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This thesis deals with Elijah del Medigo's main philosophical work, *בחינת הדת*. Elijah was a philosopher who lived in Italy during the Renaissance. His philosophical treatise, *בחינת הדת*, attempts to combine reason with Judaism. In this way, Elijah is like the Medieval philosopher, Maimonides, who also supported the intellect while affirming the basic tenets of Judaism. Elijah was affected by the intellectual openness and deep questioning characteristic of the Renaissance. Both the Renaissance and past ideas influenced Elijah's *בחינת הדת*.

The *בחינת הדת* has never been translated into English before, therefore, I have produced a third draft version. I have not only translated this seminal work but I have also provided some background on the Renaissance, its affect on the Jews, and Elijah del Medigo's life. This thesis is comprised of three introductory essays, a summary, and a complete translation of *בחינת הדת*. The primary document is the *בחינת הדת* complete with notes and introduction by Jacob Joshua Ross.

The intent of this thesis is to make Elijah's philosophical work accessible to the English reader and to delve into an exciting time period that has similarities with our own. Like the Renaissance, the twentieth century is a time of great changes, and the issues Elijah raises are ones we must deal with as well. Through studying the *בחינת הדת*, one can gain perspective and insight into the challenges we face today.

**A sociopolitical study of Elijah del Medigo's**

**בחינת הדת**

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Thesis submitted in partial fulfillment of  
requirements for Ordination

Hebrew Union College-Jewish Institute of Religion  
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New York, New York

March 7, 1997  
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## Preface

Elijah del Medigo's philosophical work, *בחינת הדת*, is a fascinating composition because it deals with the relationship between reason and religion. Initially, I was interested in exploring the medieval philosopher Maimonides, because of his complex theology and probing mind, until Dr. Martin Cohen suggested Elijah del Medigo. As it turned out, this was a wonderful recommendation because Elijah not only studied Maimonides thoroughly but he was also an enthusiastic supporter. Like Maimonides, Elijah was a pure rationalist at heart, yet he did not dismiss the basic tenets of Judaism. He believed that both the mind and Judaism must be synthesized for the sake of the Jewish people.

In this thesis, I have provided some general background on the Renaissance, how the Renaissance affected Jews, and Elijah del Medigo's life. This is with the intent of giving a broader view of Elijah's time period and an understanding of its influence on the *בחינת הדת*. The Renaissance was a time of mental exploration, social and political changes, artistic and literary development but also one of persecution and war. Elijah brings these elements together when he critically analyzes the basis for religion, exposes the tensions between Jews, and points out political and religious developments of his time.

Aside from some background essays, this thesis' main focus is on a

translation of Elijah's בחינת הדת. The בחינת הדת has never been translated into English before, therefore, I had to start from scratch. I believe that the first step in understanding Elijah's ideas is to translate his philosophical treatise, therefore, I have produced a third draft version of it. In the years to come I intend to produce a more polished translation, complete with extensive notes on the philosophical antecedents and the broader context of Elijah's time. Nothing less than a fully notated and quality translation will do justice to Elijah's בחינת הדת.

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My thesis would not have been possible without the aid of Dr. Martin Cohen. He spent innumerable hours helping me translate this work and understand its implications. I am very grateful for the time and effort he invested in me and my thesis.

## Renaissance

Botticelli's painting 'The Birth of Venus' features a beautiful red haired woman standing elegantly in a sea shell. Surrounding her from the ground and air are gods in human form. The fluid bodies and clothing of the gods blend with brilliant colors as they delicately create the goddess of beauty, Venus.

This painting portrays some important elements of the Renaissance in Italy. The artistic creativity is evident in the style of drawing and paint strokes as well as the theme drawn from ancient Greek mythology. From looking at this one painting, one can learn that the Renaissance was a period of creativity, artistic innovation, and revival of antiquity.

The word, 'Renaissance' is French for 'rebirth' or 'revival'. A myth depicts the Renaissance as a new era of creativity following the dark mind stunting years of the Medieval world.<sup>1</sup> But this myth is indeed just a myth for it is known that the Middle Ages produced its own literary and creative achievements. The Renaissance, therefore, is best understood not as a rebirth nor revival but rather as a development of earlier ideas already presented in the Middle Ages. Botticelli's painting, therefore, and other artistic endeavors, are the result of building on a foundation established by the past.

<sup>1</sup> We.D, "Renaissance" Encyclopedia Britannica: Macropaedia, 1974 ed. pg. 660

### Politics & Economics:

Jacob Burchhardt, the trailblazing twentieth century historian of the Renaissance, claims the Renaissance evolved out of various circumstances in Italy, beginning in the fourteenth century and continuing until the sixteenth century.<sup>2</sup> He believes that the political situation in Italy of the thirteenth and fourteenth century created an atmosphere hospitable to the development of the Renaissance.

By the thirteenth century, feudalism had in many places significantly declined. As a result, emperors consolidated their power at the expense of the feudal lords. In the thirteenth century, for example, Emperor Frederick II, the ruler of lower Italy, took special measures to dismantle the feudal state and centralize the judicial and political administration.<sup>3</sup> This demonstrates an overall shift of control of rural land and workers from feudal lords to a more centralized leader.

The decline of feudalism continued as more people left their rural homes in search of opportunities in towns. The feudal lords were left with fewer constituents and thus less influence. Their

<sup>2</sup> We.D. pg. 660

<sup>3</sup> Burchhardt, Jacob, The Civilization of the Renaissance (Oxford: Curwen Press, 1945), pg. 2



decline continued as the towns expanded into cities. In time these cities centralized their power and evolved into republics. It is important to note that in Italy, there was no central or national government at the time, except on the small scale of its city-state republics. Italy was a patchwork of competing republics and provinces, left to develop and adapt to the changing climate of Italy.<sup>4</sup>

The new cities and republics required a different kind of leadership and administration than feudalism to meet the changing condition of the times. The land was no longer primary, the people lived in closer proximity to one another, and the cities offered new occupations and challenges. One change to meet these needs was the election of one man to rule over a province. But the many internal and external conflicts led to the rise of many tyrannical despots.<sup>5</sup>

The fourteenth and fifteenth century rulers were antagonistic to despots of bordering states. The temptation always existed for larger provinces to attack smaller ones. The strife between bordering provinces led to the dangers of war and duplicitous diplomacy. The major provinces of Florence, Milan, and Venice formed shifting alliances. In the early fifteenth century, for

<sup>4</sup> We.D. pg. 663

<sup>5</sup> Burckhardt, Jacob pg. 7

example, Florence and Venice forged an alliance to stop Milan's military expansion. Shortly thereafter, Florence and Milan together opposed Venice.<sup>6</sup>

The despots of the fifteenth century were noteworthy because their right to rule was not necessarily based on their birth. In Italy, illegitimate heirs rose to power for many reasons, among them, the Renaissance indifference to such matters of morality.<sup>7</sup> While someone outside of the ruling dynasty could seize power, there were certain perils that accompanied it. The dangers existed because legal opposition to the despots was difficult in the centralized states. As a result, shifts of power were at times accomplished by tyrannicide.

At the very time of these struggles, France, Spain, and the Ottoman Empire posed potent external threats to the provinces of Italy. Specifically in 1494, King Charles VIII of France attacked northern Italy, but withdrew when he failed to establish firm control. In spite of this failure, his successors continued to pursue the hope of a full Italian conquest.<sup>8</sup> Thus while the Italian provinces had to struggle to subdue internal conflicts, they also had to fight against imperialist forces from the north.

<sup>6</sup> Burckhardt, Jacob pg 6

<sup>7</sup> Burckhardt, Jacob pg 10

<sup>8</sup> We.D. pg. 667

### Antiquity:

It was during this period of relative instability that the Renaissance was born. One important aspect of the Renaissance was a blossoming interest in the distant past. Everything from ruins, artifacts, and even ancient corpses were treasured.<sup>9</sup> But within this ancient heritage, it was the revival of ancient studies which was most valued. It was believed the ancients had insights to happiness and success. Thus there was a desire to understand the ancients in their own language, which encouraged a renewed study of the Greek, Latin, and Hebrew languages.

While there had been previous revivals of antiquity in Western Europe, this one was different because of the growing literacy among the laity.<sup>10</sup> No longer was literacy the skill of the elite but rather increasing numbers of ordinary people could read and thus have access to ancient literature. This enabled the ideas generated by the Renaissance to reach a wider audience.

### Humanism:

An expression of the desire for antiquity was seen in the development of Humanism. Humanism is the human centered study of a variety of human creations ranging from poetry,

<sup>9</sup> Burckhardt, Jacob pg 108-113

<sup>10</sup> We.D. pg. 664

grammar, rhetoric, history, and philosophy. In the Renaissance this study was primarily based on Greek and Latin culture. Humanism may be said to have emerged in Padua in the late thirteenth and early fourteenth centuries. Before long, its impact was directly or indirectly felt in the daily lives of the Italian peoples. Humanism found fertile ground in the growing cities of Italy. As leisure increased, so did the demand for linguistic and rhetorical skills. These humanistic skills were also utilized by both the nobles and commoners who sought careers in administration and diplomacy.

The growing need for literary skills increased demand for teachers. Such teachers of humanities could be found in universities or private households. While some humanists were poets, the vast majority were classical scholars, and because of this sought after instructors of secular studies.

The humanist ideology of humankind was based on examining the actual behavior of man rather than focusing on doctrinaire formulas. The humanists believed rationalism was limited because it could neither comprehend the ultimate mysteries nor reign in the passions. They, therefore, stressed the emotional side of human nature which was reflected in the will of man. The humanists believed that by devotion to ancient studies, they could

gain understanding into human nature and thereby glean the truly worthwhile in life. This orientation gave legitimacy to an approach to life which ran counter to some of the Church's teachings.

Pico della Mirandola was one of the most prominent humanists.<sup>11</sup> He ardently studied ancient Greek and Hebrew texts and delved into Medieval studies as well. His pursuit of alternative teachings put him at odds with the church, especially, as he broadened his interests to mysticism. The church viewed Pico's fame and interest in humanistic studies as a threat to its authority; it therefore excommunicated him.

#### Social sphere:

The exploration of the past was accompanied by a probing into the self. In the social sphere, there were many changes in people's way of thinking and interacting with one another. Starting at the end of the thirteenth century, there was a greater focus on the individual as opposed to the medieval emphasis on the family or group.<sup>12</sup> This shift from group to individual was expressed in many different ways during the Renaissance.

Firstly, one's birth was of lesser importance than it had been in the past. One's socializing was based more on education than on

<sup>11</sup> We.D. pg. 665

<sup>12</sup> Burckhardt, Jacob pg 81

distinctions of caste.<sup>13</sup> No longer were people fated to live the life they were born. Rather they could move beyond it through learning or wealth.

The freeing of the individual went beyond class distinctions and was played out in the relationship between the person and the society. No longer did individuals feel as though they had to submit unconditionally to the will of the state. Since the State was in principle believed to be corrupt, even people of the lower classes felt uncommitted to the system and could be critical of it.<sup>14</sup> Since the Renaissance brought about a focusing on the individual versus the community or state, many times an individual's needs and desires overrode community restraints. This new freedom led to a broadening of sexuality license and an increase in crime.<sup>15</sup> It appears that more premeditated crimes like theft and murder were committed in Italy during the Renaissance than in other places.<sup>16</sup>

#### Religion:

Just as people were critical of their governments, so were they critical of state religion. There was hostility towards the church by the upper and middle classes in Italy during the Renaissance.<sup>17</sup>

<sup>13</sup> Burckhardt, Jacob pg 217

<sup>14</sup> Burckhardt, Jacob pg 274

<sup>15</sup> Burckhardt, Jacob pg 269

<sup>16</sup> Burckhardt, Jacob pg 279

<sup>17</sup> Burckhardt, Jacob pg 280

Monks were notably the most unpopular class but there was also animosity toward the main order friars. The higher monastic orders, like the Benedictines, were viewed a bit more favorably than the monks, probably because they were an older group who did not interfere with private life.<sup>18</sup>

Even though monks and secular clergy had notorious reputations, the clergy were still a part of people's lives. This is because religion still held a place of influence, particularly in times of death and communal crises.<sup>19</sup> Religion was thought of as a personal matter especially in light of the church's corrupt doctrine and practice.<sup>20</sup>

One way the clergy made their influence felt was through those who traveled and preached to the populace, like the friars, Giovanni Capistrano and especially Girolamo Savonarola in the fifteenth century. Some of these preachers were sent by the Franciscans who tried to settle disputes in towns or to deal with crises such as disease, immorality, or violence. Both the government and clergy tried to control and regulate these influential preachers. The church tried to institute requirements for the preachers in order to control them, but had limited success

<sup>18</sup>Burckhardt, Jacob pg 285

<sup>19</sup> Burckhardt, Jacob pg 286

<sup>20</sup>Burckhardt, Jacob pg 304

because of their popularity and ability of the lay people to preach.<sup>21</sup>

Fra Girolamo Savonarola (1452-1498) is an example of a preacher who was revered, while the Order as a whole was despised. During the years 1494-98, Savonarola was so influential that when he preached his inspirational sermons, people would repress their aversion to clergy and support him. Savonarola began instituting reform of the order which eventually led to the development of a national church. Part of his reform was opposing the study of philosophy and secular classical courses. This is because he represented the far right wing of the church which viewed the study of humanities as threatening its authority.<sup>22</sup>

The church was not only threatened by humanistic studies but also by alternative worship styles. Even though Christianity was the dominant religion, various rituals and customs commonly practiced were regarded by many as superstitions. Relics and corpses of saints were believed to have magical power.<sup>23</sup> There was widespread belief in omens, demons, witches, and magic. Many also believed that the outcome of events was determined by the stars, even though it conflicted with the freedom of will. Since

<sup>21</sup>Burckhardt, Jacob pg 288-290

<sup>22</sup>Burckhardt, Jacob pg 292

<sup>23</sup>Burckhardt, Jacob pg 296



religious ferment tends to increase with political crises, this period witnessed considerable religious variation.

The intense desire to believe in magic, paradoxically coincided with the intellectual developments associated with the Renaissance. In order to respond to people's religious needs, there were attempts to reconcile the new ideas of the Renaissance together with religious yearnings. This was seen with religious humanism.

Christian humanism, in particular, gained a following in the sixteenth century due to a variety of factors, including: social change and its spiritual stress, and the inability of the religious establishment to respond to the growing literacy of the laity. One of the leaders of the Christian humanists was Desiderius Erasmus (1466-1536) who preached that the fundamental law of Christianity is the law of love. One should aim for love, peace, and simplicity, in order to be a good Christian.<sup>24</sup> Such humanists embraced religious tolerance but in the course of time, they were often considered to be heretics by both Catholics and Protestants.

Along with Christian humanism, mysticism also gained a following. This began in the fourteenth century in the Rhineland

<sup>24</sup> We.D. pg.668

and was centered in the houses of the Dominican order. One such teacher of mysticism was Meister Eckhart (1260-1327).<sup>25</sup> Eckhart made the doctrines of mysticism accessible to the common people and thereby gained a large following. Mysticism, and other forms of religious expression, were attractive because people were in need of spiritual consolation in the wake of the societal changes affecting their lives.

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The Renaissance was a time of transition in which the seams of an obsolescent medieval society strained and then ruptured. What burst forth was an incredible amount of creativity, innovation, and learning, but so also did dislocation. While some people embraced the changes brought on by the Renaissance, others clung to the past and all its associated symbols. The Renaissance, therefore, was a complicated era filled with tensions, conflicts, hopes, and aspirations. It is within this churning era that the Jews faced unprecedented challenges in the form of both opportunity and repression.

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<sup>25</sup> We.D. pg.669

## Jews in the Renaissance

The Jews of Italy have a long, rich history. They can trace their roots to the Second Temple period and have maintained their continuity ever since. Primarily, the Jews settled in the oldest center of Italian Jewry, Rome, and in the southern provinces of Calabria and Apulia. The medieval traveler and historian, Benjamin of Tudela, in the twelfth century, wrote that the majority of the Italian Jews were settled in the south of the country, with only two Jewish communities north of Rome in Luca and Pisa.<sup>26</sup>

During antiquity and early Middle Ages, the Jews were involved in a variety of occupations. Jews worked as laborers, farmers, craftsmen, merchants, artisans, and peddlers among other occupations. Many Jews were also in the textile business and involved in wholesale trade.<sup>27</sup> In the south, Benjamin of Tudela wrote that dyeing and silk weaving were traditional Jewish livelihoods.<sup>28</sup> It is only later that the Jews became involved in money lending.

Essentially, when the Italian mercantile republics developed towards the end of the Dark Ages, some people viewed the Jews as competitors. Thus, differing provinces limited Jewish opportunity in business and

<sup>26</sup> Roth, Cecil, The history of the Jews in Italy (Philadelphia: JPS, 1946), pg. 3-4

<sup>27</sup> " " pg. 103

<sup>28</sup> Roth, Cecil, The Jews in the Renaissance (Philadelphia: JPS, 1959), pg. 5

trade. As the Jews were squeezed out of these occupations, a new opportunity presented itself. The changing economic climate created a greater need for money lending; but the Church viewed usury as despicable and beneath any believing Christian. The natural group to be involved in this much needed activity were the Jews. By the second half of the thirteenth century, many Italian communities invited Jews to open loan banks and even gave Jews special privileges and incentives to do so.<sup>29</sup>

Italian treatment of the Jews fluctuated throughout history. Overall, Jews were dealt with favorably until the Renaissance. But even during the Renaissance, Jews did not suffer the kind of persecution that Jews of other countries experienced. This may be due to a long history of peaceful relations with the Jews and/or because Italy was a patchwork of provinces. Because Italy was not a unified country, any persecution of Jews remained local and Jews could always go to another province until the hatred abated. The Jews, therefore, maintained a continuous presence in Italian society and generally amiable relationship with their non Jewish neighbors.

During the Renaissance, several groups used the Jews as a weapon against their opponents. This led to variable treatment of the Jews depending on the group in power and the economic, political, or social

<sup>29</sup> " " pg. 6

environment. Generally, those in immediate power wished to treat the Jews well but when enough opposition to their rule congealed, they were forced to rule against them. Also, groups opposed to the pope or rulers, would demonstrate their anger by attacking the Jews.

The Jews were an easy target for discontent because as money lenders, they were often at the mercy of the local populace when it could not repay its loans. Also, the urban traders often felt threatened by Jewish competition. On the other hand, many times the upper classes were favorably disposed to the Jews because of the benefits they reaped from them. So in this balance between these opponents of the Jews and their protectors, the populace as a whole swayed between acceptance and benevolence on the one hand and hatred and persecution on the other.<sup>30</sup>

The church played an important role in the treatment of the Jews, particularly, after it succeeded in reunifying its power in the fifteenth century. At the beginning of this century, the church was in crisis. In 1414, the Ecumenical Church Council of Constance discussed the restoration of church unity. They also faced the Hussite movement in central Europe.<sup>31</sup> The Hussites were a fringe pre-Protestant group who threatened to break away from the church. The unity of the church was not only threatened by the Hussites but also by the nomination of the

<sup>30</sup> Roth, Cecil, The history of the Jews in Italy (Philadelphia: JPS, 1946), pg.155

<sup>31</sup> " " pg. 156

Spanish [anti]-pope Benedict XIII by another splintering group. It was finally in 1417 that the council at Constance finally ended the schism in the church and Rome again became the unquestioned center of the Catholic church.<sup>32</sup>

As the church stabilized, it presented a more united front for the Jews to deal with. In recognition of this fact, the Jews formed a committee to represent them before the Church. Once in Forli and then again in 1419 at Mantua, the Jews appeared before pope, Martin V, to ask him for protection against anti-semitism. Martin ruled in their favor and issued a bull, which promised the Jews such protection.<sup>33</sup>

In spite of this powerful ally, the Jews were still threatened by the Observanti reactionaries (Franciscans in opposition to the pope), particularly, Fra Giovanni da Capistrano (early fifteenth century). Capistrano, a notorious preacher and friar, spread venomous propaganda against the Jews; wherever he went disaster for the Jews immediately followed. The Jews once again appeared before the pope and obtained an additional edict of protection. However Capistrano's influence proved too great and the pope was constrained to withdraw his edict of protection. Capistrano even persuaded the Queen of Naples to cancel the privileges of the Jews, but this was short lived for both

<sup>32</sup> " " pg. 157

<sup>33</sup> " " pg. 158

Christians and Jews protested against their annulment.<sup>34</sup>

There were continuing struggles for Jews during the remainder of Pope Martin's term. In 1427, Turkish officials in Jerusalem seized a chapel belong to a Franciscan convent. Jews were blamed for this incident and the Pope forbade all seafaring republics from conveying Jewish passengers to Palestine. But then in 1429, the Pope issued a new bull which forbade friars from preaching against the Jews. This bull, while helpful to the Jews, was not universally respected, for in certain areas such as Bologna, Ancona, Venice, and some places in Umbria, there were prohibitions against Jews; for example, some Jews were forced to wear badges, were segregated from the rest of the population, and were also restricted in business and social dealings.<sup>35</sup>

Eugenius IV succeeded Martin as pope in 1431 and he, like his predecessor, was inconsistent in his treatment of the Jews. At first, Eugenius renewed Jewish privileges, but it was not long before he had to yield to Bernardino of Sienna, an ascetic head of the Observantines, who called for restrictions against the Jews. In 1434, the Pope promulgated anti Jewish legislation of unusual severity. In reaction, the Jews rallied together for negotiations with the Marguis of Mantua, these resulted in beneficial regulations in 1443; the Jews were permitted to settle in Mantua and practice Judaism. Soon afterwards, the pope withdrew his

<sup>34</sup> " " pg. 159

<sup>35</sup> " " pg. 161

regulation against the Jews.<sup>36</sup>

If history is any predictor of the future, one could easily recognize the pattern of rule employed by Nicholas, the successor of Eugenius, in his treatment of the Jews. Nicholas as pope wanted to make Rome the center of Italian cultural life. His plan, therefore, included favorable treatment of the Jews. In 1447, he accorded the Jews rights by Canon Law. Yet not long afterwards, the Pope, under the influence of Capistrano, renewed restrictions on the Jews. The Jews suffered persecution, violence, and local expulsions as a result of Capistrano and his followers.<sup>37</sup>

In the mid fifteenth century, the idea arose of a public non profit loan bank, called the Monti di Peita; this was intended to replace one of the Jews' main livelihoods, money lending. The hope was that as the Monti became more wide spread, the Jews would no longer be needed and could then be expelled. The Franciscans campaigned on behalf of the Monti and simultaneously encouraged violence against the Jews. But the idea of the Monti proved to be complicated. Firstly, many of the local Monti were not practical without any money intake; therefore they had to charge interest. Also, since the Jews had more experience in money lending, they were in some places called upon to help the Monti. Finally,

<sup>36</sup> " " pg. 162-164

<sup>37</sup> " " pg. 164-166



in some localities, Jews stayed in business even with a Monte in town.<sup>38</sup>

The Monte was not the only way of attacking the Jews. A more formidable pretext was found in the martyrdom of Simon of Trent in 1475. In Trent, near the border between Germany and Italy, a boy by the name of Simon, was missing. The Jews were blamed for his death by many. Fra Bernardino, a disciple of Capistrano and a great orator, capitalized on this charge by incorporating the boy's death into his tirade against the Jews. As a result of the hostile frenzy incited by Bernardino's speeches, Jews were tortured and executed.<sup>39</sup>

The pope tried to control these outbreaks by prohibiting all religious honors to the dead boy. Yet, even he had to recognize the symbolic power of Simon of Trent. (Later on this 'martyred' boy was entered as a sacred day into the Catholic calendar.) The authorities also took steps to protect the Jews but Bernardino continued his vitriolic sermons. When Bernardino preached in Florence in 1488, the ruler of Florence, Lorenzo de' Medici intervened and prevented a massacre of the Jews there. Finally in 1492, Bernardino died and Jewish life became more tranquil. It was even admitted that the Monti were not a solution for poor people after all.<sup>40</sup>

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<sup>38</sup> " " pg. 167-169

<sup>39</sup> " " pg. 171

<sup>40</sup> " " pg. 171-176

Francesco Rovere's election to the papacy in 1471, represented the climax of secularization. This pope was also particularly benevolent to the Jews and set an example of toleration. During his rule, Jews were allowed to play a more prominent role in society; for example, they could now extend their business activities beyond the lower class.<sup>41</sup>

This tranquil period was disrupted in 1492 when thousands of Jews were expelled from Spain and Sicily. Many Jews came to Italy and completely altered the composition of the Italian Jewish community. Italy at this time, was the only Christian European country open to the Jewish refugees. This openness allowed over 9,000 Jews to enter Italy.<sup>42</sup> While Italy was comparatively tolerant of the Jews, this sharp increase in their numbers brought them into greater conflict with the rest of the community.

The reaction of locals to the new immigrants was varied but there was some marked similarities as well. In all provinces, the Jews were viewed as an economic threat by the bourgeoisie. As more poor Jews arrived in Genoa, for example, the local merchants, fearing future competition, forced the Jews to convert or become slaves. In addition, there were even two later expulsions from Genoa in 1516 and 1550.<sup>43</sup> Such events led many Jews to settle in other areas.

<sup>41</sup> " " pg. 177-178

<sup>42</sup> " " pg. 179

<sup>43</sup> Dubnov, Simon, History of the Jews from the Later Middle Ages to the Renaissance, (Cranbury, N.J: A.S. Barnes & Co, Inc, 1969) pg. 523

Jewish refugees continued to spread out in Italy. As more Jews settled in Rome, conflict increased with the local inhabitants. These disputes arose as both the foreigners and original inhabitants competed for power. A solution was found later in 1524; the Jews were divided into three classes with 60 people chosen to represent them.<sup>44</sup> This peace did not last indefinitely, for when Spain and Germany attacked Rome in 1527, the Jews were not only assaulted by the invaders but by their neighbors as well. Roman Jewry never completely recovered from this invasion.<sup>45</sup>

In Venice, Jews were admitted and at times tolerated, but at other times, they were not.<sup>46</sup> The rabbinate in Italy was centered in the Venetian republic of Padua but as a result of the immigration from Spain and northern Europe, it expanded. As in Genoa and Rome, conflicts increased as the inhabitants felt more threatened by Jews' commercial pursuits. The Jews of Venice, like Jews in other provinces, also suffered from outside conflicts such as the Italian wars with Spain, Germany, and France in 1508-1515. Even when external threats subsided, the Jews still suffered anti-Semitism. The first ghetto was formed in 1516 in Venice; this was the first time Jews experienced strict segregation in Italy.<sup>47</sup>

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<sup>44</sup> Roth, Cecil, The history of the Jews in Italy (Philadelphia: JPS, 1946), pg. 180

<sup>45</sup> " " pg. 189-191

<sup>46</sup> " " pg. 184-185

<sup>47</sup> Dubnov, Simon. pg. 524

In Florence, Jews experienced highs and lows as well. Their fate was intricately linked with the political establishment of the Medici family. Because the Jews financially supported the Medici family, they were a natural ally for the rulers but this also made them a target for opposition. When the Medici family returned in 1512, Jews lived comfortably. But when the Medici were driven out in 1527, the Jews had to leave as well. It was not until 1530, that the ruling house was stabilized and it was safe for Jews to live as before.<sup>48</sup>

The plight of the Jews throughout Italy worsened with the death of Pope Paul III in 1550. This marked the end of liberal popes who embraced humanism.<sup>49</sup> In order to subdue all perceived threats to its authority, the church became intolerant of divergent beliefs. The Council of Trent in 1545-1563 demonstrated the church's crackdown by ordering the burning of Jewish holy books and placing severe restrictions on the Jew's business, social and living spheres. Ghettos were even formed in Rome where Jews were forced to live in crowded quarters. The Inquisition was also initiated against any marranos living in Italy.<sup>50</sup> This was a time of great sadness for the Jewish community of Italy.

Crises and cataclysms made the Jews turn inward for escape by increasing their desire for mysticism and the Messiah. The most

<sup>48</sup> Roth, Cecil, The history of the Jews in Italy (Philadelphia: JPS, 1946), pg 190

<sup>49</sup> Dubnov, Simon. pg. 541

<sup>50</sup> " " pg. 544-545

prominent messianic announcement occurred in 1524, when David Reubeni claimed that his brother, as king of the tribe of Reuben, would regather the Jewish exiles. Diogo Pires, a court secretary in Lisbon, met 'David' and became so convinced of David's authenticity that he converted to Judaism, changed his name to Solomon Molkho, and rallied support for Reubeni's cause. Reubeni even gained enough recognition that he appeared before Pope Clement VII to convince him of overthrowing the Turks in the holy land.<sup>51</sup> All messianic hopes raised with Reubeni plummeted when he was incarcerated in Spain and Molkho was burned at the stake.<sup>52</sup>

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During the years of the Renaissance, the Jews not only experienced persecution and estrangement but they were also welcomed to participate and contribute to society. Due to the close involvement between Jews and Christians, the Jews were greatly affected by the changes in their communities. Jews dressed like their gentile neighbors and engaged in the same forms of entertainment. They were also involved in all aspects of the Renaissance such as: art, music, dancing, theater, science, etc.<sup>53</sup>

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<sup>51</sup> "pg. 533-534

<sup>52</sup> "pg. 540

<sup>53</sup> Roth, Cecil, The history of the Jews in Italy (Philadelphia: JPS, 1946), pg. 195-196

Literary studies formed another element of the Renaissance the Jews embraced. The Jewish aristocracy, like their non Jewish counterparts, was involved with scholars and supported their learning. Such Jews employed tutors for their children and sought to educate them not only in Bible and Talmud, but also in secular studies.<sup>54</sup> Just as Italians were fascinated with humanism, the Jews were swept up with it as well.

The spread of humanism created a need for teachers of ancient texts. Since Jews were inculcated with Hebrew from their youth, they were a natural choice to serve at the courts of humanistic rulers. Some Jewish scholars were invaluable as tutors and translators of ancient texts because of their expertise in Hebrew and other languages. Pico della Mirandola, a prominent humanist, hired Elijah del Medigo to render such a service.

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<sup>54</sup> " " pg. 193-194

# The life of Elijah Del Medigo (1458-1493)<sup>55</sup>

Elijah Del Medigo was a prominent philosopher and teacher during the Renaissance in Italy. He is known for his publicized works, most notably, the *בחינת הדת*, and his friendship with the famous Pico della Mirandola. During his life, Elijah's intellect and philosophy brought him great renown but also much hardship.

Elijah was born in 1458 near Candia, on the island of Crete, which was then under the control of Venice as a result of the Fourth Crusade. (1204) Elijah's family roots were primarily Ashkenazi and the family profession was medicine. While we do not have many details of Elijah's education, it is assumed that he was not only versed in Jewish studies but secular ones as well. Elijah was known to be a gifted student who could apply his intellect to halachic matters. He is even believed to be mentioned in the responsa of one of the great sages in Italy, the *מהרי"ק*, Rabbi Joseph Colon.,.

While it is believed that Elijah initially came to Italy to study medicine, by 1480 it is known that he was engaged in his beloved study of philosophy in Venice. He even published his first philosophical work called, "Quaestiones." By the end of this year, Elijah had moved to Padua where he lectured and taught many students, Jews and

<sup>55</sup> The information gathered for this essay is mainly from Jacob Joshua Ross' introduction to the *בחינת הדת*

Christians alike. His teachings were greatly influenced by earlier rationalist thinkers, such as, the Greek philosopher, Aristotle; and the Muslim Medieval philosopher, אבן רושד, Averoes. Among Elijah's numerous students were well known people, such as the aristocrat, Domenico Germani, who later became a cardinal in Morocco, even better known was Pico della Mirandola, who later become Elijah's most prominent patron.

It is with Pico that Elijah began a relationship based on a common desire for knowledge. For while Elijah continued to lecture, he also began translating various texts for Pico. Pico found Elijah to be very useful. Not only did Elijah have a facility for foreign languages but Elijah also had access to Averoes' letters which were unknown in Padua. Thus a camaraderie developed between these two young precocious men.

In Nov. 1482, Elijah left Padua and returned to Venice. The circumstances surrounding his departure are vague and may have been a significant factor in his later departure from Italy. Apparently, Elijah had some kind of serious ideological conflict with the Jewish community of Padua. At this time, the community was comprised of many new Ashkenazi immigrants from northern Europe. These Ashkenazim had difficulty adapting to the religiously tolerant atmosphere in Italy. These immigrants were, therefore, more attracted to the Kabbalah and medieval Ashkenazi piety than the cerebral, rationalistic approach



utilized by Elijah. Their chief rabbi in Padua, Judah Mintz, allegedly clashed severely with Elijah. As a result of this conflict, Elijah physically removed himself from the Jewish community of Padua.

After Elijah's departure from Padua in 1482, there is a lack of information about him until 1484. It is known that by 1484, Elijah was spending a lot of time with Pico in Florence. At this stage in his life, Pico was becoming more and more entranced with mystical Kabbalistic thought. But even as Pico embraced Neo-Platonist ideas, he implored Elijah to explain rationalist concepts even further. Pico hoped, through these studies, to reveal their common premises. This controversial approach later caused great problems for Pico with the church.

Elijah disagreed with Pico and tried unsuccessfully to convince him of the folly of mysticism. But it was not with Pico alone that Elijah argued, he also disputed with Pico's intellectual circle of friends where Elijah found himself one of the few defenders of rationalism. Pico's followers were just as attracted to the Neo-Platonist Christian Kabbala as Pico was. Thus, while Elijah may have hoped to escape conflict in Padua, he found it again in Florence with other academics. From this time onward, a rift developed between Elijah and Pico.

These philosophical debates and clashes continued until Pico left Florence for France in July 1485. Elijah left soon afterwards for some

rest in Bassano. Even though Pico and Elijah were in different places, they continued to communicate by letters. During their separation Elijah completed a few translated compositions for his patron. Then after the summer, there is evidence to show that Elijah returned to Padua to lecture and teach.

In the meantime, Pico continued to pursue his interest in Kabbalah and Neo Platonism and to enlist support for his beliefs in France. In May 1486, Pico was in Perugia, where he summoned Elijah to help him with various academic subjects. During this reunion, their differences became even more arresting. But in spite of their disagreements, they managed to compose a short work called "De Essentia et Uno" in 1488, which was published much later.

When Pico traveled to Rome in 1486, he continued a brief correspondence with Elijah. He would ask Elijah questions and Elijah would send answers and translations. But in time, their ideological differences combined with the physical distance between them, left a gap so wide that they lost contact with one another.

During this cool period in the relationship between Pico and Elijah, Pico made some powerful enemies. Pico was such an ardent supporter of new mystical ideas that he put himself at odds with the church. His mysticism threatened the church's authority to such an extent that he

was excommunicated and had to flee to France. There he was arrested but fortunately after some effort, he managed to escape. In 1488, Pico moved to Florence, where he studied under Johanan Alemanno, who also was captivated by Neo-Platonist thought.

While his former patron was escaping the church's wrath, Elijah may have spent the years between 1486-1488 in Padua. While it is not certain that he returned to Padua, it is known that by 1488 he had moved to Venice under the protection of his former student Domenico Germani. In Venice, Elijah continued to translate a few works and witnessed the publication of the first of his compositions. Even though Elijah may have heard what happened to Pico, there was no communication between them. This may be due not only to the personal clash between Pico and Elijah but also because of the schism between the intellectuals of Florence and Elijah.

In 1489/1490, Elijah returned to his place of birth in Candia. The mystery surrounding Elijah's departure from Italy to his birthplace in Crete has given rise to a few possibilities. Ross gives us four suggestions. The first one, based on N. Porges (1963), states that Elijah left as a result of being excommunicated by Rabbi Judah Mintz. Ross disagrees with Porges by pointing out that there is not any proof that Elijah was excommunicated and even if he was, it is not known when and if it coincided with his departure.

The second suggestion, supported by such scholars as G. di Napoli (1963), E.P. Mahoney (1968) and P. Ragnisco (1891), states that Elijah left because he was expelled by the church for teaching Averoes. Ross also criticizes this possibility by pointing out another man, by the name of Vernia, taught Averoes in public and he was not expelled. Even if Elijah had such a serious conflict with the church, his friend Domenico Germani was in a position to defend him if he needed such help.

The third suggestion by Jacob Samuel Reggio (1840), states that Elijah was forced to leave Italy after Pico's death in 1494. The problem with this, according to Ross, is that Elijah left Italy in 1490 before Pico's death. Also from 1486 and onward, there was no communication between the two thus invalidating any cause and effect explanation between Pico's death and Elijah's departure.

The fourth suggestion, by David Gefen (1975), posits that Elijah left as a result of the growing hostility between him and the Jewish community. It had just become too uncomfortable and unpleasant for Elijah to live in Italy. This is true, according to Ross, but it does not explain the exact timing of Elijah's departure. Yet this is the most realistic of options even though we still have an incomplete story.

Taking into account all the criticisms of the four suggestions, Ross tells us we cannot ignore them because each one, with the exception of

Pico's death, contributed to an uncomfortable atmosphere for Elijah. Even the second suggestion may have some validity because the church was critical of Averoes' concept of the unity of the mind. If one were to combine this with the climate of anti-Semitism led by the priest Bernardino, it is not hard to image Elijah feeling intimidated by such an environment.

While Ross discounts Pico's death as a direct cause of Elijah's departure, he asserts that Pico and his circle of friends had an affect on Elijah. Elijah's work, *בחינת הדת*, takes issue with Christianity, Kabbala, and philosophers. While these may seem like three separate issues, they may be traceable to Pico's circle of friends, who cultivated these ideas. Elijah's criticism of these ideas may be demonstrative of his falling out with Pico and his friends, which may have also contributed to Elijah's departure.

So it is for all these reasons: tensions with the church and the Jewish community, the spread of Neo Platonism, and Elijah's falling out with Pico and his friends, that contributed to an uncomfortable atmosphere for Elijah. All this resulted in Elijah's departure from Italy to his homeland.

It is here in his birthplace that Elijah completed *בחינת הדת* at the urging of his student Rabbi Saul Ashkenazi. This work was his crowning

achievement of the years 1480-1490 which were a constant mixture of despair and productivity. Even though Elijah succeeded in publishing much of his writings during these years, he also was antagonized by many people. His life was a difficult one because in addition to his interpersonal and political conflicts, it is suspected that his relationship with his wife and children was also turbulent.

In 1493, Elijah's multifaceted life came to a premature end at the tender age of 35 from complications due to a facial growth. Numerous Jews and Christians attended his funeral which attested to his popularity. Elijah's writings were preserved by his student, Rabbi Saul Ashkenazi.

## Examination of Religion

### Preface:

When security and proper government obtain, people will be encouraged toward political and scientific fulfillment. This occurs if ways are provided to encourage such achievement and if they help in the attainment of the extrinsics which are auxiliary to success. So too, a lack of security and government cause the opposite to occur, as is seen in the case of the famous peoples renowned for their wisdom, who lost their wisdom when their kingdom perished.

Therefore when our dominion was lost, and we found no tranquility among the other nations, we were adrift in the depths of the sea. And from the words of the ancients of our people, we lost everything except for the Mishnah and the Talmud and similar works. These do not offer clear statements regarding the principles of our faith except in a few cases, at times, in veiled expressions that lend themselves to interpretations and additions.

Therefore, it is no wonder in some of these matters for a difference of opinion to have arisen among the sages of our people. And there is no doubt, that when a dispute arises among renowned Torah scholars regarding matters whose verification is through the Torah or by general

consensus among believers alone, verification by these means becomes impossible. Therefore it is appropriate in such matters for us to examine the words of the prophets, may they rest in peace, and the words of these sages; and to rely on what we find in agreement or more approximate to the prophetic words.

Furthermore, there is no doubt among any intelligent person that the methods of study are subject to change not only in subject matter but also as much in individual no less than general approach. You can see that the method for Talmudists in the derivation of the laws is different than the method appropriate for grammarians and also for literal expositors. Thus it is fitting that we shall proceed in the study of matters that concern us in a matter fitting and specific to them. Let no one expect definitive compelling proofs in these matters. But let fitting proofs appropriate for our study be sufficient for him.

### **First Part: Philosophy and the examination of the true faith**

#### **A) The need to study philosophy**

We will consider first whether the study of philosophy is permitted to believers of our faith, that is, the Torah of Moses our teacher, may he rest in peace; and if it is permitted, whether it is obligatory, in which case its study will not only be permitted but commanded, or



recommended.

We shall say that there is no doubt among believers who are correct in their knowledge that the intent of Torah is to direct us aright in things that pertain to our lives, good deeds, and correct opinions, as far as is possible for all the people, and as a rule for individuals insofar as it applies to them. Therefore, insofar as the Torah, along with the Prophets, are religious roots whether through tradition, rhetorical, or dialectical explanation according to verifications popularly used, individuals will be encouraged to investigate the verification appropriate for them in these matters. You will find the prophet saying to all the people, "Lift up your eyes high on high and see who created these things", (Is. 50:26) and similar passages. You will find the master of all prophets saying to all Israel, "Hear Israel, Adonai is our God, Adonai is one." (Deut. 6:4) It will stimulate individuals toward their special understanding whether by explanation or by hint: perhaps, in the case of explanation in the verse: "Know today, and consider it in your heart that Adonai is the God in the heavens above, and upon the earth below, there is no other". (Deut. 4:39)) Or by hint- commandments of love and reverence as explained by the admirable Rabbi Moses son of Maimon, may his memory be a blessing.

From these examples, therefore, it follows clearly that the study of philosophy is not obligatory in our faith insofar as its religious dimension

is concerned. It is also clear that it is recommended. This is explained by the fact that the Torah intends fulfillment for every believer in accordance with their capacity. And because the study of miracles is not possible for the people at large but only for individuals, the Torah leaves open both of these approaches.

### **B) The value of philosophy for philosophers**

However, the fact that the study of miracles as part of those principles, will be clearly useful to individuals because the study of miracles will lead us to the knowledge of creative existences and from the knowledge of creative existences, we will arrive at the knowledge of the creator; which the Torah induces in individuals through such experience, as has already been stated. It will be understood that this study is, so to speak, obligatory for the wise believers and not for the indifferent believer. But in every case, the philosopher will verify these axioms not only through speculation, but through harmonization with the Torah as well. In this way, the philosopher and the ordinary person will be joined in the realm of religion. I mean that the two will believe the matter from the perspective of the Torah but the philosopher will refine the speculation for what is decreed in the Torah, while the innocent will not do so. The benefit or necessity of studying philosophy will be evident to the religious sages of differing perspectives, as will be clarified in what will follow.

Therefore, concerning roots which the Torah and philosophy view in contradictory ways, the approach of the populace is the same as for individuals. That is, both of them believe these things from the perspective of the Torah except if it is a matter which has an explanation specific to individuals without derivation from the roots of the Torah and related works: then its explanation for many reasons should not be conceded to the general population. Then the one who knows will be distinguished from the one who does not know. And further, the sages will be found to have a certain additional completeness in the verification of such a matter as will be seen below. The sage is obligated in matters like these not to explicate them in writing in any way or orally. That is, those explanations, except to the appropriate people among the believers, as long as they do not change the general intent of the Torah and it is compromised. Therefore, many people of our faith who wrote these things were mistaken.

However in matters where there is a clear dispute between Torah and philosophy, it is not fitting for us to seek verification through analogy, but we should rather rely on words of the Torah and general consensus among believers on the matter of the Torah. This is because the dispute based on logic, is as it were, suspect from the beginning, therefore we who are committed to Torah, cannot properly cast at the same time doubt on its basic principles. If so, it is not worthy to proceed with logical debate.

In these are the basic principles: that prophecy exist, reward and punishment exist, as agreed upon by believers, and that miracles are possible by divine decree- and the latter though it is not explicit that miracles constitute one of the fundamental principles of the Torah. In any case, the majority of matters in the Torah cannot be authenticated except for the assumption of the possibility of miracles. The same is the case with the content of the other principles like these. But it is fitting that you know in any case that we do not posit miracles because we think that a concept can be explained by them because no subject or knowledge of any kind, except the fact of their existence, is necessarily derivative from ten thousand miracles. Because from the force of miracles, no general principal for their explanation follows, as is known without a doubt by intellectuals. But let us assume then for the reason we have stated, and let us return to where we were.

### **C) Philosophy and the principles of the Faith**

And if someone says: If this be true, it would be obligatory not to seek the philosophical underpinnings of ancient axioms, such as the existence and unity of God, and God's incorporeality and the powerless of corporeality. Derivative from this is that we should pursue the study of philosophy with regard to these axioms so as to derive the validation of these principles for the believer through reason, rather, we will seek to clarify that what is generally known among philosophers agrees with

what is promulgated by the Torah scholars. And more, what is generally known among all philosophers regarding God's existence and unity, and lack of physicality. Undoubtedly is the case with the rest of the principles, for the philosophers are also divided. Therefore, if we want to explain these matters analogously and take issue with our opponents in this way, many disadvantages will result. First, we would seek to explain by analogy between the supernatural and the rational what can usually be explained only by religious verification. Second, when we are not able to explain these things analogously, the matter will lead us either to deny the Torah and/or to present it improperly according to religion. But if we reject the analogous study decisively, we will compromise reason and its effects.

But if we agree that these matters cannot be validated, except from the perspective of Torah, and that the methods of study are subject to dispute, as we have already stated, there will be no resultant confusion and doubt. Indeed reason will be useful to us in these matters to some degree, since we will know through rationality that the ways of such study are manifested and that religious study is other than analogous. It will help us, secondly, because we will find axioms to help us authenticate these matters, as if to say, that what is known generally is worthy to be identified in a certain sense with what is derived necessarily. It will be helpful, thirdly, that in this way we will understand that the proofs of our opponents in these matters are not like

the axioms which reason is unable in any way to deny.

**D) Religion does not contradict the principles of reason**

And if someone should say: if it was posited in our divine religion that God had chosen some young woman and he sired a son from her, who has saved humanity from Satan, because of the first man's sin in eating some fruit; but was put to death in order to save them. Whether you take this account regarding God literally; that the essence or an aspect or one of the personae of the Godhead, according to what some religions say, joined with the son who had been born and became one, and that he was from God or the persona of God which is immanent, and that the unity stands by itself and is a complete and unchanging element, the one persona that is immanent and stands by itself, a collectivity is truly formed to the point where one is justified in saying regarding this unit that it is God and man, they are one in truth and act.

Or suppose it were also assumed that the essence of the Godhead are one in number and activity, and still, the personae of the Godhead are three in existence, number, and activity. But one in essence, as if to say, the essence of the Godhead which is in them, without multiplicity.... I will not go into detail either with the analogy of a wheel and its parts or to the attributes that are the predicate of a single subject. But the essence is the key, I mean the essence of the divinity joins with every one

of the independent and functionally different personae of the Godhead and in it (Godhead) and in any of its attributes or matters that we posited, the persona of the Godhead can be anything, to the point where truly, because of it, it is in every one of the personae or within every one of them.

Or if it were supposed that all the senses together err in their perception of something extraordinary, that is to say, the senses of all people and at all times and that which is accident becomes substance and one substance should change to another substance without diminution and loss, as some faiths say concerning their sacrifice, would we be obligated to authenticate these matters with scriptural verification?

For if we should say that we are not obligated to verify them, we say this either philosophically or scripturally. And since it is already posited in our case that if it is not scriptural, it must be by logic. Then our opponents will say: Since you are drawn toward logic in such matters, how can disagree with some of the principles that have been adduced in your religion? And how will you separate one from the other? How is it known in which of these religious doctrines it is fitting for us to believe, since in our holy faith also, there are matters which do not agree with rational consideration, as we already stated.

What derives from this is manifold, first our godly Torah does not compel us at all to believe contradictory things, or to deny philosophical axioms or their like or to deny sensory perception. But if this were the case in our faith, we would have to decide the matter through rejection of religion. For even if this were posited as true, divine punishment would not affect us for our inability to believe them. For our mind, without its God given nature cannot accept or believe such things; rather it always conceives and knows their opposite, as is the case according to its nature, and is not swayed otherwise by customs or imagination-- unless determined in the flight of his imagination to fantasize and question the normal concept or sensory perception.

Secondly that these matters are not necessary but only voluntary for the fulfillment of any religious teaching; they are not among the matters associated with believers. This is even if physicality is posited, it is incidental to God's case, and even if one believes the opposite or does not believe, that is in God's physical nature, it does not damage faith in God's essence and eternality. This will be clarified below.

Thirdly, that the above stated reasons are not acceptable to the mind, even the popular mind. The reason is that because of the first man's sin, all who come after him are punished to go to the grave, and the sin was that he did not heed the voice of God who commanded him not to eat that fruit, and the only available way to save them was through his death



by human hands. And a general doubt arises here why did God choose as an atonement a far greater sin. Since the sin was only that he did not heed God's voice, with the loss of many more lives than the first ones. And if so, God chose a greater sin than the first. It is as if he did not want to pardon the smaller sin except by a greater sin. This is the opposite of what makes sense, and is plausible to people at large.

Therefore, if these things were posited in our religion like this, we would not accept them at all.

But when the contradictions are all collected, it follows that the unity is three and the three are one. Therefore the one is other than one and the three are something else than three.

And the fact that they deny sensory perception and abandon the other things we have mentioned is clear from the matter of their sacrifice.

If someone were placed upon a mountain from the time of his birth, and did not hear any of this, and it happens that they tell him 'here is a religion,' that believes like this, without a doubt he will reject it. On the ground that it is not possible for human beings to believe these things and he will be surprised at the number that really do. The prophet says, "Will you then say, I am a God,' in the presence of those who kill you? You will be but a man, not a God, in the hands of those who slay you."

However, if someone is found who agrees with all these things and answers that ordinary intelligence cannot attain this, prophecy and the prophets have stated them. We will not press on this and we do not at this time desire to take issue with them, because this is the matter that does not concern us. The dispute on this is very strange and is completely inappropriate.

If one says, you too say that God is capable of everything, and if this is the case, is an existence that is part of these things possible? We would answer as believers that we do not say that God can be characterized as having power over contradictions and impossible changes, rather we say that God does not desire them at all. Also we do not say that God can be characterized as having power over himself, as if to say, to change himself, or any of the attributes that are characteristic of Him, but simply that He does not desire it. But it is said that he is characterized as having power over all things outside himself except in the matters we have enumerated. If someone be found from among our believers who will say that God has power over contradictions in matters outside of him, we will not make an issue here because such talk is strange.

### **E) Examination of the true religion**

From all these things, and from what has been said, it is possible for you to examine the true religion with general but incorrect ideas even without proof and those things which are or are not worthy to be verified by religion. If you perhaps find a religion that agrees with our divine Torah in ideas, you will still be separated from it by its commandments and laws for they will surely guide man to the good. And you will not examine the authenticity of religion by knowledge alone.

Therefore, I did not chose in my article on intellectual study to take issue with the philosophers on matters they philosophically disagree with us, because this is not the point of intellectual study. Rather I relied on prophecy and the tradition of truth. I would think that our religious ancestors, who wanted to clarify these matters through intellectual study, studied the method specific to this matter and wound up as intermediates between the religious and non religiously oriented, and are neither religiously inclined nor philosophically. Even though, it is possible that they thought that they in this way could bring wisdom to people, they were its troublemakers. Because when ordinary people see such people, failing to follow the faith appropriately and connected to philosophers where wisdom is a blemish to its possessors to the point where ordinary people conclude that the philosophers deny Torah and put it to shame.

This is indeed far from the nature of the complete wise man. For the wise man is one who will seek with all his might to be drawn towards religion and the common good, and to all that is connected with them which will guide him to wholeness possible for them and to the truly good. No wise man will be found among the children of Israel who will take issue with the Torah unless he has bad intent and character, and this will not happen to him because of philosophy. Or this may happen because he did not see all the sages' words about the order of study and he leaves the Torah without knowing philosophy. Certainly when it happens with an arrogant man, as is the nature of the people who desire to philosophize, for then he will very much damage religion and philosophy, and damage the intent of the Torah. Therefore, you will not find any of the ancients or other sages of the nations, taking issue with the Torah, or saying anything about it. Here the chief of the writers in a few of his letters mentioned the matter of Cain and Abel and wished to use this to explain that hate and jealousy so to speak are the world's inheritance, since it is found with these first brothers, according to the story in the Torah.

However, the more recent Muslim scholars introduced these things into religious matters and some of the people of our faith followed after them. I would think that when the distinguished Rabbi, [Maimonides], embarked on this path to follow in some matters of Torah it perhaps came as a result of his seeing some of the bad people of our faith who

thought they had learned intellectual study and a great lesson from it, even though in truth they were far from it and they wanted to reject the Torah with both hands. May his memory be a blessing, he intended to save the Torah even according to their way. Perhaps he saw the people of the Ishmaelite faith doing this thing and out of the depth of his love for Torah he did not want it thought that our Torah, god forbid, did not reach the level of their law. He did not find a way for the true religion to be separate from this false one except for the way he took. Truly, a few of those who have come after him acted as if they wanted to follow after him but instead would up like those who insult the Torah.

But we have already intimated the way which the true religion can be distinguished from the false. We will speak more about it in what follows. We have also stated the way in which we will proceed on religious matters which are in opposition to philosophy.

In some of my writings I took issue with the philosophers and their like. But sometimes, I have also been attracted, by some point of theirs, even if I do not agree with their words.

## **Part Two: This, our divine religion.**

Now that we have reached this stage, it is fitting for us to study, using the earlier method, which path will guide us in the knowledge of the

religious axioms and their number. Secondly, whether it is worthwhile to expound the words of Torah in its branches<sup>56</sup> and laws, or whether they are to be posited according to their simple meaning; on this question, we will speak on matters which by a few believers are called received tradition or Kabbala, and their opponents' way of thinking. We will also speak on legal matters, injunctions, and the dispute between believers and the Sadducees who were from among our people; also the words of our ancient sages, that is to say, the sages of the Mishnah and Talmud, on whether it is appropriate for them to be expounded or left according to their simple meaning. Thirdly, if there is a reason for the commandments or not; and if they have a reason, if it is appropriate for the reasons to be expounded or not; and how we will proceed concerning the reasons for the commandments.

### **Chapter One: the axioms of religion and their number**

Let us say first that the path we will take towards the understanding of the roots and their number is composed, so to speak, of the words of Torah and Prophets on the one hand, and on the other, the words of the sages of the Mishnah and Talmud, and for the demand of our divine religion upon them.

Afterwards we shall say there is no doubt that the existence of God

<sup>56</sup> While the term ענפים actually means 'branches', Albo, a medieval philosopher, uses it to connote 'subordinate principles of faith.'

and the rest of the blessed God's attributes whose understanding is possible for all the people, that is if you say that God is one and incorporeal and the cause of all beings, it is fitting to be designated roots. That is just as God, exalted, is the first beginning for the all the rest of existence, faith in him is also fittingly the first root in religion. Therefore you will find the earlier sages giving the name 'first wisdom' to discussion of the attributes or pertaining matters to God. This can be seen from the matters we will discuss, that we will arrive through them to the roots, that is to say, from the words of prophecy and sages of the Mishnah and Talmud, and from the demand of religion for them.

However from prophetic matters it is clear, first by the words of the master prophet: "I am the Lord your God, who has brought you out of the land of Egypt, out of the house of bondage" and "You shall not have other Gods beside me." (Ex. 20:2-3, Deut. 5:6-7) These show the one God in existence and secondly, in unity. These two are like one utterance and it is the utterance concerning God. It is the first of ten commandments to teach that it is an root and the beginning of the rest of the commandments. And it further says: "Know today, and consider it in your heart because Adonai is God in the heavens above and on the earth below, there is no other." (Deut. 4:39) This also teaches about the existence of God and its unity. We do not find anything like this wording in the rest of the Torah's commandments, to teach that these matters are religious principles. We also find in the Torah, "Be careful for your very

life, for you did not see any form on the day that Adonai spoke to you on Horeb out of the midst of fire." (Deut.4:15) Nothing like this is found among the rest of God's commandments. Solomon said in his prayer, "Behold, the heavens and the heaven of heavens, cannot contain you, how much less this house that I have built" (IKings 8:27) Our first sages said, "Up above there is no standing up and no sitting down". (Hagiga 15a) Take a look at their statement, they did not say that God does not sit down.<sup>57</sup>

This would also appear to be the case from the words of the Talmudic and Mishnaic sages. That is, they said that deniers or heretics are not included as sinners in the totality of Israel, but they have no portion in the world to come. The same thing in the case with sectarians. According to the thinking of the best among the commentators, denying, heresy, and sectarianism, can be understood, namely from a faith in the opposite of these matters.

However, the necessity of this religion for the above is clear at least from the existence of the first beginning which is the basis for all that exists, and that it is a unity. And it is clear with regard to all of these matters that their popular depiction is possible without the incurrence of damage to faith. Rather a doubt will arise from laying down the fundamental rule that God is incorporeal. As a result this will be

<sup>57</sup> Omitted is a scribal error which repeats the Talmudic phrase twice.



damaging to the people at large, because they might think what has no body or the power of a body does not exist. The answer to this is that the proof is already widely known among our people, and our great, admirable, and estimable Rabbi Moses, may his memory be a blessing, was the reason for this and therefore it is now fitting to give him credit for his work. When the matter was made known, even though in his earlier day there was damage to the point where a few of the dissenters grabbed unto it [i.e. corporeality] and said this is not heresy. Our first sages helped him with their statement, "The Torah speaks in the language of ordinary people," and how wonderful is this statement in the explanation of religious matters.

However, it is clear that the reality of prophecy, reward and punishment is for our faithful. From this it is also clear that it is a *sine qua non* that God knows and oversees and it is clear that these principles or at least some of them are necessary for our religion from the perspective we have mentioned, that is, from the words of prophecy and the other matters we have enumerated.

However, that the Torah does not change is most necessary for the believer in our religion, especially when the claim is made by the rest of religious people that this Torah was in force up to a certain time and then another Torah was given.

From this it will be apparent that since Moses our rabbi, the master of all prophets, may he rest in peace, constitutes a basic root that our believer is obligated to what had already been said concerning the validity of the Torah.

There is no need for us to attempt to prove that this Torah, which is in our possession, is the Torah of Moses our rabbi, may he rest in peace, by the command of God, it is an axiom of our religion.

Nevertheless, resurrection of the dead is an axiom in our religion. This is clear from the words of the Talmudic and Mishnaic sages, that is, they said in Perek Helek (Sanhedrin 10), that one who does not admit this and that comes from the Torah, is a denier and has no part in the world to come, and if so he is not included with the rest of Israel. This is not because of a bad action rather it is for a bad opinion, if so, it is an axiom.

Also, the issue of the Messiah is an axiom, at least one of the current religious axioms even if it might not be one of the Torah's axioms. In connection with this, when the latter sage Hillel said that there is no messiah for Israel, the sages used a saying in reference to him about those who profaned God's name and read heretical books. They said of them, "God forgives rabbi Hillel". It, therefore, appears they would consider the one who makes this statement [i.e. Hillel's] is a heretic. If so

we are dealing with a religious axiom.

This is the most correct way to obtain an explanation of these axioms. This is the road Moses our rabbi took, may his memory be a blessing.

However, some of the small philosophers who philosophize among our people saw fit to embrace these ideas just like the people of our faith almost in a majority, as a law for the people of our faith, that is to say, whenever they get any ideas even if it is petty, they think they can trip the leaders of Torah and wisdom. This is one of the major reasons for the increase of disputes among the people of our faith. Jealousy and hatred and seeking honor contribute to this.

However those enlightened in faith, those of high virtue will understand this and will know the frivolousness of these concepts. Therefore, we will not elaborate on this and let this installment be given the way this essay is structured.

## **Part Two. Simple meaning and interpretation.**

However, you will understand the second question in two ways: first by decision, that is to say, whether we will say that they have an explanation or not; secondly, if an explanation has been suggested, whether to record it in a book.

According to these two ways, we will address this question.

#### A) **The laws**

We will say that all or most of the laws and injunctions of Torah require explication and that the simple meaning is not enough. This becomes clear when one gets down to the details of the commandments and laws, that is to say, about Succah, Tefillin, and the like. From this, the necessity for the Talmudic study of faith, that is to say, concerning religious laws and injunctions becomes apparent. This is because through such a study, received traditions, which are not disputed at all, will be clarified, and the transmitted principles by which the Torah is expounded, which are as it were the foundation and sites for legal analogies, will be explained. With regard to these, no dispute will arise in their regard in an absolute sense, no one will say that you should rely on the principles but it will sometimes occur among specifics, that is to say between the general and the particular and in the case of the general whether the first generality or the last is the critical one precisely as it is explained in Hullin and elsewhere. Sometimes, a dispute will arise on whether it is suitable for us to study a matter by general principle or specific and general, or by majority and minority and majority view, etc.

The laws which derive from these are called Torah laws, that is to say, they derive from the Biblical verses through the hermeneutic rules, and

in any case they are not written explicitly in the Torah, and they are not transmitted specifically by tradition. The same thing happens with the words of the scribes, that is to say, that the scribes have derived them from the implication of the Torah through hermeneutic principles. Sometimes, the person who transgresses them will be put to death, as if to say, the man who has intercourse with a woman who has been married by money, and so on. In any case, they are not rabbinic injunctions like the decrees and statutes, which are like a fence guard for the Torah.

In all these matters, the Sadducees were heretical and left the confines of our religion. And like these people, they despised interpretation and increased interpretations with the result that since there was no agreement established on which explanation to use, rather everyone expounded at will, the explanations undoubtedly multiplied. This evil community will separate those who had come together once there was no opportunity for agreement between them, much less gather together those who had been separated, as our rabbi, Moses son of Maimon, may his memory be a blessing, said. There is no doubt that the leaders of these sects wished to leave our religion, in their confusion of the intent of Antigonus of Sokho, but they were afraid of the people at large, and they found a way to throw off the yoke of Torah from their necks without incurring damage from the people. This is when there were explanations according to each person's will, everyone of them will

find an explanation which agrees with whomever he wants, as the rabbi of all rabbis Moses son of Maimon, may his memory be blessing said, and some of this is said in the Chapters of Rabbi Nathan.

How is it possible for there to be Torah laws and injunctions without agreement and explanation? We will see that even words of a single individual are susceptible to many changing explanations, all the more so therefore, the words of the prophets which are more recondite.

And if anyone should say that when a subject in the Talmud is presented in its given form, the number of explanations and disputes increase. This is evident from the words of the Talmud itself in explaining the Mishnah, and from the words of commentators with respect to the words of the Talmud, because each one of them has a different system to explain according to his bias and as if no agreement was left for them in all the legal matters. The answer is that this is not because Talmudic study, but indeed because of the Talmud's commission to writing. Therefore, were it not for the pressure of loss through forgetting, the Mishnah and Talmud would not have been written; this is why it is called the Oral Law. From this it is clear that it would not be appropriate to commit the explication of the Torah laws to writing were it not for the danger of forgetting; rather when a dispute arose on any matter, the law would be decided orally by the sages of Israel and by the consent of the Bet Din Ha-Gadol, the great court,

experts in legal analogies and derivations. But now, since we are scattered and there is no agreement except with great difficulty. If so the lack of agreement and the multiplicity of explanations have not come from Talmudic study, but from external impositions, as we have said. There is no doubt that these will damage the intention of the Torah. There is no doubt the laws of every people and language, most properly expounded by the people's sages, experts in laws, and sensitive to the finer points of usage in that religion.

In addition to the matters we have already stated, one will find a dispute between Mishnaic and Talmudic sages in understanding the simple meaning of a few verses from which they derive a number of laws. This dispute derives from the wording and grammar of the verse just as we at times differ from one another on any number of matters. Sometimes it is difficult to suppress one of the opinions and there is no way that tradition can be of help and if someone says that something derives from tradition, he has not studied carefully the Talmud in the spirit of these controversies, he is either foolish or stubborn. But in any case, we will say that all of these are implicit in what was said to Moses at Sinai, whether written or oral, except for decrees and injunctions, which are inherently distant from what was said to Moses- as we have said: Where are we commanded? From "You shall not depart." (Shabbat 23a) And the matters which are not argued, whatever matters they be, cannot be said to be derivative. And it is not far fetched to

believe that in the case of some laws, there was some tradition which was forgotten. But when the tradition was forgotten and disputes arose, they were incorporated either by hermeneutic rules on the opinion of the sages through generations.

### **B) The Kabbalist sect**

But with regard to the discussion in the other branches of the Torah which are non-legal, an enormous alteration has occurred among our people. For example, there is this group, whose followers think that fully all the words and letters of Torah have suggestive meaning and allusion except to the members of that group. The people of this group connect these matters to tradition and they will exaggeratedly speak to anyone who thinks of taking issue with their explanations or opinions. The group composed of the majority of the followers of the words of Talmud and also the people who take the text with its expressed meaning and the group from among our people who philosophize are strongly opposed to them.

These groups together will claim that we will find that the Geonim or the majority did not follow this path. Truly, their words do not agree with them. Here you will find that all or the majority of the Geonim knew nothing of this matter, on the contrary they followed reason; they said concerning the necromancer that it is not fitting to believe things in their



simple meaning when they contradict the intellect. We will find that the great Talmudic commentators knew nothing of this. You will see this when you look at the words of Rabad [of Posquieres] as opposed to Rashi in the explanation of "the holy king". Do not answer by explaining the derivation of God from the biblical words "and he went forth... and he came", (Ex. 14:19-20) which Rashi wrote, may his memory be a blessing in his commentaries for such explanation is not connected to the study of tradition and it is not specific to them alone. We will find that Rabbi Isaac Ibn Ghiyyat is also one who turned toward the philosophers and Rav Saadia Gaon liked the philosophical way, in accordance with his own method.

We will not find in the words of the Talmud any statement which points definitively or nearly so these ideas which are held by the Kabbalists. We will find Maimonides, may his memory be a blessing, who was very much an expert, unexcelled, in all Talmudic matters, that he did not know of such a thing. So too many others besides him.

The opponents of this way of thinking will also claim that when those connected to the Kabbala say that they are the words of Rabbi Simeon ben Yohai in a book called the Zohar, it is not true. This is seen in many ways.

First of all, that if Rabbi Simeon had composed it, some Baraita or

some Aggadic text from it would be mentioned in the Talmud as is the case with the Sifre and the other Talmudic compositions, but such is not found.

Furthermore, they claim that the names of those men, who are mentioned in that book, came after Rabbi Simeon ben Yohai by many years, as is known to anyone who has seen the names of these people and has also looked in the Talmud. If so, it is not at all possible for Rabbi Simeon to be the author of that book.

Furthermore, they claim that the book was published among our people only some three hundred years ago.

Furthermore, they claim that if Rabbi Simeon ben Yohai was the father of the Kabbalists and privy to the secrets of the laws and their intimations, in true way it would have been fitting for the halakha to be as he stated, but no such thing happened. Moreso, we see many times that the Kabbalists will say according to the intimation it is fitting that law be such, yet in every place, we see the commentators and the great Talmudists decide the opposite.

Moreover, they claim that the received tradition is not susceptible to dispute; yet we find considerable dispute among the Kabbalists themselves regarding the most important axioms of the Torah. Example:

there are some of them who say the ten sephirot are God himself and that there is no higher cause at all, and this opinion is heretical, all the moreso in the form in which it is common among all the sages of Israel and the rest of the people. Rather they should want to say that those elements or attributes are found in God, whether by intellectual understanding or another way, this is far away from their basic principles and statements about these sephirot. They say also that all our prayers allude to these and to these we intend. There are those of them who say that there is a higher cause over these and it is called, "Infinity" and when their words are properly understood, there will be no great dispute between them and the view of the people at large concerning God. If so how can we say these things are Kabbala (Tradition).

Do not answer me from the disputes found among the sages of the Talmud, for once you clearly understand what this article says about Talmudic matters, and what the great, esteemed Rabbi Moses, may his memory be a blessing said of it in his words; there will be no doubt of it.

You already know from what has previously been stated, that these matters are not susceptible to verification except by being well known, once a dispute breaks out regarding their publicity, certainly among people of great renown, verification is not possible at all. Therefore, if there is no general view without challenge, why would we need to go this

way? All the more so when we find that most of these matters do not agree at all with what becomes clear from intellectual comparison, but for the most part accord with the words of ancient philosophers where their cancellation was made clear to those in the know. And whoever has seen the works of the ancient philosophers and also the words of some of the Neoplatonists and words of mine, will know that the truth is so.

I have already spoke of this elsewhere, and therefore I do not now desire to pursue this path.

### **C) The Philosophy sect**

However, many of those who philosophize among our people are removed from the way of the Torah and its intent, according to my opinion. This is because they think of changing all the simple meanings of the verses in most of the sections and accounts of the Torah as if they wanted to improve upon the words of Torah and to make them conform to the canons of logical analysis. Neither of these succeeded. This is because in any case we accept miracles without reservation whether they follow from the plain meaning of the Torah, or when they result from interpretation, we must acknowledge miracles. If so, why should we change the plain meaning of a verse? I would think that it is not fitting to do this at all except perhaps with words that are self-contradictory according to their simple meaning. This has many levels: there are

those contradictions which are not known except by intellectuals. And there are those, perhaps, whose contradictions are according to their simple meaning are known by almost all. Example one: it is said that the angel, which is supposed to be stripped of all physicality and the attribute of physicality, is conceived as tangible in the way in which we comprehend physicality. Example two: the matter of the snake, though we conceive it as a living being without the power of speech yet, it speaks while otherwise retaining its nature, this is a contradiction. Therefore, on this almost all the commentators agree that it is not according to its plain meaning. And the plain meaning of the verse supports them since we do not find that the power of speech has been taken away and many Aggadot support this. Moreover, we will not speak to a talking spirit except through man.

However, the first way a dispute arose between the sects - is because the Kabbalist sect will say that something is possible according to its plain meaning; they intend some clothing in which the angels are clothed, as they appear to human perception. The philosophy sect reject this entirely, therefore they would say that these matters occur in a prophetic vision or dream. But we will say that it seems the Kabbalists did not posit this clothing rather it was because they could not perceive the sight of the angel without clothing. If so, they agree with the philosopher's words. Then the question of clothing returns and the answer becomes difficult.

From these things, the dispute grew greatly between our people. The people of this sect will say to those of another sect that they are heretics and they disrespect the Torah and they raise their voices toward the people and panic them. And the sect of philosophers will answer that they are foolish and idiotic and they extinguish the light of Torah. And hatred increased between the people of both sects, especially between the foolish two sects, until the Torah became almost multiple Torahs.

Truly, we are perplexed in these areas all the moreso because it is difficult to decide the case in these matters and to judge the details of the branches, whether something calls for interpretation or not, and where the answer is yes which of them is suitable and which is not to have its explanation committed to writing without the incurrence of any damage at all in the matters of Torah. We will say that whomever truly knows the Torah's axioms and their intent will know which of these Torah matters is fitting to be interpreted and which is not. And whoever knows the subjects well known among our people will know which of the things can properly be committed to writing without resulting in any damage to our believers in general. It behooves the important people of our faith to consider these matters carefully and to suspect their intellect. Therefore, my ways are distant from the ways of the majority of the philosophers of our people, who changed the intent of Torah and philosophy and mixed the two studies, the religious and the speculative logic together, the general approach and the specific way. As if they are intermediates

between the spokesmen of our faith and the philosophers. The intermediates will not strongly embrace either extreme. Therefore, these people betray neither camp, Torah or philosophy.

And I think that what brought them to this was hatred of other groups, and their explanations blended from the people of our religion and the approach of the philosophers of other peoples in their generations. Howsoever it be, it is fitting somehow to give them the benefit of the doubt. Because it seems that this was not their intent; rather all they wanted to do was to magnify and glorify it in the eyes of the sages. From their love of Torah, they paved this path. All the more so since their explanations are closer to a fully intellectual approach and in so doing, leave place for the intellect, and do not discard it, as some in the other groups do.

Since some accounts of the Torah and its derivatives have been expounded and their explanations committed to writing, it is very clear in the words of our sages, and the Talmudic sages say it too, the Torah in such instances speaks nonsense.

#### **D) The Aggadot**

However regarding the stories which are in the Talmud and Midrashim which are attributed to the sages of the Mishnah and Talmud,

we will find many opinions about them: one group will believe them all according to their simple meaning, another will reject and mock the stories which are unrealistic according to their plain meaning and another will interpret them in unrealistic terms and thereby uphold the words of the sages. And these groups proliferated, every one of them calling their opponents with the name of fool or heretic. All of this has happened to us because of the lack of sages and agreement among our people. For the lack of agreement and the jockeying of splinters seems to be endemic to our people. And it changes, more or less, according to the changing nature of environment and our geography. Perhaps this happened to us because we considered ourselves children of kings. But in truth, as I said in the preface of this tract, the lack of sovereignty causes a lack of order for people. All the more so when there are people deficient in the integrity fitting in every task and [indeed] true integrity and love to get the upper hand and come out ahead.

Therefore I planned not to speak of these matters, with fitting explanation, but if we lit a fire under the sages, it is for them enough. All this for our love for the words of Torah and our sages and the people of our faith.

I say that the Talmud is divided into two parts, part for the statement of all the laws, and part for Midrashim and Aggadot. With regard to the first part, there is no doubt among all the believers of our people that is



not suitable to take issue with it at all, as has already been stated.

However, the second part is the one where it is sometimes appropriate not to agree, and no sin occurs from this. This is because the Torah requires us to listen to sages only on legal matters of practical import or their agreed upon matters. In the case of the laws this is clear when the Torah says, "According to the Torah which they will teach you, and according to the judgment which they will say to you, you shall do."

(Deut. 17:11) However on their agreed upon principles of the faith, it is also clear that it is fitting for the matter to be as we said, for they were the leaders of the people and its sages who knew matters of our faith and its implicit derivations.

However, the other part, with regard to the matters we have characterized as derived from interpretation, not in accordance with the teachers of Torah, we are not obligated to believe them implicitly when it seems to us that they are in disagreement with the truth. The sages will not be more authoritative than the prophets on this matter. Because if a prophet were to say something not as a prophet but as an ordinary man or an ordinary sage and it would seem to us as incorrect, we would not be obligated to believe it. Therefore, the great man, Rabbi Moses wrote in the commentary to the Mishnah that on matters where there is no dispute on legal matters, it is not fitting to decide halakha according to the opinion of any single individual. We will be aided in this by the undisputed statement in Tractate Avodah Zarah without dispute, "The

Tanna debe Elijah taught: The world is to exist six thousand years; the first two thousand years are to be chaos, the next two thousand years are the period of Torah, and the following two thousand years are the period of the Messiah." (Avodah Zara 9a) And if this has not come to pass because of our sins, we will know that the issue is not with the statement as recorded and there are many other examples.

And if one wishes to insist on this we will not take issue with him. But in any event, it is not fitting to condemn the people who say these things because they are the leaders of the people and its judges. It is as if they make the Torah complete. One who despises them deserves to be included among the heretics who despise the sages.

As to my view on matters of the Aggada, it is in part they are as stated, and in part susceptible to explanation in the way of the Rishonim who spoke in enigmatic parable. And if they are susceptible to explanation, some are fit to be committed to writing. These are the matters from whose explanation no damage will incur. And some are not fit to be committed to writing - - when we are afraid that damage will result from their explanation. All the moreso, it is not fitting to do this among the people at large.

And let no one be surprised by my frequent use of the term 'people at large', as if to think that I differentiated the populace from the

individuals in faith, because our rabbis, may their memory be a blessing, long said : "We do not reveal the contradictions of the Torah, etc.."

(Based on Hagiga 14a) Certainly, when we tell these profundities for the populace, it is like pouring fire on their truth; we will not be helping them, because they will not understand them, but they will be greatly hurt. And we have exchanged the ways of communal study for an individual approach.

We will also say that even if one finds great likelihood that they are according to their plain meaning and yet are impossible according to their simple meaning, it is incumbent upon us to make sure to explain their words in a way that accords with the truth. If concerning the least of people, the rabbis, may their memory be a blessing, commanded: "Judge every person by the scale of merit" (Avot 1:6) How can we not understand the words of the leaders of the people in a suitable manner and judge them in the scale of merit? All the moreso because in their words here and there, will be found items that point to wisdom. Also, as we said, the ways of all the ancients in study, all converged on this way since their intent was for their words that they be understood not reconditely but fittingly.

However collectively with people, who will believe all their words according to their plain meaning, it is not fitting to speak or to take issue. For since they are utterly foolish --and a fool will believe anything--

they will not accept reason and arguing with them will not help. They are in truth, as our rabbi Moses, may his memory be a blessing, said like those who honor the sages with their eyes, while they despise them completely. Therefore, we will leave them and not speak at greater length.

### **Third part: The reasons for the commandments**

#### **A) That there are reasons for the commandments**

However, if the Torah's commandments have reasons and reasons are known to us or perhaps they are known or not, as I said, 'known to us, etc.' because I do not think that there is any human intellect unless one be a fool, that will believe that they have no reason at all, for who is the person who would take God's command to be empty and useless, like the work of fools who act without a purpose for their actions. And if they have known reasons that are known susceptible to be known what are the way and the sources from which we can proceed to the knowledge of these causes and reasons, and if we can know them whether or not it is appropriate to record them. We will now address these matters.

We will say when the complete knowledge of something that has a reason entails knowledge of its reason, so we can fully perform the deed that has purpose, when we known the purpose and the reason.

Therefore, it behooves us to keep open the possibility of the knowledge of the ends and reasons of the commandments.

Moreover, we see that the Torah says in praise of the commandments: "You shall keep them and do them for this is your wisdom and understanding in the sight of the nations, who shall hear all these statutes, and say, surely, this great nation is a wise and understanding people." (Deut. 4:6) And how can this be known unless the knowledge of the reasons for the commandments were possible?

Furthermore, what is true of the part is true of the whole, and we will see that the Torah tries to give reasons for a few of the commandments, like the commandment for Shabbat where the Torah has given two reasons: one of them is to inform that all existents found, except for the First, are derivatives from the First, that they are not here by chance or independent of an active cause, and the other to inform us of the subject of the Exodus from Egypt; through which there is known to us an aspect of divine providence and other axioms of faith. We see the reason for most of the commandments which are set in judgments and royal decrees. And we see the first sages striving to give a proximate reason for the commandments. So, they say in the tractate Ketubot: Why does the Torah forbid bribery? And they give a proximate reason when they say that the judge becomes like a relative to itself. (Ketubot 105b) And the reason the Torah gives "because the bribe will blind the eyes of the

sages, and so on" (Ex. 23:8) It is not the proximate reason. In sum, when you look at the Torah and the words of the sages carefully, you will find a reason for nearly all the commandments.

If so this should be the case for all. We do not have to spend more time on this because it is self-evident from the words of the Torah.

### **B) The general intent of the Torah**

However, the way we will proceed concerning these reasons is not known inherently, but require an explanation. Therefore we will say that this path is derived from the general intent of the Torah. There is no doubt that this intent is to direct people to the true good according to what is possible for them, whether by knowledge or action. This is what I means by action: all that comprises good ethics and good deeds through which a man is good with himself, household and all the countrymen. And do not be surprised at the ethical tracts because we clearly see that any bad characteristic damages a person's body and soul and certainly, the lack of agreement and order will damage a political collectivity.

And the actions specific to the services of God in a way suitable for the people and designed for the people through them to implement the correct ideas, possible for the people as a whole and to distance us from misleading ideas and bad deeds and the consensus decisions in societies

and their gatherings and their table and other matters. And indeed the great man, Moses our teacher, may he rest in peace, added to the above, when he said 'if there be found a little" in order to reject the deeds and evil actions committed by the members of that evil faith which was notorious in the time of Moses of blessed memory. But as for us, just as Moses told, when we examine the words of the Torah and those of the members of that faith, we shall know definitively that the truth lies with him.

These matters will guide us to true success and will save us from sorrow and the punishment which comes to the truly evil.

Even though a few people of these nations in our time try to charge us with things strange to human nature and all the more so by appealing to our divine Torah, and they try to impute to us that from our statutes derive the eating of the blood and the flesh of their children or their God; the truth will show its way for we, our ancestors, and our children, and our children's children know in truth that these things are distant from us and our Torah.

But they seek to charge us as they did of old, that they savor the flesh of children, as Origen said in part six of his book against Celsus and as the rhetorician Tertulianus said in his rhetorical expositions, which supported the Christians in the matter of ritual murder. This may have

been the matter which Thomas of Aquinas referred to in his book against the mistakes of some of his correlative religionists. Because he said that some of the wayward, their religion would take the blood of children to make a wafer for their mass. And on top of what they charged us with, their contemporary counterparts have tried to erect miracles and wonders which they say the murdered children performed. And through this, they want to strengthen their faith at our expense. Let this information suffice for us to testify on the matter of their signs. For we, without a doubt, know that their statements are not correct and this cannot be verified by argument rather only from truthful knowledge on this subject among us and our ancestors, even if they sometimes chastise with words that sound like theirs, there is no point to dilate further on this subject in this tract, because it is really a joke though it brings crying and wailing to our people from our enemies. We will leave it for it has no place here.

### **C) Against the Kabbalists**

However, if they derive their understanding from these words, one thing is still clear and that it is clear that the Torah was not given to the ministering angels and we also do not interact with higher beings or change them, the higher beings act on us and they do not act because of our initiative. But they direct the lower world by God's power, and they are not directed from those below.



And who would think, if he looks carefully into what he says, and strips fantasies from it, that he has heard that the higher beings are not fulfilled except through people's good deeds. Why we earthlings cannot even put ourselves in order, how can we do it for higher beings? And what kind of correction could we work upon them in this regard? A few people say about this that it is a harmful idea without substance except for the psyche. Would that I could know whether it is possible for any matter, trait, or quality from us affects them when we think of them or when we engage in our actions and what affects them from us that we should be their leaders.

However, what the wise believer would think of this is that when we fulfill ourselves and change for the good, goodness will come to us from God, and that the change only comes through the recipients of tradition. Also it is not possible for us to say that through them we can bring down spirituality, in the manner of amulets and talisman, for when we examine the words of the Torah, we find them taking strong issue with this for they are among the ways of idolaters. Also it is impossible for us to say that these reasons are hints or recondite matters, as all of this was explained in what we have said that have reasons that are known or knowable to us. This is because it was not clear from these proofs alone that it is possible to know the reasons for the commandments, indeed, it will also be clear from them that these reasons are taken from matters we have already spoken, that is to say, that they are intended either to

uphold a true faith and reject a faith, to foster good behavior. This would become apparent for when we search for the reasons that the Torah has given for the many commandments we will find them moving in this direction. This is indeed self-evident, when one reflects on the words of the Torah and what has been said.

We know, without a doubt, that some of the people of our faith loudly and alarmingly complain against us. They portray us as taking issue with the words of Torah and the sages, God forbid. But we know well that they are far from the truth, and that they are the ones, indeed, who change the Torah and its truly honorable and good intentions. We follow the footsteps of the worthies of our Torah who mark well the words of Torah and Prophets and the words of the Mishnaic and Talmudic sages, from whose waters we drink.

There is no doubt that if we found in the words of the first sages a matter which decisively or near decisively teaches what they have stated in their opinions far from the comprehension of the human intellect, we would suspect our mind and we would follow in their footsteps.

It is appropriate for you to know, in any case, that some of the commandments, these are called, 'statutes', perhaps have reasons unknown to us or of difficult discernment for us. Perhaps their knowledge is possible for those totally immersed in religious matters, and

no one else.

#### **D) Against the would be philosophers**

Also it is fitting for you to know that one of our great Torah's intentions is the deed, not the faith and the intention alone. Neither a believer nor a philosopher will dispute this.

But those wicked ones who conceive of philosophizing among our people --and if they are indeed distanced from the Torah and philosophy to the point that they do not wish to follow the commandments of our Torah, and some of them mock us and say intent is enough; they are included with deniers and destroyers of Torah. Their way is distant indeed from the way of the Torah and the philosophers who are truly steeped in the various branches of wisdom, all the more so that when a deed is not done its intent is lost, as the sages said of what happened to Solomon, may he rest in peace, and similarly to same extent to Rabbi Ishmael in tractate Shabbat.

Who is the evil man who, seeing this, relies on his own despicable opinion to nullify the act inherent in everything, and to destroy the intent of Torah which aims to direct us with ideas and actions. The Torah says, "You shall keep them and do them." (Deut. 4:6) It is said, "A good mind for all who do them." (Psalms 111:10) The sages said: "The text does not

say "Those who teach them", but rather "those who do them." (Berakhot 17b) They said: "The Talmud brings one to action." (Kiddushim 40b)

Therefore it is fitting to greatly distance them from us. Sometimes, the need will arise to kill them, according to the laws of the Torah or the necessity of the moment, if they will not turn from their evil way. It is fitting to investigate whether we believe in the repentance of these malefactors, since we know that their opinions on the Torah's axioms are bad, and their actions contrary to the will of the Torah, which sets all of us aright. Only the deficient, who are far from wisdom will do this; only perhaps those who heard or saw something stated by some of the writers of our people or others, but they did not study philosophy and they injure the people and their groups. This is all the more so the case if it happens that they are malevolent and arrogant. And because of these evil people who are destroyers of Torah and philosophy, philosophy becomes a blemish to its possessors. For the fools of the populace who do not know who is a true philosopher or not, when they see these bad people, they will connect them with philosophy, to the point where they mock the truly good philosophers and those fools conceive their stupidity as an advantage and their deficiency as importance. Therefore, they will thus damage the good philosophers more than those who hate philosophy.

**E) If it is appropriate to publicize the reasons for the commandments.**

However, on the question of whether it is appropriate or not to commit the reasons for the commandments in writing, one will find some justification for every position. The reason is that we will see that the Torah and sages write the reasons for many commandments, as has already been stated. If so it is appropriate for us to proceed this way. Then the opposite appears, namely that the Torah has concealed the reasons for many commandments, while with regard to the commandments whose reason it explains, people fail to comprehend reason for their explanation, as it is said of Solomon. If so it would not be appropriate to commit the reasons to writing.

We will say that the commandments whose explanation does not entail any damage to beliefs and deeds, except for an outside possibility could possibly be committed to writing.

And we shall say, secondly, that for all the reasons we find, it is not appropriate for us to decide that there are no other reasons, because the Torah has seventy sides and perhaps the Torah intends many other reasons. It is appropriate for every intellectual to be critical of himself, because it is not easy for us to know God's thoughts and God's will that reached his prophets. If people kept this in mind, they would not make a

mistake at all.

Thirdly, we shall say that it is wholly inappropriate to commit some of the reasons of the Torah to writing because undoubtedly great damage will occur from their explanation by those who have no natural desire to know the truth and to act good, and perhaps it may become an excuse to change the Torah's intent.

However, it is very difficult to determine which commandments should have their reasons committed to writing and which not. Truly, this would depend upon the examination by profound sages, who are perhaps found in every generation. They will examine the context of their time and the level of their contemporaries, to determine whether they are among those worthy of disclosure or not.

In any case, it would be more in line with the Torah's intent that they commit to writing only a small amount, as we have already stated. These matters undoubtedly are included among the secrets of the Torah which are properly concealed except for those fit for them through allegorical explanations that are orally communicated. And let this suffice for the sage who can figure it out for himself.

This way accords not only with the reasons for the commandments, but also with some subjects and stories of the Torah. Whosoever reveals

the secret of God to those not fit for it, God will kill him, as the ancients among the philosophers said.

**Conclusion:**

The above is what would seem proper to us at this time in this tract with the subject at hand and in accordance with the impediments and nuisances, and the behavior of our believers.

However if there is a someone who wishes to elucidate our words with unreasonable explanation, and to impute to us things we did not say, or if someone from the scholars wants to take issue with us in the manner of lesser scholars who extinguish the light of Torah in their quest to dominate through dispute and to acquire renown among the people at large, we will not make an issue here. The truth is also its own witness.

Were involvement in such matters not notorious among our people, and interest of people of our time, we would not come to write this small essay which we have written. Without a doubt, the wise man who will not be stirred by what we said in these beginnings, will not be satisfied with ten thousand camels' burden of books, speaking with him will be useless.

I called this tract "Examination of Religion". It was completed on the 18th of Tebet in the year 1490. And from God, may he be blessed, who truly guides, I shall ask for success and life.

Finished and completed praise to the eternal God.

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## Summary:

The *בחינת הדת* by Elijah del Medigo is a remarkable work layered with bold and cautious statements intended for an educated elite. Elijah upholds the importance of tradition while making controversial assertions about the role of philosophy in regard to it. Essentially, tradition is that cohesive bond which connects Jews together into a community but it can also at times inhibit an individual's intellectual development. The tension between the community and individual is not easily resolved. Each person has his or her own perspective but they also have a fundamental need to be part of a group. Something needs to be compromised and the question is: How much intellectual freedom should an individual relinquish in order to join a religious group?

The question is relevant for when individuals oppose their religion's accepted beliefs, their community threatens to dissolve. The Renaissance in particular freed individuals mentally and socially but at the same time threatened the existing order of society. Elijah witnessed the resurgence of various opposing groups in the Jewish community and the often bitter disputes between them. While it pained him to see these opposing groups, he recognized that such discord was not new to his time period. Even during the days of the second Temple, there was intense conflict, particularly between the Pharisees, the forerunners of rabbinic Judaism, and the Sadducees, those perceived to have

interpreted the Torah in their own way. This conflict caused a tremendous rift in the Jewish community to such an extent, it contributed to the destruction of the Temple.

The differing Jewish sects of the past are in part mirrored in Elijah's time. One Jewish group during the Renaissance was conservative by nature because it embraced tradition with all its beliefs and laws and sought certainty in all aspects of Judaism. They would most likely associate themselves with the Pharisees of earlier times, even though the Pharisees were in truth, far more radical. These conservative Jews felt threatened by the changes brought on by the Renaissance and sought solace within the confines of what they believed to be authentic tradition. By grasping on to the authority of tradition, these Jews sought to fortify their own power. Such Jews resisted any approach which ran counter to their understanding of Judaism, whether it be philosophy or mysticism.

The philosophers, on the other hand, were a bit more daring than the conservative Jews. They applied reason stringently to all aspects of Judaism even when it contradicted its basic tenets. Truth for the philosophers was not found through tradition but through logic and reason. This group clashed with the conservative group and were associated with the notorious Sadducees from the past. This philosophical group embraced various ideas and trends permeated during the Renaissance since the mental freedom it engendered suited

their outlook.

The Kabbalists, the mystics, were another prominent Jewish group who were opposed by both the philosophers and conservative Jews. These mystics dealt with the incredible changes during the Renaissance by retreating within themselves and focusing on an inner spirituality. This was a kind of escapism from the persecution and transitive nature of the time. The Zohar, the mystics' primary work, was gaining popularity as it was believed to be written by Simeon bar Yohai, a second century rabbi. The mystics believed that God could be understood through insight and intuition and they furthered a complex theology focused on the Zohar.

These three Jewish groups were only the most notable ones in Italy during the Renaissance. The Jewish community was pulled into differing camps as they reacted to the changes racing through their time. Elijah deals with these groups in *בחינת הדת* as he describes his own outlook. He was, first of all, especially critical of the Kabbalists, whom he felt, were heretics. Elijah believes that their approach was neither based on tradition nor reason. After firmly dismissing such mystics, Elijah found himself caught in between the philosophers and conservative Jews; both of whom he believed, had something important to offer the Jews of his time.

In most ways, Elijah was a philosopher because he prized the mind over blind faith, but at the same time, he saw the value of having common laws and beliefs for all the Jews. He believed the conservative Jews' outlook provided this basis for community, in that for people to live together, they must have a common basis of understanding, without which, there is chaos. The Torah, prophets, and legal interpretation provide this common platform upon which to build a cohesive Jewish community. Ultimately for people to find security and fulfillment, they must subscribe to this common heritage because it is human nature to desire structure and meaning. With this in mind, Elijah maintains the importance of Torah and rabbinic tradition. He asserts that the laws must be followed and proper beliefs articulated. This is all to promote peace within the Jewish community.

There is another side though, and this is truth. While religion is important in maintaining a community it will not necessary lead to the truth. For true understanding, Elijah asserts, one must apply philosophy, logic and reason to all things. Yet once one begins to apply reason to beliefs that are nonrational, dangerous things can happen to Torah and religion. As a result of exposing the Torah, people may denigrate the tradition and they will lose their common bond. This is why Elijah believes such mental exercise and probing are only for the elite, that is, those philosophers capable of seeking truth yet who are wise enough not to share their conclusions with the general populace.

Truth for Elijah, is only for those with the mental capacity and will for it, because truth will contradict what our religion teaches and its fundamental principles.

In sum, tradition and Torah are essential for making us one Jewish community but an individual can maintain his/her own intellectual autonomy privately. This is the way, according to Elijah, for bridging the rift separating Jews from each other. Essentially, we must all follow the laws of our tradition and assert our common beliefs but the elite philosopher can apply his/her mind to everything freely.

Elijah offers a solution to a conflict that still plagues us today. Even though we live some five hundred years after Elijah, we are still struggling with the issue of individual autonomy and its affect on community. Like the Renaissance, the twentieth century is a time of innumerable freedoms for the individual but also a time of great transition. Jews have splintered off into differing groups to deal with the great changes of our era. Some Jews try to assimilate the innovations of our era into religion and others grip on to tradition to insulate themselves from the brewing storms of novelty. In all Jewish groups, individual needs are pitted against those necessary to form a community. There is no easy solution.

We, as moderns, can only take Elijah's ideas and questions and apply

them to our time. Should there be limits to an individual's asserted beliefs and actions? What role can tradition play for us, particularly since we are more free to question it than Elijah ever was? How can we have a cohesive Jewish community that allows for individual freedom? We will continue to struggle with these questions as we face the twenty first century. Our challenge is find our own compromise between the needs of our people and us as individuals which will enable Judaism to flourish in the years ahead.

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