
JACOB KATZ ON JEWS AND CHRISTIANS IN THE MIDDLE AGES

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Few scholars indeed have produced seminal works of abiding value in areas outside their primary field of expertise. Jacob Katz's *Exclusiveness and Tolerance*, which is precisely such a work, is remarkable testimony to the power of wide learning, penetrating insight, and exceptional instincts to overcome significant lacunae in the author's command of relevant material.¹ Katz was not a medievalist; he was not deeply conversant with Christian sources; and he did not study the full range of Jewish texts relevant to the relationship between medieval Christians and Jews. Thus, Christian works play virtually no role in any facet of his analysis. His discussion of the motivation of Christian converts to Judaism, for example, makes no reference to the one memoir by such a convert that addresses this question explicitly, and his assertion that the doctrine of Jewish toleration was not fully worked out until Aquinas provides a somewhat misleading impression that probably results from lack of familiarity with earlier texts by churchmen of lesser renown. Apart from the famous Paris disputation, to which he devotes an important chapter, he makes virtually no use of Jewish polemical literature, so that we find precisely one reference to *Sefer Yosef ha-Meqanne*, the central polemical text in thirteenth-century France, and no reference at all to the *Nizzahon Vetus*, a major compilation of anti-Christian arguments in medieval Ashkenaz, which is the

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1. The English version was published by Oxford University Press in 1961. The Hebrew, *Bein Yehudim le-Goyim* (Jerusalem: 1960), appeared earlier but, according to the preface, was written later and hence, says Katz, takes precedence. In a number of quite important instances, the Hebrew is superior not because of revisions but because at that point Katz's command of written English was not fully adequate to the task and whoever assisted him did not always capture the necessary nuances.

sphere of culture standing at the center of his work.² Yet this little volume, described by Katz himself as a collection of essays rather than a sustained study, has deservedly become the starting point for all serious discussion of Jewish approaches to Christianity in medieval Europe.

When a scholar writes a book about a subject that he is not fully trained to address, the question of motivation arises in more acute fashion than usual. I strongly suspect that Katz was drawn to this theme as a result of a religious concern that he acknowledges and an ethical one that he downplays. His autobiography describes the inner struggles of Orthodox Jewish university students in interwar Germany. "The dilemma for most of my fellow students seemed to be rooted in a sense of contradiction between the Jewish tradition by which they lived and the scientific concepts and universal values encountered during their academic studies. The apologetic efforts of Orthodox Judaism...were aimed at creating an ideology to bridge this abyss."³ He maintains, however, that he himself was not bothered by the discrepancy between traditional Judaism and an "external system of concepts and values"; his concern was with evidence for historical development within a purportedly closed, unitary tradition whose authority seemed to rest on its imperiousness to change.

Although I do not doubt that Katz was disturbed by the latter tension, I doubt very much that he was unconcerned about the former. It cannot be unalloyed coincidence that the theme of *Exclusiveness and Tolerance* unites both issues by examining the development of Jewish law with respect to the standing of Gentiles, perhaps the quintessential area in which Judaism was accused of violating the requirements of universal values. Rabbi David Zvi Hoffmann, the leading German rabbi in the late-nineteenth and early twentieth centuries, was impelled to write an apologetic work on Jewish attitudes toward believers in other faiths.⁴ We now know that Rabbi Jehiel Jacob Weinberg, the distinguished leader of the Berlin Rabbinical Seminary at the

2. Although *Sefer Yosef ha-Meqanne* had not yet been published in its entirety, much of the work was available in print. See Judah Rosenthal's summary of the publication history in his edition (Jerusalem: 1970), Introduction, p. 32. The *Nizzahon Vetus* had been published by Johann Christoph Wagenseil, *Tela Ignea Satanae*, vol. 2 (Altdorf: 1681), pp. 1-260.

3. Jacob Katz, *With My Own Eyes: The Autobiography of a Historian* (Hanover and London: 1995), p. 82.

4. *Der Shulchan-Aruch und die Rabbinen ueber das Verhaeltnis der Juden zu Anders-glaebigen* (1894).

very time that Katz studied in Frankfurt, was profoundly troubled by this problem.⁵

Moreover, Katz himself provides us with several indications of his own sensitivities and sympathies. He argues that a historian has the right to use the term “shortcoming” as an expression of moral judgment with respect to earlier societies without violating the principle that later values alien to those societies should not be imposed in the process of historical assessment. His justification for this position rests on the argument that even the medievals had some sense of a universal humanitarian standard, although they would regularly suspend it in the face of what they perceived to be the demands of their religion; it is precisely their awareness of such a standard that allows a historian to render judgment as to the degree of their fealty to it. One cannot help but wonder if Katz would really have avoided all moral judgment if he were studying a society that he considered bereft of any universal humanitarian concern. He appears to be straining to find an academically plausible argument allowing for the infiltration of an explicitly ethical prism into his historical analysis, thereby satisfying both his moral and his historical conscience.

In the last few lines of the preface to the Hebrew version, he allows us a fleeting glimpse into his hope and conviction that the book is not irrelevant to the issues of the day.

The roots of contemporary problems extend to the far reaches of the past, and Jewish-Gentile relations even today cannot be understood without knowing their earlier history. A historian is permitted to believe that when he distances the reader from the present, he does not sever him from it; rather, he provides him with a vantage point from which he can more readily encompass even the place where we now stand.⁶

In *Exclusiveness and Tolerance* as well as his other essays on our theme, Katz saw himself as a rebel against dubious apologetics. He does not hesitate to state flatly that a key contention of Hoffmann’s work arguing that medieval Jews had declared their Christian contemporaries free of idolatry is misleading.⁷ In

5. See Marc B. Shapiro, *Between the Yeshiva World and Modern Orthodoxy: The Life and Works of Rabbi Jehiel Jacob Weinberg 1884–1966* (London and Portland, Oregon: 1999), pp. 182–83.

6. *Bein Yehudim le-Goyim*, p. 8.

7. “Sheloshah Mishpatim Apologiyim be-Gilguleihem,” reprinted in Jacob Katz, *Halakhah ve-Qabbalah* (Jerusalem: 1984), p. 285. “Misleading” is an accurate but not quite adequate translation of the stronger original (*eino ella ma’eh*).

the wake of Katz's analysis, it is difficult for us to recapture an environment in which excellent scholars affirmed that Ashkenazic Jews of the Middle Ages had utterly excluded Christianity from the category of *avodah zarah*, the technical term imprecisely translated as idolatry. Katz reminds us that such assertions were made not only in explicitly apologetic works; Hanokh Albeck, for example, in a major study of the Mishnah, asserted that the views of medieval Jewish authorities are encompassed in the position of R. Menahem ha-Meiri, which is, in fact, striking in its atypical liberalism.⁸ At the same time, I do not doubt that Katz was impelled to study ha-Meiri's posture, which he describes as "undoubtedly a great achievement,"⁹ precisely because it afforded him the opportunity to highlight Jewish tolerance without sacrificing scholarly integrity.

Whatever Katz's motivations, it is time to turn to the substance of his work. I would like to examine the scope of his interest in medieval Jewish-Christian relations, his methodology, his contribution to the state of the question when he wrote, the validity of his arguments in and of themselves, and the degree to which they stand up in light of later scholarship and the sources he failed to examine.

One of the hallmarks of Katz's approach, which has little if any precedent in earlier historiography, is the great significance that he assigns to instinct. Visceral reactions, he argues, can weigh more heavily than texts. Thus, Jewish revulsion at Christian rituals and symbols is no less important than formal halakhah in determining that Christianity is *avodah zarah* and inspiring the decision of martyrs.¹⁰ Katz ascribes this emotional reaction to Ashkenazic Jews—correctly, in my view—despite his awareness that pawnbroking put them into contact with Christian *sancta* and produced serious temptations to relax taboos against benefiting from such presumably idolatrous objects.

Sensitivity to a different sort of popular instinct plays a major role in a later work in which Katz examined the evolution of legal approaches to the use of Gentiles for work on the Sabbath. Here again, he argues that texts can occasionally be subordinated to "ritual instinct," so that ordinary Jews will ask for permission to violate serious prohibitions that do not repel them while

8. On this point, Katz notes that even Hoffmann recognized the uniqueness of ha-Meiri's approach. See Katz, "Sovlanut Datit be-Shitato shel R. Menahem ha-Meiri ba-Halakhah u-be-Pilosofia," in *Halakhah ve-Kabbalah*, p. 191, n. 1.

9. *Bein Yehudim le-Goyim*, p. 128 (my translation); *Exclusiveness and Tolerance*, p. 128.

10. *Bein Yehudim le-Goyim*, p. 34; *Exclusiveness and Tolerance*, p. 23.

refraining from seeking dispensation to engage in behavior that is less objectionable to the legal mind but unthinkable in light of deeply entrenched emotions.

Standards for evaluating assertions about instinct can be elusive. Thus, I will sometimes be discussing my instinct about Katz's instinct about the instinct of medieval Jews. Evidence, of course, is not irrelevant to this enterprise, nor was it irrelevant in medieval discourse. One of Katz's great strengths is that he recognizes this. For all his emphasis on the primacy of emotions, instinct, and a sense of social identity, he is not carried away by his insight. It is only on the rarest of occasions that he loses sight of the interplay of these factors with more disciplined intellectual pursuits, whether theological or halakhic. Except in those rare moments, his work is a model of balance, as a supple and subtle mind reconstructs the delicately poised interweaving of unexamined, primal reactions, economic and social needs, and the reasoned examination of authoritative texts.

Even Katz's marginal, poorly informed discussion of polemic reveals this strength. Thus, he appreciates the significance of the intellectual dimension of what many observers have seen as static and uninteresting ritual combat and he points to the internalizing of anti-Christian exegesis as evidence of the deep Jewish sensitivity to Christian arguments. Thus, he says, both R. Joseph Bekhor Shor and R. Isaac Or Zarua assert that Deuteronomy 6:4 affirms not merely that the Lord is God but that He is *our* God, thereby proclaiming that no other nation can claim Him as its own.¹¹ Still, Katz does not regard intellectual arguments as the Jews' primary line of defense. They were decidedly secondary to the emotions of group identification and the attraction of Judaism's entrenched symbols.¹²

Katz underscores this approach in his more detailed discussion of martyrdom. Ordinary Jews, he says, martyred themselves not because of familiarity with the niceties of their halakhic obligations but because they had been reared on *stories* of heroic self-sacrifice.¹³ Despite these observations, historians debating the roots of Ashkenazic martyrdom—and other instances of extreme behavior—are not as sensitive to this point as they should be. To take an example outside the purview of medieval Ashkenaz, a Christian writer tells the story of Moses of Crete, a fifth-century Messianic pretender, who persuaded all the Jews to jump into the Mediterranean with the assurance that

11. *Bein Yehudim le-Goyim*, p. 30. The English version (*Exclusiveness and Tolerance*, p. 19) is so truncated that the point is almost completely lost.

12. *Bein Yehudim le-Goyim*, p. 32; *Exclusiveness and Tolerance*, p. 21.

13. *Bein Yehudim le-Goyim*, p. 91; *Exclusiveness and Tolerance*, pp. 84–85.

the sea would split to facilitate their journey to the Promised Land. Historians have retold the story with a sense of amazement at such mass credulity or skepticism as to the historicity of the account.¹⁴ Although I am by no means prepared to assert confidently that these events occurred, the plausibility of the narrative increases dramatically once we appreciate the impact of stories about heroic faith absorbed from childhood.

A well-known rabbinic legend relates that the Red Sea split only after Nahshon ben Aminadav of the tribe of Judah demonstrated his unquestioning faith by leaping into the roiling sea.¹⁵ Today, every school child receiving a traditional Jewish education is familiar with this story. We cannot know if this was the case in fifth-century Crete, but if it was, the probability that Jews could have been capable of such behavior is enhanced exponentially. In the safety of a classroom, there is no price to pay for expressions of smug disdain for the lack of faith displayed by pusillanimous skeptics standing at the edge of the sea. But as the Jews of Crete looked out at the Mediterranean facing a potentially deadly choice, the natural resistance to irrational action would be sorely challenged by a lesson ingrained from the inception of their religious consciousness.¹⁶

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14. Salo Baron expressed both reactions, the first in a general discussion of messianic figures and the second in a more detailed account of Moses. The reasons for skepticism, he says, are the Christian author's emphasis on Jewish credulity and his assertion that those saved by Christian fishermen accepted baptism. See *A Social and Religious History of the Jews* (New York, London, and Philadelphia: 1960), vol 3, p. 16, and vol. 5, pp. 366–67. Gerson Cohen, who excluded messianic movements attested only in Christian sources from his analysis of the messianic stances of medieval Jewish communities, remarked during a Columbia University colloquium in the mid-1960s that his own skepticism about the historicity of this account is rooted in the fact that the Jews' credulousness regarding false messiahs combined with their rejection of the true one is a standard, polemically useful Christian topos. Cohen's policy of excluding messianic accounts by non-Jews has recently come under attack. See his "Messianic Postures of Ashkenazim and Sephardim," in *Studies of the Leo Baeck Institute*, ed. by Max Kreutzberger (New York: 1967), p. 123, n. 11, and Elisheva Carlebach, *Between History and Hope: Jewish Messianism in Ashkenaz and Sepharad. Third Annual Lecture of the Victor J. Selmanowitz Chair of Jewish History* (New York: Touro College, 1998), pp. 12–13.
 15. See the references in Louis Ginzberg, *The Legends of the Jews* (Philadelphia: 1928), vol. 6, pp. 75–79 (n. 388).
 16. Lest I be accused of equating Moses son of Amram with Moses of Crete and ignoring the earlier miraculous events that presumably justified Nahshon's

Let us now return to the martyrs of Ashkenaz. A vexed question central to recent historical debate asks if the justification for suicide and the killing of others emerged out of almost routine analysis of texts or if it was molded by emotional considerations and the need to justify the actions of sainted ancestors. This is not the occasion to survey the state of this question in its fullness. Nonetheless, there remains much to be said both for Katz's general approach and for his specific observations. He noted, for example, a highly unusual formulation in *Tosafot* that persuasively underscores the impact of martyrdom's extraordinary emotional resonance on halakhic discourse. The tosafists remark that the ordinary processes of halakhic reasoning appear to yield the conclusion that it is permissible to commit idolatry under threat of death provided that the act does not take place in the presence of ten Jews. *Tosafot* does not merely reject this position. Rather, we are witness, at least initially, to what Katz properly describes as an extraordinary phenomenon—a *cri de coeur* instead of an argument. "God forbid that we should rule in a case of idolatry that one should transgress rather than die."¹⁷

In the current debate, Avraham Grossman and Yisrael Ta-Shma have taken issue with Haym Soloveitchik's position that the willingness of Ashkenazic authorities to justify suicide and even the killing of children in the face of enforced idolatry cannot have emerged from a straightforward application of legal reasoning but rather from the need to justify the behavior of the martyrs. Soloveitchik's argument rests in part on the resort of these authorities to aggadic sources; his critics, however, assert that Ashkenazic Jews drew no material distinction between halakhah and aggadah, so that

decision, let me put these obvious distinctions on the record. They do not, in my view, undermine the essential psychological observation.

17. *Tosafot Avodah Zarah* 54a, s.v. *ha be-zin 'a*. See *Bein Yehudim le-Goyim*, pp. 90–91; *Exclusiveness and Tolerance*, pp. 83–84. I have a personal stake in this argument. Without any conscious memory of the passage in Katz's book, I was struck by precisely the same formula while studying that *tosafot* for reasons unrelated to history, and I presented his point as my own when writing the introduction to *The Jewish-Christian Debate in the High Middle Ages* (Philadelphia: 1979) in the mid-1970s. While the book was in press, I re-read Katz and discovered to my combined pleasure and disappointment that my "discovery" had already been made. The printed version (pp. 25–26), therefore, contains a footnote attributing the point to *Bein Yehudim le-Goyim* with the observation that the English version is so bland that "the emotional force of the argument is virtually lost." (It renders *has ve-shalom*, which I have translated "God forbid," as "Far be it from us.") When I related the story to Katz years later, he told me how pleased he had been with this insight when it had originally struck him.

their arguments from texts that Soloveitchik would place out of bounds are entirely consistent with their own worldview.¹⁸

I think it is fair to say that even in medieval Ashkenaz, the first resort of rabbinic decisors would be to texts that we would describe as halakhic. At the same time, I do not believe that they would dismiss evidence from an aggadah by saying, "I do not recognize this genre as authoritative in a legal discussion." Thus, when mainstream authorities issue a problematic ruling based entirely on aggadic material, we are justified in asking pointed questions about motivation, as long as we do not insist that the resort to aggadah demonstrates in and of itself that highly unusual processes must be at work. In short, our antennas should be raised, though we may ultimately decide that nothing extraordinary is happening.

With respect to our issue, I am not even certain that it is appropriate to characterize all the sources adduced in the medieval discussion as aggadic;¹⁹ nonetheless, I am strongly inclined to think that a deeply emotional need to validate the heroism of the martyrs did play an important role in Ashkenazic decision-making. Katz's *tosafot* is highly relevant here, but an even more significant text has not, in my view, been given its due by either side in this controversy, even though all the parties know it very well.

Rabbi Meir of Rothenburg, the great thirteenth-century decisor, was asked whether atonement is necessary for a man who had killed his wife and children (with their consent) to prevent their capture by a mob demanding conversion to Christianity. He responded that suicide can be defended in such a case, but it is much more difficult to find a justification for the killing of others. Nonetheless, he rose to the challenge by proposing an original extension of a rabbinic midrash on a biblical text. Defenders of martyrdom by suicide had long cited the assertion in *Bereshit Rabbah* 34:19 that the word "but" (*akh*) in Genesis 9:5 limits the scope of the prohibition against suicide that immediately follows.²⁰ R. Meir suggested that this word, and hence this

18. See Haym Soloveitchik, "Religious Law and Change: The Medieval Ashkenazic Example," *AJS Review* 12 (1987): 205–21; Avraham Grossman, "Shorashav shel Qiddush ha-Shem be-Ashkenaz ha-Qedumah," in *Qedushat ha-Ḥayyim ve-Ḥeruf ha-Nefesh: Kovetz Ma'amarim le-Zikhro shel Amir Yekutiel*, ed. by Isaiah Gafni and Aviezer Ravitzky (Jerusalem: 1993), pp. 99–130; Israel Ta Shma, "Hitabbedut ve-Rezaḥ ha-Zulat al Qiddush ha-Shem: Li-She'elat Meqomah shel ha-Aggadah be-Massoret ha-Pesiqah ha-Ashkenazit," in *Yehudim mul ha-Zelav: Gezerot Tatn"u ba-Historiah u-ba-Historiographiah*, ed. by Yom Tov Assis et al. (Jerusalem: 2000), pp. 150–56.

19. See the following note.

20. Even though *Bereshit Rabbah* is an aggadic text, this passage has the sound and

limitation, also governs the remainder of the verse, which prohibits murder. It follows that killing others may be permitted under the same circumstances that justify suicide. He prefaced this suggestion with the observation that “the position that this is permissible has spread widely, for we have seen and found many great men who slaughtered their sons and daughters,” and he followed it with the powerful assertion that “anyone who requires atonement for this is besmirching the name of the pious men of old.”

Though large questions of this sort cannot be settled definitively by a single source, this responsum, it seems to me, is as close to a smoking gun as we could ever expect. An Ashkenazic rabbi of the first rank tells us that (1) it is a challenge to find grounds for permitting the killing of others; (2) the reason for seeking such grounds is the fact that the practice has been widespread among great rabbis; (3) one can permit this by an [unattested, innovative] expansion of a rabbinic midrash on a biblical verse [a very rare procedure in thirteenth-century halakhic discourse];²¹ and (4) anyone who disagrees with this original proposal to accomplish an admittedly problematic task is besmirching the name of the pious men of old.

Soloveitchik himself cites this responsum only to underscore its tragic character and to note that R. Meir “was hard put to find a reply” to the question. He goes on to assert that “for the murder of children few could find a defense, and almost all passed that over in audible silence.” The lengthy footnote to this sentence makes no reference to R. Meir, and readers are given no indication of the main point of his responsum.²² Even though he never wrote the words, “This is permitted,” it is beyond question that this is the thrust of R. Meir’s ruling. The greatest decisor in thirteenth-century Germany composed an emotion-laden responsum that provides powerful evidence for Soloveitchik’s—and Katz’s—position.

Despite R. Meir’s initial reluctance to extend the permission to commit suicide to include the killing of others, the unhesitating readiness of some Ashkenazic Jews to do so is not, I think, an impenetrable mystery. Once

feel of halakhah, so that Soloveitchik’s argument that suicides were justified by aggadah pure and simple probably requires qualification. It would be going very far indeed to expect Ashkenazic Jews to shrink from relying upon an explicitly legal formulation solely because it appears in a non-halakhic midrash.

21. In my “*Ḥequer Rabbanut Ashkenaz ha-Qedumah*,” *Tarbiz* 33 (1984): 484, n. 6, I made the point that R. Meir’s determining a halakhah on the basis of a partially original midrash on a biblical verse is highly unusual among medieval authorities. In private conversations, two learned scholars insisted that they do not consider such a practice strikingly atypical, but I am not persuaded.

22. “Religious Law and Change,” pp. 209–10.

again, I am inclined to assign pride of place to instinctive and emotional considerations. But let me begin by proposing a formal argument that may well have been taken for granted though it is unattested in the medieval sources and has not been noted in the current debates. A much-cited passage in *Da'at Zeqenim mi-Ba'alei ha-Tosafot* to Genesis 9:5 indicates that unnamed Ashkenazic Jews had clearly and apparently unself-consciously applied the passage in *Bereshit Rabbah* not only to suicide but to the killing of children as well. If we turn to that midrashic passage, we find that it points to the death of Saul as one of the paradigmatic exceptions to the prohibition against suicide. But Saul initially asked a servant to kill him; it was only after the servant refused that the king killed himself. (I leave aside the more complicated issue of the subsequent story in II Samuel 1 where an Amalekite tells David that Saul's suicide attempt was not wholly successful and that he acceded to a royal request to complete the task.) The reader of the midrash has every right to assume that the exception made for Saul includes his initial request as well as his final action.²³

At the same time, I do not believe that such arguments went through the minds of Jews preparing to commit suicide in the blood-stained arenas of Mainz and Worms. Let us imagine the scene. A large group of Jews is facing the certainty of death or conversion. To save themselves from slaughter at the hands of the crusading hordes—or from the prospect of descending into the maelstrom of idolatry in the face of torture—they decide to take their lives. They know that they will be instantaneously transported to a world of eternal light at the side of Abraham, Isaac, Jacob, and Rabbi Akiva. Do they take their children with them to eternal bliss or do they leave them to wander among the bloody corpses of their parents until they are found and raised to live a life of idolatry? I am tempted to say that the choice is clear. In fact, it is not. The choice to slaughter your children is never clear, and the agonies of that choice are evident in the chilling chronicles of those terrible events. None-

23. Cf. Radak's commentary to I Samuel 31:4, which states—citing our midrash—that Saul did not sin, without proffering the slightest hint that the initial request, reported in the very same verse, was improper.

Shortly after I submitted this article to the editor, Prof. Ephraim Kanarfogel called my attention to his discussion in a forthcoming article of Rabbenu Tam's position on the fear of succumbing to torture as a halakhic justification for suicide. See Kanarfogel's "*Halakhah and Meziut (Realia) in Medieval Ashkenaz: Surveying the Parameters and Defining the Limits*," scheduled to appear in *Jewish Law Annual* 14 (2001), where he analyzes the relevance of the talmudic assertion (*Ketubbot* 33b) that Hananiah, Mishael, and Azariah would have bowed to the statue made by Nebuchadnezzar had they been beaten. I thank Prof. Kanarfogel for affording me the opportunity to read the typescript.

theless, the choice was made, and I think it far more likely that it was made on the basis of an instinctive reaction than on the basis of textual analysis. Once it was made, subsequent Jews, at least for the most part, had little emotional choice but to react like R. Meir of Rothenburg, though he agonized over the question far more than most, and his transparent struggle has much to teach us about the interaction between heart and mind.

One element in Katz's own formulation of the martyrological psychology of Ashkenazic Jews may even be too weak. He poses the medievals' question as to the permissibility of suicide or the killing of children "to avoid religious compulsion and the temptation to apostasy." He goes on to say that "the answer of Ashkenazic rabbis was inclined toward stringency from the outset . . . , and it is clear that they were not concerned that this stringency fell into the category of a decree that the masses are unprepared to withstand."²⁴ In other words, not only the rabbis but even the masses were inclined toward such a response. If so, we may well ask ourselves about the propriety of the term "stringency" here. The question posed was whether suicides and killings were permissible, and the answer was in the affirmative. In any other context, an affirmative answer to a question beginning, "Is it permissible?" would be characterized as lenient, not stringent. For all his deep understanding of the psyche of medieval Ashkenazic Jews, Katz could not avoid the unconscious imposition of his (and our) instincts upon theirs by transforming a *qulla* into a *humra*, a leniency into a stringency. Difficult as it is for us to fathom, these medieval Jews *wanted* the answer to be, "It is permissible."

Many years ago, my interest in the centrality of martyrdom for the Ashkenazic psyche was piqued by a passage in the *Nizzahon Vetus*, which impelled me to draw attention to both Katz's *tosafot* and R. Meir of Rothenburg's responsum. That passage, which would surely have caught Katz's sharp eye had he read the text, transmutes the story made famous by Judah Halevi's *Kuzari* into a celebration of the willingness to be martyred as the hallmark of the true faith. As in the *Kuzari*, the soon-to-be-converted ruler is impressed by the fact that Judaism is the second choice of both Muslim and Christian, but he is even more impressed when the Jew is prepared to sacrifice his life where the others are not.²⁵

Finally, Katz makes the telling observation that the talmudic concept of *parhesia* describing a public act underwent an illuminating transformation in the Middle Ages. For the talmudic sages, an act fell into the category of *parhesia* if it was done in the presence of ten Jews. In the formal, legal sense, this

24. *Bein Yehudim le-Goyim*, p. 91. The English version (*Exclusiveness and Tolerance*, p. 84) does not quite convey the point.

25. *The Jewish-Christian Debate in the High Middle Ages*, pp. 26-27, 216-18.

did not change, but when medieval Jews described the death of martyrs in a public setting, they usually referred to the intent to sanctify God's name by projecting devotion to the non-Jewish world. It was this confrontation that gave the act of martyrdom its critical context and its transcendent purpose.

In citing concrete evidence for this important and penetrating insight, Katz can, nonetheless, overreach. The Hebrew version contains a footnote asserting that the intent of the martyrs to have Christians recognize the truth of Judaism is made explicit (*nitparesh*) in a comment by R. Solomon b. Shimshon.²⁶ The comment cited certainly expresses the Jews' fervent expectation that Christians will recognize that truth, but the instrument of this recognition is not Jewish martyrdom but the Lord's eschatological vengeance against Christendom. Because of this divine punishment, Christians will perceive the outrageous injustice that they had perpetrated by spilling the blood of Jewish babies in the name of a false belief.

Both the Ashkenazic variant of the *Kuzari* story and the hope for eschatological Christian enlightenment bring us to Katz's discussion of converts. Once again, his instincts guide him very well even in the absence of an extensive evidentiary base. He understands, of course, the full spectrum of motivations for Jewish conversion to Christianity, from pragmatic interests to genuine conviction. His tendency, however, predictably inclines toward social explanation: in a profoundly religious age, Jews attracted by the values of Christian society would express this attraction by embracing the religious form in which those values expressed themselves.²⁷ Though I would assign somewhat more force than did Katz to the attraction of Christian arguments, I am, nonetheless, inclined to think that his emphasis is correct. He intuits this psychological process despite the fact that his entire discussion of the motivations of Jewish apostates takes place with virtually no reference to Christian sources, which appear in one footnote containing a reference to a few pages in two secondary works.²⁸ I have already alluded to the fact that our one detailed personal memoir of the conversion experience by a Jewish convert to Christianity, Herman of Cologne's *Opuscula de Conversione Sua*, is entirely absent from the analysis—an inconceivable omission for anyone with real familiarity with Latin materials. And yet, Herman's account strikingly reinforces Katz's point, subordinating, though not ignoring, intellectual arguments, and emphasizing an attraction to the values of simple piety.²⁹

26. *Bein Yehudim le-Goyim*, p. 97, n. 41.

27. *Bein Yehudim le-Goyim*, p. 83; *Exclusiveness and Tolerance*, p. 76.

28. *Bein Yehudim le-Goyim*, p. 83, n. 46; *Exclusiveness and Tolerance*, p. 75, n. 6.

29. Gerlinde Niemeyer, ed., *Hermannus quondam Judaeus opusculum de conversione*

Similarly, Katz argues with no concrete evidence that the reason why medieval Ashkenazic Jews persisted in converting Christians despite the obvious difficulties is that they saw every instance of conversion to Judaism as a proof and declaration of the truth of the Jewish religion to the outside world.³⁰ The *Nizzahon Vetusa* strikingly confirms this intuition—not only in the story of the Emperor that we have already encountered but also in a passage dealing frontally with the implications of conversion writ large.

With regard to their questioning us as to whether there are proselytes among us, they ask this question to their shame and to the shame of their faith. After all, one should not be surprised at the bad deeds of an evil Jew who becomes an apostate, because his motives are to enable himself to eat all that his heart desires, to give pleasure to his flesh with wine and fornication, to remove from himself the yoke of the kingdom of heaven so that he should fear nothing, to free himself from all the commandments, cleave to sin, and concern himself with worldly pleasures. But the situation is different with regard to proselytes who converted to Judaism and thus went of their own free will from freedom to slavery, from light to darkness. If the proselyte is a man, then he knows that he must wound himself by removing his foreskin through circumcision, that he must exile himself from place to place, that he must deprive himself of worldly good and fear for his life from the external threat of being killed by the uncircumcised, and that he will

sua, *Monumenta Germaniae Historica: Quellen zur Geistgeschichte des Mittelalters*, vol. 4 (Weimar: 1963), esp. p. 108. (The text had been published twice before Niemeyer's edition.) See Jeremy Cohen, "The Mentality of the Medieval Jewish Apostate: Peter Alfonsi, Hermann of Cologne, and Pablo Christiani," in *Jewish Apostasy in the Modern World*, ed. by Todd Endelman and Jeffrey Gurock (New York: 1987), pp. 20–47; and Karl F. Morrison, *Conversion and Text: The Cases of Augustine of Hippo, Herman-Judah, and Constantine-Tsatsos* (Charlottesville and London: 1992), which also contains an English translation. Well after Katz wrote his book, Avrom Saltman argued that the *Opusculum* is, in fact, a fictitious work by a born Christian; see his "Hermann's *Opusculum de Conversione Sua*: Truth or Fiction?" *Revue des Etudes Juives* 47 (1988): 31–56. The most recent discussion of this question is Jean-Claude Schmitt, *Die autobiographische Fiktion: Hermann des Juden Bekehrung* (Kleine Schriften des Arye-Maimon Institut 3; Trier, 2000). Since no one had doubted the authenticity of this work when Katz wrote, I have referred to it as Hermann's in my discussion. As Schmitt argues, many relevant insights can be gleaned from it even if it is essentially fiction.

30. *Bein Yehudim le-Goyim*, p. 85. The English version (*Exclusiveness and Tolerance*, p. 77) is considerably less forceful.

lack many things that his heart desires; similarly, a woman proselyte also separates herself from all pleasures. And despite all this, they come to take refuge under the wing of the divine presence. It is evident that they would not do this unless they knew for certain that their faith is without foundation and that it is all a lie, vanity, and emptiness. Consequently, you should be ashamed when you mention the matter of proselytes.³¹

Katz's related argument that the generally positive attitude toward converts in the Middle Ages reflects an active quest for Jewish triumph³² is less than compelling in and of itself, but is in my view confirmed by the pervasive tone of Jewish polemic and considerable evidence from Christian sources, none of which played any role in forming Katz's conclusion. Although I do not believe that we should go so far as to speak of a medieval Jewish mission, there is strong reason to believe that Jews confronted Christians on the streets of Europe to pose religious arguments and took great satisfaction in producing a sense of discomfiture or defeat in the mind of their interlocutor.³³

That Jews reviled apostates is self-evident, and yet they insisted that such converts retain the legal status of Jews. Katz devoted an article to the application of the talmudic formula "even though he sinned he is an Israelite" to the abiding Jewishness of the apostate.³⁴ He proved the validity of an earlier suggestion that Rashi was responsible for the use of this expression to establish the standing of apostates as Jews; then he proceeded to examine the larger social context of the new understanding and wide popularity of this formula. The explanation, he says, is neither halakhic logic in itself nor Rashi's personal predilections but the real struggle carried on by the Jewish community against conversion and forced apostasy.³⁵

On the one hand, there are legal and psychological advantages in seeing the apostate as non-Jewish. He does not generate a levirate relationship, so that his widowed, childless sister-in-law can marry without asking him for a release; you can lend him money at interest; you can indulge your utter rejection of him. In this connection, Katz makes another acute observation

31. *The Jewish-Christian Debate in the High Middle Ages*, #211, English section, pp. 206–7.

32. *Bein Yehudim le-Goyim*, p. 88; *Exclusiveness and Tolerance*, p. 81.

33. See my "Mission to the Jews and Jewish-Christian Contacts in the Polemical Literature of the High Middle Ages," *American Historical Review* 91 (1986): 576–91.

34. "Af al Pi she-Īhata Yisrael Hu," in *Halakhah ve-Qabbalah*, pp. 255–69.

35. "Af al Pi she-Īhata," p. 262.

about the transformation of a talmudic term. For the Sages, one who habitually violated a particular injunction was a *mumar* with respect to that injunction (*mumar le-x*); for medieval Jews, *mumar le-* became simply *mumar*—an apostate whose very essence is the transgression of the Torah.

But there were countervailing concerns of considerable, ultimately decisive emotional and pragmatic impact. Jews wanted to demonstrate that baptism has no force, that it could not effect a transformation of identity, and they also wanted to encourage converts to return to Judaism.³⁶ To these considerations I would add a third: Jews wanted to see all the sins of apostates as sins. To be sure, the conversion itself, barring future repentance, sealed their fate. Nonetheless, as long as they remain Jews, every desecration of the Sabbath, every taste of forbidden food increases the temperature of the hellfire prepared for them.

Katz's instincts about Jewish attitudes toward Christianity can sometimes not be tested at all. He asserts, for example, that Ashkenazic Jews were sincere both when they prayed for the peace of the government and when they prayed for its ultimate destruction.³⁷ I am inclined to believe that he is right, but I cannot think of an easy way to prove it. The complex interaction of attraction and revulsion toward the Christian world is particularly difficult to pin down. Citing the work of Yitzhak Baer, Katz affirmed that we now know that religious phenomena in both communities emerged out of a common trend, but the medievals themselves, he argued, did not know this. For them, these very religious impulses strengthened the instinct to recoil from the other

36. "Af al Pi she-Ĥata," pp. 262-65.

37. *Bein Yehudim le-Goyim*, p. 60; *Exclusiveness and Tolerance*, p. 51. The difference between the Hebrew and English versions of this passage is so striking that for all Katz's insistence that he spurned apologetics, it is difficult to avoid the impression that he or his English stylist softened the formulation for a non-Jewish audience. The Hebrew reads, "The vision of the end of days signifies the overturning of the current order, when the dispersed and humiliated people will see its revenge from its tormentors. The hope for a day of revenge and the prayer for the arrival of that day may be considered as conflicting with a profession of loyalty to the government. . . ." Here is the English: "A reversal of the existing order was envisaged in the messianic age, when the dispersed and humiliated Jewish people was to come into its own. The entertaining of such hopes, and the prayer for their fulfillment, might well be considered as conflicting with a profession of loyalty. . . ."

On the much debated question of whether Ashkenazic Jews looked forward to Christian conversion or annihilation at the end of days, see my "Al Tadmitam ve-Goram shel ha-Goyim be-Sifrut ha-Pulmus ha-Ashkenazit," in *Yehudim mul ha-Zelav* (above, n. 18), pp. 74-91.

religion.³⁸ With all the substantial progress that has been made since *Exclusiveness and Tolerance* to enhance our understanding of both the openness and the hostility of Ashkenazic Jewry to its Christian environment,³⁹ Katz's assessment has, in the main, withstood the test of time.

Katz places great emphasis on the Jewish instinct that Christianity is *avodah zarah*, asserting that any economically motivated change in this perception would appear to stand in absolute contradiction to the classic perception that the world is unconditionally divided between Israel and the nations.⁴⁰ A bit later he argues that retaining this perception was necessary to safeguard the community against absorption and conversion.⁴¹ There is certainly much truth in this, but to test it one would have to introduce at least some comparative dimension. How did Jews under Islam handle this problem? They surely regarded Muslims as part of "the nations," and with sufficient effort it was possible to classify them as idolaters;⁴² nonetheless, neither Maimonides nor the great majority of rabbinic authorities took this step. Though Katz makes no reference to Islam in this context, he does allude to the small size of Ashkenazic communities and the intense missionary efforts exerted by Christians as factors that increased the Jewish need for self-defense. I do not believe that this is enough to explain the different reactions under Christendom and Islam, particularly since the intensity of missionary efforts in Northern

38. *Bein Yehudim le-Goyim*, pp. 98–99; *Exclusiveness and Tolerance*, pp. 93–94.

39. See my discussion and references in Gerald J. Blidstein, David Berger, Shnayer Z. Leiman, and Aharon Lichtenstein, *Judaism's Encounter with Other Cultures: Rejection or Integration?*, ed. by Jacob J. Schacter, pp. 117–25, as well as in "Al Tadmitem ve-Goram shel ha-Goyim" (above, n. 37). See also Ivan Marcus, *Rituals of Childhood: Jewish Acculturation in Medieval Europe* (New Haven and London: 1996); Israel J. Yuval, *Shenei Goyim be-Bitnekh* (Tel Aviv, 2000); and much relevant discussion in Avraham Grossman's *Hakhmei Ashkenaz ha-Rishonim* (Jerusalem: 1981) and *Hakhmei Zafat ha-Rishonim* (Jerusalem: 1995) and in Ephraim Kanarfogel, *Jewish Education and Society in the High Middle Ages* (Detroit: 1992).

40. *Bein Yehudim le-Goyim*, p. 36; *Exclusiveness and Tolerance*, p. 25. The formulation in the English version is not as sharp.

41. *Bein Yehudim le-Goyim*, p. 46; *Exclusiveness and Tolerance*, p. 37.

42. So the anonymous rabbi attacked by Maimonides in his *Epistle on Martyrdom*; see Abraham Halkin and David Hartman, *Epistles of Maimonides: Crisis and Leadership* (Philadelphia: 1993), pp. 16, 21. Cf. also *Hiddushei ha-Ran to Sanhedrin 61b*. (The author is not Rabbi Nissim Gerondi but a somewhat earlier Spanish talmudist.)

Europe through the twelfth century is very much in question.⁴³ Katz acknowledged that the theological chasm separating Judaism from Christianity played some role here, and in this instance I think that the actual content of Jewish and Christian beliefs deserves pride of place. We shall soon encounter the emphasis by R. Menahem ha-Meiri on the deep and genuine divide between Christianity and paganism, but in the final analysis it is a daunting task to argue that worship of Jesus of Nazareth as God is not *avodah zarah* by the standards of Jewish law.

In his final work, Katz did utilize medieval Jewish-Muslim relations as a tool for evaluating the causes of the tense relationship between Jews and Christians in the same period.⁴⁴ Here he endorsed the position that tensions were much greater in the latter case because the truth of one religion depended on the falsehood of the other only in the Jewish-Christian relationship. This stray remark requires elaboration. As I wrote on another occasion with respect to polemical literature,⁴⁵ the Jewish-Christian encounter was more stressful because of both its greater intimacy and its greater difference. Since the Hebrew Bible played a considerably less important role in Islam than it did in Christianity, arguments over its meaning, including, of course, the identity of True Israel, were incomparably more significant in the Jewish-Christian interaction. With regard to theology, it was the greater gap between Jews and Christians that was decisive in exacerbating tensions. "Islamic monotheism left no room for the creative rancor that produced the philosophical dimension of Jewish-Christian discussions, which addressed such issues as trinity and incarnation."⁴⁶ In our context, sharper terminology may be in order. Christianity was *avodah zarah*; Islam was not.

A comparative dimension might also have been useful in testing one aspect of Katz's controversial hypothesis about the difference between medieval Ashkenazim and their sixteenth- and seventeenth-century counterparts. Katz asserts that by the seventeenth century, Ashkenazic Jews had spiritualized the ideal of martyrdom and were far less aggressive in confronting Christianity. These changes, he says, resulted from greater insularity. Christianity had become less of a psychological reality, and the sense of spiritual threat or temptation had diminished.⁴⁷

43. See my "Mission to the Jews" (above, n. 33).

44. *Et Laḥqor ve-Et le-Hitbonen* (Jerusalem: 1999), p. 54.

45. "Jewish-Christian Polemics," *The Encyclopedia of Religion* 11: 389.

46. "Jewish-Christian Polemics," 389.

47. "Bein Tatn'u le-Ta'ḥ Ta't," in *Halakhah ve-Qabbalah*, pp. 311-30.

This is not the forum to address the controversy over this thesis in detail. I think that Katz was wrong about spiritualization and right about aggressiveness, but his reason for the decline in aggressiveness is highly speculative. We would do well to ask why medieval Provencal, Italian, and Spanish Jews were less aggressive than those of Northern Europe in their anti-Christian works. Were those Jews less tempted by Christianity? Was it less of a psychological reality for them? In these societies, it is likely that differences in cultural attitudes and norms of expression were at work. But then, as the Middle Ages wore on, there was fear. This is certainly evident in late medieval Spain, where the Tortosa disputation took place in a profoundly different atmosphere from the one that had prevailed in Barcelona a century and a half earlier, but there were similar transformations in Ashkenaz as well. Rabbi Yehiel of Paris did not dare to address Nicholas Donin in the manner that his contemporary Ashkenazic coreligionists wrote or even, I am inclined to think, still spoke to Christians on the street. Later—but still well before the period identified by Katz—Yom Tov Lipmann Muehlhausen was much less caustic than Joseph Official, and he found it necessary to deny the obvious meaning of pejorative Jewish terms applied to Christian *sancta*.⁴⁸ The public aggressiveness of Ashkenazic Jewry changed because it had to change.

Katz's social explanations for the stance of medieval Jews on legal issues in the Jewish-Christian relationship always make intuitive sense, but on rare occasions his formulation is problematic or the evidence is pushed too hard. Thus, he points to an assertion in *Sefer Hasidim* that penance is needed for a Jew who desecrated the Sabbath to save a gentile and contrasts it to the injunctions in the same work to fight a Jew who is attempting to kill an innocent gentile and to take up arms in support of Christian allies who fulfill their obligations to their Jewish partners. The contrast in these positions certainly requires explanation, and Katz suggests two distinctions that somehow appear to merge. There is a difference, he says, between reflective and spontaneous reactions and between the response to an individual Christian and the approach to Christians as a stereotyped group. The reflective reaction requires penance; the spontaneous one requires you to help. The individual is entitled to your assistance; the representative of the group is not.⁴⁹

In this instance, however, these are problematic distinctions. It is hard to see why saving someone on the Sabbath involves less of a direct, spontaneous emotion than saving him from a Jewish murderer, or why the former is a stereotypical Christian while the latter is an individual. I think that Katz is

48. *Sefer Nizzahon* (Altdorf: 1644), p. 194.

49. *Bein Yehudim le-Goyim*, p. 105; *Exclusiveness and Tolerance*, pp. 100–1.

correct in his further assertion that the imperative to help the gentile may well emerge from a direct human reaction that transcends self-interest, but I cannot prove this. Even if this is so, the distinction between the cases can result from the conviction, or even instinct, that indifference to the life of a gentile may—and should—be overridden far more readily than the prohibition against violating the Sabbath.

In another instance, I believe that Katz's intuition is correct, but he presses the evidence to the point of misrepresentation. Medieval Jews had a powerful incentive to permit the deriving of benefit from gentile wine; at the same time, they did not drink it and in most cases did not want to drink it. As Katz presents it, Rabbenu Tam permitted benefit on the basis of an argument that should logically have permitted drinking as well. When Ri objected by pointing to this implication, Rabbenu Tam withdrew his argument and produced a different one that would not lead to the unwanted conclusion. Katz points out that the Talmud itself makes no distinction between benefit and drinking, so that only the extra-halakhic concern prevented Ri and Rabbenu Tam from endorsing a consistent position.⁵⁰

In a footnote found only in the Hebrew version, Katz concedes that R. Tam's statement "can be interpreted to mean that his ruling was reported inaccurately, but even if this is so one can still wonder why Ri would have been upset by the conclusion that Rabbenu Tam reached in the form it was reported to him."⁵¹ First of all, R. Tam's statement cannot just be *interpreted* to mean that his position was misreported; that is the only thing it can mean. Second, although the Talmud does not generally distinguish between deriving benefit from Gentile wine and drinking it, in a critically relevant line in this discussion it does. Ri objected to a permissive ruling that was both unprecedented and contrary to accepted practice. What is really striking is R. Tam's reaction, "God forbid," to Ri's assertion in his name, a reaction that powerfully supports Katz's fundamental thesis about the depth of the instinct at work here. We have already seen an instance in which Katz was acutely sensitive to the significance of this formula. In this case he did not pick it up, apparently because he was committed to the position that R. Tam had changed his mind. The deep aversion of Ashkenazic authorities to permitting the drinking of gentile wine really does emerge here, but Katz has constructed a misleading scenario regarding both the unfolding of R. Tam's position and its presumed inconsistency.⁵²

50. *Bein Yehudim le-Goyim*, pp. 55–56; *Exclusiveness and Tolerance*, pp. 46–47.

51. *Bein Yehudim le-Goyim*, p. 56, n. 36.

52. After writing this, I had the benefit of reading the typescript of Haym Solo-

In his analysis of the perception of Christianity as *avodah zarah*, Katz frequently reiterates what he presents as a fundamental characteristic of halakhic literature: the limited, local application of a principle mobilized to deal with a particular problem. The point is that formulations implying that medieval Christians are not idolaters were not generalized beyond the narrow context that produced them. I do not doubt that this characteristic of halakhic literature, which Haym Soloveitchik has called “halakhic federalism,”⁵³ is real, and Katz uses it convincingly to refute scholars who equated the tosafists with the Meiri by attributing to them a principled denial that medieval Christians worship *avodah zarah*. But on a matter so fundamental to the self-perception of Ashkenazic Jewry and its relationship with its environment, we are entitled to ask whether the overwhelming instinct that Christianity is *avodah zarah* should inform our understanding of the local contexts themselves. Did medieval Ashkenazic halakhists ever mean to say—even in narrow applications—that Christianity is not *avodah zarah*?

The answer to this question may very well be no. In some of those cases, Katz appears willing to interpret the relevant statements so narrowly that they do not make any assertion about the Christian religion itself. Thus, the declaration that the gentiles among us (or “in this time”) are not worshippers of *avodah zarah* means only that they are not particularly devout.⁵⁴ The most important example of this issue, *Tosafot’s* assertion that “association” (*shittuf*) is not forbidden to non-Jews, elicits a more ambiguous treatment. Katz’s own

veitchik’s study, “Sahar b i-Stam Yenam be-Ashkenaz—Pereq be-Toledot ha-Halakhah ve-ha-Kalkalah ha-Yehudit bi-Yemei ha-Beinayim,” which will have appeared in *Tarbiz* before the publication of this article. I am grateful to Prof. Soloveitchik for providing me with this typescript, which contains an important analysis of the exchange between Ri and Rabbenu Tam and argues persuasively for the existence of a deeply ingrained instinctive revulsion among Ashkenazic Jews at the prospect of drinking gentile wine.

Katz’s report of a tosafist position in another case also requires correction, but the misleading formulation is only slightly off the mark. He tells us that Ri permitted taking interest from gentiles beyond the requirements of bare sustenance, because Jews were now a minority among the gentiles (*Bein Yehudim le-Goyim*, p. 40; *Exclusiveness and Tolerance*, p. 30). This is a category Katz uses to explain a larger pattern of halakhic adjustment. So he mobilizes it here, when in fact Ri grounded his permissive ruling not on the numerical status of the Jews but on the related fact that they are subject to economic persecution.

53. *Halakhah, Kalkalah, ve-Dimmuy Azmi* (Jerusalem: 1985), pp. 79–81.
54. “Sheloshah Mishpatim Apologetiyim be-Gilguleihem,” in *Halakhah ve-Qabbalah*, p. 284.

presentation in an earlier article, as well as in his book, indicates that he understands the term to refer to worship of God along with something else. Thus, Christianity would not be *avodah zarah* for gentiles. This principle, however, was applied only in the narrow context in which it arose, to wit, accepting an oath from a Christian in a business dispute.⁵⁵ In the article, however, he proceeds to discuss “meticulous jurists” (*baalei halakhah dayqanim*) who understood the tosafists to mean only that gentiles may take an oath in God’s name while also thinking of another entity; they never meant to suggest that gentiles may associate God with something else in worship. Nonetheless, Katz does not retract his earlier interpretation, and in the Hebrew version of the book he reiterates it without going on to discuss the meticulous jurists. If, as is very likely, *tosafot* never meant to say that Christian worship is not *avodah zarah* for gentiles, there is no example of narrow application here. There was never any principle that could have been generalized.⁵⁶

One of the weaknesses of halakhic federalism is that it cannot easily survive scrutiny. When exposed to the light, it withers. And so we come to ha-Meiri, where one of Katz’s points is precisely that federalism withers, to be replaced by an all-embracing principle excluding Christians from the category of idolaters. Many of Katz’s best characteristics emerge in this analysis: sensitivity to language, to pitch, to tone—not just ha-Meiri’s new formula describing Christians and Muslims as nations bound by the ways of religions, but the celebratory language and the elimination of other arguments as unnecessary. We find once again a remarkable instinct that cuts to the core of a phenomenon even where hard evidence is thin: in this case, the instinct that philosophy is somehow at work here even though the evidence Katz adduces for this is not utterly compelling and the position to be explained is the opposite of that of Maimonides. In other instances we have seen Katz’s intuitions

55. “Sheloshah Mishpatim” p. 279. Cf. *Bein Yehudim le-Goyim*, p. 163. The English version, *Exclusiveness and Tolerance*, p. 163, omits the reference to worship. As we shall see, this may well be a better understanding of *Tosafot*, but in light of the two Hebrew discussions, I doubt that it represents Katz’s true intent at this point in his analysis.

56. There is an additional interpretive option that was proposed to understand this *tosafot* that Katz does not address in the article or in the Hebrew version of the book, but it makes an appearance in the English. *Shittuf* may mean nothing more than the inclusion of references to God and something else—in this case the saints—in the same oath. Christian worship remains *avodah zarah* even for gentiles. I have discussed the various interpretations of this *tosafot* in Appendix III of *The Rebbe, the Messiah, and the Scandal of Orthodox Indifference* (London and Portland, Oregon: 2001).

confirmed by polemical works; in this case, Moshe Halbertal has demonstrated the essential correctness of Katz's instincts by reference to philosophical and other texts.⁵⁷

Finally, the question of Christianity as *avodah zarah* is intimately connected to the question of the damnation or salvation of Christians. On two occasions, Katz noted a passage in the Hebrew account of the 1240 Paris disputation where R. Yehiel indicated that Christians can be saved if they observe the seven Noahide laws.⁵⁸ Katz does not directly address the transparent problem that *avodah zarah* is one of those commandments. Nonetheless, his discussion of this passage and of the disputation as a whole is extremely perceptive, and his insight that the need to respond to Christian attacks on the Talmud could lead to the growth of genuine tolerance has significance beyond the geographical and chronological arena that concerns him in this chapter.⁵⁹

Let us conclude, then, by returning to Katz's introductory comment about the contemporary relevance of his work. Within the medieval universe of discourse, we can unhesitatingly speak of both tolerance and intolerance when discussing the dominant religions. When you have the power to kill or expel—and these options are realistic within your universe of discourse—you exhibit tolerance if you refrain from exercising that power. When you kill or expel one group but not another, you have shown tolerance toward the group that remains. The more tolerant the society, the higher the standard an individual or subcommunity must meet to be considered tolerant.

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57. Moshe Halbertal, *Bein Torah le-Hokhmah: Rabbi Menahem ha-Meiri u-Ba'alei ha-Halakhah ha-Maimunim bi-Provence* (Jerusalem: 2000), pp. 80–108. Katz laid special emphasis on ha-Meiri's remarkable assertion that a Jewish convert to Christianity is entitled to the rights accorded to civilized believers, whereas an unconverted heretic is not (*Bein Yehudim le-Goyim*, pp. 124–25; *Exclusiveness and Tolerance*, pp. 123–24). On a similar assertion by Moses ha-Kohen of Tordesillas, see my "Christians, Gentiles, and the Talmud: A Fourteenth-Century Jewish Response to the Attack on Rabbinic Judaism," in *Religionsgespräche im Mittelalter*, ed. by Bernard Lewis and Friedrich Niewoehner (Wiesbaden: 1992), p. 126. Note, too, Yom Tov Lippman Muehlhausen, *Sefer Nizḥaḥon*, p. 193.
58. "Sheloshah Mishpatim," p. 273; *Bein Yehudim le-Goyim*, p. 115; *Exclusiveness and Tolerance*, p. 113. See my discussion of this passage in "Al Tadmitam ve-Goram shel ha-Goyim," pp. 80–81.
59. See my observations in "Christians, Gentiles, and the Talmud," p. 130.

For a relatively powerless minority, the situation is quite different. We can speak of theoretical tolerance and intolerance, but because the group in question has no authority to enforce its norms, we sometimes slip into a usage in which intolerance becomes synonymous with hostility. This equation, however, blurs important distinctions. Bernard of Clairvaux, for example, was hostile to Jews, even very hostile, but he was simultaneously tolerant, even—by medieval Christian standards—very tolerant.⁶⁰ No medieval Jew can be judged by this standard, because no Jew was confronted with the temptations or restraints of power.

Powerlessness confers freedom to express hostility without the need for a real confrontation with the consequences. One can curse one's enemies, condemn them to hellfire, list the innumerable offenses for which they should be executed and the many obligations that they must be compelled to discharge—and then go to bed. Power brings responsibility and subjects its bearers to the discipline of governing.⁶¹ Powerlessness provides the luxury of both untested tolerance and untested zealotry. Neither the tolerance nor the zealotry may survive the transition to power.

Whether we frame the issue as hostility versus cordiality or tolerance versus intolerance, Katz's studies reveal how medieval Jews confronting a Christian society dealt with the normative texts that they had inherited. Though their strategies often carried significant practical consequences, the effects were limited by the reality of exile. Katz, on the other hand, wrote in an age of restored Jewish sovereignty. He certainly welcomed this, but he also saw the dangers and no doubt hoped that his work, free of the unhistorical apologetics of an earlier generation, would provide guidance as well as understanding. This dimension of his achievement is difficult to assess. But within the four walls of scholarly endeavor, the impact of his oeuvre is beyond cavil. Every scholar of the Jewish experience is indebted to Jacob Katz for setting a standard of erudition, insight, and clarity that we can only strive to approach.

60. See my "The Attitude of St. Bernard of Clairvaux toward the Jews," *Proceedings of the American Academy for Jewish Research* 40 (1972): 89–108.

61. Note the discussion of some of these sometimes surprising complexities in Kenneth R. Stow, "Papal and Royal Attitudes toward Jewish Lending in the Thirteenth Century," *AJS Review* 6 (1981): 161–84.

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