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Introduction

That Jews are distinct from Gentiles is an axiom of Jewish faith and a lesson of Jewish history. But what is the basis of that distinction? Jacob Katz has pointed out that the distinction has been explained in two very different ways. One approach grounds it in theological terms and sees it as “a mere divergence in articles of creed.”¹ Katz contrasts this to what we may call an essentialist view, one that traces “religious and historical differences to the dissimilar character of Jew and non-Jew respectively.” On this view, “a qualitative difference was involved for which the individual was not responsible and which he could not change.” There was, in other words, an *essential* difference between Jews and Gentiles. Katz finds the origin of this view in Midrash, sees its development in Halevi, and attributes its widespread acceptance among late medieval Jews to the impact of the *Zohar*.²

There is no doubt that the essentialist interpretation of Jewish identity—*what*, not *who*, is a Jew—finds expression in Midrash and *Zohar* and that it is a central motif in the philosophy of Judah Halevi; it is perhaps less often noticed that discussions that reflect this position in postrabbinic literature are also often informed by a debate between Plato and Aristotle on the nature of the soul.

On Plato’s view, we receive our souls “off the shelf,” as it were. Just as the soul survives its period of collaboration with

the body, so it exists independently before that period. Indeed, everything we are ever truly to know we knew in this preexistent state, and all learning is nothing in the final analysis but a process of recollection.³

For Aristotle, the soul is the form of the body. The soul (*psyche*), that is, is the animative principle whereby a human being is a human being. It is the soul that actualizes the potential given us by nature to be human beings.⁴ But for Aristotle, form does not exist independently of the matter it actualizes. There can be no talk, then, of preexistent souls “zapped” into the body at the moment of conception or birth. But if the soul does not preexist the body, can it, or some part of it, survive the death of the body? In Hellenistic and medieval times a theory was developed, elaborating on some ambiguous comments of Aristotle’s, which accounted for the possibility that some humans, at least, would achieve immortality. For our purposes, the most important aspect of the Aristotelian theory, especially as it was developed by Aristotle’s later interpreters, is that our rational capabilities are not given us fully formed. That part, element, or aspect of our souls that most truly distinguishes us from other living beings, that element through which human beings are truly human,⁵ exists in us only as a capability when we are born.

Judah Halevi summarized some of the main features of this theory (one that he may or may not have accepted himself; he is not clear on the subject) in the following terms:

Every individual on earth has his completing causes; consequently an individual with perfect causes becomes perfect, and another with imperfect causes remains imperfect . . . the philosopher, however, who is equipped with the highest capacity, receives through it the advantages of disposition, intelligence and active power, so that he wants nothing to make him perfect. Now these perfections exist, but *in potentia*, and require instruction and training to become practical, and in order that this capacity, with all its completeness or deficiencies and endless grades, may become visible.⁶

On this view human beings are born, *contra* Plato, without innate knowledge but with a capacity or potential to learn.

This capacity is called, depending on the specific version of the theory that one encounters, “hylic intellect,” “material intellect,” or “potential intellect.” If one takes advantage of one’s capacity to learn (a process in which God or the Active Intellect play a crucial role), and actualizes one’s potential for study, then one will have acquired what Maimonides came to call “an intellect *in actu*,”⁷ more often called the “acquired intellect.” The question of how one must perfect one’s intellect in order to acquire an intellect *in actu*, that is, the question of what one must master, was a matter of debate. In the version of the theory often ascribed to Maimonides, one perfected one’s intellect only through the apprehension of metaphysical truths. In the version of the theory adopted by Gersonides, the achievement of true knowledge in any discipline was sufficient to give one at least a measure of intellectual perfection.⁸ To the extent that immortality is affirmed, it is the acquired intellect that is seen as immortal. Since one can actualize one’s potential intellect to different degrees, it follows that one’s perfection, and thus one’s share of immortality, depends on the degree to which one has perfected himself or herself intellectually.⁹

For our purposes the crucial elements in this theory are the claims that (a) no human being is born with a fully developed soul—we are, rather, born with the *potential* to acquire what can be called a soul; and (b) the only way one can possibly actualize his or her potential to acquire a “soul” is through intellectual activity. On the one hand, this theory commits one to an extremely parochial position: only the intellectually gifted and energetic can ever really fulfill themselves as human beings. This form of intellectual elitism leaves most of the human race out in the cold.¹⁰ On the other hand, the theory also forces one to adopt a very non-parochial stance: anyone born with a measure of intelligence and a willingness to apply oneself to the exacting demands of intellectual labor can achieve some measure or other of perfection. Race, creed, sex, or national origin are simply not issues.

Turning to parallel developments in Jewish thought, we find that Sa’adia Gaon rejected this approach and adopted a modified version of the Platonic theory.¹¹ Where the soul for

Plato preexists the body, for Sa'adia it is created by God "simultaneously with the completion of the bodily form of the human being."¹² But for both Plato and Sa'adia, the normal human being starts life with a fully formed soul.

There are many passages in rabbinic literature that reflect a position similar to that of Plato's.¹³ There are even parallels to his doctrine of recollection. Every Jewish school-child knows the *aggadah* to the effect that before we are born we are taught the entire Torah; at the moment of birth an angel slaps us on the face and causes us to forget all that we knew.¹⁴

Judah Halevi presents no clear view on the nature of the human soul. He twice cites what appears to be the Avicennian reading of Aristotle in the *Kuzari* but it is difficult to judge whether he cites the view and adopts it, or simply cites it as the prevailing philosophical view.¹⁵ What is clear beyond all possible doubt is that Halevi adopts an essentialist interpretation of the nature of the Jewish people, insisting that they are distinct from and superior to all other peoples, and that this distinction is caused by a special characteristic, unique to the Jews, literally passed on from generation to generation.¹⁶

The *Zohar* is an important expression of the view that human beings are born with fully formed souls. Gershom Scholem summarizes the outlook of the *Zohar* in the following terms: "Like all Kabbalists he [the author of the *Zohar*] teaches the pre-existence of all souls since the beginning of creation. Indeed, he goes so far as to assert that the pre-existent souls were already pre-formed in their full individuality while they were still hidden in the womb of eternity."¹⁷

We have adduced evidence to the effect that rabbinic texts, Sa'adia Gaon, and the *Zohar* share in common a view that found its classic philosophical expression in Plato, according to which human beings come "factory equipped" with fully formed souls. What is the importance of this? The Platonic view¹⁸ allows one to adopt the essentialist understanding of the nature of the Jewish people. Since God creates souls, he can choose to create them in different ways. This is precisely the express position of the *Zohar*. Jews are

differentiated from Gentiles by the fact that Jewish souls are different from (and superior to) Gentile souls.¹⁹ Halevi, without expressly adopting a Platonic view of the nature of the human soul, emphatically adopts an essentialist understanding of the nature of the Jewish people.

If the Aristotelian position commits one to a measure of universalism, then this position commits one to a measure of particularism. Jews are distinct from Gentiles and that distinction is based on a metaphysical difference between them. There is nothing that can be done to overcome that difference. Such a position immediately runs into problems over the issues of conversion to Judaism and prophetic visions of the time when *My house shall be called a house of prayer for all nations* (Isa. 56:7). If Jews are essentially distinct from Gentiles, and if that distinction is grounded in an ineradicable difference in the very nature of Jewish as opposed to Gentile souls, or in some special characteristic that inheres only in Jews, how could one possibly convert to Judaism? No matter how profound one's religious experience, no matter how sincere one's attachment to the Torah and the Jewish people, the hard fact remains that one possesses a Gentile and not a Jewish soul. Similarly, no matter how many swords are beaten into plowshares in the days of the Messiah, the Jews will still have Jewish souls and the Gentiles, Gentile (and thus inferior) souls.

Halevi meets the problem of conversion by arguing that converts are indeed not the equals of native Jews and that only after many generations, so it would seem, can their descendants be fully amalgamated into the Jewish people.²⁰ To adopt a brilliant and amusing metaphor of Daniel J. Lasker's, just as IBM PC clones may run the same software as original IBM hardware, but are still not the "real thing"; so, too, converts may believe what native Jews believe, and act as they do (software), they are still not the same as native Jews (hardware).²¹

The *Zohar* meets the problem of conversion in two ways. One is to affirm that the proselyte never becomes the equal of the Jew.²² Alternatively, souls of true converts are souls of Jewish origin and were at Sinai with all other Jewish souls.²³

That these souls ended up in the bodies of Gentiles is, apparently, the result of some sort of cosmic foul-up. It is, then, their intrinsically and essentially Jewish nature that motivates these individuals to convert to Judaism.²⁴

The problem posed by the universalist picture of the messianic era is easier to solve. Jewish particularists from some rabbis quoted in the Midrash through Sa'adia, Nahmanides, *Zohar*, etc., have found no problem in reading the prophets in a particularist, parochial fashion. As Maimonides commented (in another connection), "The gates of figurative interpretation are not closed."

In what follows I want to examine the position of Maimonides with respect to the cluster of issues introduced here. I will show that Maimonides adopts an Aristotelian as opposed to Platonic conception of the nature of the human soul. This philosophical position commits him to a variety of unpopular Jewish positions: he plays down the special character of the Jewish people, and affirms that the difference between Jew and Gentile is theological and not essential (i.e., the difference resides in the "software," not in the "hardware," and is thus, in principle, subject to "conversion"); denies that Jews alone benefit from special divine providence, prophesy, or reach ultimate human perfection; extends an unusually welcoming hand to proselytes; literally defines "who is a Jew" in terms first and foremost of intellectual commitment as opposed to national or racial affiliation, and affirms that in the end of days the distinction between Jew and Gentile will disappear.

In showing the interdependence of philosophical, *halakhic*, and theological issues in Maimonides I will be arguing on a number of fronts simultaneously. I take issue with those who, like Shlomo Pines, want to divorce Maimonides's philosophical concerns from his *halakhic* ones, demoting the latter to the status of an "avocation."²⁵ Pines interprets Maimonides such that his "legal writings subserve an exclusively practical end and, accordingly, contain no indications of Maimonides's theoretical views which, to some extent, can be gathered—with great difficulty—from *The Guide of the Perplexed*."²⁶ Pines's reading of Maimonides's "theoreti-

cal views" in the *Guide* can be gathered—with some difficulty—from his introduction to *The Guide*. Among the claims that Pines imputes to Maimonides are that Moses might have been more of a philosopher than a prophet, that there might be no "essential difference among monotheistic prophetic religions" (p. xc), and that God is nothing more than "the scientific system of the universe" (p. xcvi).²⁷

Were Pines correct in his reading of Maimonides, the latter could have adopted (indeed, according to Pines, did adopt) positions on parochial religious issues at variance with his philosophical views and saved himself a lot of abuse. His life would have been simpler, and nobody any worse off had he adopted standard, particularist positions on ethics, providence, prophecy, immortality, conversion, messianism, the nature of the Torah, and the nature of the Jewish people. That he did not, and adopted positions on religious issues forced upon him by his philosophy indicates the intimate connection he saw between the two.

Just as I reject Pines's demotion of *halakhah* in favor of philosophy, I reject the opposing view that demotes Maimonides's philosophy in favor of his *halakhah*. This view is not popular in academe today, but it is held in circles where Maimonides is very closely studied and both demands and deserves serious refutation. By showing the intimate connection between Maimonides's views on the nature of the soul on the one hand, and his views on the nature of the Jewish people, conversion, messianism, etc., on the other hand, I undermine the case of those who want to read Maimonides on these subjects as if he were a classic representative of insular parochialism. If Maimonides's place is not among the disciples of Al-Farabi, it is not among the Roshei Yeshiva of Eastern Europe either.