations which are distinguished from apes to a slight degree only. Then the faculty of discernment and understanding grows in men until they reach the central climes where intelligence, quickness of understanding, and the ability to acquire virtues are produced in them.[18]

There are several noticeable similarities between these two passages.

1. Both occur within the context of a discussion of the various ranks of man (*marātib al-insān*), and both describe the first or lowest rank of man.
2. Both give the same two examples to illustrate this lowest rank of man: the remotest Turks (*al-turk*) in the far north and the remotest Negroes (*Tahdhīb: al-zanj; Guide: al-sūdān*) in the far south.
3. Both use the term "climes" (*aqālīm*), with an implication that the intelligence of man is connected in some way with his clime of origin.
4. According to both, the man of this rank is only slightly distinguished from the ape (*al-qird*).
5. Both state that the "faculty of discernment" (*Tahdhīb: quwwah al-tamyīz; Guide: tamyīz*) is that which distinguishes the man of the first rank from the ape.

These similarities between the two passages in Miskawayh and Maimonides are striking, but do they make a decisive case for the influence of the former upon the latter? Let us consider them more carefully.

The statements of Miskawayh and Maimonides are, as we have stated, within the context of a discussion of the various ranks of man (*marātib al-*

[17] *Guide* 3.51 (Arabic: 455, English: 618–19).
[18] *Tahdhīb* 2 (Arabic: 69, English: 61).

*insān*). Both statements discuss the lowest rank of man, which is only slightly distinguished from the ape. Miskawayh writes in a passage shortly before the one quoted above that these men only "differ from apes in a slight measure of discernment (*al-tamyīz*), and it is only in this measure that they deserve to be called human (*al-insāniyyah*)."[19] Maimonides calls the individual of this rank "man" (*insān*), although in the same passage he adds that in his opinion those of this rank do not have the "rank of men (*martabah al-insān*)." They differ from the apes in their shape and constitution, which is that of men, and in "a faculty of discernment (*tamyīz*) that is superior to the faculty of discernment of the ape."

For both thinkers, the ranks of men are in accordance with their intellect and knowledge, and the only way to advance through the ranks is through the systematic study of the sciences. Miskawayh writes that the "lowest of men are those who are poor in intellect and who stand near to the beast."[20] For Maimonides the lowest rank is that of those "who have no doctrinal belief (*ʿaqīdah madhhab*), neither one based on speculation nor one that accepts the authority of tradition." For Miskawayh, man advances through the ranks by acquiring knowledge, "beginning with the study of logic," and proceeding to the "knowledge of all the creatures and of their natures [i.e., natural science], and then becoming attached to this knowledge, advancing in it, and attaining thereby the divine sciences [i.e., knowledge of metaphysics]."[21] For Maimonides, the process is the same, starting with mathematics and logic and advancing to the "natural things" and then "divine science."[22] For both Miskawayh and Maimonides, however, the highest rank of man is not that of the man who attains knowledge of the divine science, but of the one who, having attained this knowledge, goes a step beyond and becomes a prophet (*nabīy*).[23]

What is most striking about the above-quoted statements of Miskawayh and Maimonides is not, however, the similarities of their context, but the fact that within this context they illustrate the lowest rank of men in the same way. Specifically, both Miskawayh and Maimonides illustrate this rank of men with the inhabitants of the extreme climes, the remotest Turks in the remote north and the remotest Negroes in the remote south, whom they

[19] *Tahdhīb* 2 (Arabic: 47, English: 42).
[20] *Tahdhīb* 2 (Arabic: 47, English: 42).
[21] *Tahdhīb* 2 (Arabic: 70, English: 62).
[22] *Guide* 3.51 (Arabic: 455–56, English: 619).
[23] *Tahdhīb* 2 (Arabic: 70, English: 62–63); *Guide* 3.51 (Arabic: 456, English: 620).



claim are only slightly distinguished from the apes by a superior faculty of discernment (*tamyīz*). Now unless Miskawayh and Maimonides had a common source for this illustration, it seems that Maimonides borrowed it from Miskawayh.

I believe that Miskawayh's inspiration for the illustration comes ultimately from Galen, a thinker he cites frequently, and from a passage with which Maimonides was familiar. Maimonides writes in his *al-Fuṣūl fī al-ṭibb:*

> . . . the inhabitants of the central climes (*al-aqālīm*) are more perfect in intellect and, in general, better in form, i.e., better ordered in shape and lineaments . . . than [the inhabitants] of the distant climes in the remotest north and south.[24]

These words are either quoted from Galen or derive from him.[25] Their relation to our passage in *Guide* 3.51 is clear, and perhaps strengthened by the reference to shape (*shakl*) and lineaments (*takhṭīṭ*).[26] The idea that the climes affect the physical qualities, moral character, and intellect of man, and that those in the far north with its lack of heat and those in the far south with its extreme heat are the most adversely affected, was known in the Muslim

[24] This citation is from the twenty-fifth treatise of *al-Fuṣūl fī al-ṭibb*. It is not contained in the section of this treatise edited and translated by Joseph Schacht and Max Meyerhof in their "Maimonides against Galen, on Philosophy and Cosmogony," *Bulletin of the Faculty of Arts of the University of Egypt* 5 (1937): 53–88 (Arabic section), which begins with the aphorism that follows it. Our translation is based on Oxford MS Bodl. 2113 (Pock. 319), fol. 118a. For the medieval Hebrew translations by Nathan ha-Me'ati and Zeraḥyah ben Isaac, see *The Medical Aphorisms of Moses (Pirqei Moshe)*, ed. Suessman Muntner (Jerusalem: Mossad Harav Kook, 1959) 361.

[25] There has been some confusion as to whether Maimonides attributes this passage to Galen or to Alfarabi. The sentence before this passage reads: "And Alfarabi has already mentioned (*wa-qad dhakara*) this in the *Kitāb al-ḥurūf*." Muntner, who did not have access to this book, takes the statement as introducing the words that follow. Muhsin Mahdi, who edited the *Kitāb al-ḥurūf* in 1969 (Beirut: Dar el-Mashreq Publishers) on the basis of what was then a unique and newly discovered manuscript, concludes from the text that the passage evidently refers to what Galen said and not what Alfarabi said (39). This is also the reading of the Bodleian manuscript of the *Fuṣūl*, which connects the statement concerning the *Kitāb al-ḥurūf* with the previous passage. See similarly Joseph Kafaḥ's edition of this passage in his *Iggerot ha-Rambam* (Jerusalem: Mossad Harav Kook, 1972) 149. This connection has some basis in the *Kitāb al-ḥurūf*. See sec. 114:134–35.

[26] On the expression "shape and lineaments (*shakl wa-takhṭīṭ*)," see also, *Guide* 1.1 and 1.7 (Arabic: 14–15, 22, English: 21–23, 33).

world and propagated by thinkers of the stature of al-Masʿūdī (d. 956) and Ibn Khaldūn (d. 1406).[27] Among the books known to Maimonides, this idea is mentioned in Alfarabi's *al-Siyāsah al-madaniyyah* in his account of men who are bestial by nature. Alfarabi writes: "They are to be found in the extremities of the inhabited world (*fī aṭrāf al-masākin al-maʿmūrah*), either in the remotest north or in the remotest south."[28]

Now the identification of the people in the far north as Turks and of the people in the far south as Negroes is an identification that could not have been made by Galen or any classical writer. Alfarabi does not make the identification and rather counts the Turks among the pleasure-seekers and citizens of the base city.[29] Among the authors we know Maimonides read, the identification is made, although not explicitly, by Miskawayh's famous contemporary Avicenna, near the end of *al-Shifā'*. Avicenna writes:

[27] See, e.g., al-Masʿūdī, *Kitāb al-tanbīh wa'l-ishrāf*, ed. M. J. de Goeje (Leiden, 1894) 23–24; French trans. B. Carra de Vaux, *Le livre de l'avertissement et de la revision* (Paris, 1896) 38–40. See further, S. M. Ziauddin Alavi, "Al-Masʿūdī's Conception of the Relationship between Man and Environment," *Al-Masʿūdī, Millenary Commemoration Volume*, ed. S. Maqbul Ahmad and A. Rahman (Aligarh: Aligarh Muslim University, 1960) 93–96; and Tarif Khalidi, *Islamic Historiography* (Albany: State University of New York Press, 1975) 70–73. For Ibn Khaldūn, who was clearly influenced by al-Masʿūdī in his discussion of the influence of clime upon human character and intellect, see *The Muqaddimah*, trans. Franz Rosenthal, 2nd ed., 3 vols. (Princeton: Princeton University Press, 1967) 1:167–76. Ibn Khaldūn writes (1:168–69): "The inhabitants of the zones that are far from temperate . . . are also farther removed from being temperate in all their conditions. . . . Their qualities of character, moreover, are close to those of dumb animals. . . . The reason for this is that their remoteness from being temperate produces in them a disposition and character similar to those of dumb animals, and they become correspondingly remote from humanity." For the notion of the influence of clime upon intellect in Jewish sources, see Joseph ibn Ẓaddiq, *The Microcosm* (*Ha-ʿOlam Ha-Qaṭan*), Hebrew trans., ed. S. Horovitz, *Der Mikrokosmos des Josef Ibn Ṣaddik* (Breslau, 1903) 41 (although the Hebrew term *aqlim* is not employed). This notion of the difference of climes and their effect upon man is at the foundation of Judah Halevi's views on the special character of the Land of Israel. See his *Kuzari* (*al-Kitāb al-khazarī*), ed. David H. Baneth and Haggai Ben-Shammai (Jerusalem: Magnes Press, 1977) 1.95:28; cf. 1.1:4 (on the special character of the Land of Israel for Halevi, see 2.8–24). Cf. Baḥya ben Asher, *Commentary on the Torah*, ed. Charles B. Chavel, 3 vols. (Jerusalem: Mossad Harav Kook, 1972) 2:8 (on Ex. 1:2–3) and 2:283 (on Ex. 25:38).

[28] *Al-Siyāsah al-madaniyyah*, ed. Fauzi M. Najjar (Beirut: Imprimerie Catholique, 1964) 87; trans. by Najjar in Ralph Lerner and Muhsin Mahdi, eds., *Medieval Political Philosophy: A Sourcebook* (Glencoe, Ill.: Free Press, 1963) 42.

[29] See *al-Siyāsah al-madaniyyah* (Arabic: 103, English: 52).



> The same applies to people not very capable of acquiring virtue. For these are slaves by nature as, for example, the Turks and the Negroes (*al-zanj*) and in general all those who do not grow up in noble climes (*al-aqālīm al-sharīfah*).[30]

It seems then that Miskawayh's source for his illustration was Galen, and specifically a passage like the one cited or paraphrased by Maimonides in his *Fuṣūl*. Miskawayh added to Galen's teaching of the lowest intellects existing in the remotest north and south an identification of the inhabitants of these regions as Turks and Negroes, based on the current views in his day. He then declared that such people, whom Alfarabi had already explained must be treated like animals, are only slightly better than apes.[31] Maimonides re-

[30] *Al-Shifā'*, Metaphysics, ed. G. C. Anawati et al., 2 vols. (Cairo: Organisation Générale des Imprimeries Gouvernementales, 1960) 453; trans. by Michael E. Marmura in *Medieval Political Philosophy* 108. On the identification of the people in the far north as Turks and of the people in the far south as Negroes, see al-Masʿūdī, *al-Tanbīh* (Arabic: 23–24, French: 38–40); Abū Ḥātim al-Rāzī (d, ca. 942), cited in Shlomo Pines, "Shīʿite Terms and Conceptions in Judah Halevi's *Kuzari*," *Jerusalem Studies in Arabic and Islam* 2 (1980): 204; Ibn Ḥazm (d. 1064), *Risālah marātib al-ʿulūm*, ed. I. R. ʿAbbas in his *Rasā'il Ibn Ḥazm al-Andalusī* (Cairo, n.d.) 79; and Ibn Khaldūn, *Muqaddimah* 1:168–69, and 3:161–62, 245. The identification of the people in the far north is usually not limited to the Turks. For example, al-Masʿūdī also counts Slavs (*al-Ṣaqālibah*) and Franks (*al-Afranjah*) among the far northern peoples (cf. similarly, Ibn Khaldūn, *Muqaddimah* 1:169–73 and 251, n. 8); Abū Ḥātim al-Rāzī mentions the Daylamites along with the Turks; and Ibn Ḥazm lists the Turks and the Khazars. For al-Masʿūdī's views of Turks, see Khalidi, *Islamic Historiography* 101–02. For the medieval Arabic attitude toward Negroes and the impact of their extreme clime upon their intellect and character, see N. Levtzion and J. F. P. Hopkins, *Corpus of Early Arabic Sources for West African History* (Cambridge: Cambridge University Press, 1981), e.g., 24, 205, 213–15, and 321–22; and Ibn Khaldūn, *Muqaddimah* 1:118–19 and 168–76.

[31] On the approximation of apes to men, see Abraham Ibn Da'ud, *Ha-Emunah ha-Ramah*, trans. Solomon ibn Lavi, ed. Simson Weil (Frankfurt a. M., 1852) 31: "Among [the animals] there is that which is very close to the nature of man, like the ape (*ha-qof*)." See also Ikhwān al-Ṣafā', *Rasā'il Ikhwān al Ṣafā'* 4 vols. (Cairo, 1928) 4:317: "Among [the animals] is what approximates the human rank in form and body like the ape (al-*qird*)." For the Ikhwān al-Ṣafā', the ape is one of several animals which each in its own way resembles the rank of man. See further, Ibn Khaldūn, *Muqaddimah*, ed. M. Quatremère, *Prolégomènes d'Ebn-Khaldoun* 3 vols. (Paris, 1858) 1:174 (English: 1:195): "The stage of man is reached from the world of the apes (*al-qiradah*), in which both cleverness and perception (*al-kays wa'l-idrāk*) are found, but which has not reached the stage of actual reflection and thinking." See similarly, *Muqaddimah* (Arabic: 2:373, English 2:423). Cf. Abū Sulaymān al-Sijistānī, "On the

membered Miskawayh's account of this lowest class of men, which incorporated generally accepted opinions, and used it in his own ranking of men in the *Guide*.

The argument that Maimonides used this passage from the *Tahdhīb* is further strengthened by his retention of Miskawayh's remark that men of this class differ from the ape only with regard to their discernment (*tamyīz*). Maimonides writes:

> For they have the external shape and lineaments of a man and a faculty of discernment that is superior to the faculty of discernment of the ape (*wa-tamyīz fawqa tamyīz al-qird*).[32]

There are two surprising elements in this statement: (1) the attribution of discernment (*tamyīz*) to the ape, and (2) the specification of discernment as the distinction between man and ape. Both views go against the philosophical thinking of the period. According to the Jewish thinkers who preceded Maimonides, the faculty of discernment (*al-tamyīz*) is particular to man, and is but one of several elements that distinguish man from the other animals.[33] The Islamic Aristotelians, whom Maimonides valued, did not have much use for a faculty of discernment. To the extent that they did employ *tamyīz* in this sense, they applied it to man. Thus, for example, Alfarabi writes in his *Fuṣūl muntazaʿah:*

> . . . similarly, all the psychic faculties by which man is made noble, such as discernment (*al-tamyīz*) and what follows it, which in good men is a cause for all good, and it is very noble and excellent, and in evil men is a cause for all evil and destruction.[34]

Specific Perfection of the Human Species," trans. by Joel L. Kraemer in his *Philosophy in the Renaissance of Islam: Abū Sulaymān al-Sijistānī and His Circle* (Leiden: E. J. Brill, 1986) 295: "Some [animals are given] along with these [i.e., the senses and imagination] the faculty of estimation (*tawahhum*) and a glimpse of the faculties of conception and cogitation, such as the animal called 'ape' (*nasnās*) and 'weasel' (*ʿirās*)." Note that al-Sijistānī, a contemporary of Miskawayh's, employs the term *nasnās* for ape. Miskawayh has a statement about apes similar to the one in the *Tahdhīb* in his *al-Fawz al-aṣghar*, but his formulation in the *Tahdhīb* is much closer to that in the *Guide*. See *al-Fawz al-aṣghar*, trans. by J. Windrow Sweetman in his *Islam and Christian Theology*, 1/1 (London and Redhill: Lutterworth Press, 1945) 161–62.

[32] See above, n. 17.

[33] See below, Appendix B.

[34] *Fuṣul muntazaʿah*, sec. 93:95; trans. by D. M. Dunlop, *Fuṣūl al-Madanī (Aphorisms of the Statesman)* (Cambridge: Cambridge University Press, 1961), sec. 88:72. See also *Fuṣūl muntazaʿah* (Arabic: sec. 85:89, English: sec. 80:66–67): "It is said of man that he is intelligent and that he intellects when two things are united in him: (1) that he has excellence of discernment (*tamyīz*) with regard to the actions which should be chosen or avoided; and (2) that he employs the most excellent of all that he comprehends by the excellence of his discernment."



Maimonides himself does not explain what he means by *tamyīz* in *Guide* 3.51, but he does mention the term in *Guide* 1.2, in a sense that seems at first sight to contradict his later usage. Maimonides writes:

> This is what the objector said: It is manifest from the clear sense of the biblical text that the primary purpose with regard to man was that he should be, as the other animals are, devoid of intellect, of thought, and of the capacity to distinguish between good and evil (*wa-lā yufarriq bayn al-khayr wa'l-sharr*). However, when he disobeyed, his disobedience procured him as its necessary consequence the great perfection peculiar to man (*al-kamāl al-ʿaẓīm al-khaṣīṣ bi'l-insān*), namely, his being endowed with the capacity that exists in us to make this distinction (*al-tamyīz*), which is the noblest of the characteristics (*ashraf al-maʿānī*) existing in us.[35]

In other words, in the beginning, man was like all the other animals, without intellect and a faculty of discernment. As a consequence of Adam's disobedience, man became endowed with the "great perfection peculiar to man," a faculty of discernment through which he could distinguish between good and evil. In this passage, *tamyīz* is explicitly attributed to man alone.

This passage, however, does not contradict Maimonides' statement in *Guide* 3.51, for here Maimonides is presenting a position with which he vehemently disagrees. The objector, according to Maimonides, totally misunderstands the biblical text. In the beginning, man was endowed with intellect (*al-ʿaql*), which is his ultimate perfection (*al-kamāl al-akhīr*), and through which he could distinguish between truth and falsehood (*yufarriq bayn al-ḥaqq wa'l-bāṭil*). When man was in this original and most perfect state, he had "no faculty (*quwwah*) that was engaged in any way in the consideration of generally accepted things (*al-mashhūrāt*), and he did not apprehend them." Among the generally accepted things belong good and bad, in contrast to truth and falsehood, which belong to the things cognized by the intellect (*al-maʿqūlāt*). Man's punishment as a consequence of Adam's disobedience was that he became "endowed with the faculty of apprehending generally accepted things, [and] he became absorbed in judging things to be

[35] *Guide* 2.2 (Arabic: 15–16, English: 23–24).

bad or fine." This was man's punishment. The end result was that "God reduced him, with respect to his food and most of his circumstances, to the level of the beast." Maimonides cites Psalms 49:13: "Adam, unable to dwell in dignity, is like the beasts that speak not." In other words, man's disobedience did not procure for him intellect, for he already had it, nor did it distinguish him from the other animals, for he already was greatly distinguished from them. Rather, it procured for him a "faculty of apprehending generally accepted things," and he consequently directed his attentions toward judging things to be good or bad. This preoccupation distracted him from cognizing the things of the intellect (*al-maʿqūlāt*), and to the extent that he was so preoccupied, he became "like the beasts that speak not."[36]

Maimonides cites the same verse from Psalms in *Guide* 3.18, in the context of his teaching that "divine providence does not watch in an equal manner over all human individuals," for providence is "consequent upon the intellect." Maimonides writes:

> As for the ignorant and disobedient, their state is despicable proportionately to their lack of overflow [that is, the minuteness of their intellect], and they have been relegated to the rank of individuals of all the other species of animals: *He is like the beasts that speak not.*[37]

The teaching of *Guide* 1.2, is here reiterated in yet clearer terms: to the extent that man focuses upon the *maʿqūlāt*, he draws near to God and highest human perfection; to the extent that he is absorbed in the *mashhūrāt*, he draws away from God and approaches the rank of the other animals.

Maimonides' statement in *Guide* 3.51, that the lowest rank of man is distinguished from the ape by a superior faculty of discernment (*tamyīz*), is unusual among his predecessors. Why not say that man is distinguished by his intellect (*al-ʿaql*) or his rational faculty (*al-quwwah al-nāṭiqah*)?[38] The answer that emerges from earlier chapters of the *Guide*, such as the two just cited, is that the lowest rank of man, in his total absorption in the *mashhūrāt*, has not developed his intellect. For such a man, the intellect does not exist in actuality, but only in potentiality.[39] He is thus distinguished from the ape

[36] *Guide* 2.2 (Arabic: 16–17, English: 23–26). Lawrence V. Berman discusses this chapter in detail and analyzes its structure in his "Maimonides on the Fall of Man," *AJS Review* 5 (1980): 1–15. Among other recent studies that focus on this chapter must be mentioned Sara Klein-Braslavy's *Perush ha-Rambam la-Sippurim ʿal Adam bi-Parshat Bereshit* (Jerusalem: Rubin Mass, 1986), which devotes over 130 pages to this chapter, and Shlomo Pines's forthcoming "Truth and Falsehood Versus Good and Evil: A Study in Jewish and General Philosophy in Connection with the *Guide of the Perplexed*, I, 2." I have benefitted most from my brother, Warren Zev Harvey's "Maimonides and Spinoza on the Knowledge of Good and Evil," *Iyyun* 28 (1979): 167–85 [Hebrew]; English version in *Binah* 2 (1989): 131–46.

[37] *Guide* 3.18 (Arabic: 343, English: 475). Maimonides cites Ps. 49:13 a third time in the *Eight Chapters* 5 (Arabic: 388, English: 76). This time the verse is cited to support the claim that to the extent that man does not base his actions on thought, he becomes like the other animals.



[38] See, e.g., his *Treatise on the Art of Logic*, ed. Israel Efros, "Maimonides' Arabic Treatise on Logic," *PAAJR* 34 (1966): 14:38; trans. by Butterworth in *Ethical Writings of Maimonides* 158: "The first is the faculty peculiar to man by which he intellects the intelligibles, masters the arts, and discerns (*yumayyiz*) between the base and the noble. They call this meaning the rational faculty (*al-quwwah al-nāṭiqah*)" (cf. "Alfarabi's Introductory *Risālah* on Logic," ed. D. M. Dunlop, *Islamic Quarterly* 3 [1956]: 228). See similarly, *Eight Chapters* 1 (Arabic: 376, English: 63): "The rational part [*al-juz' al-nāṭiq*; Alfarabi; *al-quwwah al-nāṭiqah*] is the faculty that exists in man by which he intellects the intelligibles, deliberates, acquires the sciences, and discerns (*yumayyiz*) between base and noble actions" (cf. Alfarabi, *Fuṣūl muntazaʿah*, sec. 7:29). See further the discussion of the rational faculty (*al-quwwah al-nāṭiqah*) in *Guide* 1.53 and 1.72 (Arabic: 82 and 132, English: 121 and 190–91). Incidentally, Maimonides' statement on the rational faculty in 1.53 may be used to support Butterworth's emendation of *yaḥūz* in chapter 14 of the *Treatise on the Art of Logic* (see *Ethical Writings* 163, n. 5; cf. Efros 159, n. 16).

[39] This is precisely Maimonides' position as it emerges in the *Guide*. According to Maimonides (1.72 [Arabic: 132, English: 190]), the rational faculty (*al-quwwah al-nāṭiqah*) is indeed a "proprium of man only," that is, it is "something that is not to be found in any of the species of living beings other than man." But this faculty is specifically identified by Maimonides with the hylic intellect (*al-ʿaql al-hayūlānī*). It is not a faculty that exists in actuality, but is "a mere faculty of disposition (*quwwah al-istiʿdād*)" (see 1.70 [Arabic: 119, English: 174]). Man's ultimate perfection consists in the actualization of his disposition "to become rational in actuality, that is, to have an intellect in actuality [*ʿaql bi'l-fiʿl*]." In its ultimate state, "this would consist in his knowing everything concerning all the beings that it is within the capacity of man to know" (3.27 [Arabic: 372, English: 511]). To the extent that man does not actualize his intellect, he is like the other animals (this, we have seen, is a teaching of 1.2); through the attainment of the rational virtues, that is, by conceiving the intelligibles (*al-maʿqūlāt*), man is man (*bi-hā al-insān insān*) (3.54 [Arabic: 469, English: 635]). But this is not man's state at birth, nor does it seem to be the state of the lowest rank of men, "who have no doctrinal belief, neither one based on speculation nor one that accepts the authority of tradition," and who, in Maimonides' opinion, do not even deserve the rank of men (see above, n. 17; see also 1.7 [Arabic: 22, English: 33]). Now the view that all men have a faculty of disposition or hylic intellect, that is, an intellect in potentiality, but not all men have an intellect in actuality is discussed by Avicenna.

only in his more sophisticated ability to distinguish among the *mashhūrāt*, that is, in his faculty of discernment. Among Maimonides' predecessors, as we have seen, it is Miskawayh who also distinguishes the lowest rank of man from the ape by his faculty of discernment or *tamyīz*.

We conclude that Maimonides derived his illustration of the lowest rank of men from the second discourse of Miskawayh's *Tahdhīb al-akhlāq* or, if not, from a text that directly influenced Miskawayh.

Miskawayh was unknown or virtually unknown to the medieval Jewish thinkers after Maimonides. If Maimonides had mentioned Miskawayh either in the *Guide* or in the letter, so would have Pines; and it is likely that this thinker would have been better known both to the medieval Jewish thinkers

See, e.g., *al-Najāh* (Cairo, 1938), 2.6.5:165–66; trans. by F. Rahman in his *Avicenna's Psychology* (London: Oxford University Press, 1952) 33–35; cf. Averroes, *Epitome* of the *De Anima*, ed. by A. al-Ahwani in *Talkhīṣ kitāb al-nafs* (Cairo, 1950) 70–71. This view derives from Alexander of Aphrodisias (see the statement cited by Rahman in *Avicenna's Psychology* 88). The relation between aspects of the respective theories of intellect of Avicenna and Maimonides is suggested by Shem-Ṭov Falaquera in his *Moreh ha-Moreh* (Pressburg, 1837) 11, on *Guide* 1.2, where he cites a parallel passage from Avicenna's *al-Shifā'* (from *Avicenna's De Anima*, ed. F. Rahman [London: Oxford University Press, 1959] 207). Note, however, that Maimonides in the *Guide*, in contrast to Avicenna in this passage (and Averroes in the passage referred to above), does not use the term "practical intellect" (cf. *Eight Chapters* 1 [Arabic: 376, English: 63] and *Fuṣūl muntazaʿah*, sec. 7:29; the term *al-ʿaql al-ʿamalī* is employed and defined by Alfarabi in sec. 38:54–55). This point that Maimonides does not use the term "practical intellect" is made, reiterated, and explained by Pines in "Truth and Falsehood Versus Good and Evil" (for an earlier formulation of this point by Pines, see Harvey, "Maimonides and Spinoza" 180, n. 85; Pines's article, "On Spinoza's Conception of Human Freedom and of Good and Evil," cited by Harvey from a pre-print, appeared four years later in *Spinoza: His Thought and Work* [Jerusalem: Israel Academy of Sciences and Humanities, 1983], see 152). Pines, perhaps following Falaquera, suggests in "Truth and Falsehood" that the passage from *al-Shifā'* "may have had a direct bearing on *Guide* I, 2"; but a bit later cites a passage from *Kitāb al-ishārāt wa'l-tanbīhāt* (in which Avicenna does not refer to the practical intellect; see in J. Forget's edition of *al-Ishārāt* [Leiden, 1892] 58–59), which he argues "is in some ways more relevant to *Guide* I, 2 than the passage in *al-Shifā'*," and on some points identical with it. For a coherent account of Maimonides' theory of intellect, see Altmann's learned study, "Maimonides on the Intellect and the Scope of Metaphysics." Altmann argues, in his discussion of the material intellect, that Maimonides' "characterization of the material intellect as a 'mere [faculty of] disposition' . . . can only mean that the rational soul as the form of the human body supplied by the Active Intellect is no substance but a mere capacity to think, is merely 'material' or potential intellect" (66–67).



and to present-day students of Maimonides. This is, of course, equally true for other thinkers and texts, not cited in the *Guide* or in the letter, whose influence on the *Guide* can be argued.[40] This ignorance may seem regrettable to us, but it was hardly accidental. For even if Maimonides did read the *Tahdhīb*, and even if that work influenced him in some way, this does not mean that he would have recommended it. Certainly, as we have seen, it accords with many of his own teachings, but it also presents a system of Aristotelian ethics tainted with broad strokes of Plato, Galen, Porphyry, and others.[41] Given Maimonides' inclination toward economy of reading and the existence of Aristotle's *Ethics*, the commentaries of Alfarabi and Averroes, and his own *Eight Chapters*, the recommendation of Miskawayh's eclectic text would hardly have seemed to him warranted or even desirable.

## APPENDIX A

### Miskawayh's *Tahdhīb al-Akhlāq* and Shem-Ṭov Falaquera's *Shelemut ha-Maʿasim*

Miskawayh may not have been cited or mentioned by any medieval Jewish thinker, but was he read by any of them, apart perhaps from Maimonides? Thirty-five years ago, Martin Plessner, in a very suggestive article on the importance of Shem-Ṭov Falaquera for the study of the history of philosophy, drew a parallel between a short passage in Falaquera's *Sefer ha-Mevaqqesh* and a passage in Miskawayh's *Tahdhīb al-akhlāq*.[42] The Falaquera passage is not a translation or paraphrase of the Miskawayh passage, but it does share a number of specific ideas with it. Moreover, the general point of both passages is the same. The Miskawayh passage is based on Aristotle's *Nicomachean Ethics* 5.5, although it is not a translation from it. The

[40] I have in mind certain texts of Avicenna and Algazali. See the references in my "Meaning of Terms Designating Love."

[41] See Richard Walzer, "Some Aspects of Miskawaih's *Tahdhīb al-Akhlāq*," *Greek into Arabic* (Oxford: Bruno Cassirer, 1962) 220–35; and Pines, "Un texte inconnu" 5–43. On Miskawayh's sources in the *Tahdhīb*, see also, Arkoun, *Contribution à l'étude de l'humanisme arabe* 142–46.

[42] M. Plessner, "The Importance of R. Shem-Ṭov ibn Falaquera for the Study of the History of Philosophy," *Homenaje a Millás-Vallicrosa*, vol. 2 (Barcelona, 1956) 167–69 [Hebrew]. The passages may be found in *Sefer ha-Mevaqqesh* (Amsterdam, 1772) 47, and *Tahdhīb* 4 (Arabic: 115–16, English: 103–04).

Falaquera passage, in addition to expressing ideas from the *Ethics* which it could have derived from the Miskawayh passage, shares with the latter certain other ideas and turns of phrase that are not found in the *Ethics*. Plessner was aware of all this and concluded that "it is clear that a text like this [one by Miskawayh] stood between Aristotle and Falaquera."[43] In other words, Plessner realized that Falaquera's passage ultimately derived from the *Ethics*, but through a medium such as Miskawayh or some other text that influenced or was influenced by Miskawayh. Little more could be asserted with confidence at the time.

The recent publication of a first edition of Falaquera's *Shelemut ha-Maʿasim* by Raphael Jospe provides new evidence for the influence of Miskawayh on Falaquera. *Shelemut ha-Maʿasim* is a short ethical treatise, divided by Falaquera into ten chapters.[44] Jospe correctly points out that the first six chapters of the treatise are based on the *Nicomachean Ethics*, while the last four have little to do with it.[45] He cites Lawrence Berman's opinion that Falaquera employed an Arabic version of the *Nicomachean Ethics* in writing the treatise, and supports this contention in the notes to the text with numerous lengthy English citations of parallel passages from the *Ethics*. Indeed, it seems clear from several passages of *Shelemut ha-Maʿasim* that if Falaquera did not have access to the Arabic translation of the *Ethics*, he must have relied on a faithful paraphrase or commentary of the text. On the other hand, there is much evidence that points to the direct influence of Miskawayh's *Tahdhīb* on Falaquera's treatise.

To begin with, chapter 3 of *Shelemut ha-Maʿasim* (hereafter cited as *SM*) contains a passage parallel to the one cited by Plessner from the *Mevaqqesh*, but unlike the latter, the passage in *SM* contains a few sentences virtually identical with the corresponding passage in the *Tahdhīb* (hereafter cited as *TA*).[46] The Hebrew words from *SM* printed in bold translate the Arabic of *TA*.

[43] Plessner 169.

[44] *Shelemut ha-Maʿasim* appears in Jospe's *Torah and Sophia: The Life and Thought of Shem Tov Ibn Falaquera* (Cincinnati: Hebrew Union College Press, 1988) 417–38.

[45] Jospe 412–14.

[46] The passages are from *SM* 3:422, and *TA* 4 (Arabic: 116, English: 103–04). The words in *SM*, **השני ימעיט מהאחד ויוסיף על**, reverse the order in the critical edition of *TA*. Naṣīr al-Dīn al-Ṭūsī, in a thirteenth-century Persian citation of this passage from *TA* in his *Akhlāq-i Nāṣirī*, trans. G. M. Wickens, *The Nasirean Ethics* (London: George Allen & Unwin, 1964) 98, similarly reverses the order of these words. It thus seems probable that the readings in Falaquera and al-Ṭūsī reflect the order in their respective copies of the text, and may even preserve the original text of Miskawayh.



*SM*

**והדינר משוה בין שיעורי כל הדברים ימעיט מהאחד ויוסיף על השני עד שישתוו המשא והמתן בין בני אדם. וביושר המדיני נושבו המדינות ובחמס המדיני חרבו המדינות.**

*TA*

فالدينار هو الذي يساوي بين المختلفات ويزيد في شيء وينقص من شيء آخر حتى يحصل بينهما الاعتدال، فتستوي العاملة بين الفلاح والنجار مثلا، وهذا هو العدل المدني. وبالعدل المدني عمّرت المدن، وبالجور المدني خرّبت المدن.

These two sentences are based loosely on *Nicomachean Ethics* (hereafter cited as *NE*) 5. 5:1133a19–24 and 1132b33–34 respectively.[47] *SM* thus not only reproduces the articulation of *TA*, which is not found in *NE*, but also reproduces the order of *TA*, which reverses that in *NE*.

The passage immediately before this passage in *SM* is virtually a word-for-word translation of another passage from *TA*. These passages read as follows:[48]

*SM*

**וזה כי הישר יעשה היושר בעצמו ובחברו. והחומס יעשה החמס בעצמו ובחבריו. ואין היושר חלק מהמעלה אלא היא המעלה כולה. ולא הרוע שהוא הפכו חלק מהפחיתות אלא הוא הפחיתות כלה.**

*TA*

فالعادل يستعمل العدالة في ذاته وفي شركائه المدنيين، والجائر يستعمل الجور في ذاته وفي اصدقائه ثم في جميع شركائه المدنيين.
قال: وليست العدالة جزءا من الفضيلة بل هي الفضيلة كلها، ولا الجور الذي هو ضدها جزءا من الرذيلة لكن الرذيلة كلها.

These sentences are essentially a translation of *NE* 5. 1:1130a5–10. Aristotle, however, speaks of the "worst man" before the "best man." According to Aristotle, but in contrast to both *SM* and *TA*, "the best man is *not* he who practices virtue toward himself [and toward others], but he who practices it [only] toward others, for this is a difficult task."[49]

Plessner, in the article to which we have referred, draws a parallel

[47] Cf. Isḥāq ibn Ḥunayn's Arabic translation of *NE* (hereafter cited as *NE*-Ar) 186–187.

[48] *SM* 3: 422; *TA* 4 (Arabic: 117, English: 104).

[49] *NE*-Ar reads: "The excellent man (*al-fāḍil*) is not the one who practices virtue (*al-faḍīlah*) toward himself, but he who practices it toward others, for this act is difficult" (176). *SM*, like *TA*, speaks of the just man (*ha-yashar*; *al-ʿādil*) and justice in place of the excellent man and virtue, and both omit the last phrase, "for this act is difficult."

between a passage in Falaquera's *Sefer ha-Maʿalot* and one in book 10 of *NE*, to show that Falaquera also knew the last books of *NE*. The passage from *Sefer ha-Maʿalot* is indeed, in part, a paraphrastic translation of *NE* 10.7:1177b32–1178a1.[50] It seems, however, also to be a direct translation of a corresponding passage in *TA*, again with particular elements not found in *NE*. Now this passage is translated by Falaquera anew in chapter 6 of *SM*. The passages in *SM* and *TA* read as follows:[51]

*SM*

**אין צריך שיהיו מעלות האדם מעלות אנושיות, ואם הוא איש, ולא שיהיו מתות, ואם הוא מת בגופו. אלא צריך שישימם נעדרות המות כפי מה שאיפשר, ושיפעל כל דבר כדי שיחיה חיים אלהיים, כי האדם אע״פ שהוא קטון הגוף הגדול הוא בחכמה ובשכל למעלה מנבראי זה העולם, כי הוא העצם הראש המושל על הכל.**

*TA*

وأرسطوطليس يقول: ليس ينبغي أن تكون همم الانسان انسية وان كان انسانا، ولا يرضى بهمم الحيوان الميِّت وان كان هو ايضا ميِّتا، بل يقصد بجميع قواه أن يحيا حياة الهية. فان الانسان وان كان صغير الجثة فانه عظيم بالحكمة شريف بالعقل، والعقل يفوق جميع الخلائق لأنه الجوهر الرئيس المستولي على هذا الكل.

The translation in *SM* differs from the one in *Sefer ha-Maʿalot* slightly in terminology and style, but remains faithful to *TA*.[52] Passages that precede and follow it in chapter 6, however, provide additional indication that the passage indeed derives from *TA*. Our passage in *SM* is preceded by the statement: "All these are divine gifts which God, may He be exalted, bestows upon those of His servants whom He wishes" (**ואלו כולם מתנות אלהיות יתנם האלוה יתעלה למי שירצה מעבדיו**). A bit before the corresponding passage in *TA*, Miskawayh writes: "It is rather a divine gift which [God, may He be exalted,]

[50] Plessner 171–72. See Falaquera, *Sefer ha-Maʿalot* (Berlin, 1894) 28. Cf. *NE*-Ar 351.

[51] *SM* 6: 428; *TA* 5 (Arabic: 171, English: 152).

[52] Both *SM* and *Sefer ha-Maʿalot* translate *TA* as opposed to *NE*. Yet, interestingly, the middle part of our passage, which is not from *TA* (in *SM*: **ולא שיהיו מתות. ואם הוא מת בגופו. אלא צריך שישימם נעדרות המות כפי מה שאיפשר, ושיפעל כל דבר**), is virtually a word-for-word translation from *NE*-Ar. The next words in *SM*, **כדי שיחיה חיים אלהיים**, move through a shared phrase in *NE*-Ar and *TA* from *NE*-Ar (*ʿalā an yaḥyā ḥayāh aqwā mā fī-hi*) to *TA* (*an yaḥyā ḥayāh ilahiyyah*), and then proceed to translate virtually word-for-word from *TA*. Note that the word **מעלות**, at the beginning of the passage in *SM*, in translation of *al-himam* in *NE*-Ar and *TA*, should probably be emended to **מטרות**.



bestows upon those of His servants whom He chooses" (**وانما هي موهبة الهية يهبها لمن اصطفاه من عباده**). The passage in *TA* is immediately followed by the following passage, which is also translated by Falaquera in chapter 6 of *SM*:[53]

*SM*

**והאדם בעוד שהוא בזה העולם יצטרך לטוב הענין שהוא חוצה לו. אבל אין הסיפוק בריבוי בלבד, כי אפשר שיעשה הפעלים המעולים מי שאינו מושל על היבשה והים. ואנחנו רואים שפלי בני אדם עושים מצד הממון והמלכות הפעלים המעולים. ועל כן נאמר כי המצליחים הם מי שנתן לבם בסיפוק מהטובות שמחוץ ועשו המעשים המעולים, ואע״פ שקנינם מועט.**

*TA*

ان الانسان ما دام في هذا العالم فانه محتاج الى حسن الحال الخارجة منه، ولكن لا ينبغي ان ينصرف الى طلب ذلك بقوته كلها ولا يطلب الاستكثار منه. فقد يصل الى الفصيلة من ليس بكثير المال ولا ظاهر اليسار، فان الفقير من المال والأملاك قد يفعل الأفعال الكريمة، ولذلك قال الحكماء: ان السعداء هم الذين رزقوا القصد من الخيرات الخارجة عنهم، وفعلوا الأفعال التي تقتضيها الفضيلة وان كانت قنيتهم قليلة.

The passage in *TA* is based in part on *NE* 10.8: 1178b32–1179a18, but interestingly is prefaced by Miskawayh with the words "We have stated previously (*wa-qad qulnā fīmā taqaddama*)," which may refer to Miskawayh himself.[54] In any case, the reference is apparently to a passage in chapter 3 of *TA*, which is attributed by Miskawayh to Aristotle. The passage is in fact, for the most part, an abridged translation of *NE* 1. 8–9:1099a32–1099b13. As it turns out, this passage in *TA* is also translated by Falaquera in an earlier chapter of *SM*. The passages in *TA* and *SM* read as follows[55]

*SM*

**וההצלחה האלהית בזה העולם מצטרכת אל הטובות שהן חוץ לאדם, כי יקשה על האדם שיעשה המעשים הנאים בלא חמר כמו העשר בטובת החיים ורוב האחים וטובת המזל. ומפני זה הצטרכה ההנהגה אל המלאכות להראות מעלתה. וכל דבר מהדברים מתנה מאלוה**

*TA*

نحتاج في هذا التمام الذي هو الغاية القصوى الى سعادات أخر، وهي التي في البدن والتي خارج البدن. وأرسطوطليس يقول: انه يعسر على الانسان ان يفعل الافعال الشريفة بلا مادة، مثل اتساع اليد وكثرة الاصدقاء وجودة البخت. قال: ولهذا ما احتاجت الحكمة الى صناعة الملك

[53] *SM* 6: 429; *TA* 5 (Arabic: 171–72, English: 152–53). *SM*, with the exception of the sentence noted below in n. 59, translates this passage in *TA* word-for-word. **המלכות** is a mistaken translation of *TA*'s *wa'l-amlāk*. Falaquera's text apparently had another form of the Arabic root *m-l-k*.

[54] Cf. *NE*-Ar 355. Aristotle does not refer back to any section in this passage, although he does in others (cf. *NE*-Ar 358 and 352).

في اظهار شرفها. قال: ولهذا قلنا ان كان شيء عطية من الله تعالى وموهبة للناس، فهو السعادة لأنها عطية وموهبة منه عز اسمه في اشرف منازل الخيرات وفي أعلى مراتبها، وهي خاصة بالانسان التام.

**יתעלה לבני אדם.** והגון שתהיה ההצלחה **מתנה אלהית,** כל שכן בהיותה המעולה שבדברים שייוחס אליהם **האדם** לפי מה שהיא המעולה שבעניני האדם כלם.

As in the other passages from *SM* reproduced above, it is clear that this one too was not translated from *NE*, but from *TA* or, to use Plessner's expression, a text like *TA*.[56] *TA* is rarely simply a translation of sentences from *NE*. When it is based on *NE*, it skips about the text, and often offers new nuances, terms, and structures, at times interspersed with statements not found in *NE*. When these same new nuances, terms, and structures, together with the added statements, are found in *SM*, as they are in the passages above, they point to their not-*NE* source. We may conclude on the basis of the above corresponding passages in *TA* and *SM* that in these instances *SM* translates *TA* or a text like *TA*, and not directly *NE*.[57]

Now the hasty reader may well be impatient at the indefiniteness of our conclusion. Why not say that in certain places in *SM*, Falaquera definitely translates *TA*? Why the qualification of "or a text like *TA*"? This was necessary for Plessner, but we have before us now direct translations. In addition, one of the above passages in *TA* is even prefaced by the words "as we have stated previously," which refer to an earlier section of *TA*.

There are signposts that caution against such an unequivocal conclusion. For example, the second passage from *SM* above, which is virtually a word-for-word translation from *TA*, is preceded by a statement proclaiming justice the best of all virtues, whose acts are more wonderful than the evening star and the morning star, for justice is the perfect virtue. This statement does not occur in *TA*, but it does roughly translate *NE* 5.1:1129b26–31, a passage that precedes the underlying text in *NE* of the passage in *TA*.[58] We have pointed out that the corresponding passage in *SM* is a closer translation of *TA* than *NE*, but now we see that it has an element from *NE* and not *TA*. Similarly,

[55] *SM* 1:418–19; *TA* 3 (Arabic: 78–79, English: 71–72).

[56] Cf. *NE*-Ar 72–73. Once again, the sentence in *SM* (the last sentence in the passage) that does not translate *TA*, translates and paraphrases *NE*-Ar. The first few words of the passage also may come from *NE*-Ar.

[57] Excepting those words and statements in the passages that, as we have seen, come from *NE*-Ar and not *TA*.

[58] See *SM* 3:422, 11. 2–3. Cf. *NE*-Ar 175–76. The phrase, e.g., in *SM*, **נפלאים יותר מהכוכב הזורח בערב ובבקר** translates *ashadd iʿjāban min al-kawkab al-mushriq bi'l-ʿashiyyāt wa'l-ghadawāt* in *NE*-Ar, and has no parallel in *TA*.



the fourth passage from *SM* translates *TA*, for the most part, word-for-word. This passage from *TA*, while based on *NE*, is not at all a translation from it. Yet the one sentence in the corresponding passage in *SM* that does not translate *TA*, **אבל אין הסיפוק בריבוי בלבד, כי איפשר שיעשה הפעלים המעולים מי אבל שאינו מושל על היבשה והמים** translates *NE* 10.8:1179a2–4.[59]

Another signpost can be seen in the third passage from *SM*, which, as we have seen, translates *TA* and not *NE*. Falaquera translates this passage in *Sefer ha-Maʿalot* as well. Now both texts of Falaquera's do not stop where *TA* stops, but continue for another dozen lines, presumably continuing the translation from the same source. If the translation is, as it appears, a continuation of the previous passage, and if the latter passage translates neither *TA* nor *NE*, then what does this passage in *SM* and *Sefer ha-Maʿalot* really translate?

There are two good reasons for considering the entire passage a translation of a single text. First, Falaquera in *Sefer ha-Maʿalot* quotes the entire passage in the name of Aristotle. This is not surprising even if he translated it from *TA*, for Miskawayh himself attributes the passage (that is, the part in *TA*) to Aristotle, but it does suggest the unity of the text. Secondly, Falaquera employs different terms in his two translations of the passage. This suggests that the two translations were made independently of each other and directly from their single source.[60] If that source is neither *TA* nor *NE*, then it must be a source of Miskawayh's, who relied heavily on *NE*. The only other possibility is that the text was originally in *TA* or Falaquera's copy of it. This alternative is suprisingly attractive because the last two sentences of the full passage lead in very smoothly both contextually and structurally to the passage that follows in *TA*.[61]

[59] Cf. *NE*-Ar 355. The translation is basically word-for-word.

[60] Falaquera quotes this passage, or to be more precise, the last four lines of it, yet a third time in *Moreh ha-Moreh* 135. Again the passage is quoted in the name of Aristotle. Of the three books, *Sefer ha-Maʿalot* (which is the middle volume of the trilogy that follows *Iggeret ha-Vikkuah*) was probably written first, then *SM*, and last *Moreh ha-Moreh* (on the dating of Falaquera's works, see Jospe 31–33). The quotation in *Moreh ha-Moreh* is virtually identical with the corresponding lines in *SM*, and may well have been taken from it (for other citations attributed to Aristotle in *Moreh ha-Moreh* that appear also in *SM*, see, e.g., *Moreh ha-Moreh* 135, 11. 1–5, and 136, 11. 23–24, and *SM* 6: 429, 11. 63–68, and 5:424, 11. 2–4). It may be added that *SM* preserves two lines from the original text that are not found in the printed edition of *Sefer ha-Maʿalot*, probably due to a homoioteleuton.

[61] If this passage were originally in *TA*, it dropped out at a relatively early date. The passage is not only missing in the modern edition of *TA*, but was also missing from the copy of *TA* that Naṣīr al-Dīn al-Ṭūsī used in the thirteenth century. See his Persian translation of the prior passage from *TA* in his *Nasirean Ethics* 209–10.

Did Falaquera actually translate from *TA*? We have already concluded that if he did not, he translated from a text which was a major source of Miskawayh's in writing *TA*. Such a text (hereinafter called *S* for source) would probably have been a paraphrase of or commentary on *NE*. *S* would explain the "signposts" we have just described. The extra words or sentences from *NE* found in *SM*. but not in *TA*, would have been in *S*, and altered or simply not included by Miskawayh in *TA*. The lengthy passage translated twice by Falaquera would be from *S*. Falaquera would have translated it in full; Miskawayh would have abridged it. Moreover, *S* could have provided Falaquera with all his citations from *NE* in his various works, and there would thus be no need to posit that Falaquera had direct access to *NE*.

But perhaps Falaquera did translate directly from *TA*. Then he must also have had access to *NE* (or an unknown text that quotes from *NE*), as there are many quotations from *NE* in his writings that are not found in *TA*.[62] In the

[62] Or to be more precise, Falaquera must have had access to *NE*-Ar or a faithful commentary or paraphrase of *NE*-Ar. It is clear from a comparison of *TA* and *NE*-Ar and from a comparison of passages in *SM*, without parallel in *TA*, and *NE*-Ar, that both Miskawayh and Falaquera had access to the translation of *NE* by Isḥāq ibn Ḥunayn, that is, *NE*-Ar, or an Arabic text based on Isḥāq's translation. We have already noted certain passages in *SM* that are translations of *NE*-Ar and not *TA*. Jospe, as we have stated, provides in the notes to his edition of *SM* numerous lengthy quotations from an English translation of the Greek text of *NE* of passages in *NE* that correspond to statements in *SM*. When the attempt is made to trace in full the direct sources of *SM*, *SM* will have to be compared with *NE*-Ar. Most of the passages from *NE* cited by Jospe are not translated in *SM*, but are cited to show the broad influence of *NE* on *SM*. Some, however, are translated, at least in part, in *SM*. Cf., e.g., the following loci, where *SM* is clearly based on *NE*-Ar and not *TA*:

(1) *SM* 1:419, 11. 49–54 (cf. Falaquera, *Reshit Ḥokhmah* [Berlin, 1902] 11); *TA* 2 (Arabic: 34, 11. 8–13, English: 31); *NE*-Ar 85–86 (on 1103a19–23).

(2) *SM* 1:420, 1. 66; *TA* 1 (Arabic: 25, 1. 15, English: 22); and *NE*-Ar 96 (on 1106b32–33).

(3) *SM* 1:420, 11. 69–71; *TA* (no parallel); *NE*-Ar 105 (on 1109b24–26).

(4) *SM* 5:425–26, 11. 27–30; *TA* 5 (Arabic: 151, 11. 5–11, English: 136); *NE*-Ar 315 (on 1166b13–16). On the other hand, *SM*, 11. 30–31, while rooted in 1166b28–29, is an abridged translation of *TA* 5 (Arabic: 152, 11. 3–6, English: 137).

(5) *SM* 5:426, 11. 47–49: *TA* 5 (Arabic: 156, 11. 1–4, English: 140); *NE*-Ar 330 (on 1171a22–30). Note that here *TA* copies with some stylistic changes from *NE*-Ar. *SM* translates *TA* with the exception of כי יבקש, which translates *fa'innahum yaṭlubūn* of *NE*-Ar and not *li-ḥājatihi ilayhi* of *TA*. This influence of *TA* on *SM* is evident from the previous lines of *SM* (11. 42–47) which are an abridged translation of *TA* 5 (Arabic: 155, 11. 5–18, English: 139–40). Cf. *NE*-Ar 325–30 (on 1169b18–1171a20). *SM*, 1. 45, however, is closer to *NE*-Ar 328.



two passages from *SM* just discussed, where words or sentences from *NE* are inserted in passages from *TA*, we must imagine Falaquera writing *SM* with both *TA* and *NE* in front of him, rewriting passages from *TA* in light of *NE*, and perhaps passages from *NE* in light of *TA*. Such a mode of writing, while certainly unusual in the Middle Ages, was not foreign to Shem-Ṭov Falaquera.[63] Finally, as for the quotation translated twice by Falaquera, we have argued that the full quotation is translated from a single text. If this passage in its entirety were not originally a part of *TA*, we must assume that it came from a source of Miskawayh's. This brings us back to *S*.

## APPENDIX B

### *Tamyīz* as a Differentia Between Man and the Animals in Medieval Jewish Thought Prior to Maimonides

Isaac Israeli, the first of the medieval Jewish philosophers, writes in his *Book of Definitions*, a work that, to a great extent, reflects the teachings of Alkindi, the first of the Islamic philosophers:

> A proof of the fact that animals have estimation (*zann*), but no faculty of discernment, is the behavior of the ass, which, if it is very thirsty and comes near water and sees its own form or another form in it, is frightened and flees,

(6) *SM* 6:427, 11. 13–14, 16–17; *TA* (no parallel); *NE*-Ar 345–46 (on 117a4–6, 11–14).

It may be added that comparison of these three texts shows that both *TA* and *SM* may be consulted as testimonia for filling in illegible words and for correcting the text of the unique Fez manuscript of *NE*-Ar edited by Badawi.

[63] In fact, in such a scenario, Falaquera would first have to find the section in *NE* that corresponds to a given paraphrase in *TA*, and then compose his text paraphrasing and translating sections from these two texts and blending them in with his own comments and his other sources to form a coherent whole. Hard to imagine? This is precisely Falaquera's style in several of his works. See, e.g., my "Averroes on the Principles of Nature: The *Middle Commentary* on Aristotle's *Physics* I–II," diss., Harvard University, 1977, 476–78, where I indicate the sources of Falaquera's *De'ot ha-Filosofim* 1.1.1–2. This section from the *De'ot* is primarily an abridged translation of Averroes' *Middle Commentary* on the *Physics*. However, blended into the text amidst paraphrase and translation of the *Middle Commentary* are lines from Averroes' *Epitome* of the *Physics*, Averroes' *Long Commentary* on the *Physics*, the *Physics* itself, and other sources.

> regardless of the fact that water gives it its life and constitution. If, on the other hand, it sees a lion, it goes toward it, though it will be killed by it. For this reason animals do not receive reward or punishment, since they have no faculty of discernment and do not know for what action they should be rewarded, or, on the other hand, punished.[64]

Isaac Israeli is explicit: animals do not have a faculty of discernment, and thus, for example, cannot "distinguish between good and evil, and between praiseworthy and unpraiseworthy things." For Israeli, this faculty of discernment is one of several intellectual faculties that separate man from the other animals.[65]

In the writings of Saadiah Gaon, the faculty of discernment (*quwwah al-tamyīz;* Hebrew trans.: *koaḥ ha-hakkarah*) is assigned central importance. In his *Book of Beliefs and Opinions*, Saadiah, following Plato, speaks of three faculties of the human soul, and terms the faculty that corresponds with Plato's *logistikon* the faculty of discernment.[66] Saadiah explains that this

[64] Isaac Israeli, *Book of Definitions*, trans. by S. M. Stern in A. Altmann and S. M. Stern, *Isaac Israeli: A Neoplatonic Philosopher of the Early Tenth Century* (Oxford: Oxford University Press, 1958) 41–42. Although the Arabic of this definition is not extant, we can be almost certain that the underlying word Stern translates as "discernment" in this passage is *tamyīz*. Israeli defines *tamyīz* later in the *Book of Definitions*, where the Arabic text is extant, as "putting everything together with its similars" (in *Isaac Israeli* 56, Definition 20). Nissim ben Solomon's Hebrew translation for *tamyīz* in this definition is *havdalah*, while Gerard of Cremona translates it as *discretio* (see Harry A. Wolfson, "Isaac Israeli on the Internal Senses," rprt. in Harry A. Wolfson, *Studies in the History of Philosophy and Religion*, eds. Isadore Twersky and George H. Williams, vol. 1 [Cambridge, Mass.: Harvard University Press, 1973] 321). Similarly, in our passage, the word Stern translates as "discernment" is *havdalah* in the Hebrew translation and *discretio* or a form of *discernere* in Gerard's Latin (Latin and Hebrew text in Wolfson, "Isaac Israeli" 328–29). On Alkindi's influence on the *Book of Definitions*, see under "al-Kindī, his influence on Israeli" in *Isaac Israeli* 220. According to Altmann and Stern, [xii] Alkindi's "influence pervades the *Book of Definitions*".

[65] See, e.g., *Isaac Israeli* 41 and 110; cf. 124–25. See further, Wolfson, "Isaac Israeli" 320–21, 327–29.

[66] Saadiah Gaon, *The Book of Beliefs and Opinions* (*Kitāb al-amānāt wa'l-iʿtiqādāt*), ed. Joseph Kafaḥ (Jerusalem: Sura, 1970) 6.3:201, and 10.2:290; trans. Samuel Rosenblatt (New Haven: Yale University Press, 1948) 243–44 and 360–61. For Plato's tripartite division of the soul, see, e.g., *Republic* 4:435e–444e, and 9:580d–581a.



faculty judges justly the other two faculties of the soul.[67] Those who listen to the advice of the faculty of discernment and give it rule over their appetites and anger are disciplined; those who let their appetites and anger rule their discernment are undisciplined.[68]

Saadiah expresses a similar idea in his *Commentary on Proverbs*.

> Since man shares with animals the nature (*ṭabʿ*) of animals and their characteristics (*wa-akhlāqahumā*) but is nobler than they in his knowledge and discernment (*bi'l-ʿilm wa'l-tamyīz*), . . . his intellect (*al-ʿaql*) must govern his nature, for the intellect is nobler and nature is baser. If man governs justly and his intellect rules his nature, he will attain the high rank of man.[69]

A bit later in his *Commentary*, Saadiah explains in detail the part of discernment in the acquisition of knowledge.[70] In his *Commentary on Sefer Yeṣirah* he writes that the faculty of discernment "refutes what is false and affirms what is true, and approves what is good and disapproves what is bad."[71]

In the *Duties of the Heart* of Baḥya Ibn Paquda and the *Microcosm* of Joseph Ibn Ẓaddik, two thinkers influenced by Saadiah, we find similar state-

[67] Namely, the faculty of appetite (*quwwah al-shahwah*), which corresponds to Plato's *epithymetikon*, and the faculty of anger (*quwwah al-ghaḍab*), which corresponds to Plato's *thymoeides*. *Shahwah* (Hebrew: *taʾavah*) and *ghaḍab* (Hebrew: *kaʿas*) are the standard Arabic and Hebrew terms for Plato's appetitive and spirited parts of the soul. *Tamyīz* is *not* the standard term for Plato's rational part of the soul. See, e.g., *Averroes' Commentary on Plato's "Republic,"* trans. Samuel ben Judah of Marseilles, ed. and English trans. E. I. J. Rosenthal (Cambridge: Cambridge University Press) 51 (English trans. Ralph Lerner, *Averroes on Plato's "Republic,"* [Ithaca: Cornell University Press, 1974] 54–55), and Abraham Ibn Daud. In *Ha-Emunah ha-Ramah* 99 Ibn Daud also speaks of the rational faculty judging the other two faculties (see, e.g., 45 and 99). In Saadiah's enumeration of the three faculties of the soul in his *Commentary on Job*, ed. Joseph Kafaḥ (Jerusalem, 1973) 27 (on Job 1:6), and in his *Commentary on Sefer Yeṣirah*, ed. Joseph Kafaḥ (Jerusalem, 1972) 63, he uses *al-fikr* instead of *al-tamyīz*. *Beliefs and Opinions* was written after the *Commentary on Sefer Yeṣirah* and was probably Saadiah's last work.

[68] *Beliefs and Opinions* 10.2 (Arabic: 290, English: 361). "Disciplined" is Rosenblatt's translation for *adīb be-musar ḥakhamim*.

[69] Saadiah, *Commentary on Proverbs*, ed. Joseph Kafaḥ (Jerusalem, 1976) Introduction 9.

[70] See *Commentary on Proverbs*, esp., Introduction:16–18 and 23 (on Prov. 1:1–7). See further, Israel Efros, *Studies in Medieval Jewish Philosophy* (New York: Columbia University Press, 1974) 20–21.

[71] *Commentary on Sefer Yeṣirah* 69.

ments concerning the faculty of discernment that explicitly state that this faculty is particular to man. Baḥya speaks of the "great kindness of intellect and discernment (*al-ʿaql wa'l-tamyīz;* Hebrew: *ha-sekhel ve-ha-hakkarah*) that God has bestowed uniquely upon us, and not upon the other species of animals." According to Baḥya, "God's reckoning and accounting of man will be in accordance with the measure of his intellect and discernment. Whoever has no intellect can have no human virtues at all, nor [be subject to] commandments (*kulafuhum;* Hebrew: *ha-miṣvot*), reward, and punishment."[72]

Ibn Ẓaddik begins the first treatise of his *Microcosm* by stating that man is distinguished from the other animals by "the intellect (*ha-sekhel*) in us, [and?] the part of speech (*mivṭa*) in our nature through which we distinguish between true and false."[73] According to Ibn Ẓaddiq, man, unlike all the other

[72] Baḥya, *Duties of the Heart* (*al-Hidāyah ilā farāʾiḍ al-qulūb*), ed. Joseph Kafaḥ (Jerusalem, 1973) 2.5:114; trans. Judah Ibn Tibbon, ed. and trans. Moses Hyamson, 2 vols. (Jerusalem: Feldheim Publishers, 1970) 1:160–63. Alternative translation: "Whoever loses his intellect, loses all human virtues." In the passage that follows, Baḥya speaks only of the intellect, and not discernment, and lists the various characteristics of the intellect. Among them are that through the intellect, man distinguishes between true and false, and between good and evil. It is not clear precisely what the role of discernment is for Baḥya. What is clear is that discernment is different from intellect and that both must be developed in man for him to attain his end. See further, *Duties of the Heart* 3.5 (Arabic: 156–57, Hebrew and English: 1:232–33). On the relation between the intellect and discernment, see also Baḥya's statement on the internal senses in 1.10 (Arabic: 86–87, Hebrew and English: 114–17). Wolfson states in "The Internal Senses in Latin, Arabic, and Hebrew Philosophic Texts," reprinted in Wolfson, *Studies* 1:287, that *tamyīz* (Hebrew: *ha-hakkarah*) in this context refers to common sense, and supports his statement with the claim that this "has already been shown" by S. Horovitz in his *Die Psychologie bei den jüdischen Religionsphilosophen des Mittelalters von Saadia bis Maimuni*, IV, "Die Psychologie des Aristotelikers Abraham Ibn Daud" (Breslau, 1912) 256, n. 104 (see Wolfson, "Internal Senses" 287, n. 66). I do not agree. Moreover, Horovitz himself in this note is not certain: "The identification of *tamyīz* with common sense remains still very questionable (*sehr fraglich*)." Cf. Wolfson, "Internal Senses" 259, 261, and 289. On the distinction between man and the other animals, Baḥya writes in 2.5 (Arabic: 115, Hebrew and English: 164–65) that man is distinguished from the other animals by speech (*kalām;* Hebrew: *dibbur*).

[73] Ibn Ẓaddik, *Microcosm* 3. Cf. 35: "We have no advantage over them [viz., the other animals] other than in the intellect." *Mivṭa* means "speech" or "utterance," and retains this meaning in the *Microcosm*, as is evident from the opening words of the book: "Praise to God, who gave tongues *mivṭa* in order to praise Him." (1). Yet the term also is intimately connected with discernment. Ibn Ẓaddik writes that "the true meaning of *mivṭa* is discernment (*ha-hekker*)" (6). Later he writes: "Thus it is clear that the soul [of man] knows and discerns, and this is the reason that we call it 'the soul of *mivṭa*,' for *mivṭa* is discernment" (39). This is the sense of *mivṭa* in this passage. Cf. 41–42.



animals "discerns and investigates." Thus he alone is subject to commands, reward and punishment. The other animals are "completely devoid of intellect and discernment (*ha-sekhel ve-ha-hekker*)" and accordingly did not receive commandments and cannot possibly be rewarded or punished. All men, however, though they may differ in color and characteristics (*middot;* Arabic: *akhlāq*?), have intellect and discernment (*ha-sekhel ve-ha-hekker*)."[74]

From the above uses of *tamyīz* in Isaac Israeli, Saadiah, Baḥya, and Ibn Ẓaddik, which for the most part reflect current Arabic philosophical terminology, it appears that the Jewish thinkers who preceded Maimonides agreed that the faculty of discernment (*al-tamyīz*) is particular to man, and that they did not consider it the only intellectual element that distinguishes man from the other animals.

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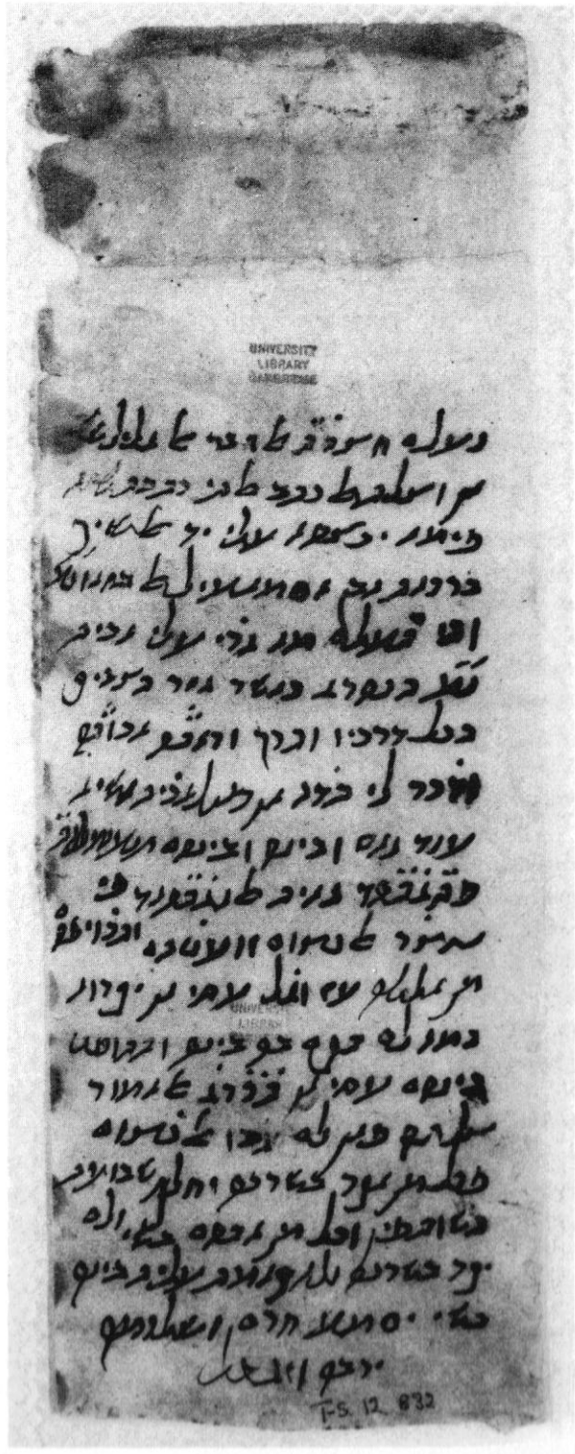
[74] *Microcosm* 39, 73, 34. Man must still develop his intellect (39, 42), and it is possible he may lose it through injury (34).





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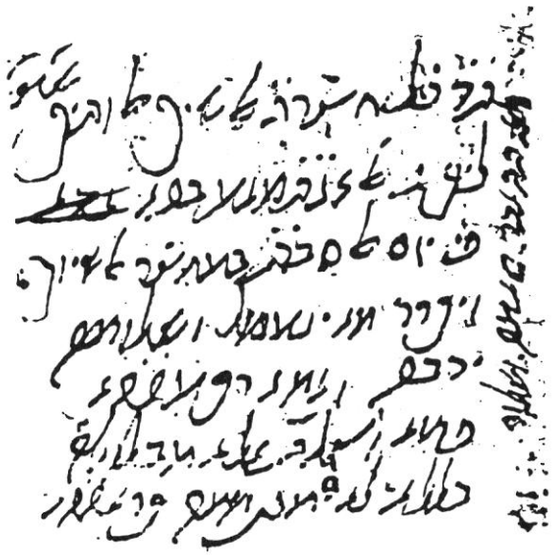

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# SIX UNPUBLISHED MAIMONIDES LETTERS FROM THE CAIRO GENIZAH

*by*

JOEL L. KRAEMER

To Professor Joshua Blau

In gathering material from the Genizah pertaining to the life and work of Maimonides, I have been mainly attentive to unpublished documents, especially autographs. It is always gratifying and often surprising to come across new unpublished manuscripts even in well-trodden paths. The Genizah Maimonideana comprises roughly: (1) letters written *by* Maimonides; (2) letters written *to* him; (3) documents concerning communal activities, such as release of captives, community circulars, receipts for payments; (4) court documents; (5) texts which mention him. In this study I wish to present six unpublished letters preserved in Genizah collections, two written by Maimonides, three to him, and one about him.

The value of documents, especially autographs, is immeasurable. Whereas editing a literary text requires recovering the original by inspecting stemmata, and by eliminating corruption and contamination, a document is an exemplar of the original in its authentic form. (To be sure, it is often damaged by holes, faded writing, and stains, which all complicate the task of deciphering.) And while in literary manuscripts, we find that speeches, conversations, and quoted records have undergone revision and processing, a document usually divulges the very words of the writer.[1]

Our Genizah documents open a window onto the lives of ordinary people and treat common, quotidian concerns. In the documents presented here, we find an inquiry to Maimonides about the surviving brothers of a murdered merchant trying to recover their legacy; a brief note of his inviting a col-

[1] See also Albert Dietrich, *Arabische Briefe aus der Papyrussamlung der Hamburger Staats-und Universitäts-Bibliothek* (Hamburg, 1955) 1–12. And see Paul Maas, *Textual Criticism* (Oxford, 1958).

league to a meeting; an apology to him from a cantor; an application to him by the father of a medical student; a letter from a friend; and a letter by a physician referring to an emergency visit to Maimonides. None of this is earthshaking; on the contrary, the charm lies precisely in the minor details that contribute to the general portrait of the Great Sage. And the letter to a friend discloses an aspect of his personality—the poetic side—that is usually disregarded.

## 1. *Retrieving the Property of a Murdered Merchant*

### *T-S 12.832*

### INTRODUCTION

Before my first visit to the Cambridge Genizah Collection in November 1987, I prepared a list of manuscripts to study, including this letter, which was mentioned on a card in the Goitein Laboratory. When I first set eyes on the document at Cambridge, I was struck by the resemblance of the script to Maimonides' hand, an impression that was reinforced by comparisons with specimens of Maimonides' autographs (using tracings). When I returned to Jerusalem and rechecked, I discovered that on another card Goitein had indeed asterisked the shelf mark and compared the script to T-S 10 J 20.5v, which is a fine example of Maimonides' handwriting.[2] That our document is an autograph was further confirmed by my colleague, Prof. M. A. Friedman.

The letter is presumably a draft copy, as it begins abruptly without address, invocation, and preamble, and is unsigned. A clerk would then have copied it, and the original would have been stored in the Maimonides archive, which wound up in the Genizah. A less likely possibility is that in the case of such a brief letter (or long note) formalities were dropped. The document measures ca. 29 × 10 cm. The writing begins about 9 cm. from the top. There is a 1 cm. margin at the bottom and the right side.[3]

[2] T-S 10 J 20.5v has been published by Goitein, "A New Autograph by Maimonides and a Letter to Him from His Sister Miriam," *Tarbiz* 32 (1963): 188 [Hebrew]; Moshe Gil, *Documents of the Jewish Pious Foundations from the Cairo Geniza* (Leiden, 1976) 321–22: Isaac Shailat, ed., *Letters and Essays of Moses Maimonides* (Maʿale Adummim, A. M. 5747–48) 242–45. See also Stefan C. Reif, ed., *Published Material from the Cambridge Genizah Collections: A Bibliography, 1896–1980* (Cambridge, 1988) 142.

[3] I first described our manuscript in "Maimonides' Letters Yield Their Secrets," *Genizah Fragments* (October 1988): 3–4.



The message notifies a *ḥaver* (member of the academy), evidently a judge, that the letters he had written to Maimonides had arrived per Barakāt b. Ismāʿīl al-Bazzāz.[4] A brother of Barakāt had been killed, presumably murdered—a rare event in Genizah records—and left an estate to his surviving brothers. Maimonides' response was evidently brought back to the *ḥaver* by Barakāt.

Barakāt informed Maimonides orally that the deceased had a number of business partners with whom he had left goods.[5] Now his heirs wish to retrieve his assets. Maimonides instructs the *ḥaver* to summon the partners to court and pressure them to admit their debt to their former associate, as no explicit evidence to this effect exists. The *ḥaver* is advised to strive to negotiate a settlement between the deceased's former partners and his heirs. But if the business associates are uncooperative, then the *ḥaver* should bid those who own up to the partnership to swear an "oath of partners" (as to the amount the deceased had actually invested with them). Whoever obscures matters, Maimonides concludes, refusing to admit a partnership, should be subjected to an oath threatening him with a general ban.

In our case, as in a number of others, a private letter carries matters of legal import, and thus resembles a legal responsum (*teshuvah*), though lacking its formal markings. In this case, as in others. Maimonides acts as a higher court instructing a lower court how to act.

### TEXT

1. נעלם חצרה אלחבר אלגליל ש׳צ׳
2. אן וצלת אלכתב אלתי כתבת לנא
3. פימא יכצהא עלי יד אלשיך
4. ברכאת אבן אסמאעיל אלבזאז נ״ע
5. והי תעלם מא גרי עלי אכיה
6. נ״ע הנהרג כאשר גזר הצדיק
7. בכל דרכיו ותרך וראת-ה אכות-ה
8. ולכר לי הדא אן כאן לאכיה אשיא

[4] Barakāt is Hebrew Berakhot. Ismāʿīl often occurs in Genizah documents as the Arabic equivalent of Samuel. The cognomen al-Bazzāz means "Cloth Merchant." This may be a family byname rather than a cognomen of Barakāt.

[5] If al-Bazzāz is taken as a family byname, and the deceased was in the family business, he was a cloth merchant.

9. ענד נאס ובינה ובינהם מעאמלאת
10. פתגתהד גאית אלאגתהאד פי
11. אחצר אלכצום וועטהם ותכויפהם
12. מן אללה עז וגל עסי אן יקרוא
13. במא לם תקם בה בינה ותתוסט
14. בינהם עסי אן תכרג אלאמור
15. צלחה פאן לם יגיבו אלכצום
16. פכל מן אקר בשרכה יחלף שבועת
17. השותפין וכל מן אבהם בשי ולם
18. יקר בשרכה ולא קאמת עליה בינה
19. בשי יסמע חרם ושלומה
20. ירבה ויגדל

## TRANSLATION

I[6] wish to inform the esteemed *ḥaver*, may God preserve him, that the letters which he wrote to me[7] and what pertains to them have arrived by means of the elder[8] Barakāt b. Ismāʿīl al-Bazzāz, may he rest in paradise.[9] They report what happened to his brother, may he rest in paradise, who was killed, as the One who is righteous in all His ways determined.[10]

(The deceased) left his brothers as his heirs.[11] (Barakāt)[12] mentioned to

[6] Maimonides actually uses the first person plural ("we") here, as elsewhere in his letters.

[7] The reading is *lanā*. The word may also be construed as *lahā*, but this may be on account of the ligature between the *lamed* and *nun*. The reading *ilaynā* is less probable.

[8] MS has *al-shaykh*, which often means simply "Mr."

[9] The words "may he rest in paradise" refer to Ismāʿīl, the father of Barakāt.

[10] Cf. Ps. 145:17, The reference to divine determination was typical *façon de parler* at the time.

[11] The *MS* has אכותה for וראתה, perhaps under the influence of the previous אכותה. The reading *wa-taraka wirāthahu ikhwatahu*, taken as "And he left his estate to his brothers," is syntactically difficult as it stands. We would have to assume the preposition *li-* ("to") before "brothers."

Prof. Haggai Ben-Shammai suggests that the literal meaning is probably: "(The deceased) left his heirs, who are his brothers" (reading: *wurrāthahu ikhwatahu*), noting that Maimonides himself apparently used both plural forms of *wārith*, i.e., *wurrāth*, as in *Teshuvot ha-Rambam (Responsa)*, ed. Joshua Blau (Jerusalem, 1986) 1.28, 158, and *waratha*, in 1.152, 166, 174. The translation follows his suggestion.



me that his brother had left goods with certain men with whom he had business dealings.

Do your utmost to summon[13] the litigants[14] and to caution and intimidate them in the name of God, may He be honored and extolled, so that they confess in the absence of clear evidence.[15] And mediate among them; perhaps you can settle the issues by compromise.[16] If the litigants are unresponsive, then any(one) of them who does own up to the partnership should swear an oath of partners.[17] And whoever equivocates and refuses to acknowledge a partnership, in the absence of clear evidence against him, should have a ban pronounced in his hearing.[18]

May his welfare increase!

[12] MS appears to read *hādhā* ("this one," namely, Barakāt), but the final letter is unclear and may be a *hē'*, thus yielding *hādhihi*, in which case the demonstrative pronoun refers to the letters.

[13] MS has *iḥḍar* for standard *iḥḍār;* see for the phenomenon Joshua Blau, *The Emergence and Linguistic Background of Judaeo-Arabic*, 2nd ed. (Jerusalem, 1981) 71 (unless this is simply an error).

[14] That is, the former partners. The word is *khuṣūm* (sg. *khaṣm*), meaning "adversary," "opponent in a lawsuit," etc.

[15] The word is *bayyina*, meaning "clear evidence" and used in the sense of "testimony"; see Emile Tyan, *Histoire de l'organisation judiciaire en pays d'islam* (Leiden, 1960) 237. And see Jon I. Bloomberg, "Arabic Legal Terms in Maimonides" Ph. D. diss., Yale University, 1980, 72–74, where it is pointed out that in most places Maimonides uses *bayyina* to refer to witnesses. Ordinarily, the evidence would have to be produced by the heirs (on behalf of the deceased), according to the principle, "He who exacts anything from another must produce proof." See Maimonides, *Mishneh Torah*, Sheluḥin we-Shuttafin, 5.8. In this case, the heirs have no physical evidence or testimony to support their claim, and so the admission of the partners is required.

[16] The last word is written *ṣaliḥa (tan)* instead of *ṣāliḥa (tan);* see above, n. 13. Less likely is the reading *ṣulḥa (tan)*. The word suggests "appropriateness, fairness, justice, compromise." This is on the assumption that the opponents admit to the partnership and to the deposit with them. The amount would then be adjudicated.

[17] For the oath of partners (*shevuʿat ha-shuttafin*), see *Mishneh Torah*, Shevuʿot 11.6; Sheluḥin we-Shuttafin, 9. 1, 3, 8; Ṭoʿen we-Niṭʿan, 1.2 and see *Responsa* 1.74, 128, 184–86.

[18] That is, *ḥerem setam*, or "ban in general terms"; see Sheluḥin we-Shuttafin 9.9; Malweh we-Loweh 2.2. The *ḥerem setam* was based on a Gaonic edict, according to which a procedural ban and solemn curses were pronounced on anyone who avoided an obligation mentioned in the pronouncement, and on anyone who could testify as to the location of such a person and his obligation and ablity to pay. The person charged subjected himself to the ban and curses in the event that the accusation was true. See, for instance, S. D. Goitein, *A Mediterranean Society* (Berkeley and Los Angeles, 1967–88) 2.340–41

## 2. *A Note to al-Shaykh al-Watīq Inviting Him to a Meeting on the Sabbath*

*Mosseri IV,13 (L 19)*

### INTRODUCTION

This is a brief note, clearly an autograph, written somewhat carelessly, perhaps in a hurry.[19] Maimonides invites al-Shaykh al-Watīq to a meeting on the Sabbath, which was to be convened among the elders,[20] so as to determine what should be done concerning some matter. The meeting must have related to communal affairs, for otherwise it could not have been held on the Sabbath. Maimonides informs the recipient that a note of his has arrived but that it was too wet to be read.[21] In the margin, Maimonides urges al-Shaykh al-Watīq to come on time. Perhaps the recipient was in the habit of arriving late, or the meeting was urgent (or both).[22]

A contemporary named al-Shaykh al-Watīq is known from other documents. He was the custodian of the famous synagogue at Dammūh and its adjoining properties, located in Gizeh, across the Nile from Fusṭāṭ. He was the recipient of the autograph letter T-S 10 J 20.5v, mentioned above.[23] In that letter Maimonides writes that he has sent him 40 dirhams for garbage removal and 2 dirhams *per diem* for repairs, adding some dietary advice and instructions concerning a Muslim lessee. The meeting mentioned in our document may have related to the Dammūh synagogue and property.

The man's cognomen, al-Watīq, may be taken as an abbreviation for *ha-talmid ha-watiq* ("seasoned scholar"), or it may be the Arabic epithet *wathīq*, meaning "trustworthy."[24]

Al-Shaykh al-Watīq's full name was Abraham ha-Levi b. Yaḥyā al-Najīb (al-Watīq).[25] In ca. 1180, a piece of *waqf* land was leased to him in Dammūh near the synagogue.[26] The *waqf* land had been donated by Maimonides' brother-in-law, Isaiah ha-Levi b. Misha'el, who had been made its administrator. A man called Watīq received a salary from the community of Fusṭāṭ to the tune of 16 dirhams per month in October 1181,[27] and 10 dirhams for the months of March–April 1182.[28] In another document, from ca. 1185, we find Maimonides' *majlis* (yeshiva) deciding that the debt for the poll tax of al-Shaykh al-Najīb Abraham b. Yaḥyā ha-Levi should be paid from the income of the pious foundation.[29]

Maimonides calls the previous memo sent by al-Shaykh al-Watīq a *ruqʿa* ("note," "small piece of paper"). Our document is also a tiny note.[30] It may be taken as typical of memos used for daily communication, and this is its charm and interest.

### TEXT

1. תדכל חצרה אלשיך אלותיק ש׳צ׳
2. ליקע אלאגתמאע בהא [אדא][31]

[19] It is mentioned by Goitein, "Maimonides, Man of Action. . . in the Light of the Geniza Documents," *Hommage à Georges Vajda* (Louvain, 1980) 166, n. 47. See now *Catalogue of the Jack Mosseri Collection* (Jerusalem, 1990) 74. The verso side contains a note in which someone thanks Rabbenu Abraham b. Moses Maimonides for fulfilling a request of his. Our note ends with the word *we-shalom*. According to Goitein, *Mediterranean Society* 2.313, and 594, n. 3, this was a greeting to the scribe who was to make a fair copy. If so, our note is a draft, which was stored in the Maimonides archive (see above, no. 1).

[20] The elders (*shuyūkh*) here are the notables who acted as community leaders; see Goitein, *Mediterranean Society* 2.58–61.

[21] As the note evidently came from Dammūh (see below), which was across the Nile from Fusṭāṭ, it may have become wet in the crossing, or else from rain.

[22] There are one or perhaps two afterthoughts in this tiny note. Maimonides signs off in lines 4–5. It then occurs to him to add a comment concerning the recipient's prior note. Turning to the margin, he tells al-Shaykh al-Watīq not to be late.

[23] See above, n. 2.

[24] Goitein, "New Autograph," 188, n. 14, prefers Watīq, as does Moshe Gil; see next note. To be sure, Hebrew *watiq* and Arabic *wathīq* have a common orthography (and etymology), and were similar in pronunciation and meaning. The root sense is "reliability," "trustworthiness".

[25] See Gil, *Documents* 319. Al-Najīb means "noble," "aristocratic."

[26] Ms. T-S 10 J 4.11v. See Simḥa Assaf, *Texts and Studies in the History of Israel* (Jerusalem, 1946) 158–59 [Hebrew]; Gil, *Documents* no. 75, pp. 319–21. A *waqf* is a pious foundation (Heb. *heqdesh, qodesh*).

[27] Ms. Oxford, Bodleian Heb. f 56.43 (2821.16). See Gil, *Documents* no. 81, pp. 330–32.

[28] T-S 8 J 11.7. See Gil, *Documents* no. 82, pp. 332–34 and see the entries in Reif, *Bibliography* 118. The document is a leaf from a notebook of accounts for Abu l-Bayān, mostly written in the hand of Samuel b. Saadya, an associate of Maimonides.

[29] MS D(avid) K(aufmann) XXI, ed. Gil, *Documents* no. 77, pp. 323–24.

[30] I have used a photograph of the document in the Goitein Lab. It is quite tiny, measuring ca. 8 x 7 cm. and appears to be an exact-size replica.

[31] At this point Maimonides wrote the word *idhā* and then reconsidered and stroked it out.

3. פי יום אלסבת במחצר אלשיך
4. ויקרר מא ינעמל ושלומה
5. ירבה ואמא רקעתהא
6. פמא וצלת אלא מבלולה
7. בללא לא ימכן מעה קראתהא

שוליים
ולא תתאכר כאצה ושלום

## TRANSLATION

Would the Shaykh al-Watīq, may God preserve him, enter (the town),[32] so that the meeting may be convened with him on the Sabbath in the presence of the elders, and it will be decided what is to be done. And may his welfare increase! As for his note, it arrived too wet to be read.

*margin*

It is particularly important that you not come late. Greetings.

### 3. *An Apology from Cantor She'erit*

*Or. 1080 J 33*

## INTRODUCTION

This is a letter from a Cantor She'erit to a man named Moses, a physician.[33] The letter is deferential and in a style normally used for addressing someone of high rank.[34]

[32] The word *dakhala*, as used here, does not mean "to enter one's house" but "to enter town"; see also Goitein, "New Autograph" 186. We may take this to mean that Maimonides urged al-Shaykh al-Watīq to come to Fusṭāṭ and stay for the Sabbath. Dammūh, as said, was located across the river from Fusṭāṭ.

[33] The document is cited by Goitein in *Mediterranean Society* 2.89 and 541, n. 117; and "Maimonides' Life in the Light of the Geniza Documents," *Peraqim* 4 (1966): 42.

[34] Goitein, "Maimonides' Life" 42, dates the letter close to the beginning of Maimonides' residence in Egypt, presumably because his usual epithets, e.g. *ha-rav ha-gadol be-yisra'el*, are lacking. Here he is called *ha-sar ha-rofe' he-hakham we-ha-navon*. He is called *ha-sar ha-gadol* in T-S 13 J 34.8 (which I plan to publish), and *he-hakham we-ha-navon* in T-S J 2.78 (published by Goitein, "Maimonides, Man of Action," 161–67).

MS Or. 1080 J 27 is a letter to Rabbenu Moshe, called *ha-sar ha-nikhbad* ("Our teacher Moses, the Honored Prince"), who is evidently not Moses b. Maimon. See Reif, *Bibliography* 404 (and add now *Mediterranean Society* 5.537, n. 354).



Who is the writer? A cantor called She'erit received a loan in Maḥalla in the year 1160. His full name was She'erit Hod ha-Ḥazzanim ("Glory of the Cantors") b. Shemaryahu, Pe'er ha-Ḥazzanim ("Pride of the Cantors").[35] Another She'erit, called ha-Ḥazzan Pe'er ha-Ḥazzanim, is mentioned elsewhere as having two sons.[36] A certain She'erit b. Maṣliaḥ ha-Ḥazzan ha-Levi is mentioned in MS ENA 4011.64 as having signed as a witness on a document in 1178 concerning a widow, and in fol. 20 of the same volume he signs a communal agreement as a witness.[37] Both She'erit b. Shemaryahu and She'erit b. Maṣliaḥ would certainly fit chronologically, but there is no way to determine whether either She'erit was identical with our man. The name seems to have been popular among cantors.

The document measures ca. 29 × 10 cm. The main body of the writing starts about 6.5 cm. from the top. The address on the back is in Arabic characters. The style of the letter is somewhat similar to that of Arabic petitions.[38] The letter has a title (*tarjama*) with the writer's name; but the invocation (Arabic *basmala*, or its Hebrew equivalent) is lacking, as is the initial benediction; however he begins with "His servant kisses his feet."[39]

The writer, She'erit, apologizes to the recipient, Moses, for not executing a certain (apparently confidential) assignment and requests a delay. He and Moses have decided upon a course of action to be carried out the next day, but someone has invited She'erit to conduct a circumcision ceremony at the synagogue of the Iraqians at that time.[40] She'erit therefore asks Moses to per-

MS Or. 1080 J 27 is a letter to Rabbenu Moshe, called *ha-sar ha-nikhbad* ("Our teacher Moses, the Honored Prince"), who is evidently not Moses b. Maimon. See Reif, *Bibliography* 404 (and add now *Mediterranean Society* 5.537, n. 354).

[35] See T-S 18 J 1.26, cited by Goitein, "Maimonides' Life," 42; *Mediterranean Society* 2.541, n. 117. See also Jacob Mann, *The Jews in Egypt and Palestine under the Fâtimid Caliphs* (New York, 1970) 293. (See Reif, *Bibliography* 180.) Goitein also mentions another Cantor She'erit who was co-proprietor of a house in Fusṭāt in 1238, according to T-S NS J 383.

[36] See T-S 13 J 19.14.

[37] As I am informed by Prof. M. A. Friedman.

[38] See below, n. 64.

[39] This language is usually reserved for people of eminence, such as rulers, high officials, and judges.

[40] See below, n. 47.

mit him to postpone the assignment until after the Sabbath, or until whenever Moses sees fit.

The cantor is concerned that if he refuses to do the circumcision, people will say that he declined only because the man who asked him was poor.[41] "You know our colleagues!" She'erit explains that he is steadily employed at the synagogue of the Iraqians to conduct circumcision ceremonies and take care of like matters. He suggests that if postponement is impossible, Moses should find someone else. She'erit will compensate him in some other way in the future. Then in a kind of postscript She'erit adds that, although the circumcision has already taken place that very day, he neglected informing Moses because of his concern with other matters—his son and an impending trip. Cantors often traveled to display their talents, make announcements, act as envoys, and even engage in commerce.[42]

## TEXT

*Recto*

1. ממלוך חצרתה
2. שארית החזן
3. הדרת מר ור השר הרופא החכם והנבון
4. משה שצ
5. ממלוכהא שארית יקבל קדמיהא
6. חרס אללה מעאליהא אן בעד חצורי
7. בין ידיך ותקרר אלחאל אלדי תעלמה
8. ביני ובינך גא אליי רגל יטלבני
9. אצלי לה פי מילה גדא בכרה פי [אלערא][43]
10. אלעראקיין אלמעמורה בבקא יש׳
11. פתנעם אלחצרה עליי אמא באלמהלה
12. אלי בעד אלסבת או תדבר בחסן ראיך

[41] Fees were taken for conducting circumcisions. See, for example, Goitein, *Mediterranean Society* 2.86, 3.232.

[42] The role and functions of the cantor are discussed by Goitein, *Mediterranean Society* 2.219–24.

[43] The writer began to place the word too close to the margin, and so deleted it by a stroke.



13. לאילא יקולו לאגל אנה עני תרכה
14. ולו כאן עשיר לגא וכדמה ואנת
15. תערף אצחאבנא ואלממלוך הו קבוע
16. באלעראקיין פי מתל הדא ואמתאלה
17. ואן לם תקדר עלי אלמהלה פתאכד
18. חזאן אן תשא ואכון אקצי חקך
19. פי שי אכר וקד ערפתך
20. ואנא מתוקע מן חצרתך אלגואב
21. ואלפסחה ואלאדן פלא עדמוך
22. כדמך ומחבין

23. ואן כאן הדא אלאמר בכרה פי אלכניסה
24. ולאגל שגל קלב אלממלוך בולדה וספרה
25. סהית אן אערפך ואלאן קד טאלעת באלחאל
26. פלא יטן אן כאן לי ניה אלא כדמתך
27. קסאמה

*Verso*

حضرة المجلس السامى الاجلى السيدى موسى
شمس الحكما ادام الله عزه

## TRANSLATION

*Recto*

The servant of his honor,
She'erit the cantor

To his honor, our master and teacher, the prince,[44] the wise and discerning physician, Moses, may God preserve him. His servant She'erit kisses his feet, may God safeguard his excellency.[45]

[44] The epithet *sar* is normally used for government officials.

[45] The word *ma'ālin* means literally "noble" or "excellent" things, but as used here it has the sense of "his excellency," "his eminence," etc.

After I visited you, and the matter you know was decided[46] between us, a man came to me requesting that I conduct a circumcision ceremony tomorrow morning in the (synagogue of the) Iraqians,[47] may it flourish as long as Israel lasts.[48]

Would his honor kindly give me a stay until after the Sabbath,[49] or else do as he sees fit,[50] so that (people) not[51] say that because (the man) is poor (She'erit) slighted him, and were he rich he would have come and performed the ceremony for him. You know our colleagues![52]

Your servant is steadily engaged[53] in (the synagogue of) the Iraqians in this and like matters. If you cannot give me a postponement, take a(nother) cantor if you wish, and I shall compensate you in some other way. I inform you, and await a reply from your honor, with your unstinting indulgence.[54] May you never lack those who serve and love you.

Whereas this matter came up this morning in the synagogue, I neglected informing you on account of your servant's concern with his son and his journey.[55] Now I inform you about the matter. Let it not be thought that I had any intention but to serve you, on my oath.

[46] Or "settled" (*taqarrara*).

[47] The synagogue of the Iraqians, or Babylonians, was one of the two main Rabbanite synagogues in Fusṭāṭ, the other being that of the Palestinians (were the Genizah chamber is located). The synagogue of the Iraqians was in Qaṣr al-Rūm (=Qaṣr al-Shamᶜ), near the Muᶜallaqa Church. See the references in Gil, *Documents* 93–97, especially 94, n. 102.

[48] For the expression *al-maᶜmūr*, see M. A. Friedman, *Jewish Polygyny in the Middle Ages* (Jerusalem and Tel Aviv, 1986) 61, n. 11 [Hebrew]. The Arabic word *ᶜamara* has a broad semantic range: "to be inhabited, populated, cultivated, prosperous."

[49] This need not mean immediately after the Sabbath, but even the next week.

[50] In petitions the petitioner often asks that the official act according to his best judgment (*ḥusn al-raᵓy*, etc.); see Geoffrey Khan, "The Historical Development of the Structure of Medieval Arabic Petitions," *BSOAS* 53 (1990): 9, 14–24.

[51] MS reads: לאילא. See Joshua Blau, *A Grammar of Medieval Judaeo-Arabic* (Jerusalem, 1961) 226, n. 30 [Hebrew].

[52] She'erit presumably alludes to his fellow cantors. As they received emoluments for their services, there must have been keen competition and envy among them.

[53] Or "is tenured" (*qavuᶜa*). The position of cantor was often temporary, and many were itinerant. For *qavuᶜa* in this sense, see T-S 10 J 11.4, ed. Gil, *Documents* no 140, pp. 467–70 (line 6 , and 469, n. 2. And see Goitein, *Mediterranean Society* 2.223 and 431 (App. A, sec. 155).

[54] The words *waᵓl-fuṣha waᵓl-idhn* are probably best taken as a hendiadys.



*Verso*

To his honor, the sublime, most majestic, and lordly[56] court,[57] Moses, the sun of sages, may God perpetuate his glory.[58]

## 4. *The Father of a Medical Student Writes to Moses*

### *T-S 16.291*

### INTRODUCTION

This letter is from the father of a medical student to the judge and physician Moses.[59] Goitein identified the recipient of the letter as Maimonides, for no other distinguished physician and judge named Moses lived at this time.

[55] The expression *shughl qalb* occurs often in Genizah documents, and means "worry," "preoccupation," etc. To make matters worse, the cantor did not inform the recipient on time. He gives as an excuse preoccupation with his son, who may have been ill, and his journey.

[56] Reading *al-sayyidī*. the reading *al-sanadī*, which also fits here, appears less likely orthographically. For these titles in adjectival form, see, for instance, Stern, "Three Petitions of the Fāṭimid Period," *Oriens* 15 (1962): 184.

[57] The word *majlis* ("assembly," "audience hall," etc.) is used here by metonymy as an honorific mode of address; cf. "bench" in English for addressing a judge. See also S. M. Stern, "Maimonides' Correspondence with the Scholars of Provence," *Zion* 16 (1951): 31–32 [Hebrew], comparing the use of *majlis* to that of the Arabic word *ḥaḍra* ("presence," "honor," etc.). The expression *majlis ḥaḍratihā* is used regarding Maimonides in T-S 12.822, ed. and trans. by Israel Friedlaender, "Ein Gratulationsbrief an Maimonides," *Festschrift zu Hermann Cohens Siebzigstem Geburstage* (Berlin, 1912) 257–64.

[58] Reading *ᶜizzahu*. Also possible but less covincing orthographically is *ᶜumrahu*.

[59] It is often mentioned by Goitein; see *Jewish Education in Muslim Countries Based on Records from the Cairo Geniza* (Jerusalem, 1962) 198–99 [Hebrew]; "The Medical Profession in Cairo Geniza Documents," *HUCA* 34 (1963): 185, 189; "Maimonides' Life" 36–37; "Maimonides, Man of Action" 163, n. 34; *Mediterranean Society* 2.248, 577; and see 3.225, 311, 473, 496; *Palestinian Jewry in Early Islamic and Crusader Times*, ed. Joseph Hacker (Jerusalem, 1980) 326,n. 28; and see Reif, *Bibliography* 258.

Another piece of evidence is the reference to Maimonides' nephew, al-Shaykh al-Talmīd al-Zakī, as being the addressee's assistant.[60] The writer erroneously makes him the son of Maimonides' brother David rather than of his sister.[61] Meir b. al-Hamadhānī[62] is otherwise unattested, aside from a letter of his to the famous judge Elijah b. Zechariah.[63]

The epistle is a request that Maimonides accept the writer's son Abū Manṣūr as a medical assistant, and is in the form of a petition or appeal. The form of the Arabic petition, which varied slightly from the late Fāṭimid through the Ayyūbid and Mamlūk periods,[64] began with a *tarjama* (name of the writer, etc.) and an invocation, to the left and right respectively. (In Judaeo-Arabic documents, three or four verses from the Bible usually follow.) There ensue blessings upon the recipient, generally a ruler or high official, after which comes the exposition introduced by phrases such as "Your slave kisses the ground before the lord . . . and reports that." And lastly there are additional blessings upon the recipient.

Our letter follows this pattern. It teems with blessings and praise. After the words "Your servant kisses the ground" we expect "and reports that . . ." But instead Meir inserts more salutations before getting to his exposition. And even after the word *wa-yunhi* ("and reports") he goes into further prolegomena before getting to the point. The florid tributes are considerably longer than the message itself. The father's eagerness to enlist his son in Maimonides' service shines through every line.

[60] On *al-Talmīd al-Zakī* see below, n. 93.

[61] We know of David's daughter from Maimonides' letter to R. Japheth ha-Dayyan; see ed. Shailat, 229, line 8. And see A. H. Freimann, "The Genealogy of Maimonides' Family," *Alumma* 1 (1935): 23.

[62] That is, he or his family were from the town of Hamadhān in Iran.

[63] See T-S 10 J 12.10, cited by Goitein in, e.g., *Education* 199, n.280; "Medical Profession" 185, n. 34. Similar epithets are used by Meir for the judge Elijah; indeed, from the word *le-rosh* in line 10 to *ʿinyan* in line 12 the language is virtually the same. Both documents are written by the same hand. On Elijah, see A. Motzkin, "The Arabic Correspondence of Judge Elijah and His Family," diss. University of Pennsylvania, 1965.

[64] See Samuel M. Stern, "Three Petitions of the Fāṭimid Period," 182, 184; and "Petitions from the Ayyūbid Period," *BSOAS* 27 (1964): 2, 13, 21, etc.; *Fāṭimid Decrees* (London, 1964) 93–102; and see D. S. Richards, "A Fāṭimid Petition and 'Small Decree' from Sinai," *IOS*, 3 (1973): 140–58; Khan, "Historical Development" 8–30.



The document measures 37.5 × 12.5 cm. and is torn off at the end. The reverse side has a medical prescription. Once the front had served its purpose the paper was reused.

## TEXT

1. צעיר עבדי אדוני
2. בְּהַ מאיר בן אלהמדאני
3. ועֲנוים ירשׁוּ אֹרֶץ והתענגו עַל רוֹב שָׁלוֹם
4. שמר תם וראה ישר כי אחרית לאיש שלום
5. אשמעה מה ידבר האל י"י כי ידבר שלום
6. ישא י"י פניו אליך וישם לך שלום
7. עתרת השלומות הערוכות. בארבע נהרי גן עדן משוכות.
8. ובימין צדק צור תמוכות. וכללי מללי הברכות הכתובים
9. בתורה ובמשנה ובהלכות. יהיו כולם מנת וחלק ועטרה
10. וכתר עוז ותפארה לראש הדרת יקרת צפירת תפארת
11. מרינו ורבינו ועטרת ראשינו משה השר הטפסר המלא
12. לא נחסר כאור ארבע עשר הדיין המצוין בכל ענין
13. ישמרו אלהינו ויעזרו קדושינו ויגביה מזלו וירים דגלו
14. מעלה מעלה וימלא כל משאלות לבו לטובה ויחיה חמודו
15. יראיהו שמחתו וחופתו ישיבו על כסאו בחייו [ימ]לא בו
16. מקום אבותיו הקדושים יקים עליו קֹר דֹּ תחת אבות[יך]
17. יהיו בניך תשיתמו לשרים בכל הארץ אנס אלממלוך יקבל
18. אלארץ בין ידי מגלס אלמולא אלרייס אלאגל אלעאלם אלעאמל
19. אלשיך אלסדיד לא זאל כוכב סעדה סעיד ומגד מגדה אבדא
20. גדיד וופאק תופיקה עלי ופק אראדתה פי מזיד וברכאתה
21. פי חרכאתה כמא ישתהי ויריד ובלגה אמתאל הדא אלעיד
22. אלסעיד מועד חג המצות המֹ בֹר הוֹ יזיכהו שנים נעימים
23. לחזות בנועם י"י ולבקר בהיכלו ויזכה לאכול מן הפסחים ומן
24. הזבחים שיגיע דמם על קיר מזבח י"י לרצון בגיל ועלצון
25. הוא וחמודו וכל הנלוים אליו אנס וינהי כתרה שוקה לנצר
26. סעיד טלעתה ואלתלהף למנאסמתה ואלתאסף למא יפות
27. מן אלתקאט פואידה ופראידה ואלתשרף בתקביל בסאט
28. מגלסה ואלאסתצא בגואהרה ואלתאנס באנסה מא יקצר

29. ען וצפה לסאן ועז תסטירה בנאן לא זאל פי כיר ואמאן
30. מא אבקא אלזמאן וכפאה צרוף אלחדתאן ואלמולא יעלם
31. ופקה אללה תעֿ אן אלנפוס אלבשריה באלטבע תשתאק אלי
32. אלסמו ואלעלו ואלארתקא ותקצד אנהא לו חצלת ווצלת
33. אלי גאיה דארי אלמגאז ואלבקא פהי תחמנא דלך אן צפת
34. להא אלמסאלך וסלמת מן אלעואיק ואלמהאלך פהי תפעל
35. גהדהא ורבהא יופק קצדהא וילהמהא רשדהא ולמא
36. כאן פי הדה אלמדה כטר לולד אלממלוך אבי אלמנצור
37. כאטר ואשתהא אלאתצאל בגנאב אלמולא ליתשרף
38. בקרבה ויכון מן בעץ ממאליכה לאנה בלגה אן אלשיך
39. אלתלמיד אלזכי ולד אכי אלמולא יֿשֿ צוֿ אשתגל בגהה
40. אכרי גיר הדה אלגהה פלולא דלך מא כאן יגסר אן
41. ידכר שי מן דלך ומי ילבש לבוש גאה ומי ידרך ארחו
42. פאן רצי אלמולא בה ואגאב סואלה ואכד בידה פינעם
43. בחשריפה ברקעה מן מגלסה ליחצֿר בין ידיה ויתקרר
44. מא ינפעל בעזרת שדי וימתחל מא יאמרו בה ומהמא
45. [כאן י]תקרר מע אלשיך אלזכי פהו יזידה עליה פהו קצדה

## TRANSLATION

In the name of the Lord[65]

The least of the servants of my lord,
Meir b. al-Hamadhānī

But the lowly shall inherit the land,
and delight in abundant well-being.[66]

Mark the blameless, note the upright,
for there is a future for the man of integrity.[67]

[65] The abbreviation *bet he²* represents *be-shem ha-shem*. This and other formulae replace the Muslim *basmala* in Jewish documents (although this also occurs).

[66] Ps. 37:11. The four verses heading the letter all end with the word *shalom;* the first alludes to the modesty of the recipient; see Goitein, *Education* 198.

[67] Ps. 37:37.



Let me hear what God, the Lord, will speak;
He will promise well-being [to his people].[68]

The Lord bestow His favor upon you and grant you peace![69]

May the many salutations,[70] flowing from the four rivers of Paradise,[71] supported by God's victorious right hand,[72] and the abundant blessings written in the Torah, the Mishnah, and the Gemara[73] all be a crown of majesty upon the head of his eminent dignity, diadem of glory, our master and teacher, crown of our heads, Moses, the leading prince,[74] perfect as a full moon, the distinguished judge,[75] may our God preserve him and may our Holy One succor him, raise his fortune and banner on high, fulfill all his needs, give life to his son,[76] and permit him to witness his joy and marriage. May (God) place (his son) upon his seat in his lifetime, and have him take the place of his sacred ancestors.[77] May he fulfill for him the words of Scripture,

[68] Ps. 85:9.

[69] Num. 6:26.

[70] The first eleven lines (7–17) of the letter are in Hebrew rhymed prose.

[71] Gen. 2:10.

[72] Cf. Isa. 41:10.

[73] The word is *halakhot*, lit. "legal precepts."

[74] *Ha-sar ha-ṭifsar;* see Jer. 51:27 and Nah. 3:17, where JPS translates "marshal." For the epithet *sar*, see above, n. 34.

[75] Goitein maintained that Moses Maimonides was not a judge; see "Maimonides' Life" 36, where he argues that Maimonides was not a judge who made decisions regarding litigants but a *rav*, or in Islamic terms, a *muftī*. In a previous article he had referred to Maimonides as a "chief justice"; see "Maimonides as Chief Justice," *JQR* 49 (1959), 191–204, esp. 192. And see "Maimonides, Man of Action," 166–67, his last statement on the issue, where he reaffirms that Maimonides was not a judge. It is my understanding that Maimonides (with his associates) acted as an appellate court, but this is not the place to treat this issue. In any event, the title *ha-dayyan ha-meṣuyyan* was among the honorific epithets used by Meir in his letter to the judge Elijah (see above n. 63).

[76] The word used for son is *ḥamud*, lit. "dear one," as was common. Moses Maimonides' son Abraham was born in 1186, which is thus the *terminus a quo* for our document. For the expression "may He give life to his son" with regard to Abraham, see also Blau, *Responsa* 362, line 5.

[77] Cf. 1 Kings 3:6. This blessing was often bestowed upon community leaders and officials; see Goitein, *Mediterranean Society* 3.225. In a small note to Maimonides, T-S NS J 477 (which I plan to publish elsewhere), the writer expresses the hope that he will see his son Rabbenu Abraham occupy his seat in his lifetime, quoting the verse which immediately follows here.

"Your sons will succeed your ancestors; you will appoint them princes throughout the land."[78] Amen. Selah.

Your servant kisses the earth before the *majlis*[79] of the lord, the most majestic head,[60] man of knowledge and action,[81] the competent elder,[82] may the star of his fortune never sink, and may his luck be forever resplendent.[83] May his success exceed his wish, and may blessings follow his undertakings as he desires.[84]

May greetings for this felicitous holiday of Passover reach him.

May the Holy One, blessed be He, grant him delightful years,[85] "to gaze upon the beauty of the Lord, to frequent His temple."[86] And may he have the privilege of eating the Passover sacrifices which shall be accepted by the Lord's altar[87] with rejoicing, he and his son and all his associates. Amen. Selah.

And (your servant) conveys[88] his great desire (to gaze upon) the freshness of his (lord's) happy countenance, his yearning for his fragrance, and his sor-

[78] Ps. 45:17.Goitein (see reference in previous note) says that this is "[t]he Bible verse most frequently quoted in the Geniza." It was used, he adds, in letters to high dignitaries, such as heads of the community, judges, and great scholars, but also in ordinary family letters.

[79] The word *majlis* may also be translated "honor." See above, note 57.

[80] *Al-rayyis al-ajall.* Maimonides is often called *rayyis* (or *raʾis*—the more classical form). The title is ambiguous, as it served as an abbreviation of *raʾīs al-yahūd* and was also applied *per se* to physicians.

[81] The scribe began to write the first word as *al-ʿāmil* and then corrected to *al-ʿālim*. The expression "man of knowledge and action" was applied to Muslim rulers; see, for example, Stern, "Two Ayyūbid Degrees from Sinai," 19. It is used for Solomon, son of Judge Elijah b. Zechariah, in T-S 13 J 22.9; ed. Motzkin, "Judge Elijah," 1.196–99, 2.144–46; Goitein, *Education* 82–84.

[82] *Al-shaykh al-sadīd.* The word *sadīd* was a common epithet for physicians, occasionally used as a proper name.

[83] The word *jadīd* means "new," "unprecedented," etc., but may also allude to *jadd*, "fortune," "luck."

[84] This is a cleverly formulated sentence with wordplay on the stem *w-f-q*, which appears in the forms *wifāq*, *tawfīq*, *waqf*. *Tawfīq* is not simply "success" but "divinely given success."

[85] Cf. Job 36:11. The word for "delightful," *neʿemin*, is in the masculine gender after a feminine noun by poetic license (in rhymed prose). (In Job it is also masculine but as used adverbially—*ba-neʿemim.*)

[86] Ps. 27:4.

[87] This is taken from the Passover Haggadah.

[88] *Wa-yunhī. . .* is the phrase which initiates the exposition in petitions.



row for forfeiting the harvest of his pearls of wisdom, the privilege of kissing the carpet of his audience hall, basking in the luminance of his precious gems, and relishing his company—what the tongue cannot describe nor the hand set down in writing.[89] May he continue to be well and secure as long as time lasts, and (may God) preserve him from vicissitudes.

Our lord knows, may God the exalted give him success, that human souls naturally seek to ascend, and strive to accede to the ultimate abodes of transition and eternity. They wish this when the paths are pure and the passes secure, and strive their utmost. And their Lord succeeds their way and guides them.[90]

In view of the above, the son of your servant, Abū Manṣūr, has had the notion to join[91] (our) lord, to enjoy the privilege of his proximity and to become one of his assistants.[92] For he found out that al-Shaykh al-Talmīd al-Zakī, the nephew of (our) lord,[93] may God preserve him, has gone else-

[89] Letterwriters typically began by portraying their yearning for the recipient. Apart from the motif, we may take these phrases as indicating that the writer had actually visited Maimonides' court.

[90] The language here is philosophical (Neoplatonic) and mystical. The writer delicately introduces the subject of medicine, whose justification is said to be its power to remove illness and enable a human being to ascend to spiritual attainments. We find the same theme in the letter of the anonymous inquirer to Maimonides in T-S 16.290 (trans. Joel L. Kraemer, "Two Letters of Maimonides from the Cairo Genizah," *Maimonidean Studies* 1 [1990]: 92–98); and the letter to Maimonides requesting medical advice, in T-S Ar. 46.97, ed. S. M. Stern, "Ten Autographs by Maimonides," in *Maimonidis Commentarius in Mischnam*, ed. S. D. Sassoon (Copenhagen, 1966) 3.28, where the writer explains that his entire aim in requesting a prescription of medical advice is to seek the nearness of God. And see Goitein, *Education* 199, citing a similar *topos* pertaining to the study of medicine, in a letter to Judah Halevi from Judah b. Samuel of Badajoz; "A Letter from Judah Ben Samuel of Badajoz, Castille, to Judah Hallevi," *Tarbiz* 30 (1960): 379–84. Our writer wishes to impress on Maimonides that his son's motives are not mercenary.

[91] The word *ittiṣāl* is often used for the conjunction of the human soul with the Active Intellect in philosophical locution.

[92] The term is *mamlūk*, used for slaves, particularly military slaves, but also in the sense of assistant, pupil, as here. The son Abū Manṣūr may be the Shaykh al-Raʾīs Abū Manṣūr mentioned in T-S 13 J 22.24, ed. Goitein, *Palestinian Jewry* 326.

[93] MS reads *walad akhī al-mawlā*, lit. "son of the lord's brother." Goitein suggests, in *Education* 199, and "Maimonides' Life," 37, that Meir b. al-Hamadhānī, writing apparently from Alexandria, confused the son of Maimonides' sister with the son of his brother. In "Maimonides' Life" 37, Goitein adds that in the original letter *ukht* ("sister") was written, but the copyist erred and wrote *akhī;* and see *Mediterranean Society* 2.577, n. 37.

where. If not for this, (Abū Manṣūr) would not dare broach this matter. Who can don the garment of the proud and who can follow his ways?

If the lord desires to have him and responds favorably to his request and accepts him, let him favor him with a note from his audience hall, so that (Abū Manṣūr) may present himself to him, in order that his responsibilities may be decided, with the help of the Almighty. And he will follow what they order him to do.[94] Whatever arrangement there was with al-Shaykh al-Zakī he will surpass, and this is his aim. . . .[95]

## 5. *A Letter of Friendship to Maimonides*

### *T-S 10 K 8.14*

### INTRODUCTION

It is unusual to find unpublished letters relating to Maimonides in the Cambridge volumes bound in the early part of the century. Such is document T-S 10 K 8.14, which, to my knowledge, has never been published.[96] This is

For Abu l-Riḍā, called *al-talmīd al-zakī* (i.e., *al-dhakī*;, "the Brilliant Scholar"), Yūsuf b. ʿAbdallāh, see Ibn al-Qifṭī, *Taʾrīkh al-ḥukamāʾ*, ed. Julius Lippert (Leipzig, 1903) 319 (Abu l-Riḍā Tabīb) (s.v. Mūsā b. Maymūn). See also A. H. Freimann, "Genealogy," 36–37. He copied Maimonides' medical work, *Fuṣūl Mūsā fiʾl-ṭibb*. An autograph copy from the Ducal Library of Gotha, completed in A. H. 602 (began 18 August, 1205), is now in the Friedenwald Collection at the Hebrew University. Abu l-Riḍā says that he copied the first twenty-four chapters during the life of Maimonides and chapter 25 after he died. (This, it may be added, supports the accepted date for Maimonides' death in 1204.) See Max Meyerhof, *Un glossaire de matière médicale composé par Maïmonide* (Cairo, 1940) Introduction. liv; Suessmann Muntner, *(Medical) Aphorisms of Moses* (Jerusalem, 1959) Introduction ix, xxii–xxiii. And see Goitein, "Maimonides, Man of Action" 163 and n. 33.

[94] When a petition was given to a ruler or high official, and he acceded to the request, he would pass it on to a clerk to execute it. The word *majlis* refers literally to the audience hall, or *consilium*, of Maimonides.

[95] The document breaks off here.

[96] Nor have I found any mention of the letter. It is the final document in the volume, which consists of Maimonides material. For published documents from the same volume, see Reif, *Bibliography* 147. Prof. Haggai Ben-Shammai read the document with me at Cambridge and made valuable suggestions. Prof. Ezra Fleischer kindly responded to my inquiries, as did my colleague, Dr. Tova Rosen-Moked whose guidance was vital.



a brief letter from a friend to Moses b. Maimon, whose name appears, along with characteristic honorific epithets. The writer is not signed, and thus we are in the dark as to his identity. It was not unusual in letters between intimate friends for the signature to be omitted, as the handwriting would be immediately recognized.[97] The single page we have is presumably the entire letter, although it is possible that one or more other pages followed. If so, then a signature may have been affixed at the end.

The document is well preserved. The script is square and well formed, perhaps in the hand of the writer. The document measures ca. 18 × 14 cm. The margins are neat and well set; top 2 cm., bottom 1.5 cm., right 1.5 cm., left varies from 0.5 to 1 cm.

The writer begins, after the invocation and a single verse from Scripture, with the customary benediction, and then goes on with an expression of yearning and regret for being distant from the addressee, a standard motif in private letters. The correspondent explains his failure to write previously; he had suffered hardships and illness. Having recuperated, he thinks of Maimonides, recalling a strophic poem (*muwashshaḥ*) which expresses his qualities. This is a poem of friendship by Judah Halevi, addressed to Moses Ibn Ezra.

We thus learn that the writer lived at some distance from Maimonides and remained in touch with him by mail. Who was this intimate friend? A likely candidate would be Maimonides' pupil Joseph b. Judah Ibn Simon, who emigrated to Aleppo, from where he corresponded. Joseph did undergo adversities and illnesses, and there may be other reasons for taking him as the writer. But since we have no hard evidence that our letter was indeed from Joseph, we should leave the question open, avoiding the fallacy of overidentification, by which an unknown X is equated with someone familiar, *faute de mieux*.[98]

The letter is quite intimate. The writer expresses love (*maḥabba*) for Mai-

[97] See Goitein, *Mediterranean Society* 5.456.

[98] Joseph b. Judah is the pupil for whom Maimonides wrote the *Guide*. As for his suffering, see, for instance, T-S J 2.74, published by Jacob Mann, *Jews* 1.246 and 2.523—if it is really our Joseph who is intended, as Mann suggests. To be sure, crises and illnesses were far from rare. In the Hebrew letter which accompanied the *Guide*, Maimonides expresses love for his pupil, but in moderately erotic language; see D. H. Baneth, *Moses Maimonides, Epistles* (Jerusalem, 1946, 1985) n. 3, pp. 12–16. And note the erotic language in Joseph's allegorical letter; Baneth, no. 4, pp. 22–24 (in which the *Guide* is the beloved).

monides, signifying his feelings by citing an erotic poem, which he assumed Maimonides would recognize. Maimonides, to be sure, was familiar with Judah Halevi's *Kuzari*. From here we learn that he also knew Halevi's poetry. This should not surprise us, although the scholarly consensus takes Maimonides' negative references to poetry as a token that he held this genre in disdain.[99] This, for an Andalusian, is *prima facie* implausible. Maimonides' exquisite rhymed prose in a letter to Joseph b. Judah and his own poetry indicate otherwise.[100]

The *muwashshaḥ* (strophic poem) of Judah Halevi, *Aḥar gelot sod*, was written for Moses Ibn Ezra and sent to him with an accompanying letter, beginning *Yesha*ᶜ *yiqrav*.[101] The first part of the accompanying letter was published by Israel Davidson; its continuation was discovered and published in its entirety by Shraga Abramson.[102] In his letter, Halevi says that he had

[99] See, for instance, Salo W. Baron, "The Historical Outlook of Maimonides," *PAAJR* 6 (1934–51): 8, n. 4. And see Isadore Twersky, *Introduction to the Code of Maimonides* (New Haven, 1980), 250–51 (but cf. n. 29, where "Maimonides' rather complicated attitude" is noted), and 409, n. 135. I shall treat Maimonides' outlook on poetry on another occasion.

[100] His response to Joseph b. Judah's allegoric poem is written in rhymed prose in allegoric style, with clever allusions to the Bible and keen wit; see Baneth, *Epistles* no. 5, pp. 27–30. Consider also his appreciation of the poems and *maqāmas* of Joseph from Alexandria, in the Arabic letter accompanying the *Guide*; ed. Baneth no. 2, p. 7; trans. Shlomo Pines (Chicago, 1962) 3. And for Maimonides' poems, see M. Steinschneider, "Moreh Meqom ha-Moreh," in *Kobez al Jad* 1 (1885): 1–31; W. Bacher, "Hebräische Verse von Maimuni," *MGWJ* 53 (1909): 581–88; Schirmann, "Ha-Rambam we-ha-shirah ha-ᶜivrit," *Moznaim* 3 (1935): 433–36. In MS T-S J 2.39 I have found a copy of the poem that heads the *Guide* (trans. Pines, opposite p. 3): "My knowledge goes forth to point out the way . . ." (to be discussed elsewhere). It appears to be in Maimonides own hand. For Maimonides' views on strophic poems, see Y. Yahalom, "The Context of Hebrew Imitations of *Muwaššaḥāt* in Egypt, "*Poesia Estrophica*, ed. F. Corriente and A. Sáenz-Badillos, 360–64.

[101] For the poem, see H. Brody, *Diwan des Abu-l-Hasan Jehuda ha-Levi* (Berlin, 1894–1930) 1.135–37, no. 93, with notes on 223–24. The poem was reedited by Shraga Abramson, "A Letter of Rabbi Judah ha-Levi to Rabbi Moses Ibn Ezra," in *Ḥayyim (Jefim) Schirmann Jubilee Volume*, ed. S. Abramson and Aaron Mirsky (Jerusalem, 1970) 409 [Hebrew]. See also the version in S. M. Stern, "Imitations of Arabic Muwashshaḥāt in Spanish Hebrew Poetry," *Tarbiz* 18 (1947): 170 [Hebrew].

[102] See I. Davidson, *Genizah Studies in Memory of Doctor Solomon Schechter*, vol. 3 (New York, 1928) 319 [Hebrew], on the basis of T-S Loan 46 (now T-S Misc. 35.46).On its back it is said to be the letter that Halevi wrote to Moses Ibn Ezra. Abramson, "Letter," 404–8, on the basis of T-S Loan 2.19 (now Misc. 35.46), gives



come from Christian Spain to enjoy the friendship of the great luminaries, the sages of Spain, and to bask in their light. He wandered about, eventually finding his way to these comrades. They caused him joy and inspired him with poems of friendship and the wine of love. He joined their *majlis*.[103] On one occasion, during a *soirée*, his confrères attempted to imitate a poem by Ibn Ezra, *Layl maḥshevot aᶜira*.[104] They succeeded with the beginning only, and turned to Halevi to carry it to completion. At first declining, the poet then tried his hand, the result being the poem *Aḥar gelot sod*.

Imitation of a poem in structure, meter, and rhyme was popular among Arab bards. This often took the form of a competition in emulation (*muᶜāraḍa*) of the style of another poet. Judah Halevi's letter gives us the actual *mise en scène* of this kind of rivalry. The *muwashshaḥ*, or strophic poem, was particularly suited for imitation; it was built on stanzas and refrains, and set to music. Set to music, the *muwashshaḥ* became popular, and imitations abounded.[105] Scribes of diwans would mark the melody (*laḥn*) in superscriptions to these poems.

The poem *Aḥar gelot sod* is, as stated above, an erotic poem. The poet begins by asking why he should continue concealing his secret when it—namely, his cup on the left and his beloved on the right—has already been revealed and nothing remains to hide.[106] He enjoins an (imagined) critic, who

facsimiles of both manuscipts. The letter and its social context is discussed by J. Schirmann, *Studies in the History of Hebrew Poetry and Drama* (Jerusalem, 1979) 1.253–55 [Hebrew]. See also Stern, "Imitations" and Rosen-Moked, *The Hebrew Girdle Poem (Muwashshaḥ) in the Middle Ages* (Haifa, 1985) 77–79 [Hebrew].

[103] That is, their circle of friendship; I have written on these *majālis* in Eastern Islam in *Humanism in the Renaissance of Islam* (Leiden, 1986) Index, 318. We find Halevi present at another such *majlis*, mentioned by Joseph Ibn al-ᶜAqnīn, in his *Commentary on Song of Songs, Hitgalut ha-sodot we-hofaᶜat ha-meᵓorot*, ed. A. H. Halkin (Jerusalem, 1964) 176–78.

[104] See H. Brody, *Diwan Moses Ibn Ezra, Shire ha-Ḥol* (Berlin, 1935), no. 258, p. 274. Moses Ibn Ezra wrote his poem in honor of Joseph Ibn Ṣaddiq. The poem is also ascribed to Joseph b. Ṣaddiq (written for Joseph ha-Levi b. Megas); see Yonah David, *The Poems of Joseph Ibn Zaddik* (New York, 1982) 36–38. Schirmann, *Studies* 254, suggests that the circle met in Cordova, the hometown of Ibn Ṣaddiq. Stern has shown, in "Imitations," 168, that the poem of Moses Ibn Ezra *Layl Maḥshevot* is based on a *muwashshaḥ* of the Arab poet Abū Bakr al-Abyaḍ. The poem is cited by Ibn Khaldūn, *The Muqaddimah*, trans. Franz Rosenthal (New York, 1958) 3.444–45.

[105] See Stern, "Imitations," 166.

[106] The poet usually conceals his love out of fear of an envier or critic (a common theme in Arabic poetry).

rebukes the poet for loving his gazelle[107] and for indulging in the cup of pleasures, not to interfere. The lover will do the opposite of what his critic says. The gazelle's mouth is pressed to a cup of wine as though kissing. The critic should flee; his chiding heals not. The lover desires to hear flute music mingled with the sound of wine in his jug. Wisdom raises its voice and calls the gazelle Heman[108] and Moses, faithful throughout his house.[109] And Wisdom[110] invites Moses to the joy of her breast and crimson lips. And she implores a messenger, saying: "By God, O messenger, show my lover the way so that he can lodge with me; I shall give him coddling behind the curtains in exchange for his arrows, and I shall add my breasts."[111]

After alluding to Halevi's *Aḥar gelot sod*, our writer notes that emulating this poem's melody is: *mukaffir ṣ-l-w-y me'orot*. The word *me'orot* ("lights") is marked in the manuscript as Hebrew. A *mukaffir* is a religious *muwashshaḥ* which atones for a prior secular poem. The *mukaffir* imitates the rhythm and rhymes of the original, ending with the same *kharja*.[112] Whereas the *mukaffir* exists in Arabic poetry, it has not yet been attested in Hebrew.[113] Thus our letter takes on added importance, as it is the only attested reference to a Hebrew *mukaffir*.

The word after *mukaffir* is hard to decipher. It is best resolved as the Arabic word for "prayer," *ṣalāh*.[114] The next word is Hebrew *me'orot*, the

[107] The poet uses the terms *'ofer* and *ṣevi* for the beloved, after the Arab model, as was common in Hebrew poetry. See, e.g., Schirmann, *Studies* 1.97–105. The word *ṣevī* was highly suitable since it was orthographically indistinguishable from Arabic *ṣabī* meaning "young lad."

[108] 1 Kings 5:11. Heman was a wise man. See also Joseph b. Judah's letter from Alexandria, ed. Baneth, no. 1, p. 5, lines 8–9.

[109] Cf. Num. 12:7.

[110] Wisdom is personified here and is female (*ḥokhmah*).

[111] This *kharja* (last stanza of a *muwashshaḥ*) is identical to the one ending Ibn Ezra's poem *Layl maḥshevot*. The arrows are the loving glances of the lover. The *kharja* is edited and translated by J. T. Monroe and D. Swiatlo, "Ninety-Three Arabic Ḥarǧas in Hebrew Muwaššaḥs," *JAOS* 97 (1977): 157, no. 93. (The translation here differs in some details).

[112] See S. M. Stern, *Hispano-Arabic Strophic Poetry*, ed. L. P. Harvey (Oxford, 1974) 81–82; Rosen-Moked, 66–67.

[113] Rosen-Moked 67.

[114] But the final letter bears explanation: we expect a *tā marbūṭa*, usually represented by *he'* in Hebrew, and instead we have a *yod*. The writer (or scribe) evidently spelled the word with an *alif maqṣūra* (represented by the *yod*). For the phenomenon, see Blau, *Grammar* 44, esp. d.



common genre of *piyyuṭ* relating to the ha-Me'orot blessing in the Morning Worship. What is this *piyyuṭ*? Brody noted in his comments on the Halevi poem that a *piyyuṭ* of Abraham Ibn Ezra is in the same rhythm, rhyme, and structure as the poems of Moses Ibn Ezra and Halevi,[115] This is the *piyyuṭ* beginning *El dod be-shem lo khinniti*. In this poem God is the beloved; the word *dod* is used, as in the Halevi poem. This may be the poem which the writer of our letter intended.[116] The poem is a religious love poem, with secular images used in a religious love poem, with secular images used in a religious sense, as was common in Ṣūfī poetry.

## TEXT

1. בשמ רחמ שלום רב לאוהבי [תור]תיך
2. ואין למו מכשול
3. גיר כאף עין הדרת יקרת צפירת תפארת מרנו
4. ורבינו אור עינינו נשף חשקינו צניף ראשנו
5. ותפארתנו יחיד דורנו אדוננו משה הרב
6. הגדול המעוז המגדול אות הזמן ופלאו
7. ממזרח שמש עד מבואו בו כֹּגֶק מרנו ורבי[נו]
8. מימון הרב הגדול בישראל [נ]ע [כתרת]
9. שוקי אליהא וארתיאחי נחוהא ואספי [עלי]
10. מא יפות מן קרבהא פאללה תע ידים גמל
11. אלקהילות בהא ויתוגהם בחיאתהא אמן
12. ואעלמהא תבת אללה סעדהא מא גרא עלי
13. מן חואדת אלזמאן מן שדאיד ואמראן מא
14. אשגלני ען מכאתבתהא פלמא אכר אללה פי
15. אלאגל וסמח לכאטר במו-שח ל אח-ר גלות-

[115] See his notes on *Aḥar gelot sod*, *Diwan des Jehuda ha-Levi* 222. Ms. Berlin 186 of the Diwan of Abraham Ibn Ezra states that the poem is written in the rhythm of an Arabic strophic poem. This is a reference to the poem which Stern identified (see above, n. 104) as that by Abū Bakr al-Abyaḍ. See Abramson ("A Letter," 403) and Israel Levin, ed., *The Religious Poems of Abraham Ibn Ezra* (Jerusalem, 1975) 129.

[116] This has been suggested to me by Dr. Tova Rosen-Moked. That the poem is a *me'ora* is noted by Levin in vol. 2.693. *Me'orot* in the form of strophic poems by Halevi are found in his *Diwan* 4.212 ff., but none in the structure of *Aḥar gelot sod*.

16. סו-ד מה- אט-מין וג׳ יתצמן בעץ אנצאפהא
17. חסב שוקי אליהא ומחבתי פיהא ויתלוה
18. עלי אללחן מכפר צלוי מאור-ות ואללה
19. שאהד עליי אן מא יחרך פיי אלרוח אלא אללה
20. תע ומחבתהא

## TRANSLATION

In your name, O merciful one. Those who love your teaching enjoy well-being; they encounter no adversity.[117]

His eminent dignity—diadem of glory, our master and teacher, light of our eyes,[118] breath of our desire,[119] crown of our head and our glory, peerless in his generation,[120] our lord Moses, the great *rav*, the fortress and tower,[121]

[117] Ps. 119:165.

[118] The epithet *or ʿenenu* was used, e.g., for the Nagid Samuel b. Ḥananiah; see Ms. DK II. In the form *meʾor ʿenenu* it occurs in T-S 10 J 9.14 in a letter to the same Nagid; see Mann 1.230–31; 2.288–89; Joshua Starr, *The Jews in the Byzantine Empire* (Athens, Ga., 1939; rprt New York, 1970) 220 for English translation. *Or ʿenenu* is also used, along with *ha-maʿoz ha-migdol* (as here), as an epithet for Rabbenu Abraham, in T-S 8 J 17.17

[119] The expression *neshef ḥishqenu* is translated in JPS "My night of pleasure." The word *neshef* means "twilight [or morning] breeze," then "twilight," "evening," "night." Here the meaning goes back to the original sense of breeze. We find the same expression, after *or ʿenenu*, in a letter from Shemaryahu b. Yakhin to Samuel ha-Nagid, in MS Bodl. Heb. b 11.11 (2874.11). The epithet *ḥesheq nafshenu* is used in a letter to Maimonides, in T-S 13 J 34.8 (which I am preparing for publication) (mentioned by Goitein, *Mediterranean Society* 2.390, 473).

[120] The expression *yeḥid doro* (cf. Arabic *yatīmat al-dahr*) occurs in a similar context in the congratulatory letter to Maimonides in T-S 12.822. And it occurs along with similar epithets in a small fragment of a letter to Rabbenu Abraham which contains formulae of praise for Moses Maimonides, in T-S AS 150.33, brought to my attention by Mordecai A. Friedman (which I shall treat elsewhere). Not surprising, then, is the appearance of the epithet in connection with Rabbenu Abraham, in Bodl. b 3.6 (2806.6) in a similar context; and see also Bodl. d 65.44 (2877.44) and T-S 13 J 4.14 and 13 J 9.8.

[121] The expression *ha-maʿoz ha-migdol* is used by Maimonides in letters to Phineas b. Meshullam; see Shailat, *Iggerot* 436, line 4 and 463, line 3. It has been suggested that *migdol* means Lunel (i.e., migdol Yeriḥo), from where Phineas b. Meshullam hailed; see M. Luzki, "We-Katav Moshe," *Ha-Tequfah* 30–31 (1946): 691, citing H. Gross, *Gallia Judaica* (Paris, 1897) 277. But, as we see here, the expression, along with *maʿoz*, is used for Maimonides, whose birthplace was Cordoba. *Ha-maʿoz ha-migdol* is also used, *inter alios*, for Rabbenu Abraham in 8 J 17.17, and for the judge Elijah b. Zechariah, in 8 J 17.25.



sign and wonder of the time, from East to West, son of the honorable, great and holy master and teacher of ours Maimon, the great *rav* in Israel, may he rest in paradise—surely knows [the greatness] of my yearning for him, my delight in seeing him,[122] and my regret for not being near him. May God, the exalted, sustain all of the communities through him, and crown them with glory in his lifetime. Amen.

I inform him, may God maintain his good fortune, of the vicissitudes that came over me by way of calamities and illnesses, which diverted me from corresponding with him. And as God put off the appointed time,[123] there came to mind the strophic poem having the melody,[124] "Why continue concealing when my secret is out," etc., which contains some of his traits coinciding with my yearning and love for him. And following its melody is the *mukaffir* Prayer of the Lights.

God is my witness that only He and love for you will stir my spirit.

## 6. *Maimonides' Illness*

### *Or. 1080 J 88*

### INTRODUCTION

Our document is not a letter by or to Maimonides, but rather one in which he is mentioned.[125] The sender is evidently a physician; he has been summoned by alarming news to attend to Rabbenu Moshe, who is ill. The recipient of the letter is Abū Naṣr b. Elisha, who lived in Alexandria.[126] That Rabbenu Moshe (also called *sayyidunā*, "our lord") is Maimonides can be inferred from the statement of the writer that his loss would affect the entire community. The time of the illness fits what we know from elsewhere.

[122] Lit., "towards him."

[123] The word *ajal* means "appointed time" or "time of death," which appears preferable here.

[124] The text has the abbreviation *lamed* for *laḥn*.

[125] The document is discussed and translated into Hebrew by Goitein, *Education* 109–10.

[126] An Abū Naṣr b. Elisha of Alexandria is mentioned prominently in T-S 16.272 (which I plan to publish elsewhere).

Beyond these two pieces of evidence we have no confirmation that the Moses here is indeed Maimonides.

The writer first mentions that he was summoned to care for "our lord, our teacher Moses," on Wednesday, 21 Tammuz. Goitein notes that the date fell on Wednesday in the years 1196 and 1197.[127] This is the main point of the message.

The bearer of the letter is a certain Ismāʿīl b. ha-Melammed b. al-Sadalū, a poor man burdened with family obligations. He had received some money in the town of Bilbays toward payment of his poll tax. The writer notes that Abū Naṣr b. Elisha had promised to pay the poll tax for the man and his son. The story continues on the right margin of the document, but is difficult to decipher with certainty. Ismāʿīl, it appears, requests that the recipient of the letter pay the balance of the poll tax.

The document measures ca. 15 × 16 cm. and is torn at the top, especially on the right, and at the bottom. It is faded in places, and the marginal note is partly illegible.

## TEXT

1. [אלי חצֹרת אבי נצר בן כ]גק מד וד א[לי]שע [פא]ר
2. הלויים הירא שמים הנדיב יברכו צורו
3. ויעזרו [ ] ויגן בעדו ויזכהו לראות
4. שמחת [ח]מודו ותורתו ואריכות ימיו
5. אמן סלה [לי מן אלשוק] מא לו שרחת כלה למא
6. וסעה אלסגלאת [ואללה] עאלם צחה [דלך] וגמע
7. ושמל בחצרתהא עלי אסר חא[ל ] וגיר
8. דלך אן אתצל באלכאדם יום [אלארבעה] אלואחד
9. ועשרין מן חדש תמוז כבר מזע[ג ו]מקלק עין
10. סידנא רבנו משה יחי לעד יטלב אלכאדם [אן]
11. יטלע מא קדר עלי דאבה בסבב אלעלה
12. אללה תעלי יכפי אלמלה פיה אלאסוא ויגן בעדו
13. ומוצל הדה אלכדמה אסמעיל בן אלמלמד
14. בן אלסדלו צעלוך מעול חצר עלי בלביס חצל לה
15. בעין גאליה וקאל אן אלמולא אועדה יחצל

[127] See Goitein, *Education* 109.



שוליים
לה שי פי גאליתה וגאליה ולדה וקד קדם אלי [אלכא]דם [ועד] אלמולא פי כמאל
ועדה לאנה מא [דפע] געלהא

## TRANSLATION

[To the honorable Abū Naṣr, son of his honor,] greatness and holiness, our master and teacher Elisha, Pride[128] of the Levites, the pious and noble, may God bless him and [may his Lord] aid him, and may He protect him, and permit him to witness the joy of his son, his learning, and length of days. Amen. Selah.

[My desire to see you is such] that were I to express it entirely, scrolls would not suffice. [God] knows that [this] is true. May he rejoin us in your presence on the most joyous of occasions. [. . . . . .]

Aside from this, your servant received on [Wednesday] 21 Tammuz disturbing and alarming news about our lord,[129] our teacher Moses, may he live forever, who requested that your servant come as quickly as possible on his mount[130] on account of his illness. May God, the exalted, prevent harm from befalling the community[131] because of him,[132] and may He protect him.

The bearer of this letter, Ismāʿīl b. al-Melammed b. al-Sadalū, an indigent man, burdened with family obligations, came to Bilbays, where he got some money to defray the poll tax. He says that (our) lord promised to obtain[133] some funds for him to defray the poll tax for him and his son. Your servant received (our) lord's promise. But (our lord) has not yet made his payment.

[128] Only the *resh* is visible at the end of the line. The word might also be *nezer;* see Goitein, *Education* 110.

[129] The word is *sayyidunā* (written with one *yod*, implicitly doubled), often used before the titles *nasiʾ*, *nagid*, and *raʾīs*. For Maimonides, see also T-S 12.822 (*sayyidunā ha-rav ha-gadol*). It is often used for Rabbenu Abraham (*sayyidunā al-raʾīs*).

[130] Reading: *ʿalā dābbatin*. Goitein translates; *el beto* ("to his house"), thus reading *ʿalâ dārihi*.

[131] The word is *milla*, which means "religious community," "people," "nation," etc.

[132] That is, on account of his illness and possible loss.

[133] After this point the text is written on the margin.

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My gratitude is expressed to Dr. Stefan Reif and his staff at the Genizah Research Center, Cambridge University Library, for their generous cooperation; to Dr. Avraham David of the Hebrew University and National Library for his assistance; and to Prof. M. A. Friedman, who went over a number of the documents with me, for his valuable comments. Research for this study was supported by the National Endowment for the Humanities and by the Kaplan-Kushlick Foundation. This article is dedicated to Prof. Joshua Blau, master of Judaeo-Arabic, whose edition of Maimonides' *Responsa,* analysis of his language in vol. 3, and many incisive observations elsewhere are crucial for Maimonidean Studies.

# JUDAH HALEVI'S INFLUENCE ON MAIMONIDES: A PRELIMINARY APPRAISAL

*by*

HOWARD KREISEL

In Memory of Prof. Shlomo Pines

In the introduction to his English translation of *The Guide of the Perplexed,* Shlomo Pines presents an in-depth analysis of Maimonides' philosophic sources.[1] Of the eighty-eight pages Pines devotes to this subject, only the final three deal with the Jewish sources. Isadore Twersky has already noted the dearth of material Pines brings on this topic.[2] Yet this criticism was anticipated by Pines. "Maimonides' references, or allusions, to Jewish philosophic or kalām texts," he notes, "are exceedingly and rather surprisingly scanty" (cxxxii). After proceeding to offer several examples of possible allusions to Jewish authors in the *Guide,* Pines concludes with the following noteworthy observation:

> The fact that, relatively speaking, Maimonides had so little recourse to Jewish philosophic literature is significant. It implies *inter alia* that he had no use for a specific Jewish philosophic tradition. In spite of the convenient fiction, which he repeats, that the philosophic sciences flourished among the Jews of antiquity, he evidently considered that philosophy transcended religious or national distinction. Qua philosopher he had the possibility to consider Judaism from the outside. From this vantage point he could discover the justification that, if one takes into account human nature and condition, can be adduced for accepting the obligations of a strict member of the Jewish community and could apprehend and try to eliminate or to mitigate the dangers inherent in philoso-

[1] *The Guide of the Perplexed,* trans. Shlomo Pines (Chicago, 1963). All of the passages from the *Guide* cited in this study are taken from Pines's translation. Pines's introduction is entitled "The Philosophic Sources of *The Guide of the Perplexed.*"
[2] Isadore Twersky, rev. of *The Guide of the Perplexed,* trans. Shlomo Pines, *Speculum* 41 (1966): 557 ff.

phic truth and trace the task of the philosopher-statesmen, one of whom he was. (cxxxiii–cxxxiv)

One may question whether Maimonides in fact regarded as "fiction" the view that the philosophic sciences flourished among the Jews of antiquity."[3] I am inclined to believe that he was stating his true conviction when he attributed an intellectual perfection that encompassed and transcended all scientific knowledge to the prophets and attributed philosophic knowledge to the sages of the Talmud.[4] By doing this he was able to interpret prophetic visions and rabbinic midrashim as imaginative representations of physical and metaphysical truths. I do not think that Maimonides was being disingenuous in offering such interpretations. The fact remains, however, that he makes no explicit reference to medieval Jewish philosophers in the *Guide*, and he certainly did not think that they preserved an esoteric tradition of metaphysical truths received from the sages of old. It was in the Aristotelian philosophers that one would find the key to unravel the truths about God and the world hidden in the sacred texts and, as well, in the rabbinic midrashim.

The impact of the Aristotelians in shaping Maimonides' thought was far greater than the number of explicit citations suggests. Alfarabi's views on prophecy and politics, for example, are evident in Maimonides' approach to these subjects even when Maimonides does not cite him. Some of Maimonides' medieval Jewish predecessors also employ philosophic conceptions in their approach to Judaism, but from his standpoint, apparently none of them displayed the rigor of thought and depth of vision that could have served him as a model to emulate in framing his own position. Such models were to be found in the Islamic Aristotelians, who were forced to grapple with the same theological issues that faced the Jewish thinkers. It is no wonder then that Maimonides does nōt cite any medieval Jewish philosophic work, and that no such work appears to have exerted any dominant influence on his thought. Moreover, Maimonides did not feel any compelling need to refute outright those views of his Jewish predecessors that he rejected. For

[3] Maimonides presents this view in *Guide* 1.71:175. Cf. 1. Introduction: 8–9, 1.33:71–72, 1.34:77–78.

[4] This is not to say that Maimonides agrees with all of the philosophic views which he ascribes to the sages. Like the philosophers, the sages were subject to error. The crucial point, however, is that he regards the sages as maintaining essentially the same world-view as the philosophers.



the most part he could ignore them. It was sufficient to occasionally disparage what they said.[5]

Maimonides certainly could have found a wealth of useful material in the works of at least two of his immediate predecessors, Abraham Ibn Ezra (1089–1164) and Abraham Ibn Daud (ca. 1110–1180). Both are influenced by some of the same Islamic philosophers who so attracted Maimonides, most notably by Avicenna (980–1037) and they display much acumen in their own philosophic understanding of Jewish tradition. The similarity between their views and and those of Maimonides in many areas makes it tempting to hypothesize that Maimonides may in fact have utilized their works without mentioning them. Yet in general the similarity can be attributed to their reliance on the same sources. Even the resemblance in some of their interpretations of Scripture may well be coincidental or traceable to common sources. Maimonides mentions Ibn Ezra only once in all of his writings, and that is in passing in his letter to Samuel Ibn Tibbon dealing primarily with issues concerning the translation of the *Guide*.[6] No conclusive evidence has yet been produced that Maimonides was acquainted with Ibn Ezra's work when he was writing the *Guide* or even afterwards, and in all likelihood he was not.[7] As for Ibn Daud, Maimonides does not even mention him. Ibn Daud wrote his philosophical treatise, *The Exalted Faith* (*Al-ʿAqīda al-Rafīʿa*) around 1160 in Toledo, Spain. Inasmuch as it does not appear to have achieved any great prominence, it was probably unknown to Maimonides when he wrote

[5] Pines, "Philosophic Sources" cxxxii ff.

[6] *Letters and Essays of Moses Maimonides*, ed. Isaac Shailat (Maaleh Adumim: Maaliyot Press, 1988) 530 [Arabic and Hebrew].

[7] Maimonides says in the *Testament of Maimonides* that he did not become acquainted with Ibn Ezra's works until after he finished the *Guide*, but *Testament* is in all probability a forgery. See Shailat's analysis, together with his comment about Maimonides' familiarity with Ibn Ezra, in *Letters and Essays of Moses Maimonides* 697 ff. Joseph Kafaḥ also says that Maimonides was unacquainted with the writings of Ibn Ezra. See his edition and Hebrew translation of the *Guide* (Jerusalem: Mossad Harav Kook, 1972) 190 n. 27. On the other hand, Warren Z. Harvey, following J. Perla, maintains that Maimonides was influenced by Ibn Ezra's *Yesod Morah*. See "The First Commandment and the God of History: Halevi and Creseas vs. Ibn Ezra and Maimonides," *Tarbiz* 57 (1988): 209, n. 14 [Hebrew]. I. Twersky has explored this issue without reaching a definitive conclusion in an unpublished paper delivered in Jerusalem in 1989.

the *Guide* around twenty-five or thirty years later in Fostat, Egypt.[8] The problem of the relation between Maimonides and these thinkers, however, requires further investigation.

In his letter to Ibn Tibbon, the only Jewish philosophic works Maimonides mentions are *The Book of Definitions* and *The Book of the Elements* by Isaac Israeli (ca. 855–ca. 955) and *The Book of the Microcosm* by Joseph Ibn Ẓaddik (d. 1149). He dismisses Israeli's works in no uncertain terms, which certainly indicates that he had at least read them, and he characterizes Israeli, like Al-Rāzī, as "merely a doctor." Maimonides confesses that he has not read Joseph's work, which was written in Cordoba prior to the departure of Maimonides and his family and his attitude to the author is ambiguous.[9]

The omission of other Jewish thinkers, however, is in itself no indication that Maimonides was unfamiliar with their works. It would be difficult to imagine, for example, that he was ignorant of Saadiah's works, for they had attained great popularity throughout the Jewish world long before his time. Indeed, in the *Epistle to Yemen*, Maimonides explicitly mentions Saadiah, and directly refers to the messianic computation in the eighth chapter of his *Book of Beliefs and Opinions*.[10] Furthermore, he derides the term "intellectual commandments" when alluding to Saadiah in *Commentary on the Mishnah, Eight Chapters* 6.[11] In the *Guide*, he employs Saadiah's notions of the Created Voice and the Created Glory in several passages.[12] Inasmuch as

[8] Pines brings a striking parallel between Maimonides and Ibn Daud in his "Philosophic Sources" cxxxiii, n. 123, but it is hardly conclusive evidence that Maimonides actually knew Ibn Daud's treatise. See below, n. 40. In his letter to Samuel Ibn Tibbon, Maimonides mentions a visitor from Toledo who brought him reports about Judah Ibn Tibbon (*Letters and Essays* 530). The hypothesis that Maimonides may also have learned something about the work of Ibn Daud from this visitor cannot be dismissed out of hand.

[9] *Letters and Essays* 552 (see also n. 12).

[10] *Letters and Essays* 99 ff., 142 ff.

[11] Cf. *The Book of Beliefs and Opinions*, trans. Samuel Rosenblatt (New Haven: Yale University Press, 1948) 3.1:139–40, 3.2:141. The term "intellectual commandments" gained widespread popularity among subsequent Jewish thinkers prior to Maimonides' time.

[12] 1.5:29, 1.10:36, 1.19:46, 1.21:49–51, 1.25:55, 1.27:57, 1.28:60, 1.64:156, 2.33:364–365. See *Book of Beliefs and Opinions* 2.5:105, 2.10:121–122, 2.12:130, 3.5:151. Cf. *Saadiah's Commentary on Sefer Yezirah*, ed. and trans. Joseph Kafaḥ (Jerusalem, 1972) 71, 108 ff. [Arabic and Hebrew]. For an analysis of these notions, see Haggai Ben-Shammai, "On a Polemical Element in Saadya's Theory of Prophecy," *Jerusalem Studies in Jewish Thought (Shlomo Pines Jubilee Volume—Part I)* 7 (1988): 127–46 [Hebrew], together with the bibliography cited in n. 1. See also H. A. Wolfson, *Repercussions of the Kalam in Jewish Philosophy* (Cambridge, Mass.: Harvard University Press, 1979) 87–93. As in the case of "intellectual commandments," the notions of Created Voice and Created Glory were incorporated into the philosophies of a number of Jewish thinkers, both Rabbanite and Karaite, prior to Maimonides.



Maimonides considered Saadiah a follower of the Kalām, however, he certainly had no reason to mention him when providing Ibn Tibbon with a recommended bibliography of *philosophic* works.[13]

Ḥefeẓ b. Yaẓliaḥ's *Book of Commandments*, cited by Maimonides on a number of occasions in his legal writings, opens with a significant synthesis between philosophy and law. Ḥefeẓ treats knowledge of the existence and unity of God as the first two commandments, followed by the commandments to love God and to fear Him. Since Maimonides opens his *Book of Commandments* and *Mishneh Torah* with the same commandments, this may well have been his primary source.[14]

[13] In his other writings, however, he refers to *The Book of Beliefs and Opinions* and to Saadiah's *Siddur*. He may also have been familiar with Saadiah's translation and commentary on the Bible, in addition to some of his legal and polemical writings. Pines cites a passage from Saadiah's *Commentary on Sefer Yeẓirah* which in his view underlies part of Maimonides' discussion in *Guide* 1.72. See Shlomo Pines, "Points of Similarity between the Exposition of the Doctrine of the Sefirot in the *Sefer Yezira* and a Text of the Pseudo-Clementine Homilies," *Proceedings of the Israel Academy of Sciences and Humanities* 7 (1989): 127–32.

[14] Other thinkers before Maimonides treat knowledge of God as a divine commandment (e.g., Judah Halevi in *Kuzari* 3.13; Baḥya Ibn Paquda in *Duties of the Heart*, introduction), but not in the context of a legal work (though Baḥya certainly regarded his work as having the highest legal obligation). Ḥefeẓ, on the other hand, presented Maimonides with a straightforward legal source in this matter. Salo Baron already noted the influence of Ḥefeẓ on Maimonides in this matter. See *A Social and Religious History of the Jews* (New York: Columbia University Press, 1958) 7:95. In contradistinction to Baḥya, Halevi and Maimonides, however, Ḥefeẓ does not cite the first Commandment as his prooftext. For a discussion of Ḥefeẓ b. Yaẓliah's influence on Maimonides' halakhic writings, see Benzion Halper, *A Volume of the Book of Precepts of Ḥefeṣ b. Yaṣliah* (Philadelphia: Jewish Publication Society, 1915) 59–89. Halper (31 ff.) also cites and translates the first two commandments in Ḥefeẓ's work, preserved in Hebrew translation by Judah b. Barzillai in his *Commentary on Sefer Yeẓirah*. While Maimonides does not treat these commandments the same way Ḥefeẓ does (and indeed there are significant differences between Maimonides' own treatments in his two halakhic works), there is further internal evidence that he made use of Ḥefeẓ's work in this regard. The third and fourth commandments of *The Book of Precepts* were discovered by Moshe Zucker in a fragment which he published and translated in "New Fragments from *The Book of Precepts* by R. Ḥefeṣ b. Yaṣliah," *PAAJR* 29 (1960–61): 22 ff., 31 ff. [Hebrew].

A number of references to Hebrew grammarians and biblical commentators are scattered through Maimonides' works. He mentions Ibn Janaḥ in *Guide* 1.43:93. In the *Treatise on the Resurrection of the Dead* he cites the commentaries of Moses Ibn Gikatilla and Judah Ibn Balʿam, who both undoubtedly exercised some influence on his biblical exegesis in the *Guide*.[15] Several of Maimonides' observations concerning the Hebrew language resemble those of Moses Ibn Ezra, whose works were probably known to him.[16] In addition, various passages in the *Epistle to Yemen* show striking similarity to passages in Abraham bar Ḥiyya's messianic work, *Megillat ha-Megalleh*.[17] Baḥya Ibn Paquda is yet another well-known thinker with whose opinion's Maimonides may have been acquainted and there is some evidence for this, though hardly conclusive.[18] He certainly knew the works of several Karaite thinkers. His overall appraisal of their theology is negative, inasmuch as he regards them as followers of the Kalām, but he may, nevertheless, have borrowed some notions from their writings.[19]

[15] *Letters and Essays* 329, 359. It is, however, not possible to determine the extent of their influence, since many of their works are lost.

[16] See Pines, "Philosophic Sources" cxxxiii, n. 123.

[17] See Salo Baron, "The Historical Outlook of Maimonides," *PAAJR*, 6 (1934–35): 9 ff. In his philosophic work, *Meditation of the Sad Soul* 2, Bar Ḥiyya presents a discussion of who is superior, the person who experiences but overcomes his inclinations for material pleasure or the one who has completely obliterated his desires for physical pleasures, that brings to mind *Commentary on the Mishnah, Eight Chapters* 6. Maimonides, however, was undoubtedly influenced by Alfarabi's *Aphorisms of the Statesman*, ed. and trans. D. M. Dunlop (Cambridge: Cambridge University Press, 1961) no. 13, which also discusses the same question. For a general comparison of *Eight Chapters* and *Aphorisms*, see Herbert Davidson, "Maimonides' *Shemonah Peraqim* and Alfarabi's *Fusul al-Madani*," *PAAJR* 13 (1963): 119–33.

[18] Maimonides was certainly aware of the existence of Baḥya's *Duties of the Heart*, since R. Jonathan of Lunel, in a letter to him, lists it as one of the works translated by Judah Ibn Tibbon (together with Saadiah's *Book of Beliefs and Opinions*, Judah Halevi's *Kuzari*, Ibn Janaḥ's *Book of Roots*, Ibn Gabirol's *The Improvement of the Moral Qualities*, and *Choice of Pearls*, which is generally attributed to Ibn Gabirol). See *Letters* and *Essays* 511. See also Maimonides' remarks at the beginning of his letter to Samuel Ibn Tibbon (p. 530). Joseph Kafaḥ, in the notes to his editions of Baḥya and Maimonides, compares and contrasts various aspects of their thought. Maimonides may have had Baḥya's work in mind when formulating some of his ideas. His comment on the ready availability of those elements crucial for human existence in *Guide* 3.12 is markedly similar to *Duties* 2.5. Maimonides also appears to have made use of Baḥya's discussion of the divine attributes in *Duties* 1.10.

[19] See the study by Daniel Lasker, "The Karaite Influence on Maimonides," *Sefunot* 20 (1991): 145–61 [Hebrew].



In a noteworthy passage in the *Guide*, 1.71, Maimonides confirms that he was acquainted with much of the Jewish theological literature. He does not, however, enter into specifics.

> As for that scanty bit of argument regarding the notion of the unity of God and regarding what depends on this notion, which you will find in the writings of some *Gaonim* and in those of the Qaraites, it should be noted that the subject matter of this argument was taken from the Mutakallimūn of Islam. . . . As for the Andalusians among the people of our nation, all of them cling to the affirmations of the philosophers and incline to their opinions, insofar as these do not ruin the foundation of the Law. You will not find them in any way taking the paths of the Mutakallimūn. In many things concerning the scanty matter of which the later ones among them had knowledge, they have therefore approximately the same doctrine that we set forth in this Treatise. (176–77)

Aside from the notions from Saadiah mentioned above, and the few scattered references to medieval Jewish thinkers and exegetes, one has to dig beneath the surface to uncover any possible influences of medieval Jewish works on Maimonides' philosophy, particularly as it is expressed in the *Guide*. This very fact indicates to what extent Pines is basically correct. The earlier Jewish philosophers provided Maimonides with precedents at best, but not with models for a philosophic understanding of Judaism and the incorporation of philosophy into the precepts of the Law. They also provided him with suggestions for some specific exegetical and theological points. Moreover, with the notable exception of Saadiah's innovative exegetical approach to corporeal descriptions of God in Scripture, which appears to have exerted a direct and significant influence on his own approach,[20] Maimonides either dismisses or utilizes for exoteric teachings those notions of Saadiah's which he most conspicuously incorporates into his works, and thus they in no way reflect his own views.[21] In looking for medieval Jewish influences on

[20] There are many important points of similarity between Saadiah's discussion of divine unity and scriptural exegesis in the second treatise of his *Book of Beliefs and Opinions* and Maimonides' discussions in the *Laws of the Principles of the Torah* and in the *Guide*. It appears to me that Maimonides made extensive use of Saadiah's treatise, as well as Baḥya's *Duties*, in this area. A further study of this issue, however, is in order.

[21] Maimonides' approach to prophecy in *Guide* 2.32–48 is far different from Saadiah's, which is based on the notions of Created Glory and Created Voice. For social and pedagogical reasons, Maimonides continues to utilize the notion of Created Voice in regard to Mosaic prophecy and the revelation at Sinai—an issue discussed in

Maimonides, one must, for the most part, deal with subtle undercurrents in his thought. Even if Maimonides were entirely unaware of the works of his Jewish predecessors, there is little reason to assume that his philosophy would have been fundamentally different. The same could not be said if Maimonides had not read Alfarabi or even Avicenna. The problem confronting the interpreter then is to identify these undercurrents. What are the notions, motifs, or points of scriptual exegesis that Maimonides may have drawn from his Jewish predecessors and employed for his own purposes? Just as important, if not more so, to which of their notions does he appear to be reacting in formulating his own views?

Perhaps the most intriguing question in this respect pertains to Halevi's *Kuzari*[22] (completed around 1140). Maimonides and Halevi lived in philosophically similar milieus, and their works came to have a preeminent influence on subsequent currents in Jewish thought, currents which extend to the present day. Yet their works are considerably different in style, purpose, and underlying conception of Judaism. Halevi did not regard the *Kuzari* as a philosophic work. Maimonides would not have done so either; rather, he would have seen it as an apologia for Judaism, polemical in style and unsystematic in presentation. Thus one would not expect him to refer to the *Kuzari* in his letter to Ibn Tibbon, even if only to dismiss it. That Maimonides would have found much to condemn in the *Kuzari* is beyond doubt. Halevi's brand of Jewish particularism is far from Maimonides' spirit, as is his overcritical approach to Aristotelian philosophy. From a philosophic perspective, the *Guide* serves as a fitting answer to the *Kuzari*.[23] Nothing indicates, however, that it was written as such. On the surface, Maimonides ignores Halevi's work. The complete absence of any direct reference to it in his writings, and indeed of any mention of Halevi, suggests that he may not have read the *Kuzari*. At the very least it indicates that he did not consider Halevi's work important enough to warrant his responding to it in the *Guide*, even in passing, as he does at times in the case of the Gaonim and Karaites.[24]

It would be incorrect, however, to regard the *Kuzari* and the *Guide* as completely antithetical. The *Kuzari* is not a Jewish version of Algazali's *Incoherence of the Philosophers*, designed to present a systematic rejection of Aristotelianism.[25] Rather it is intended to defend Judaism. Moreover, in developing his conception of Judaism, Halevi is very much influenced by philosophic views and displays a disparaging attitude to the Mutakallimūn.[26] On the other hand, Maimonides, unlike Averroes, who rose to meet the challenge posed to the philosophers by Algazali, felt no need to offer a comprehensive defense of philosophy. Rather he sought to utilize it in order to understand Judaism. He was not averse to refuting philosophic views when he thought philosophy overreached itself, as in the case of the problem of

my article "'The Voice of God' in Medieval Jewish Philosophical Exegesis," *Daat* 16 (1986): 32 ff. [Hebrew]. However, Maimonides may have accepted some of Saadiah's views on prophecy. In *Commentary on Sefer Yezirah* 4.1:109, Saadiah ascribes different functions to the Divine Spirit in addition to the speech and visions attained by the prophet—one being the bestowal of knowledge and the other the power of courage. This may be the source for the first two levels of prophecy that Maimonides posits in *Guide* 2.45:396–400 and labels as the "Holy Spirit" (*ruaḥ ha-kodesh*). This point adds further support to Pines's contention that Maimonides borrowed from Saadiah's commentary, particularly inasmuch as this parallel is found in the same passage of the commentary as the parallel cited by Pines. Morever, in the continuation of his discussion, Saadiah appears to draw a distinction between *ruaḥ ha-kodesh* and prophecy. See Ben-Shammai, "On a Polemical Element" 128. This point also characterizes Maimonides' discussion of the subject, though Maimonides, as opposed to Saadiah, uses the distinction to show that the *Ketubim* are not prophetic. Daniel Lasker argues that there may be an anti-Karaite polemic in Maimonides' stance ("The Karaite Influence") 153 ff.

[22] References in this study are to Yehuda Even Shmuel's modern Hebrew translation, 2 ed. (Tel-Aviv: Dvir, 1972). While the translation is more flawed than Judah Ibn Tibbon's medieval Hebrew translation, the edition is exceptionally valuable for its notes and appendices. Hartwig Hirschfeld's English translation is also replete with mistakes. English translations from the *Kuzari* in this study are my own, based on the Arabic (ed. David H. Baneth and Haggai Ben-Shammai, Jerusalem: Magnes Press, 1977), and utilizing the various translations.



[23] H. A. Wolfson contrasts the two thinkers in a number of critical studies, among them "Maimonides and Hallevi" and "Hallevi and Maimonides on Prophecy." See H. A. Wolfson, *Studies in the History of Philosophy and Religion*, vols. 1 and 2, ed. I. Twersky and G. Williams (Cambridge, Mass.: Harvard University Press, 1973 and 1977).

[24] *Guide* 1.71:176, 3.17:471.

[25] The relation between Halevi and Algazali has been explored by David Baneth, "R. Judah Halevi and Algazali," *Keneset* 7 (1942): 311–29 [Hebrew]. Baneth's article is in part a rejection of David Kaufmann's exaggerated view of Halevi's indebtedness to Algazali. This subject, however, requires further exploration. Baneth's reaction to Kaufmann is certainly correct. Nevertheless, Halevi appears to be closer to Algazali than Baneth suggests, particularly to such mystical works as *Mishkāt al-Anwār*.

[26] *Kuzari* 5.16:217. It is not the purpose of this study to enter into the problem of the degree to which Halevi was influenced by the philosophers in developing his approach to Judaism. Suffice it to say that his conception of God and his approach to prophecy and the conditions for perfection show marked affinities to philosophic conceptions.

creation, though Maimonides' true view on this issue continues to be debated.[27] The *Guide* is not only an Aristotelian reinterpretation of Judaism but also a defense of Judaism. Thus the gap between Maimonides and Halevi, though very real, is not as great as appears at first glance. There is much in the *Kuzari* which Maimonides could have employed in showing the limits of philosophy, defending traditional Jewish views and institutions, arguing the superiority of Judaism, and reinterpreting Judaism, particularly biblical texts, in a rational manner utilizing philosophic conceptions. Yet in these areas too, Maimonides makes no transparent use of Halevi's work.

Pines contends, however, that Maimonides probably was acquainted with the *Kuzari*. He adduces support for this hypothesis, which he regards as practically certain, by citing several passages where Halevi's influence may be discerned[28] Pines does not confine himself to the *Guide*, but deals with Maimonides' other writings as well. Based on these examples, he tentatively suggests that Maimonides reacted critically to the *Kuzari* in the *Guide*, a philosophic work, but made positive use of it in his non-philosophic writings.[29]

I see no conclusive reason for accepting *prima facie* the view that Maimonides had in fact read the *Kuzari*.[30] While a number of considerations lend support to this hypothesis—i.e., the fame of Halevi and his work, its having been written in Spain several years prior to Maimonides' departure, Maimonides' remarkable familiarity with all forms of literature, both Jewish and otherwise—the absence of any clear references to the *Kuzari* or the views it presents , as I have indicated, suggests the opposite conclusion. Furthermore, none of Pines's examples serves to demonstrate this hypothesis on either literary or philological grounds. Even collectively, Pines's examples only lend credence to the hypothesis but by no means prove it. Nor have I uncovered

[27] *Guide* 2.13–25. However, medieval commentators like Narboni and Kaspi, and present-day scholars like Avraham Nuriel and Warren Harvey, argue that Maimonides in fact believed in a primordial universe.

[28] See "Philosophic Sources" cxxxiii; "Shi'ite Terms and Conceptions in Judah Halevi's *Kuzari*," *Jerusalem Studies in Arabic and Islam* 2 (1980): 248–51; "On the Term *Ruḥaniyyāt* and Its Origin and on Judah Halevi's Doctrine," *Tarbiz* 57 (1988): 532 n. 77 [Hebrew].

[29] "Sh'ite Terms" 251.

[30] That Maimonides was at least aware of the existence of this work is certain. See above, n. 18.



anything in this area that I would regard as conclusive proof. Thus Halevi may, in fact, have had no influence on Maimonides, and this makes it prudent to leave the historical plane and return to the philosophical one, where their views are simply compared and contrasted. Having said this, however, I support Pines's underlying assumption that certain aspects of Maimonides' thought might be better understood and appreciated if viewed in light of the *Kuzari*. In other words, if we accept Maimonides' acquaintance with the *Kuzari* as a working hypothesis, certain passages in his writings can be seen in a slightly different perpective. Halevi's influence on Maimonides is certainly not blatant, nor is it evident in some of the areas where we might most expect to detect it. Yet it may well have made a subtle contribution to Maimonides' position on a number of questions. I would like to turn to two topics which are treated by both thinkers, confining myself to several examples from the *Guide* where Maimonides may have been influenced by Halevi. As I will attempt to show, using Pines's examples as a starting point, Maimonides' subtle references to the *Kuzari*, if indeed they are such, need not be viewed as consisting solely of negative reactions. Maimonides also seems to borrow from Halevi's work. Even when he differs with Halevi, he sometimes appears to have formulated his views in response to the criticism Halevi directs against the philosophers.[31]

### *Descriptions of God and Visions of Prophecy*

The conceptions of God in the *Kuzari* and the *Guide* have certain fundamental similarities in common. Both Halevi and Maimonides conceive of God as incorporeal, and they share a negative theology, maintaining that no positive knowledge of God is attainable, and that the attributes ascribed to God do not refer to His essence but are attributes of action or negative attri-

[31] I was greatly aided in this study by the detailed, though uncritical, list of parallels between Halevi and Maimonides brought by Yehuda Even Shmuel in the appendix and the copious notes to his translation. See especially 382 ff. Most of the parallels he cites do not indicate that Halevi's work had any direct influence on Maimonides, nor were they intended to, but some seem to support this conclusion.

butes.[32] Yet both thinkers, on the other hand, identify God with intellect[33] and treat the Tetragrammaton as the name indicative of the divine essence.[34] The question is whether specific points of contact can be discerned, within these similar conceptual approaches, when the two thinkers interpret the prophetic descriptions of God. Is there anything peculiar to Halevi's presentation that Maimonides appears to borrow or against which he reacts?

Pines argues that *Guide* 1.46, a chapter dealing with corporeal descriptions of God in the Bible, is at least partially directed against the parable of the king of India in *Kuzari* 1.19–24.[35] Halevi's parable indicates that reports about the justice and morality of the people of India are not sufficient reason for revering its king or even acknowledging his existence. Only the special gifts unique to India that are delivered by the King's envoys, together with a letter in his name, are reliable proof of the king's existence and that his sovereignty extends to the recipient of the gifts. Similarly, it is the prophetic mission and the accompanying miracles, rather than the harmony of the cosmic order, which are proof of God's existence and sovereignty. Maimonides, on the other hand, brings a parable in which the fact that affairs in a city proceed in an orderly fashion is proof of the ruler's existence. In other words, the orderly nature of the cosmos is sufficient proof of God's existence.

On the philosophical level, the two parables present opposing conclusions.[36] On the literary level, however, they have little in common aside from the most general points. Halevi tells of an Indian king whose existence is

[32] *Kuzari* 2.2:48–50; *Guide* 1.52–60:114–47. At first glance, Halevi and Maimonides differ on the question of "relative" attributes. Halevi believes it legitimate to apply such attributes to God (2.2:48–49); Maimonides does not (1.52:117). In fact, however, they are dealing with different categories. By "relative" Halevi has in mind attributes of exaltation (e.g., "holy" [*kadosh*] and "blessed" [*barukh u-mevorakh*]), and he employs the term *iḍāfa* to describe this category (Arabic: 43). Maimonides, on the other hand, refers to attributes of relation (e.g., master) and uses the term *nisba* (Arabic: 120). It should be added that Maimonides himself often employs attributes of exaltation in referring to God.

[33] *Kuzari* 2.2:50; *Guide* 1.68:161–66.

[34] *Kuzari* 2.2:48, 4.1:158; *Guide* 1.61:147. This apparently suggests that some level of positive apprehension of God may be attained—certainly a controversial notion in both philosophies. The precise significance of the Tetragrammaton for Halevi and Maimonides deserves a separate study.

[35] "Philosophic Sources" cxxxiii.

[36] In a subsequent passage, Halevi acknowledges that God can be known through the order of nature, though this knowledge is inferior to the more direct knowledge of the prophets. See *Kuzari* 4.15:172–74.



being argued to someone in another land; Maimonides refers to any ruler being described to someone living in the ruler's own domain. Maimonides' parable is more elaborately drawn in that it offers other, though inferior, alternatives for describing the king—by his appearance, by the retinue surrounding him, or by his activities. Moreover, Maimonides gives a detailed example of the order prevailing in the king's realm: a strong but poor man begging for a carob grain allows himself to be driven off by a weak money-changer, and refrains from killing and robbing him; this can be explained only by the fear that the ruler instills in his subjects. Not only does Halevi omit this example but he specifically mentions the justice and moral qualities of the inhabitants, qualities which are certainly not evident in Maimonides' example. Finally, while both parables deal with the existence of God, they are found in discussions of far different intent. Halevi's purpose is to show that revelation and miracles provide the most certain proof for God's existence and sovereignty, while Maimonides seeks to explain the meaning of, and rationale for, the corporeal descriptions of God in Scripture.

Pines, nevertheless, may be correct. Maimonides' parable takes on an added dimension if we assume that he was acquainted with Halevi's parable. The different intent of the discussion in which Maimonides' parable appears is not a reason for arguing that the two parables are unrelated. While the rest of *Guide* 1.46 focuses on descriptions of the "appearance" of God prevalent in Scripture, inasmuch as only in this manner can the masses be induced to accept His existence, Maimonides does not discuss in this context the more subtle, and presumably superior, ways for indicating God's existence that he presents in ascending order in other passages. Hence the parable should be regarded as a summation of Maimonides' general view rather than an integral part of his discussion of corporeal descriptions of God. The orderly nature of the world, rather than the exceptional miraculous occurrences, is the best indication of God's existence and greatness.[37] Maimonides' example of the poor man and the money-changer serves as a further subtle rebuttal of Halevi's view precisely because it highlights the basic immorality of the subjects. For Halevi, even the existence of an ideal social order, one in which all have acquired excellent moral qualities, is not sufficient proof of the ruler's existence. Maimonides may be interpreted as countering that even inferior social orders, in which only reciprocal wrongdoing is abolished, are sufficient indication of the existence of a ruler. Thus even a minimally orderly cosmos,

[37] See *Guide* 2.6:263–64.

let alone a perfect cosmic order, cannot be regarded as accidental, and would prove the existence of the Deity.

Significantly, however, the parable of the king in *Guide* 1.46 is far more reminiscent of *Kuzari* 4.3 than of 1.19–24. In the former passage Halevi treats the various names of God and their meaning. The intent of the discussion is fairly similar to that of *Guide* 1.46. He and Maimonides also touch upon the meaning and nature of the prophetic visions. In dealing with the name *Adonai*, Halevi writes:

> The senses detect in the objects which are perceived only their accidents, not their essence. They detect in the king, for example, only his appearance, form, and proportions. This, however, is not the essence of the king, whom you acknowledge and exalt. You see him in war in one dress, then you see him in the city in another, and you see him in his palace in a third. You say that he is the king by the judgement of the intellect, not the senses.

In developing this parable Halevi offers other examples of how the intellect arrives at the essence of things by penetrating the accidental qualities perceived by the senses. He then discusses the visions beheld by the "inner eye" of the prophets, and remarks:

> These descriptions are true in regard to what is sought by estimation, imagination, and sense, but not in regard to the essence which is sought by the intellect, as in our parable of the king. One who says of the king that he is a tall, white figure clothed in silk with the crown on his head, etc., is not lying. One who says that he is none other than the intelligent, discerning person, the issuer of commands and prohibitions, in a certain land at a certain time over a certain people, is also not lying.

In *Guide* 1.46:97, Maimonides too offers alternative ways of describing God. As an example of a description based on accidents he suggests, "the ruler is a tall individual who is white in color and gray-haired," a description reminiscent of the one offered by Halevi. There is certainly no conclusive evidence from a literary standpoint that Maimonides had *Kuzari* 4.3 in mind when he wrote *Guide* 1.46. He even focuses on a different subject—the corporeal organs rather than the various names ascribed to God. Nevertheless, some of the passages in the chapter read as a type of dialogue with Halevi. Maimonides appears to borrow some points, modify others, and correct or ignore those to which he objects. The following example is an illustration:



| *Kuzari* 4.3:161–62 | *Guide* 1.46:102–03 |
|---|---|
| If a prophet sees with his inner eye the most perfect figure in the shape of a king or judge, seated on his throne of judgment, issuing orders and prohibitions, appointing and deposing officials, then he knows that this figure befits a king, who is served and obeyed. | And when the parable is of a consistent nature—as when God, may He be exalted, is likened to a king, who gives orders and prohibitions to, and punishes and rewards, the people of the country, |
| But if he sees a figure bearing arms or writing utensils, or ready to undertake work, then he knows that this figure befits an obedient servant. | and who has servants and executives who carry out his orders and do for him what he wishes to be done— |
| Do not find it difficult that God should be compared to man. | they, I mean the *Sages*, likewise kept to this parable in every passage. . . . The comprehensive dictum to which we have alluded is their dictum in *Bereshith Rabbah*, which reads, "Great is the power of the prophets; for they liken the form to its creator. For it is said: And upon the likeness of the throne was a likeness as the appearance of a man." |

Maimonides employs Halevi's approach in dealing with both the prophetic visions and the rabbinic midrashim. He elaborates on Halevi's point that the prophetic visions of God as king are parables by citing an apposite rabbinic dictum. Ignoring Halevi's notion of an inner eye, he ascribes to the sages the view that the forms beheld by the prophets were forms created by God, maintaining that this view is correct because "every imagined form is created." In saying this, Maimonides is subtly alluding to his rejection of the notion of the Created Glory, or the view that the angels beheld by the prophets were corporeal entities. His position that the forms beheld by the prophets were products of the imagination serves as the basis for the theory of prophecy developed in part 2 of the *Guide*. In part 1 Maimonides utilizes the theory of the Created Glory to dispel corporeal views of God, only hinting at his rejection of this theory. It is significant in my view that it is precisely

between these two views of prophecy that Halevi wavers in *Kuzari* 4.3. Halevi was prepared to define the inner eye as the imaginative power while under the sway of the intellect, indicating thereby that the forms beheld by the prophets had no objective existence.[38] Toward the end of the chapter, however, he presents Saadiah's opinion that the Glory of God is a subtle body which assumes any form which God desires to show the prophet. In *Kuzari* 4.5 Halevi argues the importance of the prophetic visions even for the prophet's own apprehension of the Deity, as well as for his feeling of love and awe. Maimonides, in *Guide* 1.46, confines the function of the corporeal images to educating the masses. On this point he may be reacting against Halevi's criticism of the philosophers' view that anthropomorphisms are not necessary as an aid to the apprehension and to the attainment of awe and love of God.[39]

Indeed several notions in *Kuzari* 4.1–5 appear to have left their impress on the *Guide*. Some of them are fairly standard in the sources available to both thinkers, but they add support to the view that Maimonides made use of the *Kuzari*. Halevi opens the fourth treatise by defining *elohim* as ruler, an element of nature, the forces of the spheres, or a human judge. At the end of the chapter he adds to his definition planets and angels—spiritual or otherwise. A similar definition is brought by Maimonides in *Guide* 1.2 and 2.6.[40]

Halevi's discussion of the divine Glory may also have influenced Maimonides. Halevi, after presenting Saadiah's conception of the Glory, adds, "according to another view the Glory of God means the whole of the angels

[38] This view was held both by Islamic philosophers and by mystics.

[39] Maimonides' own theory of prophecy, however, shows some ambiguity on this point.

[40] The meaning of *elohim* as human ruler is cited by Maimonides in the name of Onkelos, who also at times translates it as a human judge. See also *Genesis Rabbah* 26.5. Saadiah brings the additional interpretation of *elohim* as angels. See *R. Saadiah Gaon's Commentaries on the Torah*, ed. and trans. Joseph Kafaḥ (Jerusalem: Mossad Harav Kook, 1984) 20 [Hebrew]. Shlomo Pines points out the strong similarity between Maimonides' interpretation and that of Ibn Daud, *The Exalted Faith*, ed. Shimshon Weil (Frankfurt am Main, 1852; Jerusalem, 1967) 83 ("Philosophical Sources" cxxxiii, n. 123). The similarity is all the more striking inasmuch as one of the interpretations brought by Ibn Daud is *elohim* as idols. While Maimonides in *Guide* 2.6 accepts most of Ibn Daud's other interpretations, he pointedly rejects this one. The similarity with Halevi is slightly less striking in respect to terminology. It should be noted, however, that *Kuzari* 4.1 and *Guide* 2.6 have some other elements in common—e.g., a definition of the name *Elohei ha-Elohim* and a discussion of the nature of the forces which rule the world.



and spiritual instruments—the throne, chariot, firmament, *ofanim*, spheres, and similar things which are everlasting."[41] He explains Moses' request to behold the Glory as refering to these spiritual beings. The "back" of the Glory, the vision of which was granted to Moses, includes that aspect which the prophet's vision can bear. Halevi draws upon the analogy of weak-eyed people who are unable to see except in dim light, while no one can look at the sun in its full brightness. He who attempts to do so is blinded. Likewise, he who attempts to look upon the "face" experiences the "disintegration of his composition [*inḥilāl tarkībihi*]." The idea that the "face" of the Glory refers to the bright light of the Glory seems to be taken from Saadiah, who uses the same phrase—"disintegration of his composition"—to describe the consequences for those who look upon it.[42] The difference between the two thinkers is that Saadiah clearly has actual physical sight in mind, while Halevi is ambiguous on this point. If the "inner eye" is the power of imagination under the sway of the intellect, and the angels are the Separate Intellects—notions which Halevi is at least prepared to entertain—then he could not have thought it absolutely necessary to interpret the "face" as a corporeal entity at all, no matter how subtle its composition.[43] Now Maimonides offers two interpretations of the "face" in the *Guide*, and alludes to a third one. In 1.54 he treats the "face" or "glory" of God as the divine essence. In *Guide* 1.37, however, he ascribes to Onkelos the view that the "face" refers to

[41] *Kuzari* 4.3:164. Alexander Altmann points out the resemblance between Halevi's view and that of the Karaite thinker Judah Hadassi. See "Saadya's Theory of Revelation: Its Origin and Background," *Saadya Studies*, ed. E. I. J. Rosenthal (Manchester: Manchester University Press, 1943), 20 n. 66; rprt. in Alexander Altmann, *Studies in Religious Philosophy and Mysticism* (London: Routledge and Kegan Paul, 1969) 155 n. 66. See also Daniel Lasker, "The Philsophy of Judah Hadassi the Karaite," *Jerusalem Studies in Jewish Thought (Shlomo Pines Jubilee Volume—Part I)* 7 (1988): 488 [Hebrew]. It should be added that Halevi views the divine world in the shape of a human being. For a study of this motif in Jewish thought, see Moshe Idel, "The World of Angels in the Image of Man," *Jerusalem Studies in Jewish Thought (Studies in Jewish Mysticism Presented to Isaiah Tishby)* 3 (1983–84): 1–66 [Hebrew].

[42] *Kuzari* 4.3 (Arabic: 158); *The Book of Beliefs and Opinions* ed. and trans. Joseph Kafaḥ (Jerusalem, 1970), 2.12:111 [Arabic and Hebrew].

[43] Halevi mentions the disintegration of one's composition due to an inability to withstand the radiance of the world of the spiritual beings also in *Kuzari* 3.65, and he explicitly identifies these beings with the (separate) intellects.

Separate Intellects, while the "back" refers to the rest of the created beings.[44] In *Guide* 1.21, Maimonides introduces as a possibility, also in Onkelos' name, that it is the Created Glory which passed before Moses. This suggests the view that part of the Glory is known as the "face" and cannot be seen, while part is known as the "back" and can be seen.[45] The latter view, whatever its relation may be to Onkelos, clearly belongs to Saadiah. Maimonides in this case appears to be reading Onkelos as Saadiah's source. It certainly confers greater authority upon these notions to ascribe them to Onkelos. The second interpretation, that the "face" refers to the Separate Intellects, while also ascribed to Onkelos, is most reminiscent of Halevi. Onkelos' translation of "My face shall not be seen" as "And those in front of Me shall not be seen," is general enough to admit any number of interpretations. Maimonides certainly could have interpreted this phrase without recourse to Halevi, but the point is that Halevi's discussion very much suggests the interpretation he reached. Halevi regards the "back" as referring to corporeal entities, and so does Maimonides in his interpretation of Onkelos. As we have seen, however, Halevi leaves it an open question whether the "face" refers to incorporeal or corporeal entities. Maimonides favors the former view and interprets Onkelos accordingly. If this is the case, Maimonides' interpretation is primarily a modification of a view suggested to him by Halevi. Clearly, both thinkers saw the interpretation of "face" as crucial for establishing the outer limits of human, including prophetic, apprehension, in addition to dispelling corporeal views of God.

Another Maimonidean discussion which may have been influenced in some measure by *Kuzari* 4.3 is the comparison between God and the rational faculty in *Guide* 1.72. The motif is a fairly common one. The main points of Halevi's and Maimonides' discussions differ, and Maimonides' comparison is far more elaborate. Nevertheless, there are a number of interesting points in common to both discussions, suggesting that Maimonides had Halevi in mind when framing his comparison.[46] Halevi addresses the problem of how

[44] Cf. *Guide* 3.7:430, where Maimonides equates the Glory with the Chariot, which in turn refers to the angels.

[45] Maimonides, however, does not apply this interpretation to the seeing of the "face" in 1.21.

[46] Shlomo Pines regards Saadiah's *Commentary on Sefer Yeẓirah* 4.1:106–07 as Maimonides' main source, based on his reference to God as "Living One of the World" and his treatment of God as the intellect of the world. Pines rules out as improbable that Maimonides and Saadiah derived these two ideas from a common source. See "Points of Similarity" 127–32. The same ideas, however, are also found in *Kuzari* 4.3. That Halevi was well acquainted with Saadiah's commentary is almost certain. The *Kuzari* shows many marked similarities to Saadiah's thought, including several ideas in this passage. Thus it is possible that Maimonides obtained these ideas from Halevi rather than Saadiah. However, inasmuch as there are some points in which Maimonides' discussion is closer to Saadiah's than to Halevi's, and others in which it is closer to Halevi's, it is most likely that he had both works in mind when formulating the position stated in *Guide* 1.72.



God can be compared to man. He indicates that it may be more fitting to compare Him to light, inasmuch as light is the finest corporeal entity and encompasses the parts of the world to a greater extent than does anything else. Reflection on the divine attributes—living, knowing, able, willing, managing, ordering, giving everything its due, judging righteously—leads one to conclude, however, that nothing we know better resembles God than the rational soul, i.e., the perfect man. It is reason, Halevi stresses, and not man's possessing a body or life, which is the basis for the comparison. The other qualities he shares in common with plants or with animals. For this reason philosophers compared the world to a great man, and man to a small world. Halevi justifies the analogy between God and the rational soul by pointing out that God is the spirit of the world, its soul, its intellect and life, inasmuch as He is called "the living of the world" (Dan. 12:7). Halevi subsequently returns to the analogy of God as king.

Maimonides devotes *Guide* 1.72 to explaining how the world, with all its multiplicity of parts, comprises a single individual. As an analogy he offers the human individual, who also has many parts, yet is one. After dwelling on this comparison at some length, Maimonides remarks,

> For this whole comparison [between the world and the human individual] can be consistently applied to every individual animal that has perfect limbs; but you never hear that one of the ancients has said that an ass or a horse is a small world. This has been said only about man. This is because of that which is a proprium of man only, namely the rational faculty . . . something that is not to be found in any of the species of living beings other than man. (190)

Maimonides continues by showing how the rational faculty ensures man's survival by governing his conduct. In the same context he speaks of the need for a ruler to order society. From the relation between the rational faculty and the body, Maimonides turns to the relation between God and the world. God rules the world as a whole, puts the sphere into motion, and is responsi-

ble for the continuing existence of the world in all of its parts. Maimonides summarizes the analogy as follows:

> It is only with a view to this that it is said of man alone that he is a small world, inasmuch as there subsists in him a certain principle that governs the whole of him. And because of this, God, may He be exalted, is called in our language the life of the world. Thus it is said: "And swore by the living of the world" (Dan. 12:7). (191–92)

It appears to me that the reference to God as "the living of the world" which both thinkers introduce in concluding the analogy is hardly coincidental.[47] Both thinkers cite the microcosm-macrocosm motif. Yet what ultimately concerns them is not the analogy between the world and man, but the analogy between God's relation to the world and the the rational faculty's relation to man.[48] It is noteworthy that in this passage Maimonides compares God and man not on the basis of man's theoretical apprehension, as in *Guide* 1.1–2, but on the basis of his practical governance, as does Halevi.[49] Maimonides, unlike Halevi, does not go on to compare God to a king, but he does introduce the relation between ruler and society in his analogy. Both thinkers also stress that the world cannot be compared to any living creature other than man.

Maimonides, however, appears not only to draw upon Halevi's discussion but also to modify and correct it. Whereas Halevi refers to God as "the life of the world" without qualifying the description, Maimonides is careful to insert, "God. . .is called in our language the life of the world" (192). Maimonides thus leaves no doubt that the phrase should not be interpreted literally but figuratively, a point which does not clearly emerge from Halevi's discussion.[50] In this manner Maimonides safeguards the doctrine of negative attributes. He further qualifies his comparison between man and the world as an additional modification of Halevi's analogy: God gains no benefit from the world He rules, unlike the rational faculty when it rules over the other parts of man. Moreover, the most noble part of man is in the center, while the inferior part of the world is in the center. Finally, the rational faculty subsists

[47] See also *Guide* 1.69:169.

[48] This is also the case with Saadiah's discussion. This point emerges less clearly from Ibn Ẓaddik's *Book of the Microcosm*.

[49] See also *Guide* 1.53:121.

[50] It does, however, emerge from Saadiah's discussion.



in the body and is not separable from it,[51] yet God is completely separate from the world. The comparison between man and the world highlights the central importance of the rational faculty, but these qualifications serve to warn the reader against treating the comparison too literally and not appreciating the true relation between God and the world, and between the rational faculty and the body.

### *The Critique of the Philosophers*

Maimonides' critique of the philosophers bears several points of resemblance with Halevi's. Both thinkers stress the limits of reason, particularly in regard to astronomy and metaphysics, and they point to the numerous controversies among the philosophers in these areas.[52] Like Halevi, Maimonides does not regard the proofs for eternity and for creation as demonstrable, ascribing the same position to Aristotle.[53] Halevi argues that one must defer to the prophets in this matter, an argument that finds an echo in the *Guide*.[54] Maimonides' elaborate arguments pertaining to creation have no parallel in the *Kuzari*, but he would at least have found a precedent in Halevi's work for his own approach (leaving aside the problem of Maimonides' real views on this issue). Moreover, both thinkers are ambivalent about Plato's belief that matter is eternal and the question of whether it can be harmonized with Jewish tradition.[55]

[51] Maimonides at times draws a distinction between the intellect, i.e., the acquired intellect, which is completely separate from the body, and the rational soul, which is dependent upon the body. Halevi, on the other hand, treats the rational soul as separate from the body, inasmuch as he appears to identify it with intellect. See *Kuzari* 2.26:65. For a study of the doctrine of the intellect in the philosophy of Maimonides, see Alexander Altmann, "Maimonides on the Intellect and the Scope of Metaphysics," *Von der mittelalterlichen zur modernen Aufklärung* (Tübingen: J. C. B. Mohr, 1987) 60–129. See also my study, "The Practical Intellect in the Philosophy of Maimonides," *HUCA* 59 (1988): 189–215.

[52] *Kuzari* 4.25:187–88, 5.14:212–16; *Guide* 1.31:66, 2.22:320, 2.24:326–27.

[53] Cf. *Kuzari* 1.65–67:20–21; *Guide* 2.15–16:290–94.

[54] Cf. *Kuzari* 1.67:21; *Guide* 2.16:294, 2.22:320, 2.23:322.

[55] Cf. *Kuzari* 1.67:21; *Guide* 2.25:328. Herbert Davidson has argued that the Platonic view is in fact Maimonides' esoteric position. See "Maimonides' Secret Position on Creation," *Studies in Medieval Jewish History and Literature*, ed. Isadore Twersky (Cambridge, Mass.: Harvard University Press, 1979) 16–40.

Halevi's detailed critique of the philosophers in *Kuzari* 5.14, however, does not appear to find a positive response in the *Guide*. Halevi criticizes the philosophers for their view on the combination of the elements, and argues that accepting creation as a postulate eliminates the need for such theories. Maimonides, on the other hand, never casts a shadow of a doubt on what the philosophers say about these matters. He even holds, in his treatment of the issue of creation, that "everything Aristotle has said about all that exists from beneath the sphere of the moon to the center of the earth is indubitably correct" (*Guide* 2.22:319), a remark aimed against the arguments for creation advanced by the Mutakallimūn but also applicable to Halevi. Maimonides' argument for creation in *Guide* 2.19, based on the notion of particularization, and his critique of emanation in 2.22 are far different in their salient details from the arguments found in the *Kuzari*.[56]

While Maimonides does not appear to borrow much from Halevi's critique of the philosophers, and may in fact have been highly critical of it, he does at times seem to formulate his own views with Halevi's critique in mind. Pines maintains that a subtle polemic against Halevi can be detected in *Guide* 1.2[57] Halevi, in *Kuzari* 4.13, maintains that the philosopher seeks God only in order to describe Him truly. Consequently, "ignorance of God is not more injurious than is ignorance of the earth for one who says that it is flat. The benefit for him is only in knowing things as they truly are in order to resemble the Active Intellect and become one with it." Pines interprets

[56] Halevi also presents his critique of emanation in 4.26. While Halevi's and Maimonides' critiques are quite different, they both have elements in common with that of Algazali in *The Incoherence of the Philosophers*. Maimonides' true view on the subject of emanation is problematic. In *Guide* 2.11 he accepts the doctrine of emanation. For an attempt to resolve the apparent contradiction between Maimonides' acceptance of both the doctrine of creation and the doctrine of emanation, see Arthur Hyman, "Maimonides on Creation and Emanation," *Studies in Medieval Philosophy*, ed. John F. Wippel (Washington, D.C.: Catholic University of America Press, 1987) 45–61. Apparently not all medieval philosophers saw these two doctrines as mutually exclusive. In Alexander Altmann's view, Isaac Israeli affirmed both creation and emanation. See "Creation and Emanation in Isaac Israeli: A Reappraisal," *Studies in Medieval Jewish History and Literature*, ed. I. Twersky (Cambridge, Mass.: Harvard University Press). 1–15, rprt. in A. Altmann, *Essays in Jewish Intellectual History* (Hanover) New Hampshire: University Press of New England, 1981) 17–34.

It should be noted that while Halevi rejects the philosophic explanation for the circular motion of the sphere, Maimonides accepts it. Cf. *Kuzari* 5.14:216, *Guide* 2.10:271.

[57] Pines, "On the Term *Ruḥaniyyāt*" 532, n. 77.



Halevi as not assigning any special significance to true knowledge of the shape of the earth. To this Maimonides counters:

> Through the intellect one distinguishes between truth and falsehood, and that was found in [Adam] in its perfection and integrity. Fine and bad, on the other hand, belong to the things generally accepted as known, not to those cognized by the intellect. For one does not say: it is fine that heaven is spherical, and it is bad that the earth is flat; rather one says true and false with regard to these assertions. (24–25)

Maimonides, in Pines's view, chooses Halevi's example in order to highlight how important knowledge of the earth is. In my view, however, Pines's comparison of the two passages is too subtle. Halevi is not so much interested in denigrating knowledge of the earth as in criticizing the philosophers for failing to draw a distinction between knowledge of the earth and knowledge of God. Maimonides, on the other hand, certainly shows that knowledge of the earth is important, but in contrast to knowledge of popular morality. The two thinkers are dealing with entirely different issues. Furthermore, Maimonides' notion that Adam was created with a perfect intellect recalls what Halevi says in *Kuzari* 1.95. Rather than subtly criticizing Halevi in this passage, Maimonides may in fact have been borrowing from him.

Halevi's critique of the philosophers in *Kuzari* 4.31, however, may underlie a different passage of the *Guide*. In *Guide* 1.36 Maimonides connects the notion of God's wrath with the sin of idolatry. He goes on to explain:

> Now the books of the prophets only make this strong assertion because it concerns a false opinion attaching to Him. . . . For the deviation from truth of one who believes that Zayd is standing at a time when he is sitting, is not like the deviation of him who believes that fire is under the air or water under the earth or *that the earth is flat*. . . . And the second deviation from truth is not like the deviation of him who believes that the sun consists of fire. . . . Again the third deviation from truth is not like the deviation of him who believes that the angels eat and drink. . . . Finally the fourth deviation from truth is not like the deviation of him who believes that a thing other than God ought to be worshipped. For whenever ignorance and infidelity bear upon a great thing, I mean to say upon someone whose rank in what exists is well established, they are of greater consequence than if they bear upon someone who was of a lower rank. By infidelity, I mean belief about a thing that is different from what the thing really is. (82–83)

Maimonides' elaborate discussion reads like a response to Halevi's critique. He agrees with Halevi that there is a tremendous difference between knowledge of the earth and knowledge of God. He does not by any means exalt knowledge of the earth, but shows how low it is on the ladder of knowledge. Without explicitly ascribing the notion of gradations of knowledge to the philosophers in this context, Maimonides is careful to emphasize it in presenting his own philosophy, with its stress on the primary value of intellection of God. Rather than polemicize against Halevi, he appears to formulate his doctrine in order to meet the criticism Halevi advanced.

There are also statements by Maimonides which directly defend the philosophers against Halevi, though it is difficult to determine whether they were intended as such. In *Kuzari* 1.69–77, Halevi accuses the philosophers of deceiving the people into thinking of nature as an intellectual, active principle that is God's partner in creation and governance. Maimonides, in *Guide* 3.19 (in the context of his discussion of providence), notes:

> But as every physician and every philosopher has set forth, this [the well-ordered composition of the eye, whose purpose is the act of sight] is brought about of necessity through a purpose of nature. Now according to the general consensus of philosophers, nature is not endowed with intellect and the capacity for governance. Rather does this craftsmanlike governance proceed, according to the opinion of the philosophers, from an intellectual principle. (479)[58]

Maimonides' main purpose here is to employ the philosophers' notions in support of his view of divine providence, but at the same time he refutes the charge Halevi aimed at them. Though they speak of nature as an active principle, they are well aware that it is directed by an intellect above it.[59]

One of the other passages in which Maimonides discusses the meaning of nature may contain a subtle but important critique of Halevi. Perhaps the most significant point Halevi raises against the philosophers is his implicit statement that they are ignorant of the "divine matter" or "divine decree"

[58] Cf. 3.13:449.

[59] Maimonides does appear to differ with the philosophers on the nature of this intellect, i.e., God, in regard to the problem of will. See in particular *Guide* 2.20. It should be added that Halevi himself is aware that the philosophers accept the existence of an intellectual principle that directs nature. See below, n. 64.



(*amr ilāhī*).[60] The term *amr ilāhī* is central to Halevi's philosophy, and he uses it in disparate ways. It is not the purpose of this paper to enter into this issue, which has attracted the attention of many scholars,[61] but to point to one specific aspect. Overall, Halevi uses the term in much the same way as the philosophers used the term "intellect." It can refer to a special sublunar form or degree, a type of overflow, or a cosmic entity or principle. Halevi is conscious of this analogy.[62] He treats *amr ilāhī* as superior to "intellect" in all its different meanings. At times he appears to identify it with a cosmic principle identical to the divine will.[63] Unlike Halevi, Maimonides utilizes *amr ilāhī* only rarely. One such usage occurs in *Guide* 2.10, where Maimonides maintains that there are four forces proceeding from the celestial spheres to the earth—the force causing the generation of minerals, the force of the vegetative soul, the force of the animal soul, and the force of the rational soul. This is the standard philosophical division of sublunar entities, and Halevi, though employing different terminology, presents it in *Kuzari* 1.31–39. Halevi, however, posits as a fifth degree that of the *amr ilāhī*, which characterizes the prophets (1.41–43). Maimonides, on the other hand, states that the forces from the spheres function in two ways—either to generate the various sublunar entities or to preserve them. This, he indicates, "is the meaning of 'nature,' which is said to be wise, having governance." Maimonides concludes, "What is intended hereby is the divine decree (*al-amr al-ilāhī*) from which these two activities derive through the intermediary of the sphere" (272; Arabic: 295). Maimonides may in this manner be indicating his rejection of Halevi's doctrine. The *amr ilāhī* does not represent a special degree

[60] In *Kuzari* 4.3:163, however, Halevi draws a distinction between the Greek philosophers and the philosophers belonging to the other (monotheistic) religions. The latter recognize prophecy as a special degree—a degree which is intrinsically related in Halevi's work to the "divine matter." Halevi sometimes excuses the philosophers inasmuch as they lack a trustworthy tradition in regard to metaphysical matters. See, for example, 5.14:216.

[61] See Ignaz Goldziher, "Le *amr ilahi* chez Juda Halevi," *REJ* 50 (1905): 32–41; Harry A. Wolfson, "Hallevi and Maimonides on Prophecy," *JQR* 32 (1941): 353–70; Israel Efros, "Some Aspects of Yehudah Halevi's Mysticism," *PAAJR* 11 (1941): 7–9, 16; Herbert Davidson, "The Active Intellect in the *Cuzari* and Hallevi's Theory of Causality," *REJ* 131 (1972): 381–95; Pines, "Shi'ite Terms" 172–92.

[62] See, for example, *Kuzari* 2.14, 26.

[63] *Kuzari* 2.6 (Arabic: 46). The problem is that Halevi does not present an unequivocal position on the ontological status of the divine will.

but is identified with the principle responsible for the forces of nature in general.[64]

## *Conclusion*

The comparisons discussed in this paper do not represent definitive proof that Maimonides made use, either consciously or subconsciously, of the *Kuzari*. They do, however, lend support to this view. If we assume that Maimonides was in fact acquainted with the *Kuzari*, the work appears to have exerted a subtle and multifaceted influence on him. He accepts certain views, often in modified form, dismisses others outright, and is stimulated by others to sharpen his own views. The examples offered here are just a few of the passages in the *Guide* where Halevi's possible influence may be discernible.[65] If the entire corpus of Maimonides' writings were included, there appear to be many more points of contact.

This study is only a preliminary appraisal. The contours of Halevi's influence on Maimonides, however, can be vaguely discerned. A fuller study is required to delineate the apparent points of contact between the two thinkers and bring them into sharper focus, as well as to offer more definitive proof that Maimonides was in fact acquainted with Halevi's work. Saadiah's works also left an impress on Maimonides' thought, sometimes obvious, other times more subtle, and for this reason his influence on Maimonides also calls for an in-depth treatment.[66] The same may be true, though to a lesser extent, of the works of some of Maimonides' other Jewish predecessors.

Even if there is good reason to maintain that medieval Jewish sources exerted far more influence on Maimonides than is evident at first glance, the extent of this influence should not be overestimated. The fact remains that the non-Jewish Aristotelian sources played the dominant role in molding

[64] Halevi acknowledges that some of the philosophers accepted the notion of *amr ilahi* as an intellectual principle governing this world. Halevi ascribes to Galen the view that the *amr ilahi*, rather than the composition of the elements is responsible for our faculty of discernment. See *Kuzari* 5.22.

[65] See above, n. 31.

[66] Joseph Kafaḥ, in the notes to his editions of Saadiah and Maimonides points out numerous areas of similarity and contrast between these thinkers. Many of these do not reflect direct influence, but they provide an invaluable starting point for a careful analysis of the subject.



Maimonides' philosophy. A study of his medieval Jewish sources probably will add little to our understanding of the main currents of his philosophy, but there are strong indications that it will illuminate some of the subtle undercurrents in his thought. Maimonides' utilization of medieval Jewish sources—his borrowing of some notions, rejection of others, and subtle arguments with, or modifications of, still others—may not have made a major difference in the shaping of the *Guide*, but it certainly contributed to the rich texture of his philosophic *magnum opus*.

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# MAIMONIDES' REPUDIATION OF ASTROLOGY

*by*

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## *Introduction*

One of the most celebrated opinions of Maimonides is his repudiation of astrology. His denunciation of that pseudo-science, reiterated in the strongest of language throughout the Maimonidean corpus, has earned for its author the praises of modern readers who are impressed by Maimonides' courage and clearsightedness in the face of a widespread and deeply rooted superstition. Moreover, in contrast to such topics as cosmogony and epistemology, in which there exists some ambiguity about Maimonides' opinion, there does not seem to be any doubt about his "true" position concerning astrology: astrology is categorically rejected without any reservation.

Some of the practical consequences of the pursuit of astrology by Jews were stated quite clearly by Maimonides in his *Letter on Astrology*:

> This is why our kingdom was lost and our Temple was destroyed and why we were brought to this; for our fathers sinned and are no more because they found many books dealing with these themes of the stargazers. . . . They did not busy themselves with the art of war or with the conquest of lands, but imagined that those [astrological] studies would help them.[1]

The same line of argument is evident from the context of Maimonides' criticism of astrology in other works as well. In the *Mishneh Torah*, exhortations not to succumb to the numbing embrace of fatalism are conjoined with a denunciation of astrology.[2] In the *Epistle to Yemen* Maimonides encourages

[1] "Letter on Astrology," trans. Ralph Lerner, *Medieval Political Philosophy*, ed. R. Lerner and M. Mahdi, (1963); rprt., in I. Twersky, *A Maimonides Reader* (New York, 1972) 465; see also R. Lerner, "Maimonides' Letter on Astrology," *History of Religions* 8 (1968): 143–58.

[2] *Hilkhot Teshuvah* 5.4; Twersky, *Maimonides Reader* 78.

his coreligionists by telling them that, contrary to astrological predictions, the Jews shall yet be redeemed from their present lowly political fortunes:

> For while the Gentiles believe that our nation will never constitute an independent state, nor will they [our nation] ever rise above their present condition, and all the astrologers, diviners, and augurs concur in this opinion, God will prove false their views and beliefs, and will order the advent of the Messiah. . . . This is the correct view that every Israelite should hold, without paying any attention to the conjunctions of the stars.[3]

Maimonides' intent is clear and straightforward, and I shall not elaborate here upon this aspect of his repudiation of astrology.

On the other hand, it seems that there is much to be gained from a more detailed look at the scientific and philosophical dimensions of Maimonides' position. How is his religious posture related to his scientific outlook? Why does he make so much of events of the distant past, when astrology played a key role in the retreat from monotheism? Are there any subtler connections between the belief in astrology and the denial of free will? Finally, and from a broader perspective, the medieval debates concerning astrology, in which Muslim, Christian, and Jewish proponents as well as opponents participated, served to focus serious discussion on questions of epistemology, philosophy of science, metaphysics, and similar topics.[4] In this paper I can sample only a

[3] "Epistle to Yemen," trans. Boaz Cohen, in A. Halkin, *Iggeret Teman* (New York, 1952); rprt., in Twersky, *Maimonides Reader* 453.

[4] Quite a number of studies have been published concerning various aspects of the medieval debate over astrology, although in my view scholars have yet to become fully alerted to the richness of this body of texts for intellectual history. We can cite here only a few studies. For classical antiquity and early Christianity, see the thorough study of Dom David Amand, *Fatalisme et liberté dans l'antiquité grecque* (Amsterdam: Hakkert, 1973). For Islam: the groundbreaking studies of C. A. Nallino, e.g., "Sun, Moon, and Stars (Muhammadan)," *Hasting's Encyclopaedia of Religion and Ethics*, vol. 12 (Edinburgh and New York, 1921) 88–101, and *Raccolte di Scriti*, vol. 5 (Rome, 1944); the recent surveys of M. Ulmann, *Die Natur–und Geheimwissenschaften im Islam* (1972), chap. 5, and F. Sezgin, *Geschichte des arabischen Schrifttums*, vol. 7 (1979); and the summary of an actual tenth-century round-table discussion on astrology in J.L. Kraemer, *Humanism in the Renaissance of Islam: The Cultural Revival during the Buyid Age* (Leiden: Brill, 1986) 150–62; see also below, n. 23. For the Christian West: M. L. W. Laistner, "The Western Church and Astrology during the Early Middle Ages," *HTR* 34 (1941): 251–75; and M. T. d'Alverny, "Astrologues et Théologiens au XIIe siècle," *Mélanges offerts à M. D. Chenu* (Paris: Vrin, 1967), 31–50. For the Christian East: G. Graf, "Die Widerlegung der Astrologen von ʿAbdallâh ibn al-Faḍl," *Orientalia* 6 (1937): 337–46. For Judaism: see Halkin's introduction to *Iggeret Teman*, and, more recently, R. Barkai, "L'Astrologie juive médiévale," *Le Moyen Age* 93 (1987): 323–48. Further bibliography may be found in F. Boll, C. Bezold, and W. Gundel, *Sternglaube und Sterndeutung*, 6th revised edition with bibliographical appendix by G. Gundel (Darmstadt: Wissenschaftliche Buchgesellschaft, 1974).



very small part of this rich repository of intellectual history. Nevertheless, by looking at Maimonides' positions in some depth, and by offering some comparison with the views of others, I hope to provide some insights into Maimonides' philosophy and, at the same time, to demonstrate the importance of the literature connected with astrology for the history of medieval science and philosophy.[5]

According to his own testimony, astrology was the first subject which the young Maimonides studied.[6] Indeed, there is some indication that his father, Maimon, had no particular reservations concerning astrology and, in fact, knew something about the subject.[7] It is thus quite possible that Maimonides received his first instruction at home. But there was also opposition to astrology. The fact that Abraham bar Ḥiyya was compelled to rally to the defense of astrology presents clear proof that Spanish Jewry counted among its members some staunch opponents of astrology, people who, as we may discern from Bar Ḥiyya's counterarguments, made no distinction between the "science" of astrology and the "Chaldean" sorcery condemned by the Talmud.[8] Baḥya ibn Paquda also rejected astrology.[9] Nevertheless, it seems that

[5] In past decades there was considerable controversy over the suitability of the history of astrology as a subject for academic research. See Lynn Thorndike, "The True Place of Astrology in the History of Science," *Isis* 46 (1955): 273–78.

[6] "Letter on Astrology" 465: "The first thing that I studied is that science which is called judicial astrology."

[7] A. Freimann, "Responsa of R. Maimon ha-Dayyan, the Father of Maimonides," *Tarbiz* 6 (1935): 408–20 [Hebrew], first responsum (pp. 413–14). R. Maimon gives here a straightforward response to an inquiry concerning astrologically unfavorable days for blood-letting, without a murmur of protest against the very notion; however astrological medicine was usually exempt from the controversies that surrounded astrology, and, therefore, our evidence regarding the position of R. Maimon is not conclusive.

[8] See Bar Ḥiyya's "Epistle" in defense of astrology published by A. Schwartz in *Festschrift Adolph Schwarz*, ed. S. Kraus, (Berlin and Vienna, 1917), Hebrew sec., 23–36.

[9] See the complete text of Baḥya's *Duties of the Heart*, Arabic with Hebrew trans-

in the twelfth century astrology enjoyed wide acceptance among Spanish Jewry. Abraham ibn Ezra was particularly successful in integrating astrological ideas into Jewish thought.[10] Although from time to time doubts about astrology may have been expressed, there was no full-scale attack on it until the publication, under very different historical circumstances, of Isaac Pulgar's *Defense of the Faith* (*Ezer ha-Dat*) in the fourteenth century.[11] Evidence which has recently been assembled from the Genizah indicates that in Egypt also, at about the time that Maimonides settled in that country, astrology was firmly established both as common belief and as a profession.[12] Maimonides' correspondents in the Provence displayed a keen interest in astrology, and those in Yemen seemed to have already been infected with it. Thus belief in astrology appears to have been widespread throughout the Jewish world as Maimonides knew it.

Maimonides' opposition to astrology is unwavering, from his youthful *Commentary on the Mishnah* through his mature *Guide of the Perplexed*. In this paper I shall deal with Maimonides' classification of astrologers and his chief arguments against them; the scientific objections to astrology; the proper understanding of the "influence" of the stars; the connection between astrology and idolatry; and, finally, fate and free will.

### *Classification and Summary of the Objections to Astrology*

Maimonides' primary objection to astrology arises from the *scientific* falsehood of that art. In his view, there is and there must be a total identity between religious truth, that is, the truths taken as fundaments of belief of the religious community, and the truths discovered by dispassionate scientific or philosophic investigation. Whatever other motives may lie behind biblical injunctions, we can be sure that astrology and astrological practices were prohibited by the Torah, *because* they are false. Astrological forecasting is included in the list of superstitious practices prohibited in Deuteronomy not only to deter Jews from practicing allegedly efficacious techniques, but, rather to eradicate beliefs that are false and are delusive:

> Whoever believes in these and similar things [astrology, sorcery] and thinks in his heart that they are true and scientific and only forbidden by the Torah is nothing but a fool, deficient in understanding. . . . Sensible people, however, who possess sound mental faculties know by clear proofs that all of these practices which the Torah prohibited have no scientific basis but are chimerical and inane; and that only those deficient in knowledge are attracted to these follies and, for their sake, leave the ways of the truth.[13]

It is not just the practice of astrology or sorcery which is prohibited, but it is also forbidden to believe that such practices are in any way capable of achieving the results that they promise. These particular forms of nonsense may have received special attention in the Law because of their historical and ideational links with paganism, as we shall see. Generally, though, the various forms of prognostication and sorcery, among which Maimonides classifies astrology, are banned *because* they are false. To put the matter in another way (particularly relevant for later developments in Jewish thought), there is no cosmic struggle between the deity and the various "forces of evil"; instead, we may speak of a campaign of truth (note that the Arabic *al-Ḥaqq*, whose literal is meaning "the Truth," is synonymous with God) against all forms of falsehood, in the sense of vain, empty beliefs. On this fundamental theological question, Abraham ibn Ezra—commonly portrayed as Maimonides' archrival on the subject of astrology—is in full agreement with Maimonides. In his commentary on Leviticus 19:31, Ibn Ezra bitingly remarks: "Empty-brained [people] have said that, were the auguries and other forms of sorcery not true, Scripture would not have banned them. I maintain the opposite viewpoint: Scripture has banned falsehood, not truth. Witness the false gods and idols [which are also banned]."

It seems, then, that the very different attitudes taken by Maimonides and Ibn Ezra toward astrology stem in large measure from their different assessments of the scientific worth of that art. Each of these thinkers succeeded so well in integrating his position on astrology into his overall philosophy that it

lation, published by Y. Kafaḥ (Jerusalem, 1973) 5.5:254–56; this entire passage is missing from the translation of Ibn Tibbon.

[10] See Y. T. Langermann, "Some Astrological Themes in the Thought of Abraham ibn Ezra," to appear in *Abraham ibn Ezra: His Multi-faceted Oeuvre*, ed. I. Twersky.

[11] See the recent edition of J. Levinger (Tel Aviv, 1984), part 3.

[12] S. D. Goitein, *A Mediterranean Society*, 5 vols. (Berkeley: University of California Press, 1967–88) 5: 420–22. Goitein acknowledges *inter alia* his reliance on the series of studies by D. Pingree and B. R. Goldstein of horoscopes preserved in the Genizah.

[13] *Mishneh Torah*, Laws of Idolatry and Ordinances of the Heathens 11.16, Twersky, *Maimonides Reader* 75–76.

may appear that philosophical or theological considerations by themselves dictated their differing stances toward astrology. However, the scientific issues were no less weighty, especially given the commitment of these two thinkers to a single truth theory. The contemporaneous scientific evidence and philosophical currents furnished support for both points of view. On the other hand, the fierce polemical tone of the remarks which we have just quoted shows that both Maimonides and Ibn Ezra felt the need to combat the view, seemingly widespread and entrenched, that sorcery was efficacious and, therefore, that other reasons must be sought for its prohibition in the Jewish tradition. It remains a matter for further study whether augury and the like was just a matter of popular superstition, or whether the belief in such practices had been incorporated into any wider intellectual framework. By the thirteenth century, however, when the Maimonidean controversy was in full force, the view diametrically opposed to Maimonides and Ibn Ezra had received a theoretical formulation. In response to an inquiry concerning the legality of applying astral magic to medicine, R. Solomon ben Adret, a resident of Montpellier, wrote: "Someone who makes an image at a specific hour, even for the purpose of therapy, transgresses [the biblical injunction] 'You shall not foretell (*lo t'ʿonninu*).' For the Torah has not forbidden anything *unless it has some basis* (*ʿiqqar*), such that one may err."[14] Ben Adret immediately informs his correspondent that Maimonides has expressed exactly the opposite opinion.

The second main theme of Maimonides' repudiation of astrology concerns the link—the organic and insoluble link, in Maimonides' opinion—joining astrology to star worship. This clearly represents an enlargement upon an aspect of the first theme, that is, the identification of astrology with falsehood, since star worship is in itself a form of falsehood. One may, perhaps, wish to see Maimonides' strong emphasis on the link between astrology and star worship as being, in large part, a tactical move. Jewish thinkers are, of course, unanimous in viewing star worship as a forbidden practice, and, it would seem, they would agree that star worship is vain and foolish as well. Moreover, the accusation that astrology is but a thinly disguised form of star worship figured in early religious polemics against astrology.[15] Nevertheless, it seems that Maimonides is careful not to state that, legally speaking, the

[14] *T'shuvot ha-Rashba*, responsum no. 413 (p. 144ba).

[15] L. Thorndike, *A History of Magic and Experimental Science*, vol. 1 (New York: Columbia University Press, 1923) 513.



practice of astrology constitutes an act of idolatry. Instead he stresses two points: the *historical* connection between astrology and idolatry; and the errors of physics and metaphysics which have in the past contributed to this connection, and whose danger remains everpresent.

The historical connection is presented most lucidly and succinctly in the opening chapters of the *Laws Concerning Idolatry and the Ordinances of the Heathens*. According to this account, Enosh and his generation committed a fundamental error: they inferred from the correct statement that the heavens are among the most noble of God's creations, the incorrect conclusion that it is God's wish that His highest officials, so to speak, should be the objects of veneration. From this mistaken view ensued a whole cult of the stars, including, especially, an avaricious and deceitful priesthood. Abraham, by dint of his own speculation and investigation, rediscovered the one God, was rewarded with prophetic revelation, and founded the people whose chief unifying characteristic is monotheism. This story is retold in part 3 of the *Guide*, especially chapter 37.[16] Maimonides there shares with his readers the results of some his own historical research, most importantly information which he had culled from Ibn Waḥshiyyah's *Nabatean Agriculture* (*al-Filâḥah al-nabaṭiyyah*).[17]

There is a wider perspective to Maimonides' understanding of this series of historical events. In order to appreciate this, we must first sketch the story subsequent to Abraham.[18] Abraham's followers built themselves into a substantial group, but during the Egyptian bondage most reverted to idolatry. Then, in truly miraculous fashion, Moses came upon the scene, and at Sinai an eternal covenant was sealed. Most significant is the constant retreat of idolatry ever since: classical paganism, to Maimonides' knowledge, had become limited by his time to a few areas at the fringes of civilization or beyond it. Whatever errors may beset Islam and Christianity, both of these faiths honor

[16] *Guide* 3.29:514–18.

[17] This work is purported to be a translation with commentary of a Nabatean work. Over the past century a considerable amount of energy has been expended in scholarly debate over its true nature. See the synopsis and bibliography in F. Sezgin, *Geschichte des arabischen Schrifttums*, vol. 4 (Frankfurt a. M., 1971) 318–29. A facsimile edition of this important work based on several manuscripts, but unfortunately incomplete, was published in five volumes by F. Sezgin (Frankfurt a. M., 1984).

[18] See *Mishneh Torah*, Laws of Idolatry and Laws of the Heathens, end of chap. 1; Twersky, *Maimonides Reader* 74; and the uncensored version of *Mishneh Torah*, Law of Kings and Wars, end of chap. 11; Twersky, *Maimonides Reader* 226–27.

Abraham and have at least some acquaintance with the teachings of Judaism. In the messianic era the spread of monotheism will be completed, and humanity will return in some sense, to the pristine state which it enjoyed before the error of Enosh and his generation. Human history can thus be understood as a retreat from, and a return to, monotheism. Astrology played a critical role in the introduction of paganism, and its expurgation is crucial for the return to monotheism.

Although the action of Enosh is portrayed in the *Mishneh Torah* as a simple error of reasoning, an examination of several key chapters of the *Guide* reveals that some rather subtle errors of physics and metaphysics lie at the heart of astrology and the religious doctrines associated with it. I shall examine these issues in detail later on. For now suffice it to say that Maimonides, in concert with just about every other medieval thinker, does admit of some *physical*, i.e., corporeal or mechanical, astral influences. At the same time his attitude also involves a considerable diminution in the role of the celestial intelligences.

The third consideration in the campaign against astrology derives from Maimonides' clear insistence upon man's absolute freedom of action. Now since antiquity astrology has been associated with some form of determinism; the regular and predictable—and therefore, it appeared, predetermined—motions of the stars were thought to be connected to an equally predetermined, if somewhat less orderly, sequence of events on earth. There was room for more than one point of view concerning the nature of this connection. Are the stars the causes of events on earth, or are they merely convenient indicators? Is the influence of the stars of a general sort, thus leaving some latitude for human action, or is their determination absolute? To what level of detail do the stellar influences operate?

Judaism rejects fatalism, and the need to defend some freedom of the will presents the most serious obstacle for Jewish adherents of astrology. Maimonides emphasizes the connection between astrology and fatalism in the fifth chapter of the *Laws of Repentance:*

> If God had decreed that a person should be either righteous or wicked, or if there were some force inherent in his nature which irresistibly drew him to a particular course, or to a special branch of knowledge, to special views of activities, as the foolish astrologers out of their own fancy pretend, how could the Almighty have charged us through the prophets, "Do this and do not do that, improve your ways, do not follow wicked impulses". . . ?[19]

[19] Laws of Repentance 5.4; Twersky, *Maimonides Reader* 78.



These remarks notwithstanding, free will is the one issue connected with astrology concerning which Maimonides *has* been suspected of maintaining an esoteric position quite different from the opinion openly proclaimed in the *Mishneh Torah*, namely that man has free choice.[20] I do not propose to offer a full and satisfactory explanation of Maimonides' view on this question. However, I shall try to refine our understanding of Maimonides' position, and shall also call attention to a possible additional source for his views. The posture adopted in the *Mishneh Torah* will thus appear more philosophically sophisticated, and less of an exhortation to the masses.

## *The Scientific Debate*

Maimonides' firm conviction that astrology is, on strictly scientific grounds, demonstrably false, was a compelling factor in his *religious* campaign against the art. Yet, while medieval literature contains some detailed scientific refutations of astrology, Maimonides, surprisingly, offers little in the way of counterargument. Perhaps he felt that serious rebuttal would itself imply that there was, after all, *some* case to be made in defense of astrology. Maimonides' only straightforward scientific criticism is found in his *Commentary on the Mishnah*, Avodah Zarah 4.7.[21] There he presents what seems to be a common argument against astrology.[22] It is known, this argument goes, that each celestial sphere is a single, homogeneous unchanging body. But astrological theory is based upon two other principles: (a) that some stars are beneficent and others maleficent, and (b) to the different stars there correspond points on the celestial sphere that are conducive to each of the stars. These two principles of the astrologers clearly contradict the doctrine of the homogeneous sphere and with this contradiction, the entire edifice of astrological theory is demolished.

[20] See below, pp. 149 ff., and the articles of S. Pines and A. Altmann cited in n. 97–98, below.

[21] I have used the edition of Y. Kafaḥ (Jerusalem: Mossad Harav Kook, 1965).

[22] Compare al-Fârâbi, "On What Is Correct and What Is Incorrect in Astrology," F. Dieterici, *Alfârâbî's Philosophische Abhandlungen* (Leyden, 1890; rprt., 1982), para. 23, p. 112 (Arabic), p. 183 (German); Ibn Sînâ, "On the Refutation of Astrology," Arabic text in *Rasâ'il Ibn Sînâ*, vol. 2 (Istanbul, 1953) 56, French translation by M. A. Mehren, "Vues d'Avicenne sur l'astrologie," *Le Muséon* 3 (1884): 383–403, esp. 392; J. W. Livingston, "Ibn Qayyim al-Jawziyyah: A Fourteenth Century Defense Against Astrological Divination and Alchemical Transmutation," *JAOS* 91 (1971): 96–103, esp. 98–99.

> These two principles constitute the axis of astrology. Their falsity has been demonstrated and, consequently, every last detail [of astrology is also refuted].

However, towards the end of *Guide* 2.19,[23] the nonuniformity of the sphere is adduced as compelling evidence for creation of the world by the divine will. This may possibly be the reason that this particular argument against astrology does not recur in the *Guide*.

The most significant complaint against the astrologers, found in the *Guide*, concerns the proper understanding and usage of the term *fayḍ* (We shall here limit ourselves to the scientific side of Maimonides' argument; the ramifications for metaphysics will be discussed later on.) In *Guide* 2.12, we are told that the fundamental error which leads to astrology consists, in the first instance, in a confusion of terminology. The influence of the stars—including the physical agency acknowledged by Maimonides—is often called an efflux or overflow (*fayḍ*). Maimonides himself frequently employs *fayḍ* to describe the action of the stars.[24] Strictly speaking, this is incorrect. According to Maimonides, the stars exert their influence by means of forces or powers (*quwwât*), which obey the rules of physics. These forces require a finite period of time to take effect, and they weaken over distance. Efflux, on the other hand, is instantaneous, and relations of distance between the source and the object on which it acts are irrelevant. Moreover, efflux is unceasing; all that is required for it to take effect is the proper preparedness (*tahayya'*) of the recipient. Because of its non-corporeal nature, the efflux itself cannot be perceived, only its effect. "Everything that is produced anew, but does not result solely from the mixture of elements itself (*mizâj*)"[25] has been brought about by the efflux.

In this manner the efflux is distinguished from corporeal forces and, in particular, the astral forces. Although, as we shall see, there are some difficulties in understanding just how the astral forces operate, Maimonides is sure that enough is known about their properties that they may be classified as corporeal. After all, it can be determined that a poorly understood terrestrial force such as magnetism is corporeal, because we note that its power diminishes over distance—a property of bodily forces, not of efflux. Similarly, the fact that the stellar influences also depend on the varying distances of the stars from the earth is sufficient evidence to prove that their effect is due to the action of bodies one upon the other, *not* an efflux. Maimonides maintains that the astral forces obey the laws of physics, specifically, that their power depends on the variables of distance from the center of the world and "relation one to another" (*nisbatu baʿḍihâ li-baʿḍin*). The latter phrase, S. Pines notes, must refer to some spatial relationship which exists between the stars.[26] Now the geocentric interstellar angles are, indeed, the very consideration which underlies the astrological doctrine of "aspects"; but this notion too admits of a physical interpretation, since what is of concern is the interacting mixture of stellar rays which reaches the earth,the nature of which is thought to be connected to the angular distance separating the stars.[27]

Maimonides does not substantiate this critical point in any detail; he merely presents as a known fact that all of the stellar influences can be explained in terms of the action of bodies upon one another.[28] Moreover, the impact of this argument depends entirely on the principle that the stars are to be viewed exclusively as corporeal entities and their influence analyzed in terms of Aristotelian terrestrial physics. Maimonides does not take into account the possibility that the astrologers may have adopted, in part or as a whole, non-Aristotelian physical theories which ought to be considered on their own terms, much like the atomism of the Mutakallimûn.[29] In other

[23] *Guide* 2.19:310–11.

[24] *Fayḍ* may also be translated as "emanation" or "overflow"; the latter is preferred by Prof. Pines in his translation of the *Guide*. See e.g. *Guide* 2.10:270 ("the four spheres having stars have forces that *overflow* from them"); 2.11:275 ("from the spheres . . . forces and good things *overflow* to this body").

[25] *Guide* 2.12:279.

[26] See *Guide* 2.12:280 note 7.

[27] Hints at a physical interpretation of this sort may be found even in the astrological literature. Cf. Ptolemy, *Tetrabiblos*, 1.24. The notion of "the mixture of the rays" (*mizâj al-shuʿâʿ*) is found as early as the writings of Teukros (Tinkalûshâ al-Bâbilî, fl. ca. 1st cent. B.C.E.; see Sezgin 71–73), quoted in *Safînat al-Aḥkâm* (MS Dublin, Chester Beatty 3640, fol. 7a). See also the definition of *radd al-nûr* in Ibn Hibintâ (10th cent.), *Al-Mughnî fi aḥkâm al-nujûm*, facsimile edition (Frankfurt a. M., 1987) 2.16. These are just a few random references; a fuller study of the physical side of astrological theory in medieval Islamic civilization remains a major desideratum. It should be noted that these ideas were accompanied by an elaborate mathematical apparatus; see E. S. Kennedy and H. Krikorian-Preisler, "The Astrological Doctrine of the Projection of the Rays," E. S. Kennedy, *Studies in the Islamic Exact Sciences* (Beirut, 1983) 372–84.

[28] There is strong reason to believe that in this matter Maimonides followed the lead of Alexander of Aphrodisias. For Alexander's ideas, see Amand 140–41. Publication of some of the extant Arabic texts of Alexander will facilitate the elucidation of this point.

[29] Very little work has been done on this problem. See David Pingree, "Abû Maʿshar," *Dictionary of Scientific Biography* 1 (New York, 1970) 32–39, esp. 34.

words, the astrologers' conception of *fayḍ* may not have been due to a misunderstanding, but to the deliberate appropriation of this term for use within the context of their own (non-Aristotelian) theories. Perhaps Maimonides was aware of the theoretical difficulties inherent in any attempt to explain the effects of the stars on earth in terms of the Aristotelian system; I shall elaborate upon this point in the next section.

In large measure, the claims of the astrologers were based on induction from the empirically evident effects of the sun and the moon. Extending their observations in the case of these two celestial bodies, the astrologers asserted that the other stars, and certain mathematical points or arcs on the celestial orb, also exert an influence, albeit one which is weaker and less readily detectable. The difficulty or inability of the opponents of astrology to provide a cogent account of the acknowledged influences of the sun and the moon—one which would exclude the more fanciful claims of the astrologers—may have detracted from the force of their denial of the influences that the astrologers inferred regarding the other stars and mathematical points on the celestial sphere. Given the paucity of his own doctrine in all that concerns the explanation of the legitimate stellar influences, there was little that Maimonides could offer in terms of detailed rebuttal of the suggestions of the astrologers. Maimonides elsewhere insists that the Aristotelian sublunar physics is perfectly correct,[30] and whatever else may have prompted that remark, it is possible that he also felt that an important argument against astrology hinged on the soundness of Aristotelian physics. In any event, the chief implications of the attribution of *fayḍ* to the stars are to be found in the realm of theology, and we shall have more to say on this matter in a later section of this paper.

Issues of epistemology and philosophy of science are also involved in Maimonides' refusal to regard astrology as a legitimate science. Astrologers assert that observation and experience have indicated that certain celestial configurations are conjoined with certain terrestrial events. Predictions which have been made on the basis of the accumulated data have had a reasonable degree of success. Therefore, the astrologers would contend, astrology is a legitimate science, even if it cannot offer any logically demonstrable explana-

[30] *Guide* 2.19:307: ". . . all that he [Aristotle] has explained to us regarding what is beneath the sphere of the moon follows an order conforming to what exists, an order whose causes are clear"; cf. also *Guide* 2.22: 319.



tion of the connection between stellar patterns and earthly events.[31] Maimonides aligns himself squarely with that school of thought which denies that science can be based solely upon what we would call inductive reasoning based upon repeated experience (*tajribah*, plural *tajârib*,).[32] It seems that Maimonides derives in large measure his conception of what a physical theory *should* be from the thought of Alexander of Aphrodisias.[33] According to this view, the first principles of a physical theory are undemonstrable and must come from observation. However, science is not just an agglomeration of observations, or what are claimed to be observations. A formal scientific theory must be logically constructed upon these first principles. Maimonides is quite insistent in his demand that a scientific theory provide some causal account of the phenomena, especially with regard to efficient causes, and that this account have the rigor of formal, logical demonstration. Yet the astrological method which we shall describe presently contains no formal proofs and identifies no efficient causes. According to that method, each individual datum is acquired by matching a product of the imagination (*khiyâl*) with what is claimed to be repeated empirical confirmation. Maimonides is particularly vigorous in his criticism of those who rely upon the imaginative faculty for the elucidation of such sublime matters and, in fact, a strong denunciation of this method is conjoined to his discussion of the errors which led to astrology in *Guide* 2.12.[34]

A clear statement of the epistemological approach of the astrologers, in which *tajribah* plays the key corroborating role, is found in a text attributed to Adam and quoted by Ibn Waḥshiyyah in his *Nabatean Agriculture* (*al-*

[31] See, for example, Ptolemy's defense of astrology in *Tetrabiblos* 1.1–3. Ptolemy appeals to the evident effects of the sun and the moon, the usefulness of prognostication, and the aesthetic appeal of astrological theory, but it seems that he concedes that the very ambition of connecting terrestrial to celestial events precludes the possibility that astrology will ever achieve exhaustiveness. Ptolemy, however, does not seem to be particularly concerned with astrology's formal structure.

[32] Maimonides' views will be spelled out in detail presently. Cf. A. M. Goichon, *Lexique de la langue philosophique d'Ibn Sînâ* (Paris, 1938) 39, no. 84, s.v. *mujarrabât*.

[33] See, *Guide*, "Translator's Introduction" lxix-lxxi, and now, in great detail, J. L. Kraemer, "Maimonides on Aristotle and Scientific Method," E. L. Ormsby, ed., *Moses Maimonides and His Time*, Studies in Philosophy and the History of Philosophy, vol. 19 (Washington: Catholic University of America Press, 1989) 53–88."

[34] Trans p. 280, "All this follows imagination, which is also in true reality the *evil impulse*."

*Filâḥah al-Nabaṭiyyah*),[35] which work Maimonides calls "the most important book about this subject [astrology]."[36] According to this text, the first step toward knowledge of the stellar influences is a divine revelation (*'ilhâm*). The recipient next applies reason (*qiyâs*) to this revelation until he arrives at some product of the imagination (*khiyâl*). Apparently the role of *qiyâs* is to process the revelation into some type of image which can be checked against the appearances in the sensory world. The last step is corroboration by means of *tajribah*, repeated testimony that the imagined stellar influence is in fact a true one. Ibn Waḥshiyyah strongly indicates that of these four steps, the two most important are *qiyâs* and *tajribah*, and that it is the latter which leads to sound knowledge. Now clearly not all astrologers would have fully accepted this theory of knowledge. Some, such as Abû Maʿshar, were cognizant of some of the objections which had been raised against their art, and made some attempt at accommodation.[37] Others, such as Abraham bar Ḥiyya, acknowledged that astrology's reliance upon experience (*nisayon*) made it less certain than the demonstrative sciences.[38] A survey of the full range of this epistemological debate is well beyond the purview of this paper. Nevertheless, it seems to be generally true that astrology was an inductive science, possessing little in the way of explanation by means of efficient causes and relying heavily on what it claimed to be empirical verification of the various relationships between heaven and earth.

Al-Fârâbî, to whose views Maimonides showed some affinity in his philosophical outlook, dismisses out of hand the claim that *tajârib* prove that the sun signifies for kings, Mercury for notaries, and other such pretenses of the astrologers. Anyone who investigates the various assertions which are made

[35] Vol. 1 of the facsimile edition (see above, note 17), p. 293.

[36] *Guide* 3.29:518.

[37] His arguments are reproduced in J. C. Vadet, "Une défense de l'astrologie dans le Madḫal d' Abû Maʿsar al-Balḫî [!]," *Annales Islamologiques* 5 (1963): 131–80. In the course of his defense Abu Maʿshar incorporated much Aristotelian physics into his book and, ironically, the *Mudḫal* later served as an important vehicle for the transmission of Aristotle's ideas to Europe. See R. Lemay, *Abu Maʿshar and Latin Aristotelianism in the Twelfth Century* (Beirut, 1962).

[38] In the introduction to his *Ẓurat ha-Areẓ* he writes: "The scholars who are versed in the method of scholarship (*derekh ha-ḥokhmah*) do not give it [astrology] such a high ranking because its proofs are not correct proofs. Rather, they all derive from conjectures (*sevarot*) and experiences."



concerning nativities, interrogations, etc., will find that they may equally turn out to be correct or incorrect. In short, astrology is mere guesswork.[39]

Maimonides does not address the epistemological question in the context of astrology. However, he does state his own views on this question in a medical context in the eleventh chapter of his *Treatise on Asthma*.

> Therefore those who rely on experience (*'ahl al-tajribah*) lack logical reasoning (*qiyâs*) and err. For sometimes things work out for them, and sometimes not. I therefore state: he who submits himself to a physician who has experience but does not understand the rules of logical reasoning is like someone setting out to sea who submits himself to the blowing of the winds. For they [the winds] do not proceed according to reasoning; sometimes they blow in accordance with the wish of the seafarer and in line with his purpose, and sometimes they [lead to] his drowning and the denial [of his purpose]. I have called this to your attention because many people perish as a result of [treatment which is based solely] on experience. It is by chance that one survives or perishes from [that type of treatment].[40]

Maimonides carried out this philosophy in his own medical practice, as he reveals in a letter to his disciple, Joseph ben Judah:

> When I come [home] to Fusṭâṭ, the most that I can do during what is left of the day and the night is to study that which I may need [to know] from the medical books. For you know how long and difficult this art is for someone who is conscientious and fastidious, and who does not wish to say anything without first

[39] "On Astrology" (see n. 23 above), passages 28–29, p. 114 (Arabic), p. 185 (German). Cf. also al-Fârâbî's discussion of *tajribah*, in a somewhat different context, in passage 8, p. 107 (Arabic), p. 175 (German).

[40] My translation from the original Judaeo-Arabic, which survives uniquely in MS Paris, BN Heb. 1211, fol. 19a. I acknowledge with gratitude the efforts of Mr. Benjamin Richler of the National Library at Jerusalem, who speedily located and faxed to me a copy of the page in question. Compare the Hebrew translation of Shmuel Beneviste, published by S. Müntner in *Maimonides' Medical Writings*, vol. 4 (Jerusalem, 1965) 97. Maimonides may have learned of the classical debate between "Dogmatists" and "Empiricists" from the work of Galen published by R. Walzer, *Galen on Medical Experience* (London: Oxford University Press, 1944). Note in particular the argument of the "Empiricist" on p. 98 (p. 18 of the Arabic text), who mocks those who, if their position be taken to its extreme, would not rely on the experienced helmsman who "has not fathomed the logos of nature"; Maimonides seems to be presenting here some form of the converse of that argument.

> knowing its proof, its source [in the literature], and the type of reasoning (*wajh al-qiyâs*) [involved].[41]

The assessment of *tajribah* forms one of the philosophical questions which are seriously debated in the polemical literature concerned with astrology. We have sketched briefly the views of a few thinkers; the issues involved are more complex. Opponents of astrology usually questioned not only the method, but also the *quality* of the evidence presented by the astrologers. And even if the opponents granted the truthfulness of their observations, they remained doubtful that the astrologers had accumulated *enough* evidence to substantiate their claims, for it is well known that the same astrological configuration recurs rarely if at all.[42] Medieval scientists had no well-developed understanding of statistics, and the arguments on both sides accordingly were usually limited to statements of a broad generality. Of course, one proof for the correctness of astrology could come from successful predictions made on the basis of the empirical data. But this too offers no path to a full resolution of the matter. Astrologers often admitted that they were not as accurate as they might be. Maimonides notes this admission to which he adds, "one astrologer is superior to another only in sofar as the former's falsehoods are less than those of the latter; but it is impossible that even he may be correct with regard to all of the details."[43] However, it is and always will be moot whether a poor record of prediction indicates a worthless theory (as the opponents claim) or, instead, points only to the need for further technical refinements (as the astrologers claim).

Let us return to Maimonides. Despite his rather categorical rejection of *tajribah*, Maimonides, in the face of troublesome talmudic sources, manages to find some slight justification for this mode of inference in the field of medicine. The Talmud lists some seemingly superstitious practices which are nevertheless permitted because of their supposed therapeutic value. As a general rule, the Talmud states: "In matters of healing there is no [prohibition of] 'the ways of the Emorites'."[44] In characteristic fashion, Maimonides

[41] My translation from the Arabic, published with a new Hebrew translation, by Y. Kafaḥ, *Letters of Maimonides* (Jerusalem, 1972), 134–35.

[42] See, e.g., the very detailed arguments of al-Jawziyyah, *Miftâḥ dâr al-Saʿâdah* (Cairo, 1905–1907), 2: 134–36 (*al-wajh al-thânî*).

[43] *Commentary on the Mishnah*, Seder Zeraʿim, Introduction, ed. Y. Kafaḥ (Jerusalem, 1963) 5.

[44] TB Shabbat 67a.



(*Guide* 3.37) interprets the phrase "matters of healing" to mean "that which natural reasoning requires [for treatment]."[45] Nevertheless, the use of a nail from a cross or of a fox's tooth—practices which, while lacking any medical rationale, are specifically condoned by the Talmud—are allowed because "in those times these things were considered to derive from experience."[46] Both as physician and as theologian, Maimonides clearly disapproved of these cures, yet he does not reject out of hand a talmudic passage which sanctions them.

In contrast to his tolerance of questionable medical practices which have found a place within Jewish lore, Maimonides absolutely denies that astrology has any support from the traditional sources. This is itself noteworthy, for it does seem to be Maimonides' habit to find support for more than one point of view with regard to those issues concerning which there is room, in his opinion, for legitimate disagreement or, at least,where the opinion rejected by Maimonides is not necessarily to be deemed heretical. An example (which may prove germane to our topic) is provided in *Guide* 2.8, where Maimonides asserts that the Pythagorean theory that the celestial motions produce harmonious sounds, which had been rejected by Aristotle, did have adherents among the ancient Jewish sages. But nowhere does Maimonides find any such support for astrology. As a matter of fact, Maimonides' most forceful and explicit rejection of a Talmudic source is found in his *Letter on Astrology*.

> I know that you may search and find sayings of some individual sages in the Talmud and Midrashim whose words appear to maintain that at the moment of a man's birth, the stars will cause such and such to happen to him. Do not regard this as a difficulty, for it is not fitting for a man to abandon the prevailing law and raise once again the counterarguments and replies [that preceded its enactment]. Similarly it is not proper to abandon matters of reason that have already been verified by proofs, shake loose of them, and depend on the words of a single one of the sages from whom possibly the matter was hidden.[47]

Finally, we should take note of a stock argument against astrology which Maimonides does *not* cite. Since antiquity, opponents of astrology have made much of mass disasters, for example, shipwrecks. How can it be that a large

[45] Cf. Pines's slightly different rendering, see *Guide* 3.37:543.

[46] *Guide* 3.37:544.

[47] Twersky, *Maimonides Reader* 472.

number of individuals, each of whom was born under a different astral configuration, were all fated to perish together, in the same place and at the same time?[48] It is not by chance that Maimonides avoids this type of argument. For the very example of the shipwreck appears in Maimonides' discussion of divine providence. According to Maimonides, the disaster itself may constitute a chance happening, as the opponents of astrology would also urge, but it was divine providence, in accordance with absolute Justice, that determined *who* would be on that ship.[49]

## *Allowable Influences of the Stars*

### *1. The Astral Forces*

The most important point to be made about the astral forces is that, in Maimonides' system, the stars exert their influence only as bodies acting upon other bodies. Statements to this effect may be found in the three most important discussions of the astral influences, namely, *Guide* 1.72, 2.10, and 2.12.[50] Those forces that originate in the heavens must be traced to the celestial *bodies*. On the other hand, the fanciful figures, or beings which the human imagination has associated with the stars and their conglomerations, such as the Fish, the Ram, the Ox etc., are scornfully dismissed.[51] Similarly, there can be no role in the operation of the cosmos for the ascendant, the houses, and other such fictions. Maimonides' strict insistence that bodies alone exert influence on other bodies has, as we shall see, some connection to

[48] Amand 53–55.

[49] *Guide* 3.17:472.

[50] I cite in order from Pines's translation: *Guide* 1.72:186, "Inasmuch as the fifth *body* as a whole is engaged perpetually in circular motion, it thus engenders forced motion in the elements"; in *Guide* 2.10, Maimonides says much about the governance of the spheres, e.g., (p. 271), "the elements moved by the spheres are four," and, at the end of the chapter (p. 273), he makes clear that it is "the bodies of the spheres" of which he is speaking; and especially in 2.12: (280), "Thus the overflow of the sphere is spoken of, though its actions proceed from a body." Note also that in 2.6 Maimonides remarks that the orbs and stars are lords of every *body* (*jism*); this point is obscured in Pines' translation (p.261), "the lords of *everybody*."

[51] *Commentary on the Mishnah*, Avodah Zarah 3.3.



the metaphysical aspect of his rejection of astrology. Nevertheless, his position on this point is, on the face of it, based strictly on considerations of Aristotelian physics. Bodies alone can set other bodies in motion. In this regard Maimonides' rejection of astrology is consistent with his criticisms of the Ptolemaic system in *Guide* 2.24. There too, in a completely nonastrological context, Maimonides disallows the notion that imaginary points, such as the eccenter, play any role in the physical workings of the universe.[52]

The mode by which these corporeal forces associated with the stars are produced and transmitted is by no means clear. As a matter of fact, this entire issue involves a conundrum of Aristotelian science which, fortunately for Maimonides and those of his trend of thought, does not seem to have been the subject of much criticism during the Middle Ages. For it is indeed quite difficult to explain how, within the framework of Aristotelian science, a celestial body actually brings about its supposed effect on the earth.

These difficulties can perhaps best be appreciated by looking at the most obvious of all astral effects, a stellar "influence" so obvious and pervasive that it had to be confronted by all those who professed an interest in natural science, namely, the heating effect of the sun.[53] How is this to be accounted for? In Aristotelian cosmology the sun, like the rest of the heavens, is made up of the fifth element, the aether, and thus has no share in the terrestrial element of fire nor in the terrestrial quality of heat.[54] It should also be noted that Aristotle does not allow action at a distance; all forces must be transmitted mechanically, by one body which actually touches another.[55] Finally, Aristotle maintains that one body may actualize a potentiality in another only if the first contains, at least *in potentia*, the quality which is being actualized in the second.[56]

[52] See now T. Langermann, "The True Perplexity; The *Guide of the Perplexed* II,24," *Perspectives on Maimonides*, ed. J. L. Kraemer (Oxford: Oxford University Press, 1990) 193–208.

[53] I have discussed this problem in some detail in "Gersonides on the Magnet and the Heat of the Sun: Two Problems of Natural Science and Their Theological-Philosophical Import," to appear in *Etudes sur Gersonide—savant-philosophic Juif provençal du quatorzième siècle*, ed. G. Freudenthal. It should also be borne in mind that in *Guide* 2.19:305, Maimonides cites the opinion of the later scholars, with whom he appears to be in agreement, that the very term "body" is used equivocally for the sublunar and celestial realms.

[54] *De Caelo* 1.3:270a13 ff.

[55] *Physics* 7.2:243a3–6.

[56] *Physics* 3.1:201a23–25.

Aristotle attributed the sun's heat to its motion.[57] Later commentators, and in particular the Andalusian philosophers Ibn Bâjja and Ibn Rushd, also listed the sun's light as a factor; the idea must go back much earlier.[58] The connection between sunlight and heat is not merely intuitive; "burning" parabolic mirrors, the subject of much investigation by classical scientists, can focus enough sunlight to ignite a flame. In *Guide* 1.72, Maimonides presents a variation of Aristotle's assertion that the sun's ability to produce heat was due to its forcing downward, by means of its motion, the element of fire. Maimonides states more generally that the motion of the celestial orb as a whole forces downward the two lighter elements, fire and air, thus inducing a constant mixing of all the elements.[59] In *Guide* 2.10, he states that the sun's rays set in motion the element of fire.[60]

These two factors—motion and luminescence—were extended to the other celestial bodies as well and seem to have formed the principal elements of the scientific explanation, such as it was, of the effects of the stars. Both of these explanations are found in Maimonides, who seems to have assigned a specific function to each one. Two chief tasks which are carried out by the celestial bodies are identified in *Guide* 2.10: generation and preservation.[61] Light is named in *Guide* 2.5, as the proximate cause of generation and corruption.[62] This notion is spelled out more fully in *Guide* 1.72, where we are informed that the heavens transmit four forces or "souls", one each for the four classes of terrestrial beings: mineral, vegetable, animal, and human. The role of the motions—*pace* Aristotle—appears to be limited to preservation (*hirâsah*). By preservation Maimonides means that the life of the cosmos depends upon the unceasing motion of the heavenly orb.[63] In the long chapter on cosmogony a somewhat different account is presented. The chief causes of generation and corruption are said to be, first of all, "the forces of the sphere," and, second, light and darkness; furthermore, "the elements

[57] *Meteorology* 1.3:340b10–13; *De Caelo* 2.7:289a20

[58] See Ibn Bâjja's recension of *On Generation and Corruption*, Arabic text published by M. Maʿṣûmī in *Révue de l'Académie arabe de Damas* 42 (1967):255–61, 426–50, esp. 444; Ibn Rushd, Middle Commentary on *De Caelo*, Hebrew trans., MS Paris BN Heb. 947, fol. 41b.

[59] Trans. 186.

[60] Trans. 270.

[61] Trans. 272.

[62] Trans. 261.

[63] Trans. 187: ". . . so the death of the world as a whole and the abolition of everything within it would result if the heavens were to come to rest."



intermix in consequence of the motion of the sphere, and their combinations vary because of light and darkness."[64]

Maimonides' account of the operation of the stellar forces does not go much beyond the naming of these two factors, that is, motion and luminescence. It seems that, generally speaking, such debate as there was concerning the causes of these universally acknowledged astral actions devolved upon the choice between the light of the stars or the motions of the orb as the conveying force. Indeed, Judah ha-Levi bluntly states that the claim of the astrologers to know the details of the operation of the stellar forces is utterly false.[65] Al-Fârâbî clearly states that celestial influences are to be attributed solely to luminescence.[66] Ibn Sînâ notes—and rejects—the view of an anonymous writer that the motions of the orb alone can account for the generation of the terrestrial elements; this opinion may be due to one of the orthodox Aristotelians of Baghdad.[67] Interestingly enough, Levi ben Gerson, who embraced astrology, also asserted that the stars exert their influence by means of their luminescence.[68] Faced with the difficulties which we have listed above, it is perhaps not suprising that medieval thinkers—both defenders and critics of astrology—limited their remarks to generalities. The excavation of these speculations, including some possible appeals to non-Aristotelian ideas for help, remains a subject for further research.

## 2. *Other Underlying Cosmological Themes*

In the preceding section we have seen how, by and large, Maimonides tried to account for the astral forces within an Aristotelian framework. Some

[64] *Guide* 2.30:354.

[65] *Kuzari* 4.9, trans. H. Hirschfeld (rprt. New York: Schocken Books, 1964) 215: "The particulars are unknown to us. The astrologer boasts of knowing them, but we repudiate it."

[66] "On What Is Correct and What Is Incorrect in Astrology," para. 13, p. 109 (Arabic), p. 178 (German).

[67] *Al-Shifâ', al-'Ilâhiyyât*, vol. 2, ed. I. Madkour (Cairo, 1960), bk. 9:413. On Ibn Sînâ's opposition to the Aristotelians of Baghdad, see the classic study of S. Pines, "La 'Philosophie orientale' d'Avicenne et sa polémique contre les Bagdadiens," *Archives d'histoire Doctrinale et Littéraire du Moyen Age* 27 (1952): 5–37. For another possible instance of a polemic between Ibn Sînâ and the Baghdadis on an issue of natural science, see my paper on Levi ben Gerson, n. 8–11 (see n.52, above).

[68] This emerges very clearly from Levi's six axioms, which he sets down in *Wars* 5, pt. 2, chap. 6.

significant correspondence. If the five planets (Mercury, Venus, Mars, Jupiter, Saturn) are treated as a unit, that is, as a distinct class of star, then we have four sets of celestial bodies: the moon, the sun, the planets, and the fixed stars. These can then be linked to the four terrestrial elements: the moon to water and the sun to fire (these are standard astrological correspondences:); the planets, whose proper motion is relatively quick, to the air; and the fixed stars, whose motion (here precession is intended) is slow, to the earth. In his letter to Samuel ibn Tibbon, Maimonides brushes aside the writings of Pythagoras.[79] Thus this Pythagorean train of thought seems quite out of character for Maimonides.[80]

### *Astrology and Star Worship*

We have already presented Maimonides' reconstruction of the emergence of star-worship. Few of Maimonides' contemporaries would dispute the existence of *some* historical linkage between astrology and star-worship;[81] the crucial question is the necessity of that connection. Is the connection between the two so inextricable, so organic, that astrology will inevitably lead to star-worship and deserves, therefore, to be regarded as an auxiliary of it? Maimonides answers this question in the affirmative, and it seems that two trains of thought lead up to his reply.

The first consideration, which is based on human nature (or psychology, in the modern, popular sense of the term), is revealed in *Guide* 3.37. In his explication of the rationale underlying the second group (in his own classification) of biblical commandments, namely those whose aim is to counteract

[79] *Letters*, ed. Shailat, vol. 2, p. 553.

[80] For a detailed look at the important cosmic functions which were assigned to tetrads by one thinker of the fifth century, see now N. Aujoulet, *Le Néoplatonisme alexandrin: Hiéroclès d'Alexandrie* (Leyden, 1986) 119–27. For Hierocles, the tetrad is "cause créatrice et ordonnatrice de toutes choses" (p. 127). For a discussion of this Pythagorean notion in an Arabic text, see N. Linley, "Ibn aṭ-Ṭayyib. Proclus' Commentary on the Pythagorean Golden Verses," *Arethusa Monographs*, vol. 10 (Buffalo, 1984) 78–81.

[81] See, e.g., Abraham bar Ḥiyya's defense of astrology (cited above, n. 8). Bar Ḥiyya concedes (p. 28 11. 29–31) that "it is possible that one may think that the Chaldean science, concerning which our Rabbis have forbidden us to inquire, may be the science of the stars [astrology] about which we have been talking."



idolatrous beliefs and practices, Maimonides establishes a causal chain beginning with theurgical or magical practices and leading, through astrology, to full blown star-worship. Magical practices were, by and large, aimed at bettering one's material well-being and, especially, at warding off any perceived dangers. In what is one of the most penetrating insights into human nature found in the *Guide*, Maimonides explains how foolish and ineffective magical practices managed to take such a deep hold on so many people. Heathen preachers advertised widely that whosoever did not follow a particular ritual (of their own devising) would sustain some loss. Eventually it happened that, by chance, someone who ignored these exhortations did suffer, and out of deep seated human fears, the many instances in which no harm ensued from ignoring the ritual were overlooked, and that particular practice entrenched itself.[82]

Now many magical practices are carried out at specific times which are chosen for their astrological significance. Building upon this, Maimonides proposes a sweeping generalization: "In all magical operations it is indispensable that the stars should be observed."[83] The necessary connection between magic and astrology, in turn, will lead in the end to "a glorification and a worship of the stars."[84]

However compelling the case from human nature may be, there must be a more subtle, philosophical dimension to the linkage between star-worship and astrology. Given Maimonides' well-known penchant for philosophic explanation, it does not seem likely that he would develop his opinion solely on the basis of the observed behavior of generally ignorant people. This more profound aspect of the problem echoes the difficult metaphysical question of the nature and role of the celestial intelligences and, more generally, the so-called separate or incorporeal intelligences (*mufâraqât*). Medieval cosmologists, including Maimonides, followed Aristotle in associating spiritual beings, or intelligences, with the stars or, rather, with the set of orbs associated with each star, in order to explain their motion. To each orb there belonged an intelligence. The orb itself,which was considered to be a living being conscious of the intelligence which was associated with it, was motivated by a desire to execute its circular motion; and the combination of the

[82] Trans. 545–46.

[83] Trans. 542.

[84] Trans. 543.

motions of the various orbs within the system associated with each star accounts for the observed motion of the star.[85]

In the Maimonidean scheme, it seems, the celestial intelligences play a purely "technical" role, providing the necessary cause for the volitional, intelligent, unceasingly circular motion of the orbs. Particularly revealing in this context are some remarks in *Guide* 2.11 concerning the stages of the process by which God's bounty is transmitted to the sublunar world. In the first stage, the governance (*tadbîr*) is conveyed from the divinity to the intellects, each intellect receiving according to its rank. At the next level, the intellects emanate "good things (*khayrât*) and lights" onto the orbs, and in the final stage the orbs send "forces (*quwwât*) and good things" to the sublunar world.[86] This surely is a loaded passage. Maimonides' phraseology bears a striking resemblance to an expression used in a similar context by the Ikhwân al-Ṣafâ', "virtues (*al-faḍâ'il*) and good things."[87] It should also be noted that light seems to fill some intermediate role in the transformation of the noncorporeal bounty of the divine into forces which have some physical effect on earth. Of concern to us here is the idea that the emanation of the intellects is limited only to the celestial spheres. The heavenly bodies, in turn, transform this bounty into forces, which, as we have explained, function strictly within the confines of the laws of physics. The astrologers, however, have greatly exaggerated the role of these intelligences; in their system, these intelligences, or the heavenly bodies with which they are associated, are potent spiritual beings, at least insofar as they possess a capacity to influence earthly creatures, above all man, by means of *fayḍ*. A. L. Ivry has recently pointed out that Maimonides uses the term *fayḍ* "without any of the actual ontic structures that normally accompany it and which render it comprehensible. The Maimonidean world . . . is not a world of universal substances . . . nor any other completely separately existing universal being."[88] One damaging

[85] Aristotle, *Metaphysics* 12.8; *Guide* 1.72:185–86, and 2.4: 255–59; and, in general, H. A. Wolfson, "The Problem of the Souls of the Spheres from the Byzantine Commentaries on Aristotle through the Arabs and St. Thomas to Kepler," rprt. in *Studies in the History of Philosophy and Religion*, eds. I. Twersky and G. H. Williams, vol. 1 (Cambridge, Mass.: Harvard University Press, 1973) 22–59.

[86] Trans. 275.

[87] *Rasâ'il Ikhwân al-Ṣafâ'*, vol. 1 (Beirut, 1957), *risâlah* no. 3, p. 353; Y. Marquet 104.

[88] A. L. Ivry, "Providence, Divine Omniscience and Possibility: The Case of Maimonides," T. Rudavsky, ed. *Divine Omniscience and Omnipotence in Medieval Philosophy* (1985), chap. 9, p. 148.



consequence of the doctrine which Maimonides imputes to the astrologers is the notion of astral prophecy.[89] It seems that even more is at stake, for a teaching which identifies the ontic structures with, or merges them into, the heavenly bodies leads necessarily to some form of polytheism, that is, the recognition of more than one potent being, or to the conception that the deity itself infuses the celestial domain.

It is with this in mind that Maimonides, in *Guide* 2.6, downgrades considerably the status of angels. Maimonides begins his analysis by noting that the existence of angels is recognized by the Jewish tradition; the angels are equivalent to Aristotle's separate intelligences. Maimonides adds that the angels function as intermediaries between God and the universe, because the celestial orbs, which are the causes of generation on earth, are set in motion by angels. However, in the subsequent discussion the concept of angel is widened considerably so as to include nearly everything which can be considered to be a delegate of God, even the lowly terrestrial elements. In effect, *all* natural forces are angels. Moreover, each angel is limited to one specific task, and not all are eternal—it would seem that most are not—although all of their species are. Thus in the cosmological context the role of the celestial intelligences is quite restricted. They serve as the object of desire of the orbs, so that as final causes they are the causes of their eternal revolutions. In this way only can the celestial intelligences be considered as divine intermediaries and, as such, they still are not all that different from such mundane causes as the wind or sexual desire. The privileged status of the orbs and the separate intelligences is restored in *Guide* 2.7; these beings are said to carry out their duties freely and consciously. This notwithstanding, I do believe that Maimonides has attained the objective of the preceding chapter, namely, a reduction in the status of the celestial intelligences from quasi-divine spiritual entities to the first among the large class of agents of the deity.

The celestial bodies and the astral forces are thus assigned an important role in Maimonides' cosmology, but their function is limited to the physical realm. No metaphysical function, no commission to bridge the gap between matter and mind, or between the human and the divine, has been bestowed upon the stars. It is the very claim that the stars also function on the metaphysical level which leads to a series of astrological fantasies—for example, that by means of the stars it is possible to read someone's mind or determine

[89] Guide 3.45:576–77; note that here again Maimonides takes care to point out that "all these [angels or spiritual beings] are beyond the Sphere and its stars."

what he shall do in the future—and thence to pagan notions of astral prophecy and, inevitably, astral religion. To retreat from the idea of God's incorporeality and transcendence is itself a serious error. To locate the divinity, or some aspect of the divinity, in the stars—which is the inescapable conclusion of astrology, as Maimonides understands it—is to provide star-worship with its theological foundations.

In Maimonides' system God is ultimately and utterly transcendent. Yet some provision must be made for some linkage between God and the universe. Now the efflux (*fayḍ*), in Maimonides' system, is associated with the "giver of forms"[90] and thus figures in the connection between corporeal and non-corporeal entities, since the form, which is itself not a body, will find some sensible manifestation within matter. Efflux is thus a critical, and, *eo ipso*, dangerous metaphysical and theological concept. It figures prominently in Maimonides' theory of prophecy, for example.[91] God Himself is sometimes called an efflux,[92] a connotation which serves to express the existential contingency of the cosmos upon the divine.

For all of these reasons, Maimonides totally rejects the attribution to the stars of any capacity in the realm of *fayḍ*. Talismans, magical implements for invoking *rûḥânîyât*, the spiritual forces associated with the stars, are repeatedly denounced.[93] The celestial intelligences, it would seem, figure in Maimonides' system only because they were thought necessary to explain the rotation of the celestial orbs.[94] Recently Rabbi Joseph Kafaḥ, a leading Maimonidean scholar, and more importantly for us, a staunch Maimonidean in his own right, has suggested that Maimonides, toward the end of his life, dispensed with the celestial intelligences altogether, having come to the conclusion that the divine will can sufficiently account for the stellar motions.[95] Although Rabbi Kafaḥ's claim is unproven, and is likely to remain so, its very proposal indicates how theologically troublesome these entities are for the Maimonidean system. The demands of divine incorporeality and transcendence entailed, for Maimonides, the severest possible restrictions on the activity of the celestial bodies, despite their lofty ranking in the standard medieval cosmological scheme, which Maimonides also shared. Astrological doctrine, as Maimonides interpreted it, requires the ascription to these bodies of powers and capacities which, in some sense, must be considered divine. Hence the inevitable passage from astrology to star-worship.

[90] *Guide* 2.12:278–79.

[91] *Guide* 2.38:377.

[92] *Guide* 2.12:279: "This term, I mean 'overflow' [*fayḍ*, efflux] is sometimes applied in Hebrew to God, may He be exalted."

[93] Thus, e.g., condemnatory excurses concerning talismans are found in Maimonides' commentaries to the following mishnayot of ʿAvodah Zarah: 3:1, 3:3, 3:4, 4:7.

[94] Traces of a debate concerning the stature of the separate intelligences in general may be found in a difficult passage attributed to Ibn Bâjja and published by Jimâl al-Dîn al-ʿUluwî, *Rasâ'il Falsafiyyah li-abî Bakr bin Bâjja* (Beirut, 1983) 198. Ibn Bâjja criticizes al-Fârâbî for claiming that "one of the ancients" had severely restricted the status of the separate intelligences. The real culprit, Ibn Bâjja asserts, is the "errant" Ikhwân al-Ṣafâ'!



[95] *Mishneh Torah . . . on the basis of Yemenite Manuscripts, with a Comprehensive Commentary* [Hebrew], ed. and comm. Y. Kafah, vol. 1, Madaʿ (Jerusalem, 5744/1984), 107, n. 21: "This whole matter of the orbs' possessing souls, knowledge, and intelligence, even though our Master [Maimonides] set it down here and in the *Guide*—it seems to me that our Master retracted all of this. . . . I know that people will say that the wish to square the view of our Master with currently accepted opinion has led me to this opinion and to this conclusion. But in truth that is not so."

## *Fate and Free Will*

Discussions of the merits and demerits of astrology usually engender in their wake debates over man's freedom of will. One may even get the impression that certain thinkers—including, perhaps, Maimonides—allowed their philosophical posture on the question of determinism to strongly influence, if not dictate, their attitude toward astrology. I have argued that the main reasons for Maimonides' categorical rejection of astrology are, first, his firm conviction that, on strictly scientific grounds, astrology is vain, futile, and false, and, second, his belief that the claims of the astrologers are ultimately founded upon the ascription to the heavenly bodies of divine or nearly divine powers. In other words, the philosophical principles which lead to the rejection of astrology are (1) the identification of religious truth with scientific truth, and (2) the unity and transcendence of the deity. Although the rejection of astrology removes an obstacle from the assertion of free will, it is, to my mind, a mistake to maintain that the belief in man's freedom of the will was the motive for Maimonides' rejection of astrology.

Nevertheless, Maimonides does connect the two issues, for in his discussions of free will he usually identifies astrology with the fatalism which he

rejects.[96] Because Maimonides himself connects the two issues, no analysis of Maimonides' attitude toward astrology can ignore the problem of freedom of the will. Moreover while scholars are agreed on Maimonides' clear opposition to astrology, there are some who have maintained that his esoteric position concerning human freedom is at variance with his belief concerning this principle expressed in *Mishneh Torah*, Laws of Repentance 5. In a brief excursus S. Pines suggests, on the basis of *Guide* 3.17 and, especially, 2.48, that "in Maimonides' opinion volition and choice are no less subject to causation than natural phenomena and do not form in this respect a domain governed by different laws or by no laws at all."[97] Pines's position has been endorsed, with some strictures and qualifications, by A. Altmann.[98]

The issue of divine foreknowledge affects this discussion as well. The exact role of the stars may be a matter of dispute, but for most Jewish thinkers, divine prescience was not. Maimonides could say what he liked about the foolishness of the astrologers, but he too had to confront the apparent contradiction between divine foreknowledge and man's freedom of action. However, from Maimonides' point of view the issue of God's knowledge, which, as one of the divine attributes, belongs properly to metaphysics, is clearly distinct from the question of causation within the natural order. Maimonides himself emphasizes this distinction at the end of *Eight Chapters*, where he raises the subject of divine foreknowledge only because he knows that his audience will not be satisfied with any treatment of freedom of the will unless divine foreknowledge is considered as well. He writes, "Although I had not intended at all to speak of it [God's foreknowledge], necessity forces me to do so."[99] Maimonides' position on God's foreknowledge is clear enough and consisitently maintained throughout his *oeuvre*. Knowledge, like the other divine attributes, is predicated of God equivocally; in fact, God's knowledge and human knowledge are totally unlike one another. "God" and "God's knowledge" refer to one and the same entity; to deny this would be to

[96] See note 2 above; *Eight Chapters*, beginning of last chapter, Twersky, *Maimonides Reader* 379–80.

[97] S. Pines, "Studies in Abûl-Barakât al-Baghdâdî's Poetics and Metaphysics," *Scripta Hierosolymitana* 6 (1960) 195–98, esp. 198.

[98] A. Altmann, "The Religion of the Thinkers: Free Will and Predestination in Saadia, Bahya, and Maimonides," S. D. Goitein ed., *Religion in a Religious Age* (Cambridge, Mass., 1974) 25–52, esp. 41 ff.

[99] Twersky, *Maimonides Reader* 384.



deny God's unity. Just as God is beyond human understanding, so also is His knowledge.[100] This provides some escape from the puzzle of how God can be said to know the future actions of a person if that person is free to act as he wishes, whatever may be our understanding of the operation of the cosmos within which man finds himself. However, the question whether or not the natural order itself is predetermined remains unanswered.

At the beginning of *Guide* 2.48, which, in the opinions of both Pines and Altmann, provides the most compelling evidence for Maimonides' esoteric determinism, three types of proximate causes are listed: (1) natural causes, (2) volitional causes, (3) chance. Critical to the argument of these two scholars is the parallel which Maimonides draws between "volition in the irrational animal" and "free choice in the rational animal."[101] In Altman's judgment, the upshot is "a complete analogy between the necessities attending natural and volitional causes." On the whole I agree with the thrust of Altmann's analysis, much of which will be reflected in my discussion; what I wish to accomplish here is to relate this problem to the issues which have been raised in connection with astrology.

Maimonides identifies several chains of causation, each of which has its ultimate source in God. The key questions are: Can the cause which is alleged to motivate human rational choice be traced back to or through the stars? If not, is some other type of necessity involved in the exercise of human will?

In view of all that has been said in the preceding sections of this paper, namely, that Maimonides restricts the power of the stars to the physical realm, it is clear that to the extent that the exercise of human will is a rational action, it is entirely free of any determination by the stars. It is not by chance that Maimonides, in the passage reminiscent of some remarks of the Ikhwân al-Ṣafá which we quoted earlier, does not ascribe to the stars a capacity in the realm of virtue (*khayr*), an ethical trait which depends on human rational choice. Maimonides holds that the human will functions, or has the capacity to function, as an alternative type of causation, very different from the physical causation of generation and corruption which is traceable to the stars, less different but still distinct from the psychic causation evident in animals and in those humans actions which cannot be said to constitute the realization of

[100] *Mishneh Torah*, Teshuvah 5:5(12), and, more fully, *Guide*, 3.20.

[101] Trans. 410.

human potential. Maimonides, as I have made plain, clearly distinguishes a dualism of the corporeal and intellectual realms. The psychic realm sometimes functions as a necessarily ambiguous meeting ground between the two.

An examination of some remarks found in the *Guide* may help to clarify the demarcation between those human volitional acts which belong more to the realm of body and those which appertain to the realm of intellect. In *Guide* 2.4, Maimonides tells us that one of the causes of motion in ensouled beings (a category that includes both man and animals) has its root in a mental representation (*taṣawwur*) which is the result of an imagining (*khiyâl*) of something suitable or unsuitable, toward or from which the being then moves.[102] In *Guide* 2.10, Maimonides tells us that if the conception which results in motion is not due to seeking or avoiding, then it must be due to intellect (*ʿaql*).[103] Now Maimonides' first case is drawn from nonrational animals, which act solely upon imagination, and his second describes the celestial orbs, whose actions are based exclusively upon intellection. Man, however, possesses both capacities. Either may supply the internal cause which motivates the volitional act.

Moreover, human conception which follows upon imagination is held responsible not only for volitional acts which are related to bodily needs or indulgences, but also, more seriously, to errors of thought. Interestingly enough, Maimonides chooses to make this point in *Guide* 2.12, in the course of his discussion of certain errors, including those which have led to the belief in astrology. There Maimonides states: "All this follows imagination, which is also in true reality the *evil impulse*. For every deficiency of reason or character is due to the action of the imagination or consequent upon its action."[104]

There remains for us to discuss the necessities attendant to each of these two types of volition. Clearly, the animal volition resultant from an act of the imagination is more appropriately classed among the physical processes. Nevertheless, it is not at all clear that Maimonides would place every phase of such activity directly within the chain of causation which is mediated by the heavenly bodies. Maimonides himself does not offer any detailed discussion on this point. However, Ibn Rushd does, and in his recent and valuable monograph Barry Kogan has investigated the possibility that, according to Ibn Rushd, there "be no need to account for the manifold capacities of living

[102] Trans. 255.
[103] Trans. 271.
[104] Trans. 280.



creatures within a narrow material framework."[105] Obviously psychic processes also have their ultimate source in God, mediated by "angels"; but the stars need not form a link in the chain of causation.

Maimonides' position is more transparent concerning the necessity of the volition which is motivated by an act of the intellect. Although such volition represents human free will par excellence, it is not free of the necessity to do the good. Indeed, it would seem to be on a par with the actions of the orbs and the intelligences, which are also said to act volitionally yet are unable to do anything but the good. However, Maimonides makes it clear that human choice differs from the choice of the orbs and the intelligences in that the latter carry out a constant, unvarying choice, whereas human beings are confronted with an everchanging series of events with regard to which they must choose.[106] Of course, human beings also may make the wrong choice, that is, they may fail to choose to do the good. We are thus drawn to the following conclusion: man may not enjoy freedom of action, insofar as each of the alternative courses of action open to him has its place within a causal nexus, but man clearly has the freedom to choose between the alternatives.

Before summing up this discussion, it may be worthwhile to compare Maimonides' views with those of Alexander of Aphrodisias, whom Maimonides acknowledges as a major authority. More significantly, Alexander had been called upon to explain Aristotle's views on freedom of the will at a time when Stoic determinism pervaded the philosophical atmosphere.[107] Neither Pines nor Altmann has taken Alexander's views into account.[108] An inspection of Alexander's *De Fato* (*Peri Heimarmeneis*) yields some interesting insights into some of Maimonides' remarks.[109]

[105] B. S. Kogan, *Averroes and the Metaphysics of Causation* (Albany, 1985) 176.
[106] *Guide* 2.7:266.
[107] See Amand 135–56; Paul Moraux, *Alexandre d'Aphrodise. Egégète de la Noétique d'Aristote* (Liège and Paris, 1942) 195–202.
[108] However, in another study ("A Tenth Century Philosophical Correspondence," *PAAJR* 24 [1955] 103–36; rprt. in *Essays in Medieval Jewish and Islamic Philosophy*, ed. A. Hyman [New York, 1977] 357–90), Pines does discuss several of Alexander's treatises (pp. 125–29) and also refers (end of n. 89) to Julius Guttmann, "Das Problem der Willensfreiheit," *Jewish Studies in Memory of George A. Kohut* (New York, 1935) 325–49, who, in an appendix (pp. 346–49), does discuss the possible influence of *De fato* on Jewish and Islamic philosophy.
[109] I consulted the English translation, published alongside the Greek text by A. FitzGerald, *Alexander of Aphrodisias on Destiny* (London, 1931); the anti-fatalist arguments of this treatise are summarized by Amand 143–48.

Alexander distinguishes "reason" and "nature" as two separate causes. The products of nature have their principle and cause within themselves, whereas things produced by choice or reason have their causes from without, that is, *not* in their physical constitution but rather in "the reasoning of the craftsman."[110] Stellar influences are limited to those things caused by "nature" alone.[111]

Alexander further insists that the actions resulting from human volition are not "causeless." Their cause lies within man, and they are brought about by man's realizing what it is to be man. Particularly striking is Alexander's assertion that the activity of human free will, insofar as it represents one of the basic modes of causation, strictly parallels the manifestation of fundamental laws of nature, such as the descent of heavy bodies.[112] This is contrasted with the claim of the fatalists that "individual actions must take place under destiny according to their inborn character, just as heavy things released on high fall downward."[113] The determinists insist that man's actions are the inevitable result of his inborn disposition and hence are governed by the laws of physics, just like the falling of heavy bodies. Alexander's position is that human free will has equal status as a causative agent with the "natures" described by the laws of the physical universe. This is exactly the position stated by Maimonides in *Mishneh Torah*, Laws of Repentance 5.4(7):

> Just as the Creator wished that fire and air ascend, water and earth descend, the orb revolves with a circular [motion], and all the other creatures of the world [act] according to the manner that He wished, so also He wished that man have free will (*reshut*), that all of his actions be given over to him, and that there be nothing which compels or pulls him [toward a certain action], but rather [that] he himself, by means of the mind (*bi-da'to*) which God has given to him, do all that man can do.[114]

Thus I do not detect any essential difference between the views espoused by Maimonides in the *Mishneh Torah* and those which appear in the *Guide*, although there may be some difference in tone. In particular, I observe that

[110] *On Destiny* 21–23.
[111] *On Destiny* 27.
[112] *On Destiny* 77.
[113] *On Destiny* 89.
[114] The translation is my own.



in the *Guide*—unlike in the the *Eight Chapters* and *Mishneh Torah*—Maimonides does not include a denunciation of the astrologers in his discussion of free will.

In sum, it does seem that Altmann is correct with regard to Maimonides' conception of the true nature of human freedom, "Maimonides does stand solidly in this Aristotelian-Plotinian tradition," namely, that tradition which upholds that man's freedom, his rationality, and, ultimately, his humanity all lie in his capacity to choose to do the good. Now in the development of his argument, Altmann points to the striking parallelism in Maimonides' thought between God's justice, which may manifest itself by negating man's ability to exercise his free will, and prophecy, whose otherwise natural flow may be negated by divine intervention. There may be a third, equally striking, parallel. Alexander declares that free will is distinguished from "nature" by its ability to *prevent* an act.[115] That remark squares beautifully with the whole thrust of Maimonides' exhortations that the essence of free will rests in the ability to resist the temptations of bodily pleasures and false beliefs. In fact, Maimonides characterizes the ethical perfection necessary for prophecy as "the turning-away of thought from all bodily pleasures and the putting an end to the desire for the various kinds of ignorant and evil glorification."[116] Through the exercise of his free will, man in some sense mimics the divine by utilizing a metaphysical capacity in order to paralyze a physical action.

## *Conclusions*

In this way the connection between the rejection of astrology and the affirmation of the freedom of the will is seen in a new light. The capacity to choose to do the rational and the good, and to refrain from doing the bad, is, in fact, the ability to act on the metaphysical (i.e., noncorporeal) level of the intellect. In effect, it too impinges upon the domain of *fayḍ*. Prophecy also comes about through *fayḍ*. Now the original, fatal error of the astrologers consists in ascribing *fayḍ* to the heavenly bodies. This assertion can be refuted on strictly scientific grounds, since all of the discernible effects of the stars take place according to the rules of the action of bodies upon one another. On the level of theology, the attribution to the stars of a capacity for *fayḍ* neces-

[115] *On Destiny* 25.
[116] *Guide* 2.36:372.

sarily entails a recognition of a role for the stars in prophecy and in affecting human thought and rational choice. It would also give the celestial bodies a quasi-divine status and, at the same time, seriously compromise the notions of God's incorporeality and transcendence. This complex of scientific and theological considerations lies at the heart of Maimonides' rejection of astrology.

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The author acknowledges with gratitude the comments and criticisms of Professors Alfred L. Ivry, Joel L. Kraemer, and David Pingree.

# Who were Maimonides' Mutakallimūn? Some Remarks on *Guide of the Perplexed* Part 1 Chapter 73

*by*

MICHAEL SCHWARZ

In Memory of Professor Shlomo Pines

Chapter 73 of Part 1 of the *Guide of the Perplexed* is devoted to a systematic exposition of the views of the Mutakallimūn, the speculative theologians of orthodox Islam in the Middle Ages. Maimonides depicts their outlook by setting forth—in his neat systematic manner—twelve premises. Some of these pertain to physics, others to metaphysics. Although this exposition is written from the point of view of an opponent and is spiced with a good measure of irony, it provides such a clear picture of the subject that it is tempting

*CHRONOLOGICAL LIST OF MUSLIM AUTHORITIES*

| | |
|---|---|
| d. 830 | Muʿammar ibn ʿAbbād al-Sulamī (Baṣra School of Muʿtazila) |
| d. ca. 840 | Ibrahim al-Naẓẓām (Baṣra School of Muʿtazila) |
| d. ca. 864 | ʿAbbād ibn Sulaymān (Baṣra School of Muʿtazila) |
| d. ca. 900 | ʿAbd al-Raḥīm al-Khayyāṭ (Baghdād School of Muʿtazila) |
| d. 931 | Abu'l-Qāsim al-Balkhī al-Kaʿbī (Baghdād School of Muʿtazila) |
| 873–935 | Abu'l-Ḥasan al-Ashʿarī (mutakallim and heresiographer, eponym of Ashʿarite School) |
| d. 1013 | Al-Bāqillānī (Ashʿarite) |
| 937–1025 | ʿAbd al-Jabbār al-Hamadhānī (Baṣra School of Muʿtazila) |
| d. 1024 | Ibn Matūya (or: Matawayh) (Baṣra School of Muʿtazila; disciple of ʿAbd al-Jabbār) |
| d. 1037 | ʿAbd al-Qāhir al-Baghdādī (theologian and heresiographer) |
| d. ca. 1060 | (?) Abū Rashīd al-Naysabūrī (Baṣra School of Muʿtazila; disciple of ʿAbd al-Jabbār) |
| 994–1064 | Ibn Ḥazm (Andalusian poet, historian, heresiographer, jurist, theologian and philosopher. Not a mutakallim). |
| 1028–1085 | Imām al-Ḥaramayn Al-Juwaynī; (Ashʿarite) |
| 1058–1111 | al-Ghazālī (theologian and mystic, pupil of al-Juwaynī) |
| 1149–1209 | Fakhr al-Dīn al-Rāzī (theologian and philosopher; *non*-mutakallim) |

to use the chapter as an introduction to the study of this theology, termed Kalām. Indeed it has been used for this purpose.[1]

The matter, however, is not so simple. W. J. Courtenay, for instance, notes that he left "for other scholars the issue of whether Maimonides accurately describes the teaching of the Mutakallims."[2] Indeed the correspondence between the evidence provided by extant Kalām texts and Maimonides' premises is not altogether straightforward. Some of the questions which pose themselves to the student who attempts this comparison are: Is there any evidence in the extant texts for Maimonides' opinion that the Mutakallimūn agree "that the senses commit mistakes and that many of the objects of their apprehension elude them and for this reason their judgment should not be appealed to" (the twelfth premise)? Was the belief in the existence of an empty space, i.e., a vacuum (the second premise), common to a considerable number of these thinkers? Is there conclusive evidence in the texts for an atomic conception of time such as Maimonides describes in his third premise? The answers to these and similar questions are so doubtful that the late S. Pines decided that "the works utilized" by Maimonides in his exposition of the premises of the Kalām, or some of these works "may not have been preserved."[3] Nevertheless, in the same passage Pines adds that "his exposé of the premises of the Mutakallimūn is verifiably accurate in its details as well as its main points." Yet other scholars were not content to let the matter rest there. They tried to find detailed evidence for Maimonides' statements in the Kalām works at their disposal.

The earliest attempt known to me at discovering such evidence was made almost a hundred years ago by Martin Schreiner.[4] In his day few Kalām works were available, and those few existed mostly in unpublished manuscripts. Nevertheless Schreiner claimed that the evidence at his disposal confirmed Maimonides' account; indeed, it "completely justified" it.[5] But in fact Schreiner's own evidence shows that the existence of an empty space (Maimonides' second premise) was a moot question among the Mutakallimūn. Yet Maimonides gives the impression that all of them believed in the existence of a vacuum. The same applies to the fourth and fifth of Maimonides's twelve premises. For the third premise ("atomic time") Schreiner refers only to Maimonides' contemporary Fakhr al-Dīn al-Rāzī (1149–1209), whose position as a Mutakallim is questionable. The same applies to premises nine and twelve. For premise seven Schreiner refers to Ibn Ḥazm (994–1064), but this thinker was not an atomist.[6] For the eighth, tenth, and eleventh premises he provides no evidence at all.

Nevertheless, in view of the scant material at Schreiner's disposal, what he did achieve is remarkable. In pointing out that Imām al-Ḥaramayn al-Juwaynī (1028–85), the teacher of al-Ghāzāli, seems to have been the thinker whose system came closest to what Maimonides describes, Schreiner displayed an ingenious intuition.[7]

D. B. Macdonald enumerates all twelve premises, but provides evidence only for the third.[8] Rather inconclusive evidence at that,[9] again from Ibn Ḥazm.

A very important step forward was made by Majid Fakhry, who provided evidence for the first six premises, as well as the tenth (skipping premises 7, 8, 9, 11, and 12),[10] although some of this evidence is derived from heresiographies rather than from original texts.[11]

[1] See, e.g., Majid Fakhry, *Islamic Occasionalism* (London: Allen Unwin, 1958), passim; D. B. Macdonald, "Continuous Re-creation and Atomic Time in Muslim Scholastic Theology," *Isis* 9 (1927): 326–44, and W. J. Courtenay, "The Critique on Natural causality in the Mutakallimūn and Nominalism," *HTR* 66 (1973): 77–94 (I am indebted to Prof. Y. Leibowitz for the last-mentioned reference).

[2] Courtenay 84.

[3] Moses Maimonides, *The Guide of the Perplexed*, trans. Shlomo Pines (Chicago: University of Chicago Press, 1963), "Translator's Introduction" cxxv.

[4] Martin Schreiner, "Der Kalām in der jüdischen Literatur," *13. Bericht über die Lehranstalt für die Wissenschaft des Judentums* (Berlin, 1895) 42–51; in his *Gesammelte Schriften* (Hildesheim: Olms, 1983) 321–30.

[5] Schreiner 45 (324): "Können wir doch seine Mittheilungen über die Lehren der Mutakallimûn nur bestätigen"; Schreiner 44 (323): "die Stellen uns zugänglicher Kalâmwerke . . .welche . . .die Darstellung des Maimonides vollkommen rechtfertigen."

[6] See *EI*² 3:790–99.

[7] Schreiner 45 (324) lines 40–41 and 47 (336) n. 4. On al-Juwaynī, see *EI*² 2:605–06.

[8] See above, n. 1.

[9] See below, at n. 130.

[10] See his "Aqwāl al-Mutakallimīn wa-naqd al-Qiddīs Tōmā lahā (Les opinions des gens de Kalam et la critique de St. Thomas d'Aquin)," *Al-Machriq* 47 (1953): 151–70, 471–88 [Arabic].

[11] On the reliability of heresiographies, see my "Can We Rely on Later Authorities for the Views of Earlier Thinkers?" *IOS* 1 (1971): 241–48.

H. A. Wolfson discussed premises six and ten at length.[12] In his discussion of atomism[13] he briefly mentions Maimonides' premises one,[14] two,[15] three,[16] five,[17] and eleven,[18] but he does not systematically provide evidence for Maimonides' statements from Kalām works. His interpretation of the seventh premise seems to me to be mistaken.[19]

Harry Blumberg restricted himself to discussing the tenth premise.[20]

In view of all this, I have thought it desirable to try and compare Maimonides' description with what I have found in a number of the extant Kalām texts. In order to facilitate the comparison, I shall quote S. Pines's translation of *Guide* 1.73,[21] passage by passage, adding after each passage references to, and quotations from, relevant passages in the Kalām texts.

### *The First Premise*

> *Its meaning is that they thought that the world as a whole—I mean to say every body in it—is composed of very small particles that, because of their subtlety, are not subject to division.* (*Guide* 195)

The statement that the world in its totality consists of atoms (*jawāhir*) and accidents (*aʿrāḍ*) is to be found in a short treatise by Imām al-Ḥaramayn al-Juwaynī (1028–85). Before him, al-Baqillānī (d. 1013) held this to be true of

[12] *The Philosophy of the Kalām* (Cambridge, Mass.: Harvard University Press, 1976) 516–600: and *Repercussions of the Kalām in Jewish Philosophy* (Cambridge, Mass.: Harvard University Press 1979) 172–192.

[13] Wolfson, *Kalām* 466–517 and *Repercussions* 162–71.

[14] Wolfson, *Kalām* 367, 406 n. 65, 473, 491–92.

[15] Wolfson, *Kalām* 493.

[16] Wolfson, *Kalām* 494.

[17] Wolfson, *Kalām* 488–90.

[18] Wolfson, *Kalām* 426–27 and 471.

[19] Wolfson, *Kalām* 350–72 and H. A. Wolfson, *Studies in the History of Philosophy and Religion*, vol. 2 (Cambridge, Mass.: Harvard University Press, 1977) 338–58.

[20] Harry (Zvi) Blumberg, "Maimonides on the Concept of *Tajwīz* in the System of the Mutakallimūn," *Tarbiz* 39 (1969/70): 178–85 [Hebrew].

[21] Maimonides, *Guide* 1.73: 195–214. For the reader's convenience, the quotations from Maimonides are given in italics, those from Kalām works in roman type.



both the upper (!) and the lower world.[22] The word generally employed by Maimonides to denote "atom" is *jawhar*, a word derived from Persian. In that language *gohar* signifies "gem, jewel, precious stone," but also "substance."[23] The arabicized form *jawhar* retains all these meanings.[24] In the usage of the theologians, the expression *al-jawhar al-fard* ("the single substance"),[25] or in short *al-jawhar*,[26] came to be used, alongside *al-juz' alladhī lā yatajazza'* ("the indivisible part"), as a technical term for "atom." In al-Ashʿarī's *Maqālāt al-Islāmiyyīn* (beginning of the 10th cent.) *jawhar* and *al-juz' alladhī lā yatajazza'* seem to be used interchangeably.[27] Later on *jawhar* appears to supersede the other term.

Al-Ashᶜarī was well aware that *jawhar* meant different things to different thinkers.[28] To Arabic-speaking Christians and to the philosophers it denoted "substance." To the majority of the Muslim Mutakallimūn it denoted "atom," but to some of them it denoted "body." Two generations later,

[22] Al-Juwaynī, *Lumaᶜ al-adilla fī qawāʿid ʿaqāᶜid ahl al-sunna waʾl-jamāᶜa*, ed. Fawqiyya Ḥusayn Maḥmūd (Cairo 1385 A. H./1965) 76. Al-Bāqillānī, *al-Tamhīd*, ed. R. J. McCarthy (Beirut, 1957) 22, lines 4–5. On al-Juwaynī see above, n. 7; on al-Bāqillānī, *EI*² 1:958–59.

The basic work on the atomism of Kalām is: S. Pines, *Beiträge zur islamischen Atomenlehre* (Berlin, 1936) 1–33, 94–149. See also, O. Pretzl, "Die frühislamische Atomenlehre," *Der Islam* 19 (1931): 117–30 and the relevant chapters of the works by H. A. Wolfson cited in note 12 above. An English version of Pines's *Beiträge* will appear as part of his *Collected Works* (Jerusalem: Magnes Press).

[23] F. Steingass, *A Comprehensive Persian-English Dictionary*, (London 1892, rprt 1947) 1106.

[24] E. W. Lane, *Arabic English Lexicon* (London 1863, rprt. Cambridge: Islamic Texts Society, 1984) 1:475–76.

[25] See, for instance, Imām al-Ḥaramayn al-Juwaynī, *Al-Shāmil fi Uṣūl al-Dīn* [pt.1], ed. ʿAlī Sāmī al-Nashshār, Fayṣal Budayr ʿUn, Suhayr Muḥammad Mukhtār, (Alexandria 1969) (to be cited as *Shāmil* [Alexandria]) 143, line 6; 152, line 7; 158; 159, line 3; but he has also *al-juz' al-fard*: "the single part" 144,1 or *al-jawhar al-munfarid*. See also, al-Baqīllānī, *al-Tamhīd* 17, lines 8–9.

[26] See, for instance al-Juwaynī, *Shāmil* (Alexandria) 149, line 7 and passim,; al-Juwaynī, *El-Irchad*, éd et trad. J. D. Luciani (Paris 1938) 10, lines 11–12 and passim (to be cited as *Irshād* [Paris]); al-Bāqillānī, *Tamhīd*: 17, lines 17–19.

[27] Al-Ashᶜarī, *Maqālāt al-Islāmiyyīn . . . Die Dogmatischen Lehren der Anhänger des Islam*, ed. H. Ritter, 2nd imp. Bibliotheca Islamica 1 (Wiesbaden, 1963). For the earliest discussions of the existence of atoms, see *Maqālāt* 314–18; cf. Pines, *Beiträge* 3–4. On al-Ashᶜarī, see *EI*² 1:694.

[28] *Maqālāt* 306–09.

however, it was so obvious to al-Baqillānī (d. 1013) that *jawhar* meant "atom", that the Christian application of the term to God appeared to him as sheer blasphemy.[29] Even a century later it was necessary for al-Ghazālī (1058–1111) to point out that, when the philosophers used *jawhar* in referring to God, they did not mean "atom" but "substance."[30] Maimonides was certainly not less sophisticated than al-Ghazālī, but he may have preferred to exploit the *double-entendre* of the term for polemical purposes rather than to clear it up.

> *The individual particle does not possess quantity in any respect.* (*Guide* 195)

Both Ibn Matūya and Abū Rashīd al-Naysabūrī[31] (both disciples of the Muᶜtazilite Qāḍī ᶜAbd al-Jabbār,[32] who died in 1025) report that the question whether or not the atoms have "surface extent" (*misāha*) was one of the questions on which the Baṣrī and the Baghdādī schools of Muᶜtazilism differed. Abū Hāshim[33] (d. 933), head of the Baṣrian school, attributed "surface extent" to each atom. Abuʾl-Qāsim (d. 931), head of the Baghdadi school,[34] claimed that a single atom had no extent.[35] The Ashᶜarite al-Juwaynī agrees on this point with the Baṣrians.[36]

> *However, when several are aggregated, their aggregate possesses quantity and has thus become a body.* (*Guide* 195)

[29] *Tamhīd* 75–79.

[30] Al-Gazel, *Tahafot al-Falasifat*, ed. M. Bouyges, (Beirut, 1927) 10, lines 1–4 (to be cited as *Tahāfut*). I have found no evidence for the opinion of Pretzl, *Der Islam* 19 (1930–31): 122, that the use of *jawhar* for "atom" precedes its use for "substance."

[31] On both of them see C. Brockelmann, *Geschichte der arabischen Litteratur*, 1st supplementary vol. (Leiden: Brill, 1937) 344.

[32] Brockelmann 343–44; *EI*² 1:59.

[33] Brockelmann 342–43; *EI*² 2:570, s.v. al-Djubbāʾī.

[34] On Abuʾl-Qāsim al-Balkhī al-Kaᶜbī, see Brockelmann 343; *EI*² 1:1002–03 s.v. al-Balkhī.

[35] Al-Ḥasan ibn Aḥmad ibn Matūya, *al-Tadhkira fī Aḥkām al-jawāhir waʾl-aᶜraḍ*, ed. Sāmī Naṣr Luṭf and Fayṣal Budayr ᶜUn (Cairo, 1975) 181; Saᶜīd ibn Muḥammad Abū Rashīd al-Naysabūrī, *al-Masāʾil fīʾl-khilāf bayn al-Baṣriyyīn waʾl-Baghdādiyyīn*, ed. Maᶜn Ziyādeh and Riḍwān al-Sayyid (Tripoli [Libya], 1979) 58; cf. Pines, *Beiträge* 5–7.

[36] *Shāmil* (Alexandria) 159, lines 11–14.



Two, six, eight or thirty-six respectively is the minimal number of atoms required to constitute a body according to various thinkers as reported by al-Ashᶜarī.[37] Ibn Matūya held that eight atoms were necessary to form a body. He reports that his predecessor Abuʾl-Hudhayl al-ᶜAllāf held that the required number was six,[38] whereas al-Ashᶜarī is reported to have held that two atoms are enough.[39] Fakhr-al-Dīn al-Razī, the contemporary of Maimonides, agreed with al-Ashᶜarī.[40] This also seems to have been the opinion of al-Juwaynī.[41]

> *If two particles are aggregated together, then according to the statements of some of them, every particle has in that case become a body, so that there are two bodies.* (*Guide* 195)

This curious opinion is indeed attributed by al-Ashᶜarī to one thinker of the Baghdādī school of Muᶜtazila.[42] Furthermore, according to one manuscript of the *Irshād*, al-Juwaynī too held this opinion.[43] It seems very likely that Maimonides chooses to mention just this bizarre opinion, of all the various possibilities, in order to make the Mutakallimūn appear as ridiculous as possible.[44]

> *All these particles are alike and similar to one another, there being no difference between them in any respect whatever.* (*Guide* 195),

[37] *Maqālāt* 302–04. See also Pines, *Beiträge* 6; Pretzl, *Der Islam* 19 (1930/31): 119.

[38] See *EI*² 1:127–29, and R. M. Frank, *The Metaphysics of Created Being According to Abuʾl-Hudhayl al-ᶜAllāf*. Uitgaven van het Nederlands Historisch Archaeologisch Instituut te Istanbul (Istanbul, 1966) 21.

[39] Ibn Matūya, *Tadhkira* 47–48.

[40] Fakhr al-Dīn al-Rāzī, *Kitāb al-Arbaʿīn fī Uṣūl ad-Dīn* (Hyderabad–Deccan, 1353 A. H) 4, lines 5–6. On this author, see *EI*² 2:751–55 and Fathallah Kholeif, *A Study on Fakhr al-Dīn al-Rāzī and his Controversies in Transoxiana* (Beirut, 1966).

[41] *Irshād* (Paris) Arabic: 10, lines 11–12; French: 28, lines 20–21.

[42] *Maqālāt* 302, lines 1–4.

[43] *Irshād* (Paris) 10, apparatus to lines 11–12: MS P.: *kānā jismayn*; cf. Schreiner "Der Kalām" 45–46 and n. 3 (=*Gesammelte Schriften* 324–25) and Pines, *Beiträge* 23, n. 1.

[44] For the philosophers' habit of scoffing at the Mutakallimūn, see, e.g., *Irshād* (Paris) 134, line 21–135, line 1.

Apparently most of the Mutakallimūn considered the atoms to be similar to one another,[45] and thus to belong to one and the same genus.[46] But Abu'l-Qāsim, leader of the Baghdādī school of Muᶜtazila,[47] is reported to have held that some atoms are similar to one another, but others differ from one another.[48]

> *And, as they say, it is impossible that a body should exist in any respect except it be composed of these particles, which are alike in such a way that they are adjacent to one another. In this way, according to them, generation consists in aggregation, and corruption in separation.* (*Guide* 195)

A body (*jism*) is that which is put together ("composed," *mu'allaf*), says al-Bāqillānī (d. 1013), a major exponent of the Ashᶜarite school, two generations after al-Ashᶜarī.[49] He states that *ajsam* ("more, or most corpulent or bulky") and *jasīm* ("bulky, corpulent") "refer only to the plurality of parts joined to one another (*kathrat al-ajzā al-munḍammah*) and the composition (*ta'līf*, 'joining, putting together; composedness')."[50]

When an atom comes to be, says Ibn Matūya, the Baṣrian Muᶜtazilite who was al-Bāqillānī's younger contemporary, and there is another atom near it, the proximity (*mujāwara*) between the two atoms necessarily results in their joining (*ta'līf*) each other.[51]

Ibn Matūya adds that the atom is quadrangular (*murabbaᶜ* = "cubical"?) and is adjacent to six other atoms.[52] He reports that there was disagreement as to whether one atom can be situated on the point at which two other atoms meet. Abū Hāshim[53] affirmed this. His father, Abū ᶜAlī al-Jubbā'ī (d. 915),[54]

[45] Abū Rashīd, *Masā'il* 29; Ibn Matūya, *Tadhkira* 137, line 10; al-Juwaynī, *Shāmil* (Alexandria) 153 line 19, and 154, lines 14–15; cf. Fakhry, "Aqwāl al-Mutakallimīn," 157, line 1 and n. 1.

[46] Ibn Matūya, *Tadhkira* 137, line 10 and 34, line 7; ᶜAbd al-Qāhir al-Baghdādī, *Uṣūl al-Dīn* (Istanbul, 1346/1928) 35, line 13; cf. M. Fakhry, "Aqwāl Al-Mutakallimīn" 169 and n. 3.

[47] See above, n. 34.

[48] Ibn Matūya, *Tadhkira* 137, line 11.

[49] On al-Bāqillānī, see last sentence of n. 22, above.

[50] *Tamhīd* 17, lines 9–12.

[51] *Tadhkira* 124, lines 1–4. See also Abū Rashīd, *Masā'il* 33, line 20 and 219–25. Cf. Pines, *Beiträge* 6–7 and 23.

[52] *Tadhkira* 173.

[53] See above, n. 33.

[54] *EI*² 2: 569–70, s.v. Djubbā'ī.



as well as the Qāḍi'l-quḍāt (i.e., ᶜAbd al-Jabbār)[55] and Abu'l-Qāsim[56] denied it.

> *They do not, however, call this process corruption but say that there are the following generations: aggregation and separation, motion and rest.* (*Guide* 195)

This list of four "generations," or rather "states of being" (*akwān*) of the atom can be found in the works of the later Ashᶜarite authors, such as Fakhr al-Dīn al-Rāzī[57] and ᶜAḍud al-Dīn al-Ījī.[58] Al-Juwaynī gives the same list of four in his *Irshād*,[59] but in his *Shāmil* he enumerates five *akwān*, the fifth being "contact" (*al-mumāssa*).[60]

In early Kalām works, however we get a different picture. According to al-Ashᶜarī in his *Maqālāt al-Islāmiyyīn*, the Muᶜtazilite Mu'ammar ibn ᶜAbbad (d. 830) recognized only one "state of being," namely "rest."[61] Abu'l-Hudhayl al-ᶜAllāf, Mu'ammar's younger(?) contemporary,[62] considered *kawn* to be something different than motion and rest.[63] He defines *kawn* as the initial "being" of the atom when it comes into being, even before it is either moving or at rest.[64]

Muḥammad ibn Shabīb, in the next generation, is said to have held that the *akwān* are motion and rest.[65] Similarly Abū ᶜAlī al-Jubbā'ī[66] is reported to have stated that motions and rest are "states of being."[67]

[55] See above, n. 32.

[56] See above, n. 34. S. Pines records various opinions about the contact between atoms in *Beiträge* 8–10 and 23.

[57] *Arbaᶜīn* 5, lines 3–9.

[58] See Pines, *Beiträge* 20 n. 2. On al-Ījī see *EI*², 3:1022, s.v. Īdjī, J. van Ess, *Die Erkenntnislehre des ᶜAḍudaddīn al-Icī* (Wiesbaden, 1966).

[59] *Irshād* (Paris) Arabic: 10 lines 9–10, French: 28.

[60] *Shāmil* (Alexandria) 428–30.

[61] *Maqālāt* 325, lines 5–7; cf. H. Daiber, *Das theologisch-philosophische System des Muᶜammar ibn ᶜAbbād al-Sulamī*. Beiruter Texte und Studien 19 (Beirut, 1975) 296–306.

[62] See above, n. 38.

[63] *Maqālāt* 315, line 8; 351, lines 1–4; 355, line 3; cf. also 303, line 4.

[64] *Maqālāt* 325, lines 8–10; cf. Frank, *Metaphysics* 17–19, 21, and 43 with n. 17. It may well be that this usage of *kawn* as a term for the atom's initial state of being brought in its wake the usage of this word as a term for the various "states of being," such as rest, motion, etc.; cf. Daiber, *System* 292, n. 7.

[65] *Maqālāt* 354, lines 6–7.

[66] See above, n. 54.

[67] *Maqālāt* 355, line 12.

Ibn Matūya deals with *kawn* in two of his works. In both of them he defines *kawn* as that which makes the atom be in a given location (*jiha*).[68]

Immediately upon coming to be the atom has only a mere undefined or "absolute" state of being (*kawn faqaṭ* or *kawn muṭlaqan*).[69] This, in a way, brings to mind Abu'l-Hudhayl's conception of the initial "state of being."[70]

Among the various *akwān*, or "states of being," that Ibn Matūya mentions are: motion (*ḥaraka*), rest (*sukūn*), adjacency (*mujāwara*), proximity (*qurb*), connection (*muqārana*), discreteness (*mufāraqa*), mutual distance (*mubāʿada*), and separation (*iftirāq*).[71] There seems to be some inconsistency as to *taʾlīf* ("joining, composition"). Sometimes he seems to consider *taʾlīf* to be distinct from the *akwān*,[72] whereas at other times he says that *ijtimāʿ* ("aggregation") includes both *mujāwara* ("adjacency") and *taʾlīf*.[73] Oddly enough, in another passage of Ibn Matūya's *Majmūʿ*,[74] we suddenly find the quadripartite formula with which we are familiar from the later Ashʿarite authors: "aggregation, separation, motion, and rest" (although in this passage they are not explicitly said to be the "states of being").

Among the Ashʿarite authors ʿAbd al-Qāhir al-Baghdādī (d. 1037)[75] enumerates three "states of being"—motion, rest, and composition (*taʾlīf*), adding that "when the atom is aggregated, its state of being is aggregation and composition."[76]

[68] Ibn Matūya, *Tadhkira* 432, line 3; ʿAbd al-Jabbār, *Kitāb al-Majmūʿ fiʾl-Muḥīṭ biʾl-Taklīf*, ed. J. J. Houben, vol. 1. Recherches publiées sous la direction de l'Institut de Lettres Orientales de Beyrouth 25 (Beirut, 1965) 33, lines 5–6 (though attributed by its editor to the "grand qāḍī" ʿAbd al-Jabbār [d. 1025], the work was composed by that scholar's disciple, Ibn Matūya).

[69] *Majmūʿ* 33, lines 7–8; *Tadhkira* 432–33.

[70] The unidentified author of *Fiʾl-Tawḥīd*, ed. Muḥammad ʿAbd al-Hādī Abū Rīdah (Cairo, 1969), who was probably a Muʿtazilite contemporary of Ibn Matūya, seems to have held a position similar to that of Abu'l-Hudhayl, namely, that *kawn* is only the initial state of being of the atom and is, therefore, distinct from motion, rest, aggregation and separation. See, *Fiʾl-Tawḥīd* 63, lines 1–6, the discussion from 61 onwards.

[71] *Tadhkira* 432–502; *Majmūʿ* 33; cf. *Fiʾl-Tawḥīd* 15, n. 2.

[72] *Tadhkira* 39, lines 12–13, and 41, line 5. The author of *Fiʾl-Tawḥīd* insists at length that *taʾlīf* is distinct from the *akwān*. See *Fiʾl-Tawḥīd* 80–130.

[73] *Tadhkira* 445, line 12.

[74] *Majmūʿ* 69, line 20. See also *Fiʾl-Tawḥīd* 61.

[75] *EI*² 1:909.

[76] *Uṣūl al-Dīn* 40, lines 9–14. cf. also 40, line 14, 41, line 2. Cf. Fakhry, "Aqwāl at Mutakallimīn" 157, line 3 and n. 2. Fakhry overlooked that "separation" (*iftirāq*) is not mentioned here. For the meaning of *kawn*, see also S. van den Bergh, "Ghazali on 'Gratitude towards God' and its Great Sources," *Studia Islamica*, 7 (1957):89, and Max Horten, "Was bedeutet *al-kawn* als philosophischer Terminus," *Zeitschrift der Deutschen Morgenländischen Gesellschaft* 65 (1911): 539–49.



> *They also say that these particles are not restricted in their existence,*[77] *as was believed by Epicurus and others who affirmed the existence of such particles; for they say that God, may He be exalted, creates these substances constantly whenever He wishes, and that their annihilation is likewise possible. Further on, I shall let you hear their opinion regarding the annihilation of substance.*
> (*Guide* 195)

The question of the creation and of the annihilation of the atom will be discussed further on.

It is evident from the sources that almost all the Mutakallimūn were atomists. The outstanding exception in the early stages of Kalām was Ibrāhīm ibn Sayyār al-Naẓẓām (d. ca. 945). He believed that bodies can be divided and redivided again and again. There is no end to redivision.[78] In later Kalām books his name occurs again and again as the archopponent of atomism. There were also a few other opponents of atomism.[79]

Fakhr al-Dīn al-Rāzī, the contemporary of Maimonides, is a somewhat problematic case. G. C. Anawati has already pointed out that "what is so striking in [al-Rāzī's *Kitāb al-Arbaʿīn*] is the attitude of al-Rāzī towards atomism which here he seems to approve, whereas in the *Mabāḥith al-mashriqiyya* he refutes it."[80] Indeed Fakhr al-Dīn defends atomism not only in his *Kitāb al-Arbaʿīn*,[81] but also in his *Muḥaṣṣal*.[82] In the *Mabāḥith* he provides a lengthy refutation of it.[83] Does he speak here in the name of the philosophers?

[77] S. Pines in a note comments: "Perhaps in points of numbers. Ibn Tibbon's translation of the phrase could be rendered: 'do not exist from old.'"

[78] E.g., *Maqālāt* 304, lines 13–15 and 318, lines 6–8. On al-Naẓẓām, see Fuat Segin, *Geschichte des arabischen Schrifttums*, vol. 1. (Leiden: Brill, 1967) 618–19. Add there: Josef van Ess, "Ein unbekanntes Fragment des Naẓẓām," *Der Orient in der Forschung, Festschrift Otto Spies* (Wiesbaden, 1967) 170–201; *Das Kitāb al-Nakt des Naẓẓām* (Göttingen, 1972).

[79] E.g., *Maqālāt 59, lines 8–10. Cf.* Pines, *Beiträge* 10–16,

[80] *EI*² 2:735.

[81] 253–64.

[82] *Muḥassal Afkār al-Mutaqaddimīn waʾl-Mutaʾakhkhirīn* (Cairo, 1323 A.H.) 81–83.

[83] *al-Mabāhith al-Mashriqiyya fī ʿilm al-Ilāhiyyāt waʾl-Ṭabīʿiyyāt* (Hyderabad-Deccan, 1343 A.H.) 2:11–38.

### *The Second Premise*

> *The assertion concerning the vacuum. The men concerned with the roots [the Mutakallimūn] believe likewise that vacuum exists and that it is a certain space or spaces in which there is nothing at all, being accordingly empty of all bodies, devoid of all substance. This premise is necessary for them because of their belief in the first premise. For if the world were full of the particles in question, how can a thing in motion move? It would also be impossible to represent to oneself that bodies can penetrate one another. Now there can be no aggregation and no separation of these particles except through their motion. Accordingly they must of necessity resort to the affirmation of vacuum so that it should be possible for these particles to aggregate and to separate and so that it should be possible for a moving thing to move in this vacuum in which there is no body and none of these substances [here the word denotes "atoms"].*
>
> (*Guide* 195–96)

Some sixty years ago Otto Pretzl pointed out that in early Kalām empty space (vacuum) is not mentioned at all.[84] The Kalām works that have come to light since Pretzl expressed this opinion have not changed the picture. In view of the polemical character of the Kalām works at our disposal, only matters subject to disagreement are discussed most of the time. Thus one could argue that the texts are silent as regards the empty space because nobody doubted its existence. But the vehemence of the arguments in favor of the existence of an empty space by two prominent Muʿtazilites writing at the beginning of the eleventh century, Abū Rashīd al-Naysabūrī and Ibn Matūya,[85] make such a speculation unlikely. It rather appears that either the existence of an empty space did not occur to the earlier Mutakallimūn, or, alternatively, that they agreed in denying its existence. In his *Masā'il*, Abū Rashīd argues for the existence of empty space as follows:

> Two atoms may be separate without a third being between them.
> Our teachers held that this is true. Hence they considered it possible that there be in the world an empty space (*khalā'*). Moreover, they considered this necessary. But our teacher Abu'l-Qāsim[86] said: "It is impossible for two atoms to be separate without a third being between them." He considered it absurd that there be an empty space in the world.[87]

[84] "Die frühislamische Atomenlehre" 125, line 16–20. See above n. 22.

[85] Or "Ibn Mattawayh." For his authorship of the *Majmūʿ*, see above, n. 68.

Some of the arguments in favor of the existence of empty space have been mentioned in Michael Schwarz, "The Affirmation of Empty Space by an Eleventh-Century Muʿtazilite," *Isis* 64 (1973): 384–85; see also, Michael Schwarz "Letter to the Editor," *Isis* 66 (1975): 98.



By contrast, the Ashʿarite scholar al-Bāqillānī writes:

> You never find . . . a body without another body following it, a body above it, a body beneath it, a body on its right and its left, a body opposite it and another behind it.[88]

Although occurring in a different context altogether, these words are a straightforward rejection of the view of the Baṣrī Muʿtazilites put forward in the passge from Abū Rashīd.

Continuing his defense of the existence of empty space, Abū Rashīd writes:

> There are several ways of proving the correctness of our statement. First, if there were in the world no places which are empty, without atoms and bodies, it would be impossible for us to turn about. Since we know that this is not impossible for us, we know that there is empty space in the world.
>
> If someone argues: "Why do you deny that it is impossible for us to turn about because the particles of the air contract after having expanded. It is because of this that turning about is feasible. For when they contract it is possible for us to get in their places." Sometimes they say the particles of air become less than they were, for it is possible for many things to become one thing and for one thing to become many things.
>
> Let it be said to him: To say that there is no empty space in the world is incompatible with saying that the particles of air sometimes contract and sometimes expand. Human beings would be like persons encaged in an oven- . . . . What they say, namely, that it is possible for many things to become one thing, is clearly false.[89]

[86] See above, n. 34.

[87] *Masā'il* 47.

[88] *Tamhīd* 76, lines 11–13.

[89] *Masā'il* 47.

Another argument presented by Abū Rashīd reads as follows:

> . . .one of the things which prove [the existence of empty space] is that if we were to take a skin-bag and press its two sides together, and then bind its top so tightly that the air would be prevented from coming in, it would nevertheless be possible to draw its two sides apart again. When we do so, empty space will necessarily come to be in the skin-bag. Nobody may argue that air enters into it. For if air were to enter through its hole, it would have been possible for it to become as full as something distended by blowing. Yet we know this to be false. It would have been necessary, when we blow into it, for the air not to remain in it, coming out from this empty space. Further, it would have been necessary, when we bind the outside of the skin-bag, that no air enter it.
>
> Another proof, similar to the previous one: When we take a skin-bag and fill it with wind, we can stick a needle into it. To do so is possible only if there is an empty space in it. For it is impossible for two bodies to be together in one place. One cannot say that the air leaves the skin-bag when the needle is introduced, on account of what we have explained. Thus we have no choice but to say that there is much empty space.
>
> Another proof: If we take a flask with a narrow top, suck the air out of it, and then dip it into water its top plugged up with the thumb, the water will enter it without us hearing any sound. If there were air in it we would necessarily hear the sound, just as we hear it when the air has not been sucked out of it. Thus we know that the air leaves it when it is sucked [out], and nothing takes its place, so that there is an empty space in it. This is the strongest proof that has been brought forward for this matter. It has been put forward by our teacher Abū Isḥāq ibn ʿAyyāsh.[90]

Another proof:

> Our teacher Abū Hāshim[91] proved this by saying that since air does not reach the bottom of deep wells, no animals live there. Thus it is necessary to say that there is an empty space. But this method should not be relied upon, because one could argue that there is thick air [at the bottom of deep wells] and animals require thin air for breathing. It is for this reason that no animals live there, and not because there is no air there.[92]

[90] Abū Isḥāq Ibrāhīm ibn ʿAyyāsh, tenth-century Muʿtazilite of the Baṣri school, teacher of ʿAbd al-Jabbār (see above n. 32); cf. Ibn al-Murtaḍā, *Die Klassen der Muʿtaziliten*, ed. S. Diwald Wilzer (Wiesbaden, 1961) 107, and ʿAbd al-Jabbār, *al-Mughnī fi'l-Tawḥīd wa'l-ʿAdl*, ed. Ibrahim Madkour et al. (Cairo, 1961–62) passim.

[91] See above, n. 33.

[92] *Masā'il* 48–51, cf. Fakhry, "Aqwāl al-Mutakallimīn" 160 n. 1.



Abū Rashīd's colleague and contemporary, Ibn Matūya, repeats the very same arguements in his *Tadhkira* and adds a few others.[93] Among them are: Assume a line consisting of six atoms. We remove the four intermediate atoms, leaving the two extreme ones. If these two remain in their places, there is now an empty space between them. We cannot assume that the two remaining atoms will immediately join each other, for that would involve a "leap" (*ṭafra*), which is absurd. The same would apply if God were suddenly to annihilate whatever is between the earth and the sky.[94]

Elsewhere in the *Tadhkira*, Ibn Matūya rejects al-Kaʿbī's[95] view that movement can be in place only and that the place of an object is what surrounds it. In the course of this discussion Ibn Matūya states:

> "It is known that the lexicographers speak of birds as moving in the upper region (*al-jaww*), although they do not believe that there is any air there [i.e., in the upper regions] that would be the place of the birds."[96]

It is quite clear from this statement that Ibn Matūya assumes the lexicographers to believe in the existence of an empty space in the upper regions (*al-jaww*), which for him is the space between the heaven and the earth.

It appears that the view of Abū Rashīd and Ibn Matūya was not generally accepted. Among their Ashʿarite opponents, al-Bāqillānī seems to have rejected the existence of an empty space, as we have seen above. I have not found the notion of a vacuum, in al-Juwaynī's *Irshād*, but he affirms the existence of an empty space in his *Shāmil*.[97]

Al-Ghazālī (1058–1111) does not seem to mention the notion of "empty

[93] *Tadhkira* 116–24. Cf. the arguments in favor of the existence of an empty space in *Fi'l-Tawḥīd* 416–19.

[94] *Tadhkira* 118, line 19—119, line 4. For the concept of "leap" or "skipping," see Pines, *Beiträge* 11. Al-Naẓẓām's notion that a moving body skips some parts of the line along which it moves was rejected by the rest of the Muʿtazila.

[95] See above, n. 34.

[96] *Tadhkira* 493, lines 1–2.

[97] *Shāmil* (Alexandria) 508–09. Cf. Imām al-Ḥaramayn al-Juwaynī, *al-ʿAqīda al-Niẓāmiyya*, ed. Muḥammad Zāhid al-Kawtharī (Cairo, 1367/1948) 12.

space" in the *Iqtiṣād*, his compendium of Ashʿarite Kalām.[98] In his *Incoherence of the Philosophers*, however, he not only denies the existence of a vacuum outside, or beyond, the world,[99] but declares the notion of empty space to be "nothing" and "unintelligible"; i.e., meaningless.[100]

The Andalusian thinker Ibn Ḥazm (994–1064), expressly denied the existence of an empty space.[101] Fakhr al-Dīn al-Rāzī, Maimonides' contemporary, provides, in his *Kitāb al-Arbaʿīn*, two proofs for the existence of an empty space.[102] These proofs, which may be described as elaborations of two of the proofs we have met in Ibn Matūya's *Masāʾil*, are: (1) if there were no empty space, bodies could not possibly move; (2) suppose two equal surfaces lying one upon the other; if we were to lift the upper one, an empty space would come to be between the two surfaces. Possible arguments against these proofs are discussed and rejected.

But after presenting these arguments in support of the existence of empty spaces al-Rāzī cites arguments against this notion. The first argument holds that all spaces are measurable. But if spaces were empty, they would be "nonexistence" (*ʿadam*). Nonexistence is not measurable. Hence spaces are not empty.[103] Al-Rāzī rejects this argument, claiming that spaces in themselves are not measurable. It is the objects which they contain that are measurable.[104]

The second argument runs as follows: The time required for an object to move from one point to another is inversely proportionate to the resistance (*muʿāwaqa*) of the matter [medium] through which it moves. Thus if an object were to move through an empty space it would move from one point to another in no time. On the other hand, the distance between the two points can be divided in halves. The object passes the first half before it arrives at

[98] *Al-Iqtiṣād fi'l-Iʿtiqād*, ed. Ibrahim Agâh Çubukçu and Hüseyin Atay, Ankara Üniversitesi Ilâhiyat Fakültesi yayınları 34 (Ankara, 1962). On al-Ghazālī, see *EI*² 2:1038–41, and Hava Lazarus Yafeh, *Studies in al-Ghazzālī* (Jerusalem: Magnes Press, 1975).

[99] *Tahāfut* 55–58, 63–64.

[100] *Tahāfut* 55, lines 9 and 64, line 1.

[101] See Fakhry, "Aqwâl al-Mutakallimīn" 160, n. 1. On Ibn Ḥazm, see *EI*² 3:790–99.

[102] *Arbaʿīn* 270–72; cf. Fakhry, "Aqwâl al-Mutakallimīn" 160, n. 1, also *Muḥassal* 95.

[103] *Arbaʿīn* 272–73.

[104] *Arbaʿīn* 274, lines 14–18.



the second half. This shows that the object would move in time even if the space between the two points were empty. Motion in empty space would thus have to be both in no time and in time. This is impossible. Hence no empty space can exist.[105] Al-Rāzī rejects this argument as a sophism (*mughālaṭa*). As a matter of fact, he says, motion from (a) to (b) as such requires a basic span of time. It is this time which the motion would require in an empty space. To this basic time you have then to add the additional time caused by the resistance of the medium through which the object moves, when the space between (a) and (b) is not empty.[106]

The third refutation of the existence of a vacuum is this: If there were an empty space, it would have homogeneous parts. No object could rest or move, in any given part of the space, without something deciding the object's existence in just this part of the space to preponderate[107] over its existence in any other part. Since all parts of the space would be entirely equal, even a choosing agent (*scil.*, God or man) would have no reason to decide that the object be in a given part, rather than in any other part. Hence the existence of an empty space is logically impossible.[108] Al-Rāzī rejects this by affirming that a choosing agent (*scil.*, God) could decide the location of the object in empty space quite arbitrarily.[109]

### *The Third Premise*

> *This is their saying that time is composed of instants, by which they mean that there are many units of time that, because of the shortness of their duration, are not divisible. This premise is also necessary for them because of the first premise. For they undoubtedly had seen Aristotle's demonstrations, by means of which he has demonstrated that distance, time, and locomotion are all three of them equal as far as existence is concerned. I mean to say that their relation to one another is the same and that when one of them is divided the other two are likewise divided and in the same proportion. Accordingly they*

[105] *Arbaʿīn* 273–74.

[106] *Arbaʿīn* 274, line 19—275, line 2. Cf. *Muḥassal* 95–96.

[107] *tarjīḥ*, "tip the scales," cf. Herbert A. Davidson, *Proofs for Eternity, Creation and the Existence of God in Medieval Islamic and Jewish Philosophy* (New York: Oxford University Press, 1987) 55–56, 162, 177, 193–94, and see also the whole of chap. 6 (p 154–212). Maimonides, *Guide* 1.74, the sixth way.

[108] *Arbaʿīn* 274, lines 2–13.

[109] *Arbaʿīn* 275, lines 3–5.

*knew necessarily that if time were continuous and infinitely divisible, it would follow of necessity that the particles that they had supposed to be indivisible would also be divisible. Similarly if distance were supposed to be continuous, it would follow of necessity that the instant that had been supposed to be indivisible would be divisible—just as Aristotle had made it clear in the "Akroasis," [Physics]. Therefore they supposed that distance is not continuous, but composed of parts at which divisibility comes to an end, and that likewise the division of time ends with the instants that are not divisible. For example, an hour consists of sixty minutes, a minute of sixty seconds, and a second of sixty thirds. And thus this division of time ends up accordingly with parts constituting, for instance, tenths or something even briefer, which cannot in any respect be separated in their turn into parts and are not subject to division, just as extension is not subject to it. Consequently, time becomes endowed with position and order. In fact they have no knowledge at all of the true reality of time. And this is only appropriate with regard to them; for seeing that the cleverest philosophers were confused by the question of time and that some of them did not understand its notion—so that Galen could say that it is a divine thing, the true reality of which cannot be perceived—this applies all the more to those who pay no attention to the nature of any thing.* (*Guide* 196–97)

It is this paragraph in the *Guide of the Perplexed* that led writers like D. B. Macdonald to make much of the atomistic conception of time allegedly held by the Mutakallimūn.[110] However, when we consult the sources, the evidence for this conception turns out to be rather meagre. Only one later author Fakhr al-Dīn al-Rāzī (by no means a typical Mutakallim), states explicitely that time is atomic, and apparently only in one of his works. In that work we encounter the term *ānāt* ("instants" or "particles" of time), which also occurs in Maimonides' third premise. Thus when H. A. Wolfson claims that "the masters of the Kalam, generalizing as they did, that everything in the world is composed of atoms, included under this generalisation also distance, motion and time",[111] it is not at all clear who were the masters who included time as well.

In his *Maqālāt al-Islāmiyyīn* al-Ashʿarī reports:

> People differed as to time (*waqt*). Some said: Time is the interval between actions. It is the measure of what is between one action and the other. At every [unit of] time (*waqt*) an action comes to be. This is the view of Abu'l-Hudhayl.

[110] See above, n. 1.
[111] Wolfson, *Kalām* 494.



> Others said: Time is that by which you time a thing. When you say: 'I came to you at the arrival of Zayd," you made the arrival of Zayd to be the time of your coming. They claimed that the times (*awqāt*) are the motions of the sphere, because by them God times things. This is the view of al-Jubbāʾī.[112]

Indeed the sources abound with expressions which could be read as indications of an atomistic conception of time, but certainly *do not have to be understood in this way*. It is true that "instants," or units of time, are mentioned in all kinds of contexts, but it is nowhere said that these units are indivisible, and this is what we mean by "atomic." I am referring to expressions such as these:

> Some say: In the first instant (*ḥāl*) man is capable of acting in the second instant (*ḥāl*), and if in the second instant (*ḥāl*) he is powerless, the action occurs in spite of powerlessness.[113]
>
> ʿAbbād said: Man is capable of acting in the second [instant] (*fi-ʾl-thānī*).[114]

Al-Jubbāʾī discusses the possibility of a heavy stone remaining in space (or in the air [*al-jaww*]) without falling for many *awqāt*.[115] The last word, literally "times," could be translated "units of time," "spans of time," or "instants." According to Abu'l Hudhayl al-ʿAllāf,[116]

> Motion is divisible by time (*biʾl-zamān*), so that what exists at one time [or "unit of time" or "instant" (*fī hādha al-zamān*)] is other than what exists at another [time].[117]

Al-Naẓẓām was Abu'l-Hudhayl's pupil.[118] Nevertheless he is one of the few early Muʿtazilites who denied the existence of atoms. He is quoted as saying:

> I do not know what "rest" is unless it means that the thing was in a place for

[112] *Maqālāt* 443, lines 1–7.
[113] *Maqālāt* 235, lines 1–2.
[114] *Maqālāt* 235, line 7. On ʿAbbād see *EI*² 1:4–5. Cf. *Maqālāt* 354, lines 3–5.
[115] *Maqālāt* 312, lines 10–11. The same expression occurs again in a similar context in *Maqālāt* 313, lines 9–10.
[116] See above, n. 38.
[117] *Maqālāt* 319, lines 12–13.
[118] See above, n. 78.

> two units of time [or two instants; lit. "two times"; *waqtayn*], *i.e.*, that it moved there for two units of time.[119]
>
> Some people say that God creates at every instant (*waqt*, ["time"]) a body under the earth [as a support on which the earth rests] and then annihilates it at the second instant.[120]
>
> Some say that when a body comes to be at a place and remains there for two instants (*waqtayn*, ["two times"]), its motion becomes rest.[121]
>
> These people maintained that colors, tastes, smells, life, capability, impotence, death, speech, sounds, are accidents, and that they do not last for two instants (*waqtayn*). They affirm all the accidents and assert that they do not last for two [units of] time (*zamānayn*).[122]

These expressions and similar ones are not confined to the *Maqālāt al-Islamiyīn*, which purports to present the opinions of the earlier Mutakallimūn up to the first half of the tenth century. We find them in the works of eleventh-century writers, Muʿtazilites as well as Ashʿarites. In these works I have found no discussion of time as such, no indication that the units of time they speak of were considered to be indivisible. Abū Rashīd al-Naysabūrī says that it is impossible for a body to be "in the tenth place in the second instant (*fi'l waqt al-thānī*)."[123]

Ibn Matūya writes:

> The opinion that an atom arrives at a limit, after which it cannot exist any more, is wrong. For when the existence of the atom exceeds one instant (*al-waqt al-wāḥid*) [and passes] to the second or the third; nay, when it lasts in any manner—when there is nothing to curb or prevent it—it is necessary that its existence go on forever.[124]

Al-Juwaynī writes:

> For any [point of] time (*waqt*) at which the world might have been created, it would have been possible for it [to have been created] earlier by some spans of time (*awqāt*), or that its [coming into] existence be postponed by some hours (*bi-sāʿāt*) of its time (*waqtihi*).[125]

[119] *Maqālāt* 324, line 15—325, line 1.
[120] *Maqālāt* 326, lines 7–8.
[121] *Maqālāt* 327, lines 2–3.
[122] *Maqālāt* 358, lines 7–8. The question of the duration of accidents will be discussed below in premise 6.
[123] *Masā'il* 77, line 4; *Masā'il* 79, line 7 and 123, lines 5–6.
[124] *Tadhkira* 213, lines 10–12; cf. *Tadhkira* 153, line 4; 241, lines 1–2; 289, line 3; and 432.



As I have already indicated, these expressions could mean that these thinkers held that time consisted of indivisible units. But they can on no account serve as *proofs* for such a conception of time. English speakers quite often speak of something happening at this or that instant. Can anyone honestly claim that such a usage proves that all English speakers believe time to be "atomic"?

S. Pines speaks of "the general usage of the language of Kalām. . . in accordance with which the term denoting a concept is at the same time used to denote one unit of it. Thus *ʿilm* and *ʿilmayn* denote one, respectively two particles of knowledge. Similarly *qudra* and *qudratayn* [denote one, respectively two, units of power] and so on."[126] Subsequently Pines adds:

> Obviously the same trend of thought, according to which discrete units of the accidents are assumed, led to the question formulated in *Maqālāt*, 397, line 6 whether a single knowledge (*ʿilm*) with regard to two things known (*maʿlūmayn*) is possible (*cf. Maqālāt* 393 lines 6 and 14). At the basis of this discussion is the opinion that knowledge consists of atoms, each of which normally can have one subject only.[127]

And three pages later:

> "Instant" (which Maimonides terms *ān*) is called in this context by al-Ashʿarī always *waqt* or *zamān*. Accordingly, here too obtains the usage of the language of the Kalām, which we have repeatedly pointed out. *Waqt* and *zamān* mean both "time" and "one unit of time." *Makān* ["place"] has the two respective meanings.[128]

It is well known that "accidents" such as color, knowledge, power, are considered as inhering in the atoms of matter. Thus they are naturally "atomic," i.e., indivisible, just like the atoms themselves. But was time conceived of in the same way? Time is not usually mentioned among the accidents in

[125] *Irshād* (Paris) Arabic. 16, line 10, French 36; cf. *Irshād* 40, line 13.
[126] *Beiträge* 3.
[127] *Beiträge* 23.
[128] *Beiträge* 26.

Kalām works. It is not held to inhere in the atoms of matter. So how do we know whether the thinkers preceding Fakhr al-Dīn al-Rāzī and Maimonides regarded time too as consisting of *indivisible*, discrete units? Can it not be the case that the use of the expression "time" (*waqt*, *zamān*) to denote an "instant" represents a mere *façon de parler*, just as in modern languages the use of words like "instant" or "moment" does not indicate a belief that time consists of indivisible units?

D. B. Macdonald's evidence for his argument that the Mutakallimūn held time to be "atomic" boils down to Ibn Ḥazm's use of the terms *awqāt*, *azmān* ("times").[129] Ibn Ḥazm indeed speaks of *azmān*[130]. But he does not say that they are indivisible. And apart from this he is not an atomist, nor is he a typical Kalām writer.

The picture changes only when we come to Fakhr al-Dīn al-Rāzī, Maimonides' contemporary. He too was no typical Mutakallim.[131] It is in his works that for the first time we come across the term *ānāt* (lit. "nows"), which term Maimonides uses for the indivisible particles of time mentioned at the beginning of his third premise (Pines translates it "instants").[132]. From Pines we learn that this term was coined by the Muslim philosophers rather than the Mutakallimūn. He traces it back to Avicenna, and derives it from the Aristotelian Greek term *nūn* ("now").[133]

In the *Kitāb al Arbaʿīn* Fakhr al-Dīn speaks of time as "discrete quantity" (*kam munfaṣil*)[134] "composed of successive instants" (*murakabb min al-ānāt al-mutatālīya*).[135] He does not say that these instants are indivisible. But since he points out the relation between distance and time, and speaks of the points which make up a line as indivisible (*lā tanqasim*),[136] it appears that he conceives of the *ānāt* ("instants") as indivisible as well.

In the *Mabāḥith al-Mashriqiyya*, on the other hand, the argument that time is "composed" of successive indivisible things" (*umūr mutatāliya kull wāḥid minhā ghayr qābil li'l-inqisām*)[137] starts as a rejected conditional clause (*law*, "if"), and at its end is branded as a false argument (*shubha*).[138] We seem once again to have the author contradicting in the *Mabāḥith* what he said in *al-Arbaʿīn*.[139] The reason appears to be that in the *Mabāḥith* he speaks on behalf of the philosophers and in *al-Arbaʿīn* on behalf of the Mutakallimūn.

The conception of time as composed of discrete indivisible particles comes from Greek antiquity. Aristotle repeatedly mentions and rejects it.[140] Whether or not it ever entered into Kalām still seems to be an open question.

> *Hear now what they were compelled to admit as a necessary consequence of these three premises and what they therefore believed. They said that motion is the passage of an atom belonging to these particles from one atom to another that is contiguous to it. It follows that no movement can be more rapid than another movement. In accordance with this assumption, they said that when you see that two things in motion traverse two different distances in the same time, the cause of this phenomenon does not lie in the greater rapidity of the motion of the body traversing the longer distance; but the cause of this lies in the motion that we call slower being interrupted by a greater number of units of rest than is the case with regard to the motion we call more rapid, which is interrupted by fewer units of rest. And when the example of an arrow shot from a strong bow was alleged as an objection against them, they said that the motions of the arrow were also interrupted by units of rest.* (*Guide* 197)

Al-Ashʿarī records:

> Most of the people of Kalām, including Abu'l-Hudhayl,. . . said that sometimes a part of a body rests while the greater part of it moves. [They added] that the sprint of a horse includes hidden stops, even when it runs fast, putting its foot down and raising it. This is why one horse is slower than the other. Likewise a stone falling down has hidden stops because of which it is slower than another heavier stone which has been released together with it. Many thinkers, philosophers and others, denied that a stone falling down has stops.[141]

[129] See Macdonald, "Continuous Re-creation" 338.
[130] *al-Fiṣal fi'l-Milal wa'l-Niḥal* (Cairo, 1320 A. H.) 5:96–97.
[131] See above, n. 40.
[132] *al-Arbaʿīn* 255–56; *al-Mabāḥith al-Mashriqiyya*. 2:26–28; cf. Fakhry, "Aqwāl al-Mutakallimīn" 158, n. 3. (In *al-Mabāḥith al-Mashriqiyya*, 1:670–76, the term *ān* seems to be used in a different sense.)
[133] *Beiträge* 26, n. 4. For "the nows" Pines refers to Aristotle, *Physics*, 4.10:218a ff.
[134] *Arbaʿīn* 255, line 24.
[135] *Arbaʿīn* 256, line 4.
[136] *Arbaʿīn* 256, line 6.



[137] *Mabāḥith* 2:26, bottom of page.
[138] *Mabāḥith*, 2:28, line 7.
[139] See above at nn. 81–83.
[140] *Physics*, 4.10: 218a 7—219a 1; 6.1:231b 13; 8.8:263b 26–28.
[141] *Maqālāt* 321–22. Cf. Fakhry, "Aqwâl al-Mutakallimīn" 158–59 and 159, n.1.

More than a century later al-Juwaynī has the same explanations for differences in speed, even though he makes use of different examples.[142]

> *In fact your thinking that a certain object is moving in continuous motion is due to an error of the senses, for many of the objects of the perception of the senses elude the latter, as they lay down in the twelfth premise. In consequence, it was said to them: Have you seen a millstone making a complete revolution? Has not the part that is at its circumference traversed the distance represented by the bigger circle in the same time in which the part near the center has traversed the distance represented by the smaller circle? Accordingly the motion of the circumference is more rapid than the motion of the inner circle. And there is no opportunity for you to assert that the motion of the latter part is interrupted by a greater number of units of rest, as the whole body is one and continuous, I mean the body of the millstone. Their answer to this objection is that the various portions of the millstone become separated from one another in the course of its revolution and that the units of rest that interrupt the motion of all the revolving portions that are near the center are more numerous than the units of rest that interrupt the motion of the parts that are farther off from the center.* (*Guide* 197)

The idea that the particles of a millstone and of a child's "top" are disconnected during the motion, and that the atoms nearer to the center are held back by more pauses than those nearer to the circumference of the millstone, is put forward by Abū Rashīd al-Naysabūrī[143] and by Ibn Matūya,[144] and refuted in Fakhr al-Dīn's *Kitāb al-Arbaʿīn*.[145]

> *Thereupon it was said to them: How then do we perceive the millstone as one body that cannot be broken up even by hammers? One must accordingly assume that when it turns round, it splits into pieces; and when it comes to rest, it is welded up and becomes as it was before. How is it that one does not perceive its portions as separated from one another? Thereupon, in order to reply to this, they had recourse to the same twelfth premise, which states that one should not take into account the apprehensions of the senses, but rather the testimony of the intellect.*
>
> *You should not think that the doctrines I have explained to you are the most abhorrent of the corollaries necessarily following from those three premises, for the doctrine that necessarily follows from the belief in the existence of a vacuum is even stranger and more abhorrent. Furthermore, the doctrine that I have mentioned to you with regard to motion is not more abhorrent than the assertion going with this view that the diagonal of a square is equal to one of the sides, so that some them say that the square is a nonexistent thing.*[146]
>
> *To sum up: By virtue of the first premise all geometrical demonstrations become invalid, and they belong to either one or the other of two categories. Some of them are absolutely invalid, as for instance those referring to the properties of incommensurability and commensurability of lines and planes and the existence of rational and irrational lines and all that are included in the tenth book of Euclid and those that resemble them. As for the others, the demonstrations proving them are not cogent, as when we say we want to divide a line into two equal halves. For in the case in which the number of its atoms is odd, the division of the line into two equal parts is impossible according to their assumption. Know, moreover, that the Banū Shākir have composed the famous "Book of Ingenious Devices," which includes one hundred odd ingenious devices, all of them demonstrated and carried into effect. But if vacuum had existed, not one of them would have been valid, and many of the contrivances to make water flow would not have existed.*[147]
>
> *In spite of this, the lives [of the Mutakallimūn] have been spent in argumentation with a view to establishing the validity of these premises and others resembling them. I shall now return to the explanation of the meaning of their remaining premises that were mentioned.* (*Guide* 197–98)

[142] *Shāmil* (Alexandria) 145–46 and 441–44. While al-Ashʿarī speaks of "stops" (*waqafāt*), al-Juwaynī employs the expression *fatarāt* ("pauses"), *Shāmil* (Alexandria) 146, line 1; 437, line 17; and 443. He speaks of "pauses and stops," *Shāmil* (Alexandria) 443, line 10.

[143] *Masāʾil* 63, lines 18–20, also quoted by Fakhry (above, n. 141) and by Abū Rīdah on p. 23, lines 15–19 of his introduction to *Fiʾl-Tawḥīd*. (Read *al-qutb* in the Tripoli ed., line 19, as in the Ms, according to p. 110, n. 121. The Biram ed. of *Masāʾil*, as quoted by Fakhry and Abū Rīdah,has the correct reading.)

[144] *Tadhkira* 493, lines 4–7.

[145] *Arbaʿīn* 262; cf. Fakhry, "Aqwāl al-Mutakallimīn" 158–59.

[146] For the argument that if matter consisted of atoms the diagonal of a square would equal one of its sides, see Pines, *Beiträge* 1 n. 9. To the references mentioned there, Ibn Ḥazm, *al-Fiṣal fi-Milal waʾl-Niḥal* (Cairo, 1317 A.H) 5: 103–04, may be added.

[147] The Banū Shākir were a family of astronomers and scientists serving at the court of the ʿAbbāsīd caliphs in the first half of the ninth century. On them and their book about mechanical and hydraulic machines and devices, see Brockelmann, 1st supplementary vol., 2 ed. (Leiden: Brill, 1943) 241, and supplement 3 (Leiden: Brill, 1937) 382–83; B. Carra de Vaux in the *The Legacy of Islam*, ed. T. Arnold and A. Guillaume (London,1931; rprt. 1949) 386–87; and G. Sarton, *Introduction to the History of Science*, 3 vols. (Baltimore, 1927–47) 1:56.

### *The Fourth Premise*

> *This is their saying that the accidents exist, and that they are something superadded to something that is the substance, and that no body is exempt from one of them.* (*Guide* 198)

The conception that it is the "accidents" which determine the various qualities of bodies was apparently common to the Mutakallimūn from the very beginnings of Kalām.[148] But while the majority of thinkers deemed a body without accidents to be inconceivable,[149] at least one thinker is reported to have said that it is possible for God to strip the atoms of their accidents or to create them without accidents.[150]

On the other hand,

> the *Muʿtazila* differed as to whether God has the power to create accidents. There were two groups. One claimed that God has the power to create and produce accidents. Another group, namely the disciples of Muʿammar[151], claimed that it is impossible for God to create any accident and that He has not the power to do so.[152]

Muʿammar held that a body produces its own accidents by its nature. Every atom brings about the accidents which inhere in it.[153]

Abu 'l-Ḥusayn al-Ṣāliḥī stated that every body can receive accidents. Only bodies can receive accidents. He defines the atom as a body(!) capable of receiving accidents.[154]

According to al-Jubbā'ī, composition (*ta'līf*) is one accident in two atoms.[155]

[148] See Pines, *Beiträge* 16–26; cf. also Otto Pretzl, *Die frühislamische Attributenlehre*, Sitzungsberichte der Bayerischen Akademie der Wissenschaften, Phil.-hist. Abt., Jhrg. 1940, n. 4 (Munich, 1940) 37–51.

[149] *Maqālāt* 311, lines 8–9 and 311, line 16–312, line 1.

[150] This is the opinion of Abu'l-Ḥusayn al-Ṣāliḥī, *Maqālāt* 310, lines 7–9.

[151] On him, see Daiber, *Das theologisch-philosophische System des Muʿammar Ibn ʿAbbād as-Sulamī*.

[152] *Maqālāt* 198, line 14—199, line 2.

[153] *Maqālāt* 303, lines 10–11.

[154] *Maqālāt* 301, lines 4–7.

[155] *Maqālāt* 303, lines 7–8.



It was also asked whether two or more accidents of one species (e.g., two accidents of color or two accidents of motion) can inhere in one atom, whether two agents can move one and the same stone simultaneously, and, conversely, whether one accident of motion may inhere in several atoms at once.[156]

Whether two agents can move one object at the same time seems to have a bearing on the question whether synergism can resolve the conflict between divine omnipotence and human power. Al-Bāqillānī defines an accident as that which cannot exist longer than an instant. He writes: "They [the accidents] are those which inhere in atoms and bodies, and pass away in the second instant after coming into existence."[157] Al-Bāqillānī's proof for the existence of accidents is that a given body sometimes rests and sometimes moves. When someone has the power to move a body which is at rest, the object of his power to move that body is the accident termed "motion".[158]

Al-Juwaynī, in his *Shāmil*, claims that the existence of some accidents, such as colors, sounds, tastes, smells and heat and cold, is self-evident, and perceived by our senses. Hence it would be wrong to try and adduce proofs for their existence. For some accidents it can be shown that they are distinct from the substrata in which they inhere. Thus the fact that pleasure and pain follow one another shows that they are distinct from the essence (*dhāt*) of the atoms in which they inhere. The same applies to every accident perceived by the senses.[159]

Al-Juwaynī then goes on to formulate a more elaborate version of al-Bāqillānī's argument[160] that when one is aware that sometimes he has the power to move around and sometimes not, he knows that his power has an object which is distinct from himself (this object being the accident of motion).[161]

> *If this premise did not mean more than this, it would be a correct, clear, evident premise, and give rise to no doubt and no difficulty. However, they say that in every substance in which there does not subsist the accident of life, there necessarily subsists the accident of death, for the recipient cannot but receive one of*

[156] *Maqālāt*, 319–321.

[157] *Tamhīd* 18, lines 4–5, and 287§489.

[158] *Tamhīd* 18–21.

[159] *Shāmil* (Alexandria) 180–81.

[160] See above at n. 158.

[161] *Shāmil* (Alexandria) 181–82; cf. 182–89.

> *two contraries. They say: similarly it has a color, a taste, motion or rest, aggregation or separation. And if the accident of life subsists in it, there cannot but subsist in it other genera of accidents such as knowledge or ignorance, or will or its contrary, or power or powerlessness, or apprehension or one of the contraries. To sum up: there must necessarily subsist in it all the accidents that may subsist in a living being or one of their contraries.* (*Guide* 198–99)

In contradiction to this statement by Maimonides, Abu Rashīd al-Naysabūrī reports the view of Abū Hāshim that a living human being may lack knowledge as well as its opposites. Abu'l-Qāsim al-Balkhī is reported to have disagreed with this.[162]

Abū Hāshim is also reported to have held that an atom may be devoid of color, taste, smell, and all other accidents except its state of being (*kawn*).[163] His conception of the "state of being" (*kawn*) appears to have been similar to that of Abu'l Hudhayl,[164] for the latter is reported to have said:

> And when the state of being exists and [one atom?] adjoins another, there must be composition (*ta'līf*), because the state of being generates it, provided there is contiguity.[165]

Yet, although Abu Hāshim is reported to have held that an atom may lack all accidents except the "state of being," he is also said to have claimed that once an atom has a color it will never be free either of this color or of one of the opposites. "Because for its opposite it is just as possible to endure [i.e., to go on existing] as for it [i.e., the original color], and either of them needs only the substratum in order to exist."[166]

On the other hand, we come nearer to Maimonides' statement with Abu'l-Qāsim al-Kaʿbī al-Balkhī of the Baghdādī school of Muʿtazila, and with al-Jubbā'ī, the father of Abū Hāshim. Abu'l-Qāsim is reported to have

[162] *Masā'il* 317, lines 19–21. A view similar to that of Abu Hāshim was held by his father: God could create a living being lacking power, *Maqālāt* 312, lines 5–6. This had been denied by ʿAbbād and al-Iskāfī; see *Maqālāt* 311, line 8 and 313, lines 12–13.

[163] *Masā'il* 62, lines 3–4; see also Ibn Matūya, *Tadhkira* 124.

[164] See above at nn. 62–64; cf. n. 70.

[165] *Masā'il* 62, lines 4–5.

[166] *Masā'il* 62, lines 7–9; Ibn Matūya, *Tadhkira* 124; al-Baghdādī, *Usūl al-Dīn* 56, line 16—57, line 1.



held that an atom cannot be free from color, taste, smell, heat and cold, humidity and dryness.[167] Al-Jubbā'ī is said to have held the same view, for he used to say that when a substratum carries any accident which has a contrary, it will be impossible for it to be free of either this accident or the contrary. If the accident has no contrary,the substratum will no longer be free of that very accident.[168]

Abū Rashīd, the Baṣrī Muʿtazilite, provides arguments in favor of the opinion of his master Abū Hāshim and against the view held by the latter's father and by Abu'l-Qāsim.[169] According to Abū Rashīd an atom can be without color, taste, smell, or sound.[170] This may be shown by the very fact that there are things in which our senses perceive neither taste nor smell.[171]

The tenth-century Ashʿarite writer, al-Bāqillānī defines the atom as "that which receives one accident of each genus." If not, it is not an atom.[172]

Al-Juwaynī, the eleventh-century Ashʿarite scholar, writes:

> The third principle is to make clear that it is impossible for atoms to be free from accidents. The people of truth hold that an atom will not be free from any genus of accident.[173] [An atom] will not be free from [one of] all the contraries [of a given accident] if it has contraries. If an accident has one contrary, the atom will not be free from [one of the] contraries. If we were to assume an accident without a contrary, the atom would not be free from one [accident] of the genus [of that accident].[174]

[167] *Masā'il* 62, lines 15–16; Ibn Matūya, *Tadhkira*, 124. On the other hand, al-Baghdādī, *Uṣūl al-Dīn* 56, lines 15–16, and al-Juwaynī, *Irshād* (Paris) 14, lines 1–2, attribute to Abu'l-Qāsim the opposite opinion, namely, that an atom may be devoid of all accidents except color. The attribution of this latter opinion to Abu'l-Qāsim does not appear reliable. As a matter of fact, from Ibn Matūya, *Tadhkira* 136, it appears that Ibn Matūya, who belonged to the Baṣrians, held such an opinion. Did the Ashʿarites attribute it to Abu'l-Qāsim in order to hide the fact that on this question they agreed with the Baghdādī Muʿtazila?

[168] *Masā'il* 62, lines 16–18; Ibn Matūya, *Tadhkira* 124. See also pp. 21–22 of the editor's introduction to *Fī'l-Tawḥīd*.

[169] *Masā'il* 62–74.

[170] *Masā'il* 62–72.

[171] *Masāil* 71. cf. also Ibn Matūya, *Tadhkira* 36–37. See Wolfson, *Kalam* 488.

[172] *Tamhīd* 17, lines 17–19.

[173] This sentence is attested only by MS P of the apparatus appearing in the Paris edition of the *Irshād*, see p. 13.

[174] *Irshād* (Paris) Arabic: 13, lines 16–19, French: 32; cf. *Lumaʿ al-adilla* 78.

But in his *Shāmil*, al-Juwaynī expresses another opinion: Indeed there are no atoms without accidents. But not all genera of accident must be represented in one atom.[175] In another passage of the *Shāmil* he writes:

> If an atom is lifeless, the contrary of life will inhere in it, as well as color, the "state of being," taste, and smell. This is what they agree about. If life were to inhere in it and contradict death, then in the animate being certain genera of accidents will inhere, such as knowledge or one of its contraries, volition or one of its contraries, perceptions or their contraries.[176]

Of all the statements regarding this question, the last-quoted no doubt comes nearest to the opinion Maimonides attributes to the Mutakallimūn.

Fakhr al-Dīn al-Rāzī, Maimonides' contemporary, writes:

> Unlike our fellows, [we hold that] bodies may be free from colors, tastes and smells. We hold air to have neither color nor taste.

Al-Rāzī then goes on to disprove arguments put forward in favor of the contrary opinion.[177] Elsewhere he states:

> In order to exist, a body can do without color. . . Once you know the meaning of "inhering," let us say: What inheres in that which is located (*al-mutāḥayyiz*) is called "accident." We hold that accidents are of two kinds: those which may inhere in inanimate [things] and those which cannot inhere in inanimate [things]. Each of these two kinds includes many species. They cannot be exhaustively discussed in this compendium.[178]

As regards the fourth premise, al-Juwaynī comes closest to Maimonides' description. On the whole the Ashᶜarite thinkers (and perhaps the Baghdad school of Muᶜtazilism) are less remote from the picture Maimonides draws than the Baṣrī Muᶜtazila. Interestingly, Fakhr al-Dīn al Rāzī does not fit into Maimonides' picture in this case.

[175] *Shāmil* (Alexandria) 711–13, also, 209–15.
[176] *Shāmil* (Alexandria) 165, line 17—166, line 2; also 169, line 6.
[177] *Muḥaṣṣal* 94, lines 5–9.
[178] *Arbaʿīn* 4, line 19—5, line 2. Compare Pines, *Beiträge* 16–26; Pretzl, *Die Früh-islamische Attributenlehre*, 37–51; Fakhry, "Aqwāl al-Mutakallimīn" 160 and n. 20.



### *The Fifth Premise*

> *This is their saying that these accidents subsist in the atom and that it cannot be exempt from them. The explanation and the meaning of this premise are as follows. They say that every atom of the atoms that God creates is provided with accidents from which it cannot be exempt: such accidents, for example, as color, smell, motion or rest, but not quantity—since these atoms do not possess quantity. For in accordance with their opinion, they do not call quantity an accident and do not understand that quantity includes the notion of accidentality.* (*Guide* 199)

The various opinions concerning which accidents necessarily inhere in an atom have been presented in connection with the previous premises. However, I have not found any text in which "quantity" is listed among the accidents. If one can judge on the basis of an argument from silence, Maimonides is here correct in his report.

> *In virtue of this premise, they hold with regard to all accidents subsisting in a body that it should not be said that one of them is a proprium of that body as a whole; for the accident in question subsists, according to them, in every atom of the atoms of which that body is composed. For instance, in the case of this piece of snow, the whiteness does not subsist only in the entire whole; rather every single atom of the atoms of the snow is white, and it is because of this that whiteness subsists in their aggregate. In a similar way they say of a body in motion that every atom of its atoms is in motion and that because of this it is in motion as a whole.* (*Guide* 199)

Several Mutakallimūn distinguished between accidents which may inhere in a single atom and others which inhere only in bodies. Abu'l Hudhayl is quoted as saying that a single atom may receive the "state of being,"[179] motion, rest, contiguity, combination and separation, while other accidents, such as color, taste, smell, life and death, power and knowledge, inhere in bodies only.[180]

According to al-Jubbā'ī, motion, rest, color, taste, and smell may inhere in a single isolated atom, but power, life and knowledge require a body for a substratum.[181]

[179] See above at nn. 57–76.
[180] *Maqālāt* 303, lines 2–6; 311, lines 11–15; and 315, lines 2–6.
[181] *Maqālāt* 312, lines 3–5.

Abu'l-Ḥusayn al-Ṣāliḥī and his followers, on the other hand, deemed it possible that accidents like life, power, knowledge, hearing and sight subsist in a single atom.[182]

At the other extreme ᶜAbbād and the Shīᶜite thinker Hishām ibn al-Ḥakam denied that the single atom could bear any accidents at all.[183] A body, on the other hand, was inconceivable without some accidents, according to ᶜAbbād.[184]

Only twice have I come across an explicit mention of the opinion reported by Maimonides, that if an accident inheres in a body, it has to inhere in every atom of that body. Abu'l Hudhayl says that if a body moves there is in all its atoms one movement, divided among the atoms.[185] Abū Rashīd holds that when a large body is colored, color inheres in each of its atoms.[186]

> *Similarly life subsists, according to them, in every single part of the living body, and also the senses; every atom is a whole endowed with sensation, being according to them endowed with sensation.* (*Guide* 199)

According to Abū Rashīd, a single atom cannot be alive. A living human being is necessarily a "whole" (*jumla*, "a totality").[187] The "whole" becomes one thing through life subsisting in each of its atoms.[188] Two accidents of life subsisting in two atoms of one living body mutually require each other. Neither can subsist without the other.[189] Fakhr al-Dīn al-Rāzī rejects this conception.[190]

I have not discovered any other discussion of the nature of life. But al-Juwaynī says with regard to the nature of sense-perception:

> A single perception subsists in a single atom only. The surrounding atoms have no impact on the substratum of perception.[191] For every atom occupies its own place (*ḥayyiz*) and is qualified by the accidents. The atoms have no impact one upon the other. The qualifications of the atoms derive from the accidents subsisting in them exclusively. Likewise an accident subsisting in the atom has no impact on another accident.[192]

[182] *Maqālāt* 309, lines 9–14.
[183] *Maqālāt* 311, lines 5–7.
[184] *Maqālāt* 311, lines 8–9.
[185] *Maqālāt* 311, lines 15–16.
[186] *Masā'il* 71, lines 21–23; cf. 72.
[187] *Maš'il* 64, lines 19–24.
[188] *Masā'il* 64, line 22.
[189] *Masā'il* 64, lines 1–24.
[190] *Muḥaṣṣal* 68–69.
[191] The words "on the substratum of perception" (*fī maḥall al-idrāk*) seem to be a superfluous duplication. J. D. Luciani omitted them in his French translation, 158, line 3, but kept them in the Arabic text (95, line 10). They appear as well in the Cairo, 1950 edition of the *Irshād* (on p. 167).



Maimonides continues:

> *For life, the senses, intellect, and knowledge are, according to them, accidents just as blackness and whiteness are, as we shall make clear on the basis of their doctrines. As regards the soul, they disagree; the opinion of most of them is that it is an accident subsisting in one atom that belongs to the whole consisting of the atoms of which man, for example, is composed. This whole is designated as being endowed with a soul because of the fact that that atom subsists in it. Some of them, however, affirm that the soul is a body composed of subtle atoms and that these atoms are doubtless provided with a certain accident, which is their proprium and in virtue of which they become a soul. They affirm that these atoms are mixed with the atoms of the organic body. Accordingly they are not exempt from the belief that the thing that is the soul is an accident.* (*Guide* 199–200)

In his *Maqālāt al-Islāmiyyin* al-Ashᶜarī records the following opinions:

Al-Naẓẓam: The soul is identical with the spirit. It is in itself alive. The body is the soul's bane. It causes the soul to choose. Without the body, the soul would act by necessity.[193]

Al-Aṣamm: Body and soul are identical.[194]

The Manichees: The soul has limits and dimensions.[195]

Jaᶜfar ibn Mubashshir: The soul is something in between an atom and a body.[196]

Abu'l-Hudhayl: The soul is something other than the spirit. In sleep God may take away a person's soul without taking his life.[197]

Jaᶜfar ibn Ḥarb: The soul is an accident existing in the body. It is one of man's instruments (organs).[198]

[192] *Irshād* (Paris) 95, lines 9–13.
[193] *Maqālāt* 333, line 15—334, line 4.
[194] *Maqālāt* 335, line 12–336, line 2.
[195] *Maqālāt* 336, lines 8–11.
[196] *Maqālāt* 337, lines 2–3.
[197] *Maqālāt* 337, lines 4–8.
[198] *Maqālāt* 337, lines 9–12.

Some two hundred years after al-Ashᶜarī, Fakhr al-Din al-Rāzī begins his discussion of the nature of the soul[199] by stating that the soul is that to which we refer when we say "I."[200] He adds that many thinkers hold that the soul is corporeal. Among these "a large number of Mutakallimūn" identify the corporeal soul with the human body. Al-Rāzī rejects this view, arguing that while a person is aware that his own self is the same throughout the years, many component parts of the human body do not remain the same throughout the years. Others hold that the soul is a corporeal entity within the human body: Plutarch held the soul to be particles of fire; Diogenes, of air; Thales, of water. Al-Rāzī rejects these views as weak and then goes on to record other views anonymously: the soul is a certain mixture of the four humors; it is the blood;[201] it is a very thin liquid permeating the body, conferring life upon it, and its absence from the body means death; it is constituted of small particles coming to be in the right chamber of the heart and flowing in the arteries; it is spirits generated in the brain, capable of receiving the powers of sensation, motion, memory, and thought; the human body is made of durable unchanging parts and of corruptible changing ones—the soul is the durable unchanging parts, these being different for each person. This view is hailed by al-Rāzī as the opinion of the *Muḥaqqiqūn*, the profound thinkers among the Mutakallimūn.

Further opinions are that the soul is: the attribute of life; the figure and outline; the correspondence between the elements and the humors (or "the correspondence between the four points of the compass and the humors"). At the end of his list al-Rāzī records what he describes as the opinion of most philosophers, of thinkers among the Imāmī Shīᶜites, of al-Ghazālī, and of al-Rāghib al-Iṣfahānī (d. 1108), namely, that the soul is not corporeal. Al-Rāzī rejects this view.

We have seen here two lists of opinions about the nature of the soul: that of the earliest Mutakallimūn and that of the later ones. The view which Maimonides attributes to the Mutakallimūn in general, namely, that the soul is an accident, does not appear in the second list at all, and in the first it appears only as the opinion of one marginal thinker.

[199] *Arbaʿīn* 264–70.
[200] The Arabic word *nafs* signifies "self" as well as "soul."
[201] Cf. Deut. 12:23.
[201] But see also Pines, *Beiträge* 24, n. 1.



The other opinion mentioned by Maimonides, that the soul is "a body composed of subtle atoms," is vaguely reminiscent of Saᶜadya Gaon's theory of soul as set forth in the sixth section of his *Emūnōt we-Deʿōt*. But Saᶜadya does not speak in terms of atoms and accidents.

> *As for the intellect, I consider that they are unanimous in thinking that it is an accident subsisting in an atom belonging to an intellectually cognizing whole.* (*Guide* 200)

Abu'l-Qāsim al-Kaᶜbī al-Balkhī, of the Baghdādī Muʿtazila, is reported to have doubted that a human being's intellect could be altogether annihilated through removal of its substratum, without involving the persons death. Abū Rashīd, on the other hand, had no doubt that this was possible. He believed the heart to be the seat of the intellect.[202] I have found no other references to the nature of the intellect in Kalām works.

> *As regards knowledge, there is perplexity among them over whether it is an accident subsisting in every atom belonging to the whole endowed with knowledge, or an accident subsisting in one atom only. Both affirmations entail abhorrent conclusions. It has been objected against them that we find that most minerals and stones have a very intense color, but when they are pulverized this color disappears. Thus when we pulverize the intensely green emerald, it turns into white dust—which is proof that the accident in question resides in the whole and not in every particle included in the whole.*

For an understanding of this passage, see Van Ess, *Erkenntnislehre* 186–87.

> *It is even more manifest that parts cut off from a living being are not alive—which is proof that this entity [namely, life] is constituted by the whole and not by each of the parts included in that whole. In answer to this, they say that the accident in question has no continued existence, but is always created anew, as I shall explain on the basis of their opinion as formulated in the next premise.* (*Guide* 200)

[202] *Masāʾil* 325, line 11—326, line 13. See also Fakhry, "Aqwāl al-Mutakallimīn" 160–61, with n. 1 on p. 161, and 164, 170 with nn. 1–2 on p. 170.

In summary, it must be said that our sources do not yield much evidence substantiating Maimonides' statements about this premise.

### *The Sixth Premise*

> *It consists in their assertion that an accident does not last during two units of time. The meaning of this premise is as follows. They think that God, may He be glorified and magnified, creates an atom and creates together with it, at one and the same time, any accident He wills as an accident subsisting in the atom. For it may not be predicated of Him, may He be exalted, that He has the power to create an atom without an accident, for this is impossible. Now the true reality of an accident and its notion consist in its not enduring or lasting during two units of time, by which they mean: two instants. While this accident is being created, it disappears, having no continued existence.* (*Guide* 200)

The opinion that accidents do not last two units of time can be traced back to the second half of the ninth century, somewhat more than one generation before the emergence of the Ashᶜarite school of theology. Al-Ashᶜarī reports it in the name of three thinkers.[203] One of them is Aḥmad ibn ᶜAlī al-Shaṭawī, who is said to have studied together with al-Khayyāt (d. ca. 913), the well-known scholar of the Baghdādi school of Muᶜtazila.[204] The second is the somewhat later member of the same school, the well known Abu'l-Qāsim al-Kaᶜbī al-Balkhī (d. 931).[205] The third is Abū ᶜAbdallāh Muḥammad ibn Mumlik al-Isfahānī, a Shi'ite theologian, said to have been a contemporary of Abū ᶜAlī al-Jubbā'ī (d. 915 or 916),[206] who was al-Ashᶜarī's teacher. The argument for this opinion is that if an accident were to endure more than an instant, it would do so either on account of another accident, namely "endurance," or by virtue of itself. The first alternative is impossible, because, as we

[203] *Maqālāt* 358, lines 2–9; cf. also Wolfson, *Kalām* 522–44 *Repercussions* 178–82.

[204] Al-Shahrastānī, *Book of Religions and Philosophical Sects*, ed. William Cureton (London, 1843–46) 19, line 7. On al-Khayyāṭ, see *EI*², 4:1162–64. Thus al-Shaṭawī was not exactly al-Ashᶜarī's contemporary, as Wolfson, *Kalam* 522, would have it.

[205] See above, n. 34.

[206] See Muḥammad ibn al-Ḥasan al-Ṭūsī, *Fihrist Kutub al-Shiᶜah, List of Shyah Books*, ed. A. Sprenger and Mawlawy Abdal Ḥaqq, Bibliotheca Indica (Calcutta, 1953–55) margin of p.300 and p. 369, n. 810; Ibn al-Nadīm, *Kitāb al Fihrist*, ed. G. Flügel (Leipzig, 1872) 177.



shall learn later on, "accidents do not bear one another" (see ninth premise). The second alternative is also impossible because if an accident were to endure in virtue of itself, it would have "to endure the moment it comes to be"; and this is a contradiction. I do not know whether this argument originated with these three thinkers or was provided by al-Ashᶜarī in support of their opinion.

We have already seen that it was al-Bāqillānī who defined accidents as "those for which endurance is impossible."[207]

Shortly after al-Bāqillānī al-Juwaynī presents a new argument why accidents cannot endure:

> For if they were to endure it would be impossible for them to cease existing. For if we were to assume [an accident of] whiteness to endure and to go on existing, one would not [be able to] conceive it as ceasing to exist so that [an accident of] blackness come after it. For blackness does not annihilate whiteness. The fact that they are contraries makes it more likely that the whiteness reject the blackness and prevent it from occurring. Quite meaningless is what some people imagine, namely, that what endures ceases to exist through God's causing it to cease to exist. For causing nonexistence (*iᶜdām*) is nonexistence (*ᶜadam*). Yet nonexistence is pure negation, and power cannot have as its object pure negation.[208]

Maimonides says next:

> *Whereupon God creates another accident of the same species, which accident disappears in its turn; whereupon He creates a third one belonging to the same species, and so on always in the same way in the period during which God wishes the species of that accident to last. If, however, He, may He be exalted, wishes to create in the atom another species of accident, He does so. If, however, He refrains from the act of creation and does not create an accident, the atom in question becomes nonexistent.* (*Guide* 200)

After quoting the last sentence of this passage H. A. Wolfson remarks, "It is not quite clear whether the concluding statement just quoted is based upon

[207] See above, at n. 157.

[208] *Irshād* (Paris) Arabic: 80, lines 2–7, French: 133, lines 4–15; see also Arabic: 123, lines, 18–124, line 12, French: 198, line 31—199, line 33. Cf. Fakhr al-Dīn, *Muḥaṣṣal* 79, line 13—80, line 17.

some definite source which Maimonides had in mind or whether it is a conclusion which he himself has arrived at on the basis of the Ashᶜarite views restated by him."[209] It may well be that Maimonides' statement is based upon the following passage in al-Ghazālī's *Tāhāfut al-Falāsifa (The Incoherence of the Philosophers)*:

> The third group, the Ashᶜariyya,. . . said, "The accidents cease to exist by themselves. It is inconceivable that they endure. For, if it were conceivable that they endure, it would be inconceivable that they cease to exist. . . But atoms do not endure by themselves, but endure by virtue of [an accident of] endurance which is added to the existence. If God does not create [in an atom] the [accident of] endurance, the atom becomes nonexistent because that which makes it endure does not exist." . . .
>
> The fourth group, another section of the Ash'ariyya . . . said, "Accidents pass away by themselves, but atoms cease to exist through God's creating in them neither motion nor rest, neither union nor separation. Now it is impossible that a body should endure which is neither at rest nor moving. Hence it will become nonexistent." Thus both groups of Ash'ariyya tended towards [the opinion] that bringing about nonexistence is not an action, but refraining from action. For they did not understand nonexistence to be an action.[210]

Maimonides continues:

> *This is the opinion of some of them—namely, of those who are the majority—this being the creation of accidents, which they affirm. However, some of them belonging to the Muᶜtazila assert that some accidents last for a certain time, whereas others do not last during two units of time. As to this, they have no rule to which to refer so as to be able to say: this particular species of accidents lasts and that other does not.* (*Guide* 200–01)

Al-Ashᶜarī in his *Maqālāt al-Islāmiyyīn* reports:

> Abu'l-Hudhayl said: Some accidents endure; others do not endure. All motions do not endure, Some [kinds of] rest endure, some do not. He claimed that the rest of the people of Paradise endures. Thus their states-of-being (*akwān*)[211]

[209] Wolfson, *Repercussions* 179.

[210] *Tahāfut* 88, lines 1–4, and 88, line 12—89, line 5; cf. Wolfson, *Kalām* 526 and 528.

[211] See above, at nn. 57–76.



> and their motions cease, are completed, and come to an end. He claimed that colors endure. Likewise tastes, smells, life, and power endure by virtue of an [accident of] endurance [inhering] not in a place.[212] He claimed that that [the accident of] endurance is God's telling the things: "endure!" The same applies to the endurance of a body and the endurance of those accidents which endure. He also claimed that pains and pleasures endure. Thus the pains of the people in Hell endure in them, and the pleasures of the people of Paradise endure in them, and the pleasures of the people of Paradise endure in them.[213]

To his former Mu'tazilite master al-Jubbā'ī, al-Ashᶜarī attributes the following: Motions do not endure. Rest endures, with the exception of the rest which an animate being brings about in itself. Colors, tastes, smells, life, power, health, and, possibly, speech, endure by themselves, not by virtue of an accident of endurance. So do all direct actions which animate beings produce within themselves.[214] Bishr ibn al-Muᶜtamir (d. ca. 830), the founder of the Baghdādī school of Muᶜtazila,[215] thought that motion, rest, and color endure until they are ousted by their contraries.[216] This opinion is rejected by the unknown author of *Fi'l-Tawḥīd*.[217]

Two centuries after Bishr, Ibn Matūya of the Baṣrī school of Muᶜtazila explains that colors, tastes, smells, heat and cold, humidity and dryness, life, power, the states-of-being,[218] and composition (*ta'līf*) do endure. For other accidents it is impossible to endure, with the exception of the upward and downward impetus (*iᶜtimād*) brought about by humidity and dryness.[219]

[212] The accident of endurance cannot subsist or inhere in the color, etc., which it causes to endure, because accidents do not inhere one in another, as shall be explained in the ninth premise.

[213] *Maqālāt* 358, line 12—359, line 5; cf. Frank, *Metaphysics* 20; Wolfson, *Kalām* 531 and *Repercussions* 180.

[214] *Maqālāt* 359, lines 8–14; cf. Wolfson, *Kalām* 537, n. 74. By "direct actions" the Mutakallimūn refer to the motions which an animate being produces in its own limbs and body. Inasmuch as such motions have effects on other bodies, these effects were considered by the Muᶜtazilites to be "generated effects." The Ashᶜarites, on the other hand, taught that God creates the motion of the animal's body and simultaneously its so-called effect upon other bodies.

[215] *EI*² 1:1243–44; W. M. Watt, *Free Will and Predestination in Early Islam* (London, 1948) 73–76.

[216] *Maqālāt*, 360, lines 7–10; Wolfson, *Kalām* 535–37.

[217] *Fi'l-Tawḥīd* 167.

[218] See above at nn. 57–76.

[219] *Tadhkira* 41, 468, line 8. Compare *Fi'l-Tawḥīd* 15–18; 137, line 17—138, line 15 and 167, line 11.

Ibn Matūya's predecessor in the same school, Abū Hāshim, is also said to have held that it is possible for the states of being to endure, while his counterpart in the Baghdādī school, Abu'l-Qāsim al-Kaʿbī, denied this of all accidents.[220]

> *What led them to this opinion is that it is not to be said that there is a nature in any respect whatever and that the nature of one particular body may require that this and that accident be attached to that body.* (*Guide* 201)

The conception that substances have "natures" which determine their qualities and the manner in which they affect other substances was rejected by almost all Mutakallimūn. The most important exception was Muʿammar ibn ʿAbbād al-Sulamī (d. 830).[221]

Al-Bāqillānī devotes a whole chapter to arguments against this conception.[222]

> *Quite the contrary, they wish to say that God, may He be exalted, created the accidents in question now, without the intermediary of nature—without any other thing. But if this is asserted, it follows according to them necessarily that that accident in question does not last; for if you should say that it lasts for some time and then becomes nonexistent, it becomes necessary to inquire what thing has caused it to become nonexistent. If you should say thereupon that God, if He wills, causes it to become nonexistent, this answer would not be valid according to their opinion. For an agent does not act to bring about nonexistence, since nonexistence does not require an agent. On the contrary, the nonexistence of an act comes about when the agent refrains from acting. This is valid in a certain respect. For this reason, accordingly, their assertions led them—as they wished that there be no nature necessitating the existence or the nonexistence of a thing—to the point of affirming the creation of successive accidents. According to some of them, when God wishes to cause the nonexistence of a substance, He does not create an accident in it, in consequence whereof the substance becomes nonexistent.* (*Guide* 201)

According to Abu Rashīd, atoms and bodies endure (last) by virtue of

[220] *Masāʾil* 177, lines 12–15.

[221] Al-Bāqillānī, *Tamhīd* 34–47; Frank, *Metaphysics* 22 and n. 34; Wolfson, *Kalām* 545 line 32 and 548, line 4; Daiber, *Das theologisch-philosophische System* index 547, s.v. "Natur," and 568, s.vv. *ṭabʿ* and *ṭabīʿa*.

[222] *Tamhīd* 34–47.



their own existence until their contraries annihilate them.[223] It is impossible that an atom should endure by virtue of an (accident of) endurance.[224] And yet it is within God's power to create "endurance" in the atom.[225] The Ashʿarite al-Juwaynī also taught that atoms endure.[226]

As we have seen,[227] Abu'l Hudhayl is said to have held that accidents endure by virtue of an (accident of) endurance, this (accident) being God's word "endure!" Similarly he is said to have held that "things" endure in this manner, and that they cease to exist by virtue of an (accident of) passing away, this being God's word "pass away!".[228]

The Baghdādī Muʿtazilites, on the other hand, are reported to have held that while "endurance" is not identical with the enduring thing, it is not by virtue of (an accident of) passing away (*fanāʾ*) that a thing ceases to exist.[229]

The Baghdādī Muʿtazilite Abu'l-Husayn al-Khayyāt (d. ca. 913)[230] is said to have held that God annihilates atoms. Nonexistence (*ʿadam*) is an object of the divine power.[231] (This contradicts what would become the Ashʿarite view, namely, that since nonexistence is not an action, it cannot be the object of a power).[232] Al-Khayyāt is also said to have taught that God can annihilate bodies. Likewise Abu'l-Ḥifṣ al-Qirmisānī is said to have held that God may annihilate atoms.[233]

Abu'l-Qāsim al-Kaʿbī al-Balkhī, on the other hand, taught that it is by virtue of an (accident of) endurance inhering in it that an atom endures. If God does not create such "endurance" in the atom, the atom ceases to exist.[234]

[223] *Masāʾil* 77 lines 18–12, and 79, line 25—80, line 4. See also Ibn Matūya, *Tadhkira* 213, lines 10–12, and *Fiʾl-Tawḥīd* 17, line 3.

[224] *Masāʾil* 74–81.

[225] *Masāʾil* 77, line 21.

[226] *Shāmil* (Alexandria) 160, line 2; 167, line 6.

[227] See above, at n. 213.

[228] *Maqālāt* 366, lines 14–15.

[229] *Maqālāt* 367, lines 1–2.

[230] See above, n. 204.

[231] *Masāʾil* 83, lines 4–5.

[232] See above at n. 210.

[233] *Masāʾil* 76, line 16 (reprinted by Abū Rīda on p. 37 of his introduction to *Fiʾl-Tawḥīd*). According to Ibn al-Murtaḍā, *Tabaqāt al-Muʿtazila*, ed. S. Diwald-Wilzer, *Die Klassen der Muʿtaziliten* (Wiesbaden, 1961) 102–03, Abu'l-Ḥifṣ was a contemporary of Abū Hāshim (d. 933).

[234] *Masāʾil* 79, line 17 and 83, lines 5–6.

Abū Rashīd reports in the name of his own teachers (*shuyūkhunā*) that an atom ceases to exist by virtue of an (accident of) passing away which contradicts the atom.[235] Among them Abū ʿAlī al-Jubbāʾī at first held the opinion that in order to annihilate a body, a separate "passing away" is required for each of its atoms, but later he changed his mind and taught that one and the same "passing away" will annihilate all the atoms of the body.[236] His son, Abū Hāshim, adopted his father's later view. So did Abū Hāshim's disciples.[237]

Abū Rashīd himself thought differently. He does not agree with al-Khayyāṭ that it is possible for God to annihilate an atom.[238] Only an act of bringing something into existence can be the object of power. If bringing about nonexistence were a possible object of the divine power, it would also have to be a possible object of human power. In that case we would be able to annul the actions of other people and to bring about the nonexistence of life.[239]

In asserting that annihilation cannot be an object of the divine power nor of human power, Abū Rashīd, the Baṣrī Muʿtazilite, expresses an attitude not very different from that held on this point by the Ashʿarite al-Juwaynī.[240] This is remarkable, because on other points the attitude of Baghdādī Muʿtazilites appears to be nearer to that of the Ashʿarites than to that of the Baṣrī Muʿtazilites.

Abū Rashīd seems to have adopted the opinion of Bishr ibn al-Muʿtamir[241] that an accident is annihilated by the appearance of its contrary in the substratum.[242]

His contemporary and member of the same school, Ibn Matūya, on the other hand, held that an accident can only cease to exist altogether when its substratum ceases to exist.[243] Bodies cease to exist, according to him, by virtue of an (accident of) "passing away" which is contrary to them. "Passing away" is contrary to the atom and annihilates it.[244] It is wrong, says Ibn Matūya, to say that when the "state of being" of an atom ceases to exist, and God creates no other "state of being" in it, the atom necessarily ceases to exist.[245] The opinion which Ibn Matūya rejects here is the one accepted by the anonymous author of *Fiʾl-Tawḥīd*, who also was a member of the Baṣrī school of Muʿtazila.[246]

[235] *Masāʾil* 83, lines 6–7.
[236] *Masāʾil* 83, lines 7–9. Cf. Wolfson, *Repercussions* 181.
[237] *Masāʾil* 83, lines 9–10.
[238] See above at nn. 230–31.
[239] *Masāʾil* 83–84.
[240] See above, at n. 208.
[241] See above at nn. 215–17.
[242] *Masāʾil* 35, line 4.
[243] *Tadhkira* 124.



And when Ibn Matūya states that God annihilates atoms by means of a "passing away"[247] (this "passing away" being an accident contrary to the atoms, and different from all other accidents in that it can be said to be "in a substratum" or "not in a substratum"),[248] he clearly disagrees with his colleague Abū Rashīd.[249] It can thus be seen that there was no agreement on these questions in the Baṣrī school of Muʿtazila.

> *Others affirm that if God should wish the world to be annihilated, He would create in it the accident of passing-away—an accident that would be without a substratum. Thereupon this accident of passing away would be opposed to the existence of the world.* (*Guide* 201)

This statement could be based directly on al-Ghazālī, who writes:

> The Muʿtazila say that the action proceeding from God is an existent. It is the "passing away" which God creates and in a substratum so that the whole world will at once become nonexistent.[250]

Maimonides says next:

> *In accordance with this premise, they assert that when we, as we think, dye a garment red, it is not we who are by any means the dyers, God rather creates the color in question in the garment when the latter is in juxtaposition with the red dye, which we consider to have gone over to the garment. They say that this is not the case, but that God has instituted a habit according to which, for*

[244] *Tadhkira* 209, lines 1–6 and 212, line 2.
[245] *Tadhkira* 214, line 8.
[246] *Fiʾl-Tawḥīd* 16, lines 15–16.
[247] *Tadhkira* 223, line 1.
[248] *Tadhkira* 218, lines 4–10.
[249] See above at nn. 238–39.
[250] *Tahāfut* 86, lines 7–8; Wolfson, *Kalām* 538 and *Repercussions* 180–81. See also above at nn. 229, 236–37, 243–45, 247–48.

> *example, black color does not appear except when a garment is juxtaposed with indigo. However, this blackness, which God creates when an object about to turn black is juxtaposed with blackness, does not last, but disappears instantly, and another blackness is created. God has also instituted the habit of not creating, after the disappearance of blackness redness or yellowness, but a blackness similar to the one before.* (*Guide* 201)

Ibn Matūya, the Baṣrī Muᶜtazilite, declares: "It is impossible for colors to pass [from one body to another]."[251]

Indeed, the principle that accidents do not move from one substratum to another is described by Fakhr al-Dīn al-Rāzī as common to the Mutakallimūn and the philosophers.[252]

Ibn Matūya adds that God alone has the power to produce colors. When colors come into being, it is He who produces them. Were it otherwise, we would be able to change our own colors according to our desire.[253] He quotes some of the Baghdādī Muᶜtazila as saying that man may have the power to produce colors, their argument being that if one beats a person his skin becomes red. Ibn Matūya rejects this by arguing that the redness is only the color of the blood appearing.[254]

Another argument produced by these Baghdādīs is that when one mixes vitriol with gallnuts, blackness is produced, and when honey is beaten whiteness appears.[255] To this Ibn Matūya retorts that vitriol and gallnut contain hidden black particles which are soluble in water. When the two materials are mixed, the black particles come to light, just as butter appears when milk is churned, and gold appears in the ore through fire. Sometimes one gets this blackness in gallnut alone by cooking, or heating it—although to a lesser degree than when vitriol is added.[256]

In a subsequent passage Ibn Matūya writes:

> It is mentioned in the course of the discussions of our early teachers (*jarā fī kalām shuyūkhinā al-mutaqaddimīn*) that blackness appears in a location

[251] *Tadhkira* 13, see also *Tadhkira* 272–73.
[252] *Muḥaṣṣal* 78, line 8—79, line 5.
[253] *Tadhkira* 284, lines 3–5.
[254] *Tadhkira* 284, line 16—285, line 1.
[255] *Tadhkira* 285, lines 11–12. To this and what follows, compare above p. 191 and the reference to van Ess given there.
[256] *Tadhkira* 285, lines 12–15.



> (*ḥayyiz*) being brought about by God (*ḥādithan min jihat Allāh taᶜāla*) in accordance with custom (*bi'l-ᶜāda*) when vitriol is mixed with gallnut. The same goes for the whiteness which comes about in *qubbeytā*[257] and elsewhere. Yet the truth is otherwise, as we have explained regarding the redness (appearing) upon beating.[258]

This passage is quite remarkable. For here the concept of God's "custom," or "habit," is attributed to early Muᶜtazilite thinkers. This concept—translated by the word "habit" in the last quotation from Maimonides[259]—was put forward later on by Ashᶜarite thinkers as an alternative to causality. There is no causal link between events, they taught; God brings about each event by itself. the sequence of events which we normally observe is not necessary. It would be possible for God to let them happen in another sequence. When flax and fire are brought together, the burning of the flax is not a necessary result. When a person's hand holding a stone is opened, this could be followed by the stone stopping in the air, and so on. The fact that nevertheless events normally happen in an orderly sequence, so that the proximity of flax and fire is followed by burning, and the opening of the hand holding a stone is followed by a downward motion of the stone, is the result of God's intention to accustom human beings to such a pattern. Hence this orderly sequence of events—which, as a matter of fact, are isolated and causally unconnected—is termed "God's custom" (or habit, *ᶜāda*). He accustoms men to this fixed pattern, so that when He disrupts the normal sequence of events, this will be considered a miracle. True miracles serve to confirm the claim of a true prophet that he indeed speaks in the name of God. They serve to distinguish the true prophet from the pretender. The miracle is termed "breaking of the custom" (*kharq al-ᶜāda*).[260]

We shall return to this conception when we shall discuss Maimonides'

[257] "Sorte de confitures sèches preparées avec du suc de raisin mêlé divers ingredients" (A. de Biberstein- Kazimirski, *Dictionnaire Arabe-Français* [Paris, 1860] s.v. *qubbēt* and *qubbeyt*).
[258] *Tadhkira* 286, lines 6–9; See also *Tadhkira* 304, lines 7 (For redness which appears upon beating, see above at n. 254.)
[259] See above at nn. 250–51.
[260] See, e.g., al-Bāqilānī, *Tamhīd* 299–302; cf. *Tamhid* 143, 145, 157: *Kitāb al-Bayān ᶜan al-farq bayn al-muᶜjizāt wa'l-karāmāt*, ed. R. J. McCarthy, *Miracle and Magic* (Beirut, 1958) 50–55 and passim. Al-Ashᶜarī already speaks of God's custom in his *Kitāb al-Lumaᶜ*, ed. R. J. McCarthy, *The Theology of al-Ashᶜarī* (Beirut, 1953) Arabic: 57, line 17, English: 81, line 9; cf. Pines, *Beiträge* 26–27.

tenth premise. Here I would only like to point out the following. When H. A. Wolfson discusses this "theory of custom (*ʿāda*)"[261] he comes to conclusion that "there was thus a theory of custom among the Ash'arites prior to the time of Ghazālī."[262] He does not mention al-Bāqillānī in this connection.[263] At any rate he speaks of the theory as an Ashʿarite theory.[264] But ten years before Wolfson's book appeared, J. van Ess had traced the notion of "God's custom" back to Muʿtazilite thinkers.[265] And from the passage just quoted[266] it can be seen that the Muʿtazilite Ibn Matūya attributes this notion to some "'early teachers" of his own Baṣrī Muʿtazilite school. Even if we do not know to what period the expression "early" refers, its pre-Ashʿarite appearance is quite striking.

Ibn Matūya goes on to explain that fire contains black particles which come to light in smoke and burned things.[267] He adds:

> The action of a dyer is [only] that he brings about proximity between the dye and the garment. He does not really blacken [the garment].[268]

Ibn Matūya's contemporary and a member of the same school of thought, Abū Rashīd, writes:

> The Baghdādī [Muʿtazilites] hold that blackness may possibly generate [a color] similar [to itself]. But our [Baṣri] teachers do not consider this possible. We hold that blackness does not generate its like.[269]

Here we have thinkers of the Baṣrī school of Muʿtazila holding the opinion about dyeing reported by Maimonides. Clearly it was not only Ashʿarites

[261] Wolfson, *Kalām* 544–48.
[262] Wolfson, *Kalām* 546, lines 25–26.
[263] See above, n. 260.
[264] See, e.g., Wolfson, *Kalām* 547, line 19.
[265] Van Ess, *Erkenntnislehre* 184. Van Ess gives the impression that the notion of God's custom emerged in the circle of Baghdādī Muʿtazilites, basing himself on M. Horten, *Die Philosophie des Abu Raschid* (Bonn, 1910) 79 ff. But on p. 80 of Horten's work, lines 33–34, it is the Baṣrī Muʿtazilite Abū Rashīd who expressly avails himself of this notion.
[266] The passage quoted above at nn. 257–58.
[267] *Tadhkira* 286, lines 9–11.
[268] *Tadhkira* 286, lines 11–13.
[269] *Masāʾil* 122, lines 15–18.



like al-Juwaynī[270] who considered the color appearing through dyeing to be a new creation by God.

> *In conformity with this assumption, they have drawn the corollary that the things we know now are not identical with the contents of the knowledge known by us yesterday; for that knowledge has become nonexistent, and another knowledge similar to it has been created. They maintain that this is so, because knowledge is an accident. Similarly it necessarily behooves those who believe that the soul is an accident to consider that, to take an example, one hundred thousand souls are created every minute for the requirements of every being endowed with a soul. For as you know, time, according to them, is composed of indivisible instants.* (*Guide* 201–02)

Here Maimonides reduces *ad absurdum* the conception which he has described.

> *In conformity with this premise, they assert that when a man moves a pen, it is not the man who moves it; for the motion occurring in the pen is an accident created by God in the pen. Similarly the motion of the hand, which we think of as moving the pen, is an accident created by God in the moving hand. Only, God has instituted the habit that the motion of the hand is concomitant with the motion of the pen, without the hand exercising in any respect an influence on, or being causative in regard to, the motion of the pen. For they maintain that an accident does not go beyond its substratum.* (*Guide* 202)

This is a faithful description of the Ashʿarite conception of human actions.[271] Al-Ghazālī in his *Iqtiṣād*, a work devoted to Ashʿarite Kalām went so far as to entitle his chapter on the human action: "On the Actions of God."[272]

[270] *Irshād* (Paris) 114, line 13.
[271] E.g., see al-Bāqillānī, *Tamhīd* 286–321; al-Juwaynī, *Irshād* (Paris) 106–47 (French: 173–232); W. M. Watt, *Free Will and Predestination* (London, 1948); L. Gardet, *Dieu et la destinée de l'homme* (Paris 1967); D. Gimaret, *Théorie de l'acte humain en théologie musulmane* (Paris, 1980); *La doctrine dˀ al-Aśʿarî* (Paris, Cerf, 1990); M. Schwarz, "Theodicy in the Early Scholastic Theology of Islam," diss., University of Oxford, 1965; "Acquisition (*Kasb*) in Early *Kalam*," *Islamic Philosophy and the Classical Tradition: Essays Presented to R. Walzer* (Oxford, 1972) 355–87; "The Qāḍī ʿAbd al-Jabbār's Refutation of the Ashʿarite Doctrine of Acquisition (*kasb*)," *IOS* 6 (1976): 229–63; Wolfson, *Kalam* 601– 719.
[272] al-Ghazālī, *al-Iqtiṣād fi'l-Iʿtiqad* 160–201.

The Muʿtazila too agreed that "an accident does not go beyond its substratum." Hence, they said, the actions of a human being are confined to his body. If he writes with a pen, only the motion of the hand is the direct action created by him. But the motion of the pen is "generated" by the motion of the hand, the motion of the ink by the motion of the pen is "generated" by the motion of the hand, the motion of the ink by the motion of the pen, and so on. The Qāḍī ʿAbd al-Jabbār[273] devoted a whole volume of his work on Muʿtazilite theology to the concept of "generated" action.[274] But the theory is much older; Al-Ashʿarī states that it was held by the early Muʿtazilite thinkers.[275]

Maimonides continues:

> *There is unanimity among them with regard to their belief that a white garment that has been put into a vat full of indigo and has become dyed, has not been blackened by the indigo, blackness being an accident that is inherent in the body that is the indigo and that does not go beyond it so as to affect something else. According to them, there is no body at all endowed with the power of action. On the other hand, the ultimate agent is God; and it is He who, in view of the fact that He has instituted such a habit, has created the blackness in the body that is the garment when the latter was juxtaposed with indigo.* (*Guide* 202)

For an explanation of this passage, see above, at notes 251–53.

> *To sum up: it should not be said in any respect that this is the cause of that. This is the opinion of the multitude [of the Mutakallimūn]. One of them, however, maintained the doctrine of causality and in consequence was regarded as abhorrent by them. As for the actions of men, they are in disagreement about them. The doctrine of the majority and in particular that of the multitude of the Ashʿariyya is that when the pen is put into motion, God creates four accidents, no one of which is a cause of any other—all of them being concomitant in*

[273] See above, n. 32.

[274] ʿAbd al-Jabbār ibn Aḥmad al-Asadābadī, *al-Mughnī fī Abwāb al-Tawḥīd wa'l-ʿAdl*, vol. 9: *al-Tawlīd*, ed. Tawfīq al-Ṭawīl and Saʿīd Zāyed (Cairo, 1964). Judith Hecker devoted her UCLA thesis to an analysis of this volume. See also the secondary literature mentioned above, n. 271.

[275] *Maqālāt* 400–16, 566; Al-Khayyāt, *Kitāt al-Intiṣār*, ed. H. S. Nyberg, (Cairo, 1925) 76–78; Abū Rashīd, *Masā'il* 63 and 246.



> *regard to their existence, not otherwise. The first accident is my will to put the pen into motion; the second accident, my power to put it into motion; the third accident, human motion itself—I mean the motion of the hand; the fourth accident, the motion of the pen.* (*Guide* 202)

For an explanation of this passage, see above, at note 271.

> *For they think that when a man wills a thing and, as he thinks, does it, his will is created for him, his power to do that which he wills is created for him, and his act is created for him. For he does not act in virtue of the power created in him, and the power has no influence on the action. On the other hand, the Muʿtazila maintain that man acts in virtue of the power created in him; and one of the Ashʿariyya says that this created power has a certain influence on, and connection with the act. But they regard this as abhorrent.* (*Guide* 203)

The Muʿtazilites agreed that God gives man the power to act. This power is given to him prior to the performance of the action itself. It is a power either to perform the action or not perform it, which gives man the choice between doing something and leaving it undone.[275]

The Ashʿarites too said that the human action is performed by virtue of a power granted by God to man. But they differed from the Muʿtazilites in affirming that the power does not precede the action, but is given at the very moment of the action and only makes man "acquire" the action, i.e., become responsible for it,[277] though it is God who creates the action.[278]

Now al-Juwaynī states categorically that human power "has no impact on its object."[279] It appears that this statement by al-Juwaynī is the sole basis for Maimonides' assertion that "they think" that "the power has no influence on the action." Wolfson tried to trace this opinion back to al-Ashʿarī himself,[280] but it seems that this attempt is based on a misinterpretation of a sentence in al-Ashʿarī's *Maqālāt al-Islāmiyyīn* in which he states:

> But I say that whatever God is described as having the power to create as a person's "acquisition", He could also create as that person's involuntary action. It is possible for God to force men to do injustice.[281]

[276] *Maqālāt* 230, lines 12–14.

[277] See my "Acquisition in Early *Kalam*."

[278] See, e.g., al-Ashʿarī, *Lumaʿ* chap. 6; al-Bāqillānī, *Tamhīd*, chap. 25–27.

[279] *Irshād* (Paris) 119, line 14 (French: 191, line 31); ed. Cairo 1950, 210, line 3.

[280] Wolfson, *Kalām* 687–88 and n. 31.

[281] *Maqālāt* 552, lines 8–9.

This passage clearly means that two alternative ways are open to God: (1) to make man act (by means of the power He give him) so as to bear responsibility for his action, or (2) to force the action upon him so that he would not be responsible for it. This, however, does not mean that if an action is performed by means of the power granted by God (i.e., the first way), this human power has no impact on it. On the contrary, in the *Kitāb al-Lumaᶜ*, al-Ashᶜarī goes out of his way to stress that without the God-given power, it is impossible for man to perform the action.[282] No such insistence, that the God-granted human power is indispensable for an "acquisition" to be performed, can be discerned in al-Bāqillānī's *Tamhīd*.[283]. Nevertheless al-Bāqillānī nowhere says that this power has no impact on the action. Thus, as far as I know, al-Juwaynī is the first and the only one to say so.[284]

> *As all of them think, the created will and the created power and—in the opinion of some them—also the created act, are accidents that do not last, God constantly creating in that way motion after motion in the pen in question as long as the pen is in motion. Thereafter, when it comes to rest it does so only after He has created in it a unit of rest. And He does not cease to create in it one unit of rest after another as long as the pen is at rest.* (*Guide* 203)

[282] *Lumaᶜ* §§123, 128–33; cf. Wolfson, *Kalām* 684–87.

[283] *Tamhīd* 286–321.

[284] In another work, *al-ᶜAqīda al-Niẓāmiyya*, al-Juwaynī contradicts this opinion. There he states that to affirm that the power God gives man has no impact on the human action is in conflict with the Divine Law. See *Al-ᶜAqīda al-Niẓāmiyya*, ed. Muḥammad Zāhid al-Kawtharī (Cairo, 1948) 30–36, esp. 30, line 20—34, line 4. Since this shorter work is usually considered to be later than the *Irshād*, we may conclude that the author changed his mind.

In the Irshād, (Paris) 118, line 22—119, line 5 (French: 190, line 33—191, line 11); ed. Cairo 1950: 209 lines 3–7; al-Juwaynī reports in the name of some of his teachers the view that the difference between an "acquired" action and a necessary or forced action is a certain mode (*ḥāl*) peculiar to the "acquired" action. It is on this mode that the human power does have an impact. Wolfson, *Kalām* 692–95, attributes this view to al-Bāqillānī, basing himself on several later heresiographers. Against this it is necessary to point out that (a) neither in al-Bāqillānī's *Tamhīd* nor in his *Inṣāf*, ed. Muḥammad Zāhid al-Kawtharī, 2nd ed. (Cairo, 1963), is this theory to be found; (b) in neither of them does al-Bāqillānī adopt the theory of modes, and in *Tamhīd* 200–03, he even argues against it, (c) when I have to weigh the evidence of an author's own published works as against what later writers attribute to that author, I do prefer the former (see my "Can We Rely on Later Authorities?")



For an explanation of this passage, see pp. 203–204 above.[285]

> *Accordingly God creates at every one of the instants—I mean the separate units of time—an accident in every individual among the beings, whether that individual be an angel, a heavenly sphere, or something else. This he does constantly at every moment of time. They maintain that this is the true faith in God's activity; and in their opinion, he who does not believe that God acts in this way denies the fact that God acts. With regard to beliefs of this kind, it has been said in my opinion and in that of everybody endowed with an intellect:* Or as one mocketh a man, do ye so mock him[286]*—this being in truth the very essence of* mockery. (*Guide* 203)

In conclusion one might say that more evidence seems to be available in the Kalām texts for the sixth premise than for any other of the twelve premises.

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(This is the first part of a two-part article. The second part will be published in volume 3 of *Maimonidean Studies*.)

[285] See also my "Theodicy in the Early Theology of Islam" and M. Fakhry, "Aqwāl al-Mutakallimīn" 157–58 and nn. 3–4, 165–66, and n. 4 on p. 165.

[286] Job 13:9.

# SOME IRONIC CONSEQUENCES OF MAIMONIDES' RATIONALISTIC MESSIANISM

*by*

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Rationalism and messianic activism tend to be incompatible both philosophically and psychologically. Nonetheless, the inner logic of a rationalistic, naturalistic approach to the messianic age produces unexpected results which can encourage at least moderate activism and serve as a defense for even the most extreme manifestations of messianic excitement.

Fundamental philosophical considerations as well as a desire to dampen messianic enthusiasm led Maimonides in the *Mishneh Torah* to deemphasize the miraculous element in the unfolding of the messianic age and to maintain that Rabbinic assertions about the details of the process may not be reliable. In the absence of a messianic movement, this may have been an effective approach, but in the presence of such a movement, the skeptical posture backfired by eliminating the only available argument that could decisively disprove the messianic pretensions of a specific individual. Because of Maimonides, opponents of Shabbetai Zvi's claims, including Jacob Sasportas himself, were reduced to saying that it was unlikely—not impossible—that he was the Messiah. It is clear from Sasportas's uncomfortable discussion of this issue that believers in the newly proclaimed messiah successfully mobilized Maimonidean skepticism to neutralize their opponents' argument that the events of the 1660's were not proceeding in accordance with the messianic scenario described in the *Zohar* and standard rabbinic texts.

In more recent times, the naturalistic position of Maimonidean rationalism inspired a more moderate sort of messianic activism in the form of religious Zionism. By diminishing the role of miracles, Maimonides created a logical consequence which was not part of his original intention. If the Messiah is to come within the natural order, it is difficult to avoid the conclusion

that human initiative would be needed to prepare the way. Under the appropriate historical conditions, precisely this conclusion was reached, and Maimonides, who had explicitly counseled his readers to "wait" and nothing more, became the mentor and inspiration for religious Zionists, many of whom acted, and still act, out of clearly articulated messianic motives.

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# MAIMONIDES' RESPONSUM CONCERNING THE "BLESSING OF VIRGINITY"

*by*

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In this responsum (Blau #207) Maimonides discusses the "Blessing of Virginity" (*Birkat Betulim*) which was recited by the bridegroom on the occasion of his wedding. Using unusually harsh language, Maimonides attacks the then very widespread custom to recite this blessing in the presence of a celebrating congregation.

Not mentioned in the Talmud, this blessing is of geonic origin and this gives rise to the halakhic inquiry concerning its propriety. The question and the custom itself seem to be wholly within the "normal," legitimate boundaries of the Halakha and accepted custom, so that Maimonides' severe attack asks for an explanation.

The article unfolds the early medieval history and development of this ancient custom in Italo-Ashkenazic circles as well as in the Orient. It explains the original legal meaning and status of the custom and, also, the changing social attitudes toward sexual privacy. Finally, it illustrates Maimonides' unusual sensitivity as a moral and religious leader and the influence of his ruling on the later history of the custom.

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# על תוצאותיה האירוניות של גישתו הרציונליסטית של הרמב״ם לתקופה המשיחית

מאת

דוד ברגר

הרציונליזם והפעילות המשיחית אינם עולים בקנה אחד. הרציונליסט רואה עולם הנוהג כמנהגו; האקטיביסט המשיחי הטיפוסי רואה עולם העומד על סף שינוי יסודי שיהפוך סדרי בראשית או — אולי יותר נכון — יעמיד סדרים אלה על כנם. יתירה מזו, הפרספקטיבה הרציונליסטית לא תראה בעין יפה אף את האקטיביסט הדוגל בתקופה משיחית שאין בינה לעולם הזה אלא שעבוד מלכויות בלבד, שהרי גם פעילות משיחית כזאת משתדלת לדחוק את הקץ, בעוד שהראייה המפוכחת והסקפטית של הרציונליסט מלמדת אותו שתולדות ישראל מלאות אכזבות משיחיות כרימון. העת המצופה אמנם בא תבא, אבל גם אם מעשי בני ישראל עשויים להחיש אותה, מדובר במעשי מצוה רגילים, לא בפעולות משיחיות מובהקות. גם ההגיון וגם הפסיכולוגיה של הרציונליסט מנוגדים בעצם מהותם למשיחיות פעילה.[1]

ואף על פי כן, לא זו בלבד שהרציונליזם והפעילות המשיחית דרים לפעמים בכפיפה אחת; בדלית ברירה, ובעל כרחם של נושאי דגלו של הרציונליזם המשיחי, יוצרת תפישה זו השקפות המשמשות כדחף למשיחיות אקטיביסטית וכאמצעי הגנה על תופעות משיחיות גם מן הסוג ההיסטרי ביותר. כאילו כפאו שד, מושיט הוגה הדעות הסקפטי עזרה מכריעה לתנועות המנוגדות כליל להלך רוחו.

## א

דוגמא אחת לתופעה זו ניתנת בלי הצבעה על האירוניה שבדבר במאמר של גרשן כהן על העמדות המשיחיות של אשכנזים וספרדים. לפי הצעתו הספקולטיבית של כהן, דווקא

1. במונח ״רציונליסט״ כוונתי למי שנוטה, לפי ניסוחו של הרמב״ן, להרבות את הטבע ולהמעיט נסים, ושמגיב בספקנות לאמונות שאין עליהן ראיות סבירות. מובן שאין בנידון זה הגדרות קבועות, וכשמדובר על הוגים ימי־ביניימיים, יש לנקוט בקני־המידה ההולמים את תקופתם.

השקפת העולם הרציונליסטית של הספרדים חוללה אופטימיות לגבי האפשרות לחדור לתוך סתרי ההיסטוריה, ומשום כך נכנעו הוגי דעות ספרדים לפיתוי של חישובי קץ. אף על פי שבעלי מחשבה אלה לא נתפשו בעצמם לתנועות משיחיות, הם יצרו אוירה בעלת מתח משיחי שהובילה את המון העם למצב של פתיחות למשיחים ממשיחים שונים.[2] זו תיזה מליאת עניין, אבל אי אפשר לאשר אותה בוודאות הן בגלל שהתנועות המשיחיות שמדובר בהן אינן בעלות ערך רב והן בגלל שאפשר להציע גם הסברים אחרים לתופעה.[3]

לעומת זאת, אירוניה חריפה שלא זכתה לתשומת לב בוקעת ועולה מן הפיסקה המשיחית המפורסמת ביותר בכתבי הרמב"ם — תיאור התהליך המשיחי בסוף הלכות מלכים:

> אל יעלה על דעתך שהמלך המשיח צריך לעשות אותות ומופתים ומחדש דברים בעולם או מחיה מתים וכיוצא בדברים אלו, אין הדבר כך . . . אם יעמוד מלך מבית דוד הוגה בתורה ועוסק במצוות כדוד אביו כפי תורה שבכתב ושבעל פה, ויכוף כל ישראל לילך בה ולחזק בדקה, וילחם מלחמות ה', הרי זה בחזקת שהוא משיח. אם עשה והצליח ובנה מקדש במקומו וקבץ נדחי ישראל הרי זה משיח בוודאי (הלכות מלכים י"א: ג').

ובפרק הבא מוסיף הרמב"ם:

> וכל אלו הדברים וכיוצא בהן לא ידע אדם איך שיהיו עד שיהיו, שדברים סתומים הן אצל הנביאים, גם החכמים אין להם קבלה בעניינים אלו אלא לפי הכרע הפסוקים ולפיכך יש להם מחלוקת בדברים אלו. ועל כל פנים אין סידור הויית דברים אלו ולא דקדוקיהן עיקר בדת. ולעולם לא יתעסק אדם בדברי ההגדות ולא יאריך במדרשות האמורים בעניינים אלו וכיוצא בהן ולא ישימם עיקר — שאין מביאין לא לידי יראה ולא לידי אהבה, וכן לא יחשב קצין . . . אלא יחכה ויאמין בכלל הדבר כמו שבארנו (הלכות מלכים י"ב: ב').

נראה בעליל שמטרתו של הרמב"ם הנזכרת כאן כמעט בפירוש היא למתן ולהפיג את

2. Gerson D. Cohen, 'Messianic Postures of Ashkenazim and Sephardim', *Studies of the Leo Baeck Institute*, ed. Max Kreutzberger (New York, 1967) 115-56.

3. לדוגמה של הסבר אחר, עיין במאמרי, 'Three Typological Themes in Early Jewish Messianism: Messiah Son of Joseph, Rabbinic Calculations, and the Figure of Armilus', *AJS Review* 10 (1985): 162, n. 82.



המתח המשיחי.[4] מי שמבין שדברי חז"ל בעניינים אלה יכולים להיות מוטעים לא ישקיע את רוב כוחותיו בלימוד המדרשים המתארים את תהליך הגאולה וממילא לא תתגבר בו הנטייה המשיחית המסוכנת. אולם המטרה הפרקטית איננה המניע היחידי של פיסקה זו. אין כל ספק ששלילת האותות והמופתים וחוסר ההסתמכות הבטוחה על אגדות משיחיות נובעים מגישה רציונליסטית עקרונית, אלא שהרמב"ם האמין שהשיטה הפילוסופית והמטרה המעשית עולות בד בבד. ליתר ביטחון, הוא גם הציע קני־מידה הדרושים לא רק לקבוע וודאות משיחית אלא גם ליצור חזקה בלבד. לא כל הרוצה ליטול את השם יבא ויטול.[5]

ואף על פי כן, לא רק שתפישה רציונליסטית זו לא שימשה כתריס מספיק בפני המשיחיות המתפרצת, אלא שבנסיבות מסויימות היא ליבתה את האש והוציאה מידי מתנגדיה של תנועה משיחית את נשקם העיקרי. בשעה שאין תנועה משיחית בעולם, אפשר שגישת הרמב"ם יכולה לשכנע טיפוסים מסויימים לא לחתור באופן פעיל לקראת הבאת הגואל,[6] אך בשעה שתנועה משיחית כבר עומדת בעינה, מביאה גישה רציונליסטית זו לתוצאות הפוכות לחלוטין מאלה שציפה להן הרמב"ם.

כשאישיות משיחית עומדת בפנינו, והמאמינים באותו משיח טוענים טענת ודאי שתהליך הגאולה כבר התחיל, איזו ראיה עומדת לרשותם של הכופרים הרוצים להוכיח בוודאות שאין כאן לא משיח ולא אתחלתא דגאולה? אם המשיח המוצע איננו בור או כופר, האופציה היחידה היא להראות שתנאים מסויימים שהיו צריכים כבר להתקיים בשלב זה לא התקיימו. לשם הוכחה וודאית, פשוט אין טענה אחרת.

4. השווה דבריו של עמוס פונקנשטיין, טבע, היסטוריה ומשיחיות אצל הרמב"ם (תל־אביב, תשמ"ג) 57: 'הרי רוב עיסוקו של הרמב"ם בימות המשיח מטרתו למנוע תנועות משיחיות הדוחקות את הקץ, ומשום כך גם הוא, כקודמיו באותה התפישה של משיחיות ריאליסטית, נמנע מלצייר את המשיח בצבעים קונקרטיים יותר מדי, שכן לו עשה כך הרי שהיה נותן פתחון־פה לכל מי שהיה רוצה לבוא ולהכריז על עצמו כעל משיח.' נראה בהמשך דברינו שהחלק האחרון של מובאה זו טעון הסתייגות יסודית.

5. חשיבותה של הקטיגוריה 'חזקת משיח' לבלימת תנועות משיחיות מודגשת בניתוחו של אביעזר רביצקי, '"כפי כח האדם" — ימות המשיח במשנת הרמב"ם', משיחיות ואסכטולוגיה, בעריכת צבי ברס (ירושלים, תשמ"ג) 205־206, ובהקדמתו של דוד הרטמן לאגרות הרמב"ם, A. S. Halkin & D. Hartman, *Crisis and Leadership: Epistles of Maimonides* (Philadelphia, 1985) 191. על גישתו המתונה של הרמב"ם לאירועים בתקופה המשיחית, עיין גם Gershom Scholem, *The Messianic Idea in Judaism* (New York, 1971) 24-32.

6. אף הנחה זו, כפי שנראה בסוף דברינו, דורשת הסתייגות רבה.

והנה בא הרמב"ם ומודיע לנו שהמשיח אינו צריך לעשות שום אות או מופת, ושגם תיאורי חז"ל בנוגע לתהליך המשיחי אינם בעלי סמכא. אם כך הדבר, הרי ניטלה מאתנו הדרך **הבלעדית** שיכולה לספק טענת ברי לכופר. באנדרלמוסיה הפסיכולוגית הנוצרת מתוך הלהט של תנועה משיחית עצומה, אין ספק שבעימות בין הברי של המאמין והשמא של הכופר, ברי עדיף. בתנאים כאלה, גם הקריטריונים של חזקת משיח עוזרים רק מעט. ראשית כל, גם מי שלא הגיע עדיין לחזקת משיח יכול בסופו של דבר להיות משיח; אין איפוא טענת ברי גם לטוען שקני־מידה אלה עוד לא התגשמו. יתר על כן, דווקא הגישה הרציונליסטית של הרמב"ם הכריחה אותו להציע קני־מידה שלא כל כך קשה להגשימם — או לכל הפחות להאמין באמונה שלימה שהתגשמו באישיות המשיחית. הרי לפי המאמינים בשבתי צבי לפני ההמרה, הוא היה מלך מבית דוד שהגה בתורה ועסק במצוות, שכפה את ישראל ללכת בדרך התורה ולחזק בדקה, ושנלחם מלחמות השם ואם רק במובן רוחני. ולהבדיל, טענה מפורשת כזאת ניתנת להימצא בפירסומים של חוגים מסויימים בתנועת חב"ד הרואים את כל המעלות שמנה הרמב"ם באישיותו ובפעולותיו של האדמו"ר מליובאוויטש.[7] קשה מאד לרציונליסט לקבוע דרישות טרום־משיחיות שמי שאינו משיח לא יוכל בשום אופן למלא, בפרט כשקריטריונים אלה נועדו מעצם טבעם לתאר בן אדם שיכול לבסוף לא להיות משיח.

אם נפנה עכשו לתנועה המשיחית הגדולה בתולדות ישראל, נראה שלא מדובר כאן באפשרות מופשטת בלבד. מי שקורא בעיון את ספר ציצת נובל צבי של ר' יעקב ששפורטש יראה שדברי הרמב"ם האלה היו המכשול הגדול בה"א הידיעה שעמד בפני המתנגד המובהק של השבתאות לפני ההמרה ומנע ממנו את האפשרות להכחיש את משיחיותו של שבתי צבי הכחשה גמורה. אמנם ששפורטש מסתמך תמיד על דברי הרמב"ם כיסוד לשלילת הוודאות באמונת השבתאים, ואין ספק שהסתמכות זו היא לא רק לגיטימית אלא אף משכנעת למי שמוכן להשתכנע. אבל חזרתו התכופה על הטענה שהשבתאים כופרים בדברי הרמב"ם מאפילה על ההשפעה ההיסטורית האמיתית של פיסקה זו בוויכוח הסוער על משיחיותו של שבתי צבי.

שלום, למשל, כתב שבעוד שנחמיה כהן הסתמך על מקורות כספר זרובבל וספר אותות המשיח להכחיש את משיחיותו של הגואל המדומה, ששפורטש הסתמך על דברי הרמב"ם ופשטי המקראות.[8] נכון. אבל ברור לחלוטין שלו גמר הרמב"ם את חיבורו הגדול

7. עיין: מ. זליקסון, 'קול מבשר מבשר ואומר', קובץ חידושי תורה: המלך המשיח והגאולה השלמה (תשמ"ג) 14־17. עיין גם 'מיהו יהודי: שבת הגדול — וההשתמטות הגדולה' (כפר חב"ד, י' ניסן, תשד"מ) 53, בסוף המאמר.

8. גרשם שלום, שבתי צבי והתנועה השבתאית בימי חייו (תל־אביב, 1957) 557־559.



בסוף פרק י' של הלכות מלכים, ולא כתב מעולם את שני הפרקים האחרונים על המשיח, היה ששפורטש מסתייג מן האמונה השבתאית על יסוד פשטי המקראות ומקורות אחרים כגון ספר הזוהר ללא כל צורך בדברי הרמב"ם. יתר על כן — וזאת הנקודה העיקרית — לו לא כתב הרמב"ם את הפרקים האלה, היה ששפורטש מכחיש את משיחיותו של שבתי צבי לא בתורת שמא אלא בתורת ודאי. מי שמשתמש בפיסקה במשנה תורה למטרה אנטי־שבתאית ממילא כפוף למרותה גם בנוגע לדעה שאין בידינו ידיעה וודאית על התהליך המשיחי. דברי הרמב"ם הקימו מכשול לשבתאות במידה קטנה וכמעט מבוטלת; הם סייעו לתנועה במידה רבה וכמעט מכרעת.

הבה נעיין בכמה מובאות מציצת נובל צבי:

> ואם יאמרו הממרים את פי רז"ל [כלומר, המאמינים בשבתי צבי] שחכמינו לא נתכוונו אל האמת וכמו שאמר הרמב"ם הדברים הללו לא ידע האדם איך יהיו עד שיהיו, גם אני אומר כן, אבל לא קודם מעשה אשליך אחרי גוי קבלת רז"ל שכל דבריהם צדק ואמת, ואם לאחר מעשה לא הסכימו אזי המשיח עצמו יליץ בעדם . . . ואם נתנהגתם במדת חסידות להאמין הנה הכנסתם עצמכם בדוחק ספק גדול . . . ובין כה וכה חף אנכי ולא עון לי . . . האם שמעתם שאני מכריז בפומבי שהכל שקר וכזב, הלא אמרתי לכל שואל מהמאמינים כי איפשר להיות ואף אם הוא איפשר רחוק כל עוד שלא עשה מעשה.[9]

ובמקום אחר:

> וכל מעשיו בתחילה אין בהם מסכים לדברי הרשב"י בפ' שמות, וחלילה לומר כדברי הבוערים בעם שכל חכמינו ז"ל לא כיוונו אל האמת. ואעג"ב דרמב"ם ז"ל בסי' הנ"ל אמר והדברים האלה לא ידע אדם איך יהיו עד שיהיו, מיהת מודה שקודם מעשה אין לנו כי אם לעמוד בקבלת רז"ל.[10]

ברור מכאן שלולא דברי הרמב"ם היו המאמינים תוהים בפני אי־ההתאמה בין תהליך הגאולה המתואר בכמה מאמרי חז"ל ובזוהר לבין המציאות. ברור גם ששפורטש היה מנצל את אי־ההתאמה הזאת להכחיש את משיחיותו של שבתי צבי הכחשה גמורה. ואמנם אחרי ההמרה מצינו מכתב של ר' יוסף הלוי המצטט קטעים מן הגמרא ומן הזוהר

9. ישעיה תשבי, ספר ציצת נובל צבי לרבי יעקב ששפורטש (ירושלים, תשי"ד) 104.

10. ציצת נובל צבי 119. בהפנייה לזוהר פרשת שמות מדובר בפיסקה נרחבת ומפורטת על אירועי התהליך המשיחי שהיו צריכים כבר להתקיים לכל הפחות בחלקם באותו שלב של התנועה השבתאית; עיין זוהר חלק ב', ז' ע"ב ואילך.

שכוחם יפה גם לתקופה שלפני ההמרה ללא כל צורך בהסתייגות נוספת המיוסדת על הרמב"ם.[11] את חשיבותה של פיסקה זו מן המשנה תורה לשבתאים יש לראות גם מזה שנתן העזתי הסתמך עליה אפילו אחרי ההמרה:

> ואף כי לא מצאנו רמז בפשטי התורה דבר זה, כבר ראינו דברי חז"ל בעניינים אלה כמה תמוהים ולא יכולנו להשיג סוף דעתם בשום דבר מדבריהם, כמו שהעיד ג"כ על דבר זה המאור הגדול הרמב"ם ז"ל, ולא יובנו דבריהם כי אם בשעת מעשה בע"ה.[12]

לא ארחיק לכת עד כדי הטענה שהצלחת השבתאות לא הייתה אפשרית לולא הרמב"ם, אבל אין ספק שאנחנו עדים כאן לאירוניה חריפה ורבת משמעות.

כמו כן יש עניין מיוחד בעובדה שהרמב"ם עצמו נתקל בבעיה זו כשחיבר את איגרת תימן. הטענה באיגרת שהמשיח יוכר על ידי אותות ומופתים נובעת מן הצורך להכחיש את היעוד המשיחי של אישיות ספציפית על ידי קביעת קני־מידה ברורים. אם כן, חוסר ההתאמה בנידון זה בין הלכות מלכים והאיגרת מדגים אף הוא את המתיחות בין הרציונליזם ודרישות הפולמוס האנטי־משיחי בשעת עימות עם תנועה משיחית ריאלית.[13]

## ב

עד כאן עסקנו בפעילות משיחית מסוג קיצוני שלא נוצרה על ידי הרציונליזם אבל מצאה בו מגן ומחסה. עכשו נפנה לתופעה משיחית מתונה יותר שנולדה במידה לא מבוטלת על ברכי התפישה הטבעית של הגאולה ומוצאת בה השראה מתמדת עד היום הזה. הקשר האירוני בין המשיחיות המאופקת של הרציונליסט והאקטיביזם המשיחי אינו מצטמצם איפוא לימי הביניים והתחלת העת החדשה. השלכותיו משתרעות גם על התקופה המודרנית ונותנות את אותותיהן בציונות הדתית הן במאה הי"ט והן בימינו אנו. אירוניה זו נובעת מתוך תוכו של הרציונליזם המשיחי ומעורה בעצם מהותו. מצד אחד, התפישה הטבעית של הגאולה עשוייה למנוע הזיות משיחיות והתנהגות החורגת לגמרי מן התחום

11. ציצת נובל צבי 190־191, והשווה עמ' 195.
12. ציצת נובל צבי 260. עיין שלום, שבתי צבי 628.
13. עיין: רבינו משה בן מיימון, אגרות, בעריכת יוסף קאפח (ירושלים, תשל"ב) נ"ב. ישנה סבירות מסויימת בנסיונו של קאפח להתאים את דברי האיגרת לעמדת הרמב"ם במשנה תורה; עיין בהערתו הקצרה על אתר. בכל זאת, ההדגשה באיגרת היא בוודאי אחרת מן הרושם המתקבל מהלכות מלכים.



הנורמלי. אבל מצד אחר, תפישה זו מעצם טבעה מעודדת את האקטיביזם. אם המשיח לא יופיע עם ענני שמיא, אם יש צורך להלחם מלחמות השם פשוטן כמשמען, אם בית המקדש לא ירד בנוי ומשוכלל מן השמים, אם יש צורך בסמיכה וסנהדרין לפני ביאת הגואל, הרי דרושה פעילות אנושית לממש את תקות הגאולה. מסקנה זו היא כל כך ברורה ומוכרחת שישנם חוקרים והוגים הרואים ברמב"ם כעין מורה דרך לציונות הדתית.[14]

נדמה לי שעל אף ההגיון שבדבר, כוונות אלה היו רחוקות מן הרמב"ם עצמו. הרמב"ם מייעץ לקורא חיבורו ש'יחכה'. העמדות שבכוחן להביא לידי פעילות משיחית נובעות משיקולים רציונליסטיים והלכתיים בלבד. למשל, הקביעה שהסמיכה צריכה לקום לתחייה לפני הגאולה על ידי מעשה של רבני ארץ ישראל מיוסדת על פסוק בישעיהו בהשתלבות עם העמדה המיימונית המובהקת שההלכה לא תשתנה באחרית הימים ושאין להכניס מעשי נסים לתהליך הגאולה.[15] גישה זו מנעה מן הרמב"ם את האפשרות לתאר סנהדרין של רבנים בלתי מוסמכים או להציע, כפי שהציעו רבנים אחריו, שהסמיכה תחזור על ידי זה שאליהו — שהיה בוודאי מוסמך — ירד ממקומו בשמים. אין כאן כוונה לעודד מעשים שמטרתם העיקרית היא הבאת הגואל. ובכל זאת, מאמרו החשוב של יעקב כץ הראה איך ששיטה זו גרמה לנסיון המפורסם לחדש את הסמיכה בצפת של המאה השש־עשרה מתוך מוטיבציה משיחית מובהקת.[16]

כמו כן, הקביעה שהמקדש השלישי יבנה על ידי אדם, קביעה שהייתה כה חשובה לרב צבי הירש קלישר בתעמולה הפרוטו־ציונית שלו, בוודאי לא נבעה מרצון לעודד אקטיביזם משיחי. השיטה שהמקדש ירד מן השמיים נמצאה במקורות שוליים, ורש"י הכניס אותה למרכז התודעה המשיחית רק בכח קושיא חזקה על סוגיא בסוכה וראש השנה. הגמרא אומרת שמקורה של גזירה מסויימת טמון בחשש הנובע מן האפשרות שבית המקדש השלישי יבנה בלילה או ביום טוב. רש"י מקשה מגמרא אחרת הקובעת

14. לתפישה כללית זו מנקודות מבט שונות ובמידות שונות של הדגשה, עיין Joel L. Kraemer, 'On Maimonides' Messianic Postures', *Studies in Medieval Jewish History and Literature II*, ed. Isadore Twersky (Cambridge, Mass., and London, England, 1984) 109-42; Aryeh Botwinick, 'Maimonides' Messianic Age', *Judaism* 33 (1984): 425 (המשפט האחרון); Menachem Kellner, 'Messianic Postures in Israel Today', *Modern Judaism* 6 (1986): 197-209; Shubert Spero, 'Maimonides and the Sense of History', *Tradition* 24:2 (1989): 128-37.
15. פירוש המשניות לסנהדרין א': ג'; השווה הלכות סנהדרין ד': י"א. דוגמה זו מוזכרת בכמה מן המחקרים המובאים בהערה הקודמת; עיין גם פונקנשטיין, טבע, היסטוריה ומשיחיות 64־68.
16. יעקב כץ, 'מחלוקת הסמיכה בין רבי יעקב בירב והרלב"ח', ציון, ט"ז (תשי"א): 28־45.

באופן חד משמעי שאסור לבנות את המקדש בעתים אלה, והוא משיב שהמקדש השלישי בכלל לא יבנה על ידי אדם.[17] אף על פי שמבחינה פרשנית גרידא אין תשובה טובה יותר מזו של רש"י, מי שהושפע מן הרציונליזם לא יהיה מוכן אפילו להתחשב באפשרות כזאת. משום כך, המאירי אינו מזכיר את פירושו של רש"י כלל, והוא דוחק את עצמו לתרץ שאנו חוששים לבית דין טועים שמחיבת המקדש יבנו אותו גם בזמן שחל איסור על הבנייה.[18] כלומר, המאירי מוכן לחשוש לטעות בבית הדין העומד לכאורה תחת פיקוחו של המלך המשיח כדי שלא יצטרך להוריד בניינים מן השמים. על אף המניע הרציונליסטי שאין לו ולא כלום עם אקטיביזם משיחי, עמדה זו וכיוצא בה בוודאי יכלו ביום מן הימים להוליד פעילות משיחית במדה רבה יותר מגישה המחכה למעשי נסים שאין לאדם כל חלק בהם.

כפי שהזכרתי. ישנם חוקרים שאינם רואים אירוניה בנקודה זו בגלל שהם מייחסים לרמב"ם כוונה להביע עמדה אקטיביסטית מתונה. אינני רואה כל ראייה למוטיבציה כזאת בדבריו, ואינני מוכן ליצור עמדה מיימונית כזו על יסוד שיקולים הגיוניים גרידא, כשהוראתו המפורשת היא לחכות ותו לא.[19] מצד אחר, חוקרים המתייחסים להשפעת הרמב"ם על התפתחות המשיחיות לפני צמיחת הציונות נוטים לראות את עמדתו כניסיון מוצלח לבלום את הפעילות בשטח זה. לי נראה שאנו עומדים בפני חיזיון פרדוכסלי בעל השלכות חשובות. הרציונליסט חותר לקראת מיתון האנרגיה המשיחית, ובעל כרחו הוא לפעמים מחריף אותה.

ברוקלין קולג' והמחלקה לדוקטורט,
סיטי יוניברסיטי אוו ניו יורק

17. רש"י, סוכה מ"א ע"א ד"ה אי נמי; ראש השנה ל' ע"א ד"ה לא צריכא. השווה צבי הירש קאלישר, דרישת ציון, מבוא והערות מאת ישראל קלויזנר (ירושלים, תשכ"ד) קמ"ד-קמ"ז.

18. בית הבחירה, סוכה, על אתר.

19. מסיבות שהן ספק מדעיות ספק אישיות, אינני קובע שעמדת הרמב"ם היתה מכריחה אותו להתנגד למוטיב המשיחי בציונות הדתית, בפרט אחרי התגבשות הציונות מתוך מניעים אחרים, ודבריי בהתחלת המאמר על 'תנועות המנוגדות כליל להלך רוחו' של הרציונליסט מוסבים על השבתאות ועל תנועות משיחיות מובהקות. בכל זאת, עידוד אקטיביזם משיחי — גם מסוג מתון — לא מילא שום תפקיד בתודעתו של הרמב"ם, אך נבע בדלית ברירה מעמדתו הרציונליסטית.

מאידך, הנסיון להשתמש ברמב"ם כדי להוכיח שאין משמעות משיחית בהקמת מדינת ישראל נתקלת בבעייה שעמדתי עליה בחלק הראשון של המאמר. לשם מטרה זו, נוהגים להצביע על העובדה שהרמב"ם מזכיר את קיבוץ נדחי ישראל אחרי הופעת המשיח ובניין המקדש (הל' מלכים י"א: ד'); אבל הרמב"ם עצמו כתב בפיסקתו ה'אגנוסטית' (הל' מלכים י"ב: ב') שאין סדר דברים אלה עיקר בדת. כשהזכרתי את הנקודה הזאת לזלמן אלפרט מספריית ישיבה אוניברסיטה, הוא הואיל בטובו להפנות את תשומת לבי לחילופי הדעות בין אמנון שפירא ודב וולפא, עמודים 413, 415, 416 (אדר, אייר וסיון, תש"ם), עמ' 211-214, 291-294, 345-347.

# תשובת הרמב"ם בענין ברכת־בתולים

מאת

ישראל תא־שמע

נשאל הרמב"ם (מהד' י.בלאו, סי' ר"ז) לשון זו: "יורנו הדרתו גם כן ענין הברכה הנקראת 'ברכת בתולים', והיא 'אשר צג אגוז בגן עדן', וזה, שבעת שבא הקהל בבית החתן ביום השבת להתפלל או לברכ(ו), נוטל המברך בידו כוס ומברך על הגפן ו(על) הבשמים, ומברך זאת הברכה 'אשר צג', ופותח בה בשם ובמלכות, וחותם בשם כשאר הברכות. היש לזאת הברכה עיקר, או היא מנהג, יורנו הדרתו. וכן מברך אחריה גם כן השבע ברכות המפורסמות בלא שתהיה שם סעודה, האם המברך אלו הברכות עובר בזה אם לאו, או זה מותר, משום שיש שם אנשים שלא באו ביום הקידושין. יבאר לנו הדרתו, המותר לומר זאת הברכה הנזכרת אם לאו"? והשיב: "ומעניין אותה (הברכה) הנקראת 'ברכת בתולים', הרי היא ברכה לבטלה בלא ספק, נוסף להיותה מנהג מגונה מאד, שיש בו מחוסר הצניעות ומזניחת קדושת הדת וטהרתה מה שאין למעלה ממנו, רוצה לומר אותה התקהלות מגונה שקוראים קידוש הבתולים. ואסור למי שיש בו יראת שמים או צניעות לבוא אליו בשום פנים".[1]

צא וראה מה בין לשון השואלים לתשובת המשיב. הקורא בלשון השאלה אינו מבחין בה שום פרט שאינו כהלכה: הקהל מתקהל בבית החתן, בשבת, להתפלל או לברכו, ואח"כ נוטל המברך כוס יין, בברכת הגפן והבשמים, ומוסיף ברכת 'אשר צג', וחוזר ואומר שבע ברכות. ומה כאן שלא כהלכה? אמנם, זוהי ברכה שאינה כתובה במקורות, והריהי לבטלה, ואפשר שאמירת שבע ברכות בלא סעודה אף היא לבטלה — הרמב"ם בתשובתו אינו מתייחס כלל לנקודה זו! — אך האם משום כך מהווה מאורע זה כולו "התקהלות מגונה מאד", שיש בה "מזניחת קדושת הדת וטהרתה מה שאין למעלה ממנו[!]"?[2] ברור כי כשם

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[1] לשון התשובה במהדורת ליפסיא, סי' קכ"ז, כך היא: "אמנם ברכה זאת הנקראת ברכת בתולים הרי היא ברכה לבטלה בלי ספק, כי היא דבר מגונה לא ידעתי למה יסדוה, ולמה תיקנו בה קידוש וקורין אותו קידוש הבתולים, ואין לך דבר מגונה מזה. ומי שהוא בעל שכל אל יתראה עצמו בחבורה כגון זאת".

[2] ראה ל.גינצבורג, גנזי שכטר ב', עמ' 517: "הרמב"ם בתשובותיו אומר עליה שהיא דבר מגונה!". — טעותו של גינצבורג נובעת מתלותו בנוסח התשובה כפי שנתפרסמה במהדורת ליפסיא, הנ"ל בהערה 1.

שהתעלמו השואלים בשאלתם ממה שלא ראו בו צורך וענין להזכירו, כך קיצר הרמב"ם בלשונו, וקיפל בתשובתו דברי תוכחה נמרצים לשואליו גם על מה שלא שאלוהו. והמעיין נבוך לידע שורש דבר. יתר על כן: הברכה עצמה, אשר הרמב"ם חושבה 'לבטלה', מקובלת היתה על גאונים וראשונים, במזרח ובמערב, ועל הקהילות עצמן, ואין ספק כי תשובת רמב"ם זו עצמה היא הגורם העיקרי לעקירתה ההדרגתית מהווי הקהילות במזרח, והענין כולו דורש הרחבת דברים.[3]

וכך היא תשובת רב האי גאון בקבוצת התשובות לרב יהודא ראש כלה אשר בקירואן: "וברכת בתולים שאמרת 'אשר נטע גינת אגוז'[4] בגן עדן, ליתה בתלמוד אלא קבלה היא בפי החכמים. ואנן הכין שמענה והכין אמרין לה אשר צג זוג", וכו'. ובספר הלכות גדולות (ווארשא, עמ' 132 ומהד' הילדסהיימר, ירושלים, ח"ב, תש"ם, עמ' 226): "וכד מפיק לסודרא מחייבינן לברוכי, אי איכא כסא ואסא מברך עלייהו בורא פרי הגפן ובורא עצי בשמים, והדר מברך 'אשר צג אגוז' בגן עדן . . . בא"י הבוחר בזרעו של אברהם", ולמקור זה התכוון רבינו תם בתשובתו (סי' מ"ה, ס"ק ד'), כאשר הביאה כדוגמא לברכה שאינה כתובה במקורות: "ובהלכות רב יהודאי 'אשר צג אגוז' וכיוצא בהן הרבה אע"פ שאינן כתובות". מן ה"ג נכנסה, ככל הנראה, לכ"י העיקרי (האשכנזי) של סדר רב עמרם גאון (מהד' גולדשמידט, ח"ב, סי' קמ"ו), ולגליון סדור רב עמרם גאון בכ"י א (המזרחי), כתוספת לסדור (ירושלים, תש"א, עמ' צ"ח), כמו גם לספר השאילתות, משם ציטט אותה הרב יצחק אור זרוע (ח"א, סי' שמ"א): "וכתב בשאילתות דרב אחאי גאון, ובתר דמפיק סדר בתולים", וכו'. בשאילתות לפנינו אין דבר זה, ויש להניח כי הועתקה בגליון השאילתות מן ה"ג, ונחשבה על עיקרו[5]. וכן הוא במחזור ויטרי (עמ' 586): "הרואה דם בתולים אומר בא"י אמ"ה 'אשר צג אגוז' . . . בא"י הבוחר באברהם", וכו'. וידועים דברי הרא"ש בכתובות (פ"א, סי' ט"ו): "ברכות בתולים כתב בעל הלכות 'ברוך אשר צג אגוז'

[3] ראה הערתו הקצרה של א.מרמורשטיין, "The Jewish Blessing of Virginity," *JJS*, 1 (1948): 33–34.

[4] החילוף גוז־אגוז־גינת אגוז, אינו מענייננו כאן. לעניין סמליות האגוז כשומר על בתולי הגרעין, ראה מה שציין פריימן, והובאו דבריו ע"י בלאו, שם, ועל כך יש להוסיף את התפיסה הקדומה לפיה יש באגוז יסודות זכריים ונקביים, ראה על כך בקצרה י. דן, לתולדות הטכסט של 'חכמת האגוז', עלי ספר, ה', תשל"ח, עמ' 50. — הנוסח הצרפתי־אשכנזי מרובה ביותר בווריאנטים לשוניים, מהם השונים תכלית שינוי מן הנוסח שבהלכות גדולות. כאמור, אין שאלת הנוסח מענייננו כאן, ומכל מקום קצת נוסחים חריגים הזכרתי בהמשך הדברים, אגב־אורחא, כדי להסב תשומת־לב.

[5] ראה מה שכתבתי בספרי מנהג אשכנז הקדמון, ירושלים, תשנ"ב, עמ' 277, הע' 9.



וכו', ואפשר שברכה זו תקנוה הגאונים ז"ל[6], ומסתבר לברכה אחר שמצא בתולים". וכן ברוקח (שנ"ב): "בהלכות גדולות, ברכת חתנים בי' וחתנים מן המנין, וכד מפיק סודרא מיחייב לברוכי (פרי הגפן)[7] בא"י אמ"ה אשר צג אגוז", וכו'. וכן תמצא ברכה זו ברוב סדורי צרפת ואשכנז הקדמונים, וביניהם הסדור הצרפתי הקדום שבידינו, כ"י קורפוס קריסטי שבאוכספורד[8], שזמנו מן הרבע האחרון של המאה הי"ב (לכל הפחות), ובדף 326, לאחר ברכות אירוסין ונישואין כתב: "הרואה דם בתולים מברך בא"י אמ"ה אשר צג בגן עדן שושנת עמקים, בל ימשול זר במעין חתום, על כן אילת אהבים, זרע קודש שמרה בטהרה וחוק לא הפרה, בא"י הבוחר באברהם אבינו ובזרעו אחריו, מקדש בנות ישראל". וכן בסדור צרפת כ"י אוכספורד, בודלי, נויבאואר 1102, דף 321, ושם סגנונה: "בא"י אמ"ה מטהר ערות פינת עמוסיך, למען יפרו וירבו במהרה, ככתוב ויברך אותם וגו', ונאמר אם לא נטמאה וגו', בא"י מקדש ישראל בבתולים". ובאשכנז עדיין נהגה הברכה במאה הט"ו, כפי שנמסר בספר 'לקט־יושר' (עמ' 46): "ונוהגין לברך על הבתולין למחר, כשעמד ממיטתו . . . וזה הנוסח מברכת בתולים כתב בס' האשירי . . .". וכן הוא בס' 'שערי ברכות' כ"י ששון 1046,[9] אשר ששון משער כי הוא פרובנסאלי. הרי לך שהיתה הברכה הזו נפוצה במזרח[10] ובמערב, ורווחת בציבור, ונזכרת בדברי הפוסקים בלא שמץ גנאי. הרמב"ם לבדו הוא שיצא בהתקפה רבתי כנגדה. ומה ראה על ככה?

[6] אעפ"י שאין הברכה נזכרת בתלמוד, ייתכן והיא נרמזת בתלמוד הירושלמי (ברכות, פ"ט, ה"ג), המחייב אמירת כל הברכות 'עובר לעשייתן' חוץ מטבילה ושחיטה "וקידושין בבעילה". רוב הראשונים פירושו כוונת הדברים לברכת אירוסין, אלא שפירוש זה קשה, כמו שהעירו הראשונים, וראה רמב"ן ליקוטים לפסחים ז', ע"ב, ועל כן יש מן הראשונים שפירושו כוונת הדברים על הברכה "אקב"ו לקדש אשה" — ראה תשב"ץ, חלק ב', סי' ע"ד — ואף שברכה זו אינה נזכרת אף היא בתלמוד. אפשר שהירושלמי נתכוון לברכת 'אשר צג', פירוש שישווה תוכן ממשי, ומדוייק, לביטוי 'קידושין בבעילה', וגם הטעם יהא מבורר מעצמו, משום שברכה זו מניחה את בתולי האשה, ועל כן זמנה, בהכרח, לאחר הבעילה ולא קודם.

[7] נראה לי כי מלים אלו נכנסו בטעות, שהרי עיקרו של המשפט בה"ג: 'אי איכא כסא ואסא מברך עלייהו', חסרות ברוקח. וצ"ע.

[8] ראה: Zefira E. Rokeah, "A Jewish Payment-Memorandum," in M. Beit-Arie, *The Only Dated Medieval Hebrew Manuscript Written in England (1189)* (London: Valmadona Trust, 1985) Appendix 2.

[9] ש.אברמסון, עניינות בספרות הגאונים, ירושלים, תשל"ד, עמ' 142, הע' 12.

[10] וגם במצרים היתה נהוגה, שכך היא נזכרת בתשובת רבי אברהם בן הרמב"ם (סי' צ'): "וכך היא הברכה שהיתה מנהג קצת אנשים לאמרה לבתולה, וחתימתה הבוחר בזרעו של אברהם, אין לה עיקר ואסור לאומרה, וגם במצרים אמרו אותה ונתבטלה", וכו'.

אמנם, הרואה יראה מיד מה בין מקור הדברים בספר הלכות גדולות לבין מה שהובא בספרי צרפת־אשכנז הנ"ל; שספר הלכות גדולות מסנף לברכה כוס של יין ובשמים, היינו מעין 'קידוש־בתולים' (על שם 'מקדש עמו ישראל ע"י חופה וקידושין') הנזכר ברמב"ם, ודבר זה מניח נוכחות מנין איש לכל הפחות, ואילו חכמי צרפת ואשכנז — למעט ספר הרוקח — מדלגים לגמרי על הכוס והבשמים, ומביאים אך ורק את ברכת הבתולים עצמה, הנאמרת מעתה בצנעת חדר המיטות, בינו לבין עצמו. הבדל זה בא לידי ביטוי בולט בדברי הרמב"ם הנ"ל המדבר על טכס חגיגי, ביום השבת, בנוכחות קהל חוגגים, ברוח דברי בעל ה"ג, אך מתוך התנגדות נמרצת ביותר למעמד. וכבר אמרנו לעיל, שהתנגדותו החריפה של הרמב"ם היא בעיקר לטכס ולמעמד המלוה אותו. וראה מה שכתב הרב יוסף בן יהודה [אבן שמעון], תלמידו של הרמב"ם, איש חלב, הובאו דבריו בספרו של הרב יהודה אלמדארי לכתובות על־אתר: "ואחר הבעילה מברך [ברכה] שהזכירוה הגאונים שהיא קבלה בידיהם, וזו הברכה . . . וצריך לברך ברכה זו בצינעה כדי שלא להוציא לעז על הבתולות". לבטל את הברכה כליל לא רצה, או לא יכול היה, אולם את העוקץ החברתי ביקש להקהות, ע"י ביטול האלמנט הפומבי ממנה, והעברתה ממעמד הקהל אל צינעת הבעילה. ואכן נתקיימה ברכה זו בחלב גם זמן רב לאחר זמנו, והיא רשומה כברכה של חובה במחזור חלב. יתר על כן: רבינו ירוחם (נתיב כ"ב, חלק ב'), הביא בשם הרב נסים גאון: "כי צריכה כוס, ואין לברכה בלא כוס".[11] הבדל זה שבין מסגרת הברכה במזרח ובמערב ברור לגמרי, אולם עדיין נשאלת השאלה: עם כל הרגישות החברתית הכרוכה במעמד, ואף שאמנם ברכה לבטלה היא, לדעת הרמב"ם, מפני שלא נזכרה בתלמוד,[12]

[11] דבריו כאן לקוחים, בבירור, מדברי הרא"ש בפ"ק דכתובות, כמו שכתב הגר"ש אברמסון בספרו רב נסים גאון, ירושלים, תשכ"ה, עמ' 240, אולם יש להעיר כי מתוך דברי הרא"ש משמע שרבינו נסים דיבר על ברכות נישואין לעומת ברכת אירוסין, ולא לעומת ברכת בתולים, שאינה נידונית כלל בדבריו. נראה כי הטיית הדברים כלפי ברכת הבתולים הינה הבנתו — הבלתי מוכרחת כלל — של רבינו ירוחם עצמו בדברי הרא"ש. — ראה ב'פרישה' על אתר, אהע"ז, סי' ס"ג.

[12] אין כאן המקום לדבר בענין היתר אמירת הברכות שאינן נזכרות בתלמוד, שהאריכו בדבר רבים. פוסקים רבים, בכל הדורות, התירו את הדבר, ורבי אליהו מלונדריש, דרך־משל, קבע בפשטות: "ונ"ל שכל מצות צריך לברך. ולפעמים אני רגיל לברך אקב"ו לקום מפני שיבה ואקב"ו להדר פני זקן. וכן לכל שאר מצות עשה" (פירושיו ופסקיו, ירושלים, תשט"ז, עמ' ל"ב), וזאת על אף שקבע להלכה, שורה אחת קודם לזה: "כל דבר שיסתפק אדם אם טעון ברכה אם לאו, עושה אותה בלא ברכה, ולעולם יזהר אדם בברכה שאינה צריכה וירבה בברכות הצריכות . . .". ובענין אחר, ראה מה שכתב רבינו מנוח (פ"א מהל' ברכות, הל' ט"ו) על ברכת 'יראו עינינו': "הרשות נתונה לכל גדול שבכל דור ודור לתקן ברכה לפי המתחדש לאנשי דורו . . . ונראה שעל זה סמך גאון ז"ל כשתקן בפדיון הבן ברכה על הכוס ובבשמים ובמטבע ארוך מעניין פדיון הבן . . . ואעפ"י שאין לברכה זו עיקר מהגמרא . . . אבל אם יחדש ברכה על ענין שנתחדש לו, לא שייך ביה למימר



כיצד אפשרי הדבר שאמירתה — בשם ובמלכות, על הכוס ובבשמים, ובמעמד חגיגי של רעי הזוג ביום השבת, — תחשב אצלו כמעמד של תיעוב דתי וכהרס הצניעות והדת "במידה שאין למעלה ממנה"? — הלוא דבר הוא.

פתרונו של ענין זה טמון במנהגי חופה קדומים, שכבר נשתכחו מעולם ההלכה והמנהג של יהדות אירופה במאה הי"ב, אולם המשיכו להתקיים בארצות המזרח. דבר זה אנו לומדים מן הקדושתא לחתן 'אתה הוא ולא יתמו שנותיך', שכתבו אמיתי ב"ר שפטיה, פייטן איטלקי בן הרבע האחרון של המאה התשיעית, (מהד' יונה בן־דוד, ירושלים, תשל"ה, עמ' 23): "ומה נאה לחתן ביום חתונתו/להראות טהרת בתולי אשתו/בראש תלוי לחתום עדים בכתובתו/ולעשות שלמה שמחתו/עד יום צאת מכילתו". משורות אלו למדנו כי מנהגם היה שהחתן מראה ברבים את שמלת הכלולות המוכתמת, ורק אחרי זה החתים את כתובתו בעדיה — היינו: היקנה לה גושפנקא חוקית סופית ומחייבת, ובכך סימן את תחילת חגיגת שבעת ימי המשתה. פרופ' ע. פליישר, שהבחין במנהג המשוקע פה,[13] כתב: "אמתי רומז למנהג משונה שנהגו כנראה בזמנו ובמקומו, והוא שהחתן בא על כלתו לבעילת מצוה קודם שחתמו העדים על כתובתו. רק לאחר שהוכח לעדים כי אכן נמצאו בתולים לכלה באו על החתום . . . מנהג זה נראה לי שלא נרשם מעולם, אבל לשון הפיוט משאירה רק מקום מועט לספקות אשר לקיומו". והנה, שרידיו של מנהג זה רשומים בספרותנו העתיקה, וגם בספר 'מעשה הגאונים' (ברלין, תרס"א), שרשומים בו מנהגיהם והליכותיהם של חכמי אשכנז הקדמונים, רבני מגנצא, שפיירא וורמייזא בני המאה הי"א, בדור רבותיו של רש"י.

וז"ל תשובתו של הרב נתן המכירי לר' יהושע: "ששאלו, שנוהגין במקומינו בשביל כתובה שכותבין בשישי ועומדין וחותמין במוצאי שבת, ופעמים קונים גם קניין, והכתובה נכתבה בשישי בשבת. והוכיחו בתוכחות, מה צריך לבדוק לו על מנהג קהילות קדושות", וכו' (עמ' 55). גם המשיב אינו יודע לפרש מנהג משונה זה, של חלוקת הכתובה לשנים, והפרדתה למועדי כתיבה וחתימה, הראשון ביום שישי, והאחרון למחרת היום, במוצאי שבת, אולם הוא תומך בו בכל עוז, מפני שהוא מנהג עתיק יומין. אין ספק בעיני כי חלוקת טכס עשיית הכתובה היא זו עצמה המתוארת בפיוטו של אמיתי, אלא שהגיונה הפנימי, המוסבר היטב אצל אמיתי, כבר לא נתקיים באשכנז במאה הי"א, ואף לא אצל ראשוני המהגרים היהודים שבאו מצפון־איטליה להתיישב שם במחצית השניה של המאה העשירית, מפני שמנהג 'משונה' ו'מגונה' זה של פרישת השמלה כבר לא נתקיים בפועל ביניהם, ועל כן נשאר מנהג חלוקת הכתובה בין יום ו' למוצאי שבת, כגוף בלא נשמה,

שעובר משום לא תשא, והרשות בידו לברך". וראה טורי זהב, או"ח, סי' מ"ו, ס"ק ז', וב'עתים לבינה' על ספר העתים, עמ' 186, הע' מ"ט. וכאמור, אין כאן מקומו של ענין זה.

[13] ע. פליישר, בחינות בשירת פייטני איטליה הקדמונים, הספרות, 31־30, 1981, עמ' 141.

וכחידה נטולת פתרון.[14] טכס הצגת השמלה בפומבי (״בראש תלוי״) הוא הרקע, והמועד המדוייק, לאמירתה של אותה ברכה־הכרזה על מציאת הבתולים ׳אשר צג זוג׳ וכו׳, שנתקיים עדיין במזרח במאה הי״ב, ועורר עליו את כל חמתו של הרמב״ם.

צא וראה עד כמה גדול היה כוח עמידתם של מנהגים אלה: מנהג רווח ברומא שבאיטליה, במאה הי״ב, היה לכתוב את הכתובה בערב שבת, לברך ברכת אירוסין ולחגוג שמחת חתנים ביום השבת באמירת שבע ברכות, ובמוצאי שבת — לאחר תום השמחה הציבורית — היה החתן מוסר את הכתובה לכלתו בפני עדים, ומתייחד עימה. מסירת הכתובה היתה נעשית אף היא באמירת שבע ברכות, ומנהג זה עורר עליו התנגדותם של למדנים שונים, מפני שברכות אלו נראו להם כברכות לבטלה, שהרי כבר נאמרו בחגיגת היום, ובהעדר פנים חדשות אין לאומרם שוב. בענין זה כתבו אנשי קהל רומא מכתב ארוך,[15] נמלץ ומפורט, לחכמי מגנצא, וביקשו מהם הכרעה: מה עדיף? כח המנהג — שכן לברך — או שיקולי הלכה פשוטה ורווחת — שלא לברך. לדעת התומכים במנהג, לא נאמר דין ׳פנים חדשות׳ אלא לגבי סעודה, אבל שבע ברכות במעמד שהוא חלק אינטגראלי מתהליך הנישואין — היינו: בשלב מסירת הכתובה, שלה מעמד מרכזי בקנין האישות — יש לחזור ולברך שבע ברכות אף בלא נוכחות פנים חדשות. המשיב, הרב יהודה ב״ר קלונימוס תומך, כמצופה, במנהג הרווח, אולם מכתבו הארוך והנמלץ מוקדש כולו לדברי שבח על מנהגי ישראל בכלל, ועל הצורך לתומכם, ולעניין השיקולים ההלכתיים המאפשרים את קיומו במקרה שלפניו, אינו אומר מאומה. ואכן, מנהג איטלקי זה, הדומה מאד למנהג חתימת הכתובה במוצאי שבת שהזכרנו קודם — בהבדל היחיד שכאן היתה כבר הכתובה חתומה מערב שבת, ורק מסירתה בפועל היא שנדחתה למוצאי השבת — תמוה אף הוא כמותו, ונילאו חכמי אשכנז להסבירו עפ״י ההלכה, אלא שתמכו אף בו מכוח תמיכתם העקרונית בכל מנהג פעיל. אך אין ספק כי אף הוא, כקודמו, אינו אלא הד עמום, בחינת לבוש חיצוני של צורה ערטילאית בלא תוכן ממשי, למנהג האיטלקי הקדום ממנו, שלא לחתום את הכתובה סופית אלא לאחר בעילת מצוה של בתולים והוכחתה ברבים.

יתר על כן. מנהג נוסף, קיצוני בהרבה מזה שר׳ קלונימוס נשאל עליו, שומעים אנו מדברי ׳שמעון׳, ממתנגדי המנהג הקודם, ומן התומכים בגישה ׳הלכתית׳ כלפיו, מנהג מוטעה לדעתו — וגם לדעת בעל מחלוקתו, המודה לו שם בזה — בלשון זו: ״והאומר אין

[14] ולענין זה ראה מאמרי ׳הלכה, מנהג ומסורת ביהדות אשכנז במאות הי״א־י״ב (עיונים ראשונים)׳, סידרא, ג׳, תשמ״ז, עמ׳ 111, הע׳ 50. [= ספרי הנ״ל בהע׳ 5, עמ׳ 43, הע׳ 50.

[15] הענין נדפס בספר ׳שבלי הלקט׳ חלק ב׳, מהד׳ הרב מ״ז חסידה, תרצ״ד־תרצ״ז, ובמהדורת־צילום שם, תשכ״ט, עמ׳ קנ״ב־קנ״ג. — וראה מאמרי הנזכר בהערה הקודמת, עמ׳ 103, הערה 38. [= ספרי הנ״ל, עמ׳ 34, הע׳ 38].



מברכין עד שיבעול טועה הוא, ואין ממש בדבריו כל עיקר, ושלא כהוגן ושלא כראוי אמר. שמא כך שמע, שאין מברכין אלא בקדושין הראויין לביאה ובזמן שמסרוה לחופה, אבל בקידושין המרוחקין מן הביאה, או שפירסה נדה בשעת קידושין, אין מברכין ז׳ ברכות. וטועין הן שאמרו שאין מברכין ז׳ ברכות עד שיבעול״. דעה ׳נפסדת׳ זו מבטאת בעליל את המנהג הנרמז בפיוטי אמיתי, ויש בה עדות כי היו ברומא שהחזיקו במנהג איטלקי קדום זה עוד במחצית השניה של המאה הי״ב.

התנגדותו של הרמב״ם למנהג נבעה מתוך רגישותו הרבה לנושאים של צניעות ודרך־ארץ ודרישתו לרסן את יצרי התאוה והפורקן ולא ללבותם. ובזה מהווה תשובה זו המשך טבעי לתשובתו הנודעת (סי׳ רכ״ד) בענין איסור שמיעת שירי האיזור הערביים, ש״אם מנגנים אותו על כלים יש כאן שלשה איסורים, איסור שמיעת דבר טפשות ונבלות הפה, איסור שמיעת שירה . . . ׃איסור שמיעת כלי מיתרים . . . שהכוונה בנו שנהיה גוי קדוש ולא יהיה לנו מעשה ולא דיבור אלא בשלימות או במה שמביא אל השלימות, ולא שנעורר הכוחות המונעים מן כל טוב, ולא שנפקיר עצמנו בהוללות ושחוק . . .״. וידועים דבריו בנושא זה בפירוש אבות, פ״א מט״ז. ואע״פ שהשואלים לא תיארו לפניו את פרטי הטכס, כי מתוך היותו טכס מקובל במקומות ההם הניחו כי הרמב״ם יודע במה המדובר,[16] ואף לא העלו על דעתם כי אינו כשורה וכהלכה, וכל שנסתפקו בו היתה הברכה הנאמרת באותו מעמד, אולם הרמב״ם לא הניח הזדמנות זו שבאה לידיו כדי ללמדם דעתו על ערך המעמד כולו, ולהניאם מליטול חלק בו ושבכמותו.

האוניברסיטה העברית בירושלים

[16] ראה לדוגמא: מ. לזר, שירי חתונה פרובנצאליים־קטאלניים, ספר חיים שירמן, ירושלים, תש״ל, עמ׳ 177־159, והביבל׳ הרשומה שם.

[בין הגהה להדפסה הגיעני מאמרו של מ. בר־אילן, ׳רעיון הבחירה בתפילה היהודית׳, בתוך: רעיון הבחירה בישראל ובעמים, ירושלים, תשנ״א, עמ׳ 138—41, ויש בו חומר רב לנוסחאות הברכה ותולדותיה, אך דרכינו שונות, ורוב חומר המקורות שריכזתי פה אינו שם].

# עשרים וחמש שנות מחקר הרמב"ם
# ביבליוגרפיה 1965—1990

מאת

**בתיה בן־שמאי**

ביבליוגרפיה זו כוללת מאמרי מחקר על הרמב"ם, קורות חייו ויצירתו, שנכתבו בעברית מאז שנת 1965. הביבליוגרפיה מחולקת לכמה פרקים לפי נושאי המחקר השונים, כשעיקר הדגש מושם על המאמרים הדנים בפילוסופיה של הרמב"ם. מספרם של המאמרים העוסקים בהלכה ונוגעים באופן זה או אחר ברמב"ם הוא רב כל כך שכמעט ואי אפשר לסקור כאן את כולם וייתכן כי חלק זה יימצא חסר.

בפרק "כתבי יד ועיונים ביבליוגרפיים" נזכרים ציונים ביבליוגרפיים רבים, שגם בהם ימצא הקורא השלמה לביבליוגרפיה זו. במיוחד יש לציין כאן את מפעלו העצום של י.י. דינסטאג שליקט וערך במשך השנים כמה עשרות ביבליוגרפיות של הוצאות, תרגומים ומחקרים לפי נושאים שונים בחקר הרמב"ם. עם כל זאת יש בודאי מקום להשלמת החסר, וכל המשלים תבוא עליו ברכה.

הביבליוגרפיה כוללת מאמרים מתוך כתבי־עת ומתוך ספרי יובל, זכרון, כנוסים מדעיים וכו'. במקרים בהם המקור הביבליוגרפי הוא כתב־עת המופיע בתדירות סדירה כלשהי נרשם כאן אך ורק שם כתב־העת. במקרים אחרים, כאשר הפרסום הוא קובץ מאמרים שהופיע באופן חד פעמי, נרשמים כאן פרטים ביבליוגרפיים נוספים — שם עורך הקובץ, מקום הופעתו ושנת הופעתו.

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———: תשובות שאלות להרמב"ם. **ספר זכרון להרב נסים;** חקרי תלמוד, הרמב"ם בעריכת מאיר בניהו (ירושלים תשמה) קעה־רלד.

ברודי, רוברט: להערכה נכונה של "משנה תורה" להרמב"ם. **תרביץ** נג,ב (תשמד) 318–325. [על Isadore Twersky, *Introduction to the Code of Maimonides*, 1980].

ברונשפיגל, אבא: מעשר ראשון שלא ניטלה תרומתו. **ספר יובל לכבוד ר' י.ד. סולובייצ'יק** בעריכת שאול ישראלי [ואחרים] (ירושלים — ניו־יורק תשמד) תסא־תסה.

———: שיטת הרמב"ם בהפרשת צדקה. **ספר יובל לכבוד ר' י.ד. סולובייצ'יק** בעריכת שאול ישראלי [ואחרים] (ירושלים — ניו־יורק תשמד) תסו־תסח.

בריק, אברהם: רבי שלמה חעלמא בעל מרכבת המשנה, מפרש הרמב"ם. **ספר אביעד;** קובץ מאמרים ומחקרים לזכר ישעיהו וולפסברג־אביעד בעריכת יצחק רפאל (ירושלים תשמו) קסב־קעח.

ברקוביץ, אליעזר: הרמב"ם כסמך לשחרור בחורי ישיבה משרות בצבא? **גבורות הרמח;** דברי חכמים כדרבנות. . . לר' מ"ח ויילר בעריכת זאב פלק (ירושלים תשמז) 180–191.

גוטל, נריה מ.: בענין "קיבוץ נדחי ישראל": שיטת הרמב"ם. **אור המזרח** לג,ג/ד (תשמה) 209–216.

גולדפארב, ש.ד.: "חצי צבור שנונים" [חצים ששלח הראב"ד כלפי הרמב"ם]. **לשוננו לעם** כד (תשלג) 272–273.

גושן־גוטשטיין, משה: כתר ארם צובה והלכות ספר תורה להרמב"ם; בין פילולוגיה מקראית לתולדות ההלכה. **ספר יובל לכבוד ר' י.ד. סולובייצ'יק** בעריכת שאול ישראלי [ואחרים] (ירושלים — ניו־יורק תשמד) תשעא־תתפח.

דינסטאג, ישראל יעקב: הלכות תלמוד תורה להרמב"ם בתולדות החינוך בישראל. **תורה שבעל־פה** כד (תשמב) קכח־קמו.

———: לייחס מרן [ר"י קארו] אל משנת הרמב"ם. **סיני** נט (תשכו) נד־עה.

———: רפואה ופיקוח נפש בהלכות שבת להרמב"ם. **תורה שבעל־פה** כה (תשמד) קסד־קעב.

הורביץ, א.: פירוש על הלכות תפילין להרמב"ם מתוך ספר המנוחה לרבינו המנוח מנרבונה. **הדרום** מ (תשלה) 57–122.

הילביץ, אלתר: מעמד המלך בסנהדרין לפי שיטת התלמודים והרמב"ם. **ספר יובל לכבוד ר' י.ד. סולובייצ'יק** בעריכת שאול ישראלי [ואחרים] (ירושלים — ניו־יורק תשמד) תקיג־תקלג.

הלברטל, משה: ספר המצוות לרמב"ם, הארכיטקטורה של ההלכה והתיאוריה הפרשנית שלה. **תרביץ** נט, ג–ד (תשן) 457–480.

הלוי, חיים דוד: בדין נרות המקדש ונרות חנוכה (עיונים בדברי הרמב"ם). **ספר יובל לכבוד ר' י.ד. סולובייצ'יק** בעריכת שאול ישראלי [ואחרים] (ירושלים — ניו־יורק תשמד) תקלד־תקמד.

———: מנהגים בקריאת המפטיר (וביאור דעת הרמב"ם בקריאת ראש חודש שחל בשבת). **אור המזרח** לא,א (תשמג) 9–12.

הנשקה, בני: על יישוב סתירה ב"יד החזקה" של הרמב"ם. **המעין** כב, ג (תשמב) 53.

הנשקה, דוד: לאוין שאין לוקים עליהם לשיטת הרמב"ם. **המעין** כד,ב (תשמד) 33–40.

———: להבחנת הרמב"ם בין "דאורייתא" ל"דרבנן". **סיני** קב,ה/ו (תשמח) רה־ריב.

———: "מה נשתנה" לשיטת הרמב"ם. **המעין** כג,ג (תשמג) 21–27.

———: על המציאות המשפטית במשנת הרמב"ם; לבעית היחס בין דברי סופרים לדיני תורה. **סיני** צב,ה/ו (תשמג) רכב־רלט.

———: שרידי "ספר המצוות" לרמב"ם ב"משנה תורה". **דברי הקונגרס העולמי למדעי היהדות** ג,1 (תשן) 180–186.

הרטמן, דוד: "אגרת השמד" לרבינו משה בן מימון — אספקלריא למורכבות הפסיקה ההלכתית. **מחקרי ירושלים במחשבת ישראל** ב,ג (תשמג) 362–403. — סולוביצ'יק, חיים: בחנים לפסיקה הלכתית; תשובה [לנ"ל]. **שם** ג,ד (תשמד) 683–687.





הרמן, פנחס צבי: שיטת הרמב"ם בענין תפילות כנגד מי תקנום. **ארשת** ג (תשמד) 92–96.

הרץ, שמואל: "מקרב אחיך תשים עליך מלך". **סיני** צט,ג/ד (תשמו) קלט־קמג. [זיהויו של אגריפס המופיע בסיפור קריאת התורה במוצאי שביעית תוך בחינת ההלכה "מקרב אחיך" על פי הלכות מלכים לרמב"ם.]

הרשלר, משה: בענין הטבת הנרות והדלקתו במקדש. **ספר יובל לכבוד ר' י.ד. סולובייצ'יק** בעריכת שאול ישראלי [ואחרים] (ירושלים — ניו־יורק תשמד) תקמה־תקנ.

הרשקוביץ, מיכאל: מדיני החרמת שבעה עממין ומחיית עמלק לשיטות הרמב"ם והחינוך. **נזיר אחיו**; דברי תורה, הגות, מחקר והערכה, זכרון לנזיר אלהים הרב דוד כהן [הנזיר] בעריכת שאר־ישוב כהן [ואחרים] (ירושלים תשלה) 181–195.

ויזנברג, אפרים יהודה: שימושו של הרמב"ם במונח "הלכה למשה מסיני" בהלכות קידוש החודש. **דברי הקונגרס העולמי העשירי למדעי היהדות** ג,1 (תשן) 177–179.

ויינר, ד.: עיונים בשתי הלכות תשובה להרמב"ם. **כתלנו** ח (תשלו) 103–104.

וייס, י.: הביטוי "חכמים ראשונים" במשנה תורה לרמב"ם. **דיני ישראל** ד (תשלג) 125–141.

וילמן, פנחס הכהן: על השמטה אחת בדברי הרמב"ם. **סיני** צ,ה/ו (תשמב) רנד־רנט.

———: על פליאה בדברי הרמב"ם. **סיני** צג,ה/ו (תשמג) רפד־רפח.

ורדי, דב: ברכת אירוסין לשיטת הרמב"ם. **ניב המדרשיה** טז/יז (תשמג) 141–143.

ורהפטיג, איתמר: גבולות ארץ ישראל במשנת הרמב"ם. **תחומין** ב (תשמא) 398–411. [על פי ציורי הגבולות מתוך עשרים כתבי־יד שונים של הרמב"ם.]

ושופסקי, מרק: ר' נסים בן ראובן גרונדי ו"משנה תורה" לרמב"ם. **דברי הקונגרס העולמי העשירי למדעי היהדות** ג,1 (תשן) 187–194.

חבצלת, מאיר: יחס "המחבר" [ריי"ק] ו"מגדולי המחברים" [רמב"ם] לגאוני בבל. **סיני** נט (תשכו) כג־כח.

———: ספר המקח והממכר לרב האי גאון והלכות מכירה להרמב"ם. **תרביץ** לה (תשכו) 39–47.

———: על מנהגים אחדים בספרי הרמב"ם והגאונים. **פרקים** ד (תשכו) 57–70. [בעיקר בענייני ברכות ומועדים.]

———: עקבות סידור רס"ג במשנה תורה לרמב"ם. **סיני** ס (תשכז) ריא־ריז.

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טברסקי, יצחק: סידורו של ספר משנה תורה לרמב"ם; יסודות הלכתיים ופילוסופיים. **דברי הקונגרס העולמי השישי למדעי היהדות** ו,ג (תשלז) 179–189.

———: ספר משנה תורה לרמב"ם; מגמתו ותפקידו. **דברי האקדמיה הלאומית הישראלית למדעים** ה,1 (תשלו) 1–22.

———: ר' יוסף אשכנזי וספר משנה תורה לרמב"ם. **ספר היובל לכבוד שלום בארון**

**למלאות לו שמונים שנה** בעריכת שאול ליברמן, ארתור היימן (ירושלים תשלה) קפג־קצד.

———: הרמב"ם וארץ־ישראל; היבטים הלכתיים, פילוסופיים והיסטוריים. **תרבות וחברה בתולדות ישראל בימי־הביניים;** קובץ מאמרים לזכרו של ח"ה בן־ששון בעריכת ראובן בונפיל, מנחם בן־ששון, יוסף הקר (ירושלים תשמט) 353–381.

טל, שמואל: הגדרת מין ואפיקורוס בשיטת הרמב"ם. **מספרא לסייפא** 33 (תשמט) 76–88.

———: מצות השבתת חמץ בשיטת הרמב"ם. **שעלי דעת** ז (תשן) 107־122.

———: שיטת הרמב"ם בעניין יציאה מארץ־ישראל מחמת רעב. **שעלי דעת** ו (תשמט) 90–97.

ינון (פנטון), יוסף: קטע חדש משו"ת ר' משה בן מימון. **תרביץ** מט,א/ב (תשם) 205–207. [כולל ההדרת כתב היד בערבית־יהודית עם תרגום לעברית.]

יעקובוביץ, עמנואל: יחס ה"שלחן ערוך" לתלמוד ולרמב"ם בעניינים רפואיים. **סיני** נט (תשכו) 39–44.

ישראלי, שאול י.: על שביעית בזמן הזה בשיטת הרמב"ם. **תורה שבעל־פה** כח (תשמז) מב־נ.

———: שיטת הרמב"ם בכיבוש רבים וכיבוש יחיד. **תורה שבעל־פה** כה (תשמד) טו־יז.

כהן, אהרן: "שכינה אינה בטילה" (ביאור בדברי הרמב"ם). **אור המזרח** לא,א (תשמג) 14–19.

כהנא, קלמן: זמירה בשאר אילנות בשביעית — שמיטה בזמן הזה לרמב"ם. **המעין** כא,א (תשמא) 19–25.

———: על "חזרותיו" של הרמב"ם. **המעין** יז,ד (תשלז) 5–26.

כ"ץ, מ.: שיטת הרמב"ם בדין אין בגידין נותן טעם. **הדרום** לט (תשלד) 55–61.

כשר, מנחם מ.: בענין הלל בקרבן פסח. **ספר יובל לכבוד ר' י.ד. סולובייצ'יק** בעריכת שאול ישראלי [ואחרים] (ירושלים – ניו־יורק תשמד) תקנא־תקסה.

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לוינגר, יעקב: הרמב"ם כפוסק וכאיש מדע. **ספר זכרון לפרופ' זיסמן מונטנר** בעריכת יהושע ליבוביץ (ירושלים תשמג) נט־לו.

ליבזון, גדעון: ערבות לגוף בספר הערבות לרשב"ח, בתשובות הגאונים, ברמב"ם ובספרות המוסלמית המקבילה. **שנתון המשפט העברי** יג (תשמז) 121–184.

———: שנים שערבו: מחקר השוואתי בין ר' שמואל בן חפני גאון, הרמב"ם וספרות מוסלמית מקבילה. **שנתון המשפט העברי** יא/יב (תשמד־תשמו) 337–392.

ליהמן, מנשה רפאל: הגהות על הרמב"ם מחכמי ירושלים. **סיני** פה,א/ב (תשלט) מב־מז.



[הגהות בכתב יד שנרשמו בשולי הגליון על ידי ר' ישראל יעקב אלגאזי, ר' יו"ט אלגאזי ור' אביגדור עזריאל.]

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מאמאן יהושע: דעת הרמב"ם בשביעית בזמן הזה. **שבילין** לא/לב (תשלט) קלה־קלז.

מדמוני, ציון: הרמב"ם ונוסח התפילה של יהודי תימן. **יהדות תימן;** פרקי מחקר ועיון בעריכת ישראל ישעיהו ויוסף טובי (ירושלים תשלו) 373–394.

מונק, א.: תשובה חדשה לרמב"ם ז"ל. **פרקים** ב (תשכט־תשלד) 329–334.

מיקלישנסקי, י.ק.: למהותה של יצירת הרמב"ם. **הדאר** נב (תשלג) 163–164. [על פירוש המשנה, ספר המצוות ומשנה תורה.]

נחלון, אהרן: חרם הקהל לפי הרמב"ם ולפי הרמב"ן. **ספר זכרון למרדכי ויזר;** פרקי מעש והגות (יבנה תשמא) 340–345.

סופר, אברהם: הערות על הרמב"ם הלכות עבודת יום הכפורים. **המעין** יב,ג (תשלב) 73–74.

סיקס, דוד: "סטיותיו" של הרמב"ם ממקורותיו בהלכה. **דיני ישראל** יג/יד (תשמח) קיג־קנא.

סליי, מנחם: שמחת בית השואבה; לדרכו של הרמב"ם במשנה תורה. **תחומין** ב (תשמא) 146–164.

עיר־שי, שמעון: מקום השולחן והמנורה במקדש; יישוב תמיהה ברמב"ם. **מצהר לצהר;** נר זכרון לאורון ברגמן בעריכת ש. מן־ההר (ירושלים תשמד) 94–102.

עמיטל, יהודה: מלחמות ישראל על פי הרמב"ם. **תחומין** ח (תשמז) 454–461.

עמנואל, יונה: בענין דברי סופרים לפי הרמב"ם. **המעין** כא,ב (תשמא) 63–73.

———: על שיטת הרמב"ם בביעור שביעית. **מפרי הארץ** א (תשם) 43–50.

פאור, יוסף הלוי: "דאורייתא", "דרבנן" ו"דינים מופלאים" במשנתו של הרמב"ם. **סיני** סז (תשל) כ־לה.

———: מקור חיובו של המצוות לדעת הרמב"ם. **תרביץ** לח (תשכט) 43–53, 301.

———: ספק ברכות להקל; כלל שטבעו הרמב"ם. **אסופות** א (תשמז) שמג־שנט.

———: עיונים בהלכות תשובה לרמב"ם. **סיני** סא (תשכז) רנט־רסו.

———: "תפילות כנגד תמידים" לדעת הרמב"ם. **אסופות** ב (תשמח) קנז–קעו.

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