

DOES MAIMONIDES'S *MISHNEH TORAH* FORBID READING THE *GUIDE OF THE PERPLEXED*? ON PLATONIC PUNISHMENTS FOR FREETHINKERS

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Abstract: *In one passage of the Mishneh Torah, Maimonides explicitly forbids Jews from philosophical inquiry or even freethinking. This prohibition apparently includes a ban on reading or thinking about the topics of the Guide of the Perplexed. This paper argues that Maimonides's Mishneh Torah presents a consistent rejection of open philosophical inquiry. However, what is prohibited in the Mishneh Torah is not only permitted in the Guide, but the terms of the prohibition can be used as an outline of the structure of the Guide. That is to say, the Guide in a sense covers precisely the topics whose inquiry is forbidden to Jews in the Mishneh Torah. In the Mishneh Torah Maimonides does not suggest a punishment in this world for freethinkers, but in the Guide he punishes freethinkers with more study, especially metaphysical inquiry. It is possible that the Guide itself is the punishment for freethinking as defined by the Mishneh Torah. This kind of intellectual punishment has a parallel in Plato's Laws, where freethinkers are sentenced to spend five years living in the center of the city, studying physics and metaphysics with city elders.*

In his account of the biblical prohibition against idolatry in the *Mishneh Torah*, Maimonides says:

Idol worshippers have compiled many books about [idol] worship.... The Holy One Blessed be He has commanded us not to read those books at all, not to think about [idol worship], not even about one of its details.... It is not only idol worship that it is forbidden to turn after in thought, but regarding any thought that causes man to uproot one of the roots of the Torah we are cautioned not to raise it to our hearts [i.e., not to think about it], not to direct our intellect¹ toward it, not to think about it, and not to be pulled

1. The Hebrew here, *da'atenu*, is used by Maimonides in the *Mishneh Torah* to mean "intellect," "knowledge," "moral knowledge," and "moral disposition." See my "*Da'at Ha-Rambam and Da'at Samuel ibn Tibbon: On the Meanings of the Hebrew Term, Da'at, and Central Questions of the Mishneh Torah and the Guide of the Perplexed*" [in Hebrew], *Da'at: A Journal of Jewish Philosophy & Kabbalah* 83 (2017): 47–67, esp. 50–53 and 63, 65, where I discuss this example. Any or all of those five meanings can work in this context with the ensuing discussion. Alternatively, Bernard Septimus argues that the word here and elsewhere probably means "mind." See Bernard Septimus, "What Did Maimonides Mean by *Madda'*," in *Me'ah She'arim: Studies in Medieval Jewish Life in Memory of Isadore Twersky*, ed. Ezra Fleischer, Gerald Blidstein, Carmi Horowitz, and Bernard Septimus (Jerusalem: Magnes, 2001), 83–110, esp. 99–102. Septimus argues that *de'ah* includes the meanings of

after the murmurs of the heart. For man's intellect is short, and not all intellects can grasp the truth in its essence. If each person would be pulled after the thoughts of his heart, each would be found to destroy [or: one would be found who destroys] the world by the shortness of his intellect. How? Sometimes he would err after star worship and sometimes he would think about the unity of the Creator, whether He is or whether He is not, what is up, what is down, what is in front, and what is behind. Sometimes [he would think] about prophecy, whether it is true or not, and sometimes about the Torah, whether it is from heaven or not. He would not know the measures by which to judge [these questions] until he knows the truth in its essence. [Such a person] would find himself in fulfilment [of the legal definition] of heresy. The Torah warns against this when it says, "so that you do not follow your heart and eyes in your lustful urge."² This is to say, every one of you ought not be pulled after his short intellect and imagine that his thought grasps the truth.... Even though this negative commandment causes man to be driven out of the world to come, it does not carry the punishment of lashes.³

Maimonides apparently leaves no room here for philosophical inquiry or even freethinking in a Jewish context. According to this passage, following one's own heart, often associated with the seat of thought and even intellect in the Middle Ages, causes a person to go astray. Suspending judgment until one "knows the truth in its essence" leads to heresy. The human intellect is small, cannot grasp the truth, and thus should be satisfied with received knowledge about God, prophecy, and even "what is up, what is down..." According to this account, freethinking about these issues is legally forbidden to all; Maimonides makes no exception for an intellectual elite or for himself, and indeed highlights this with his use of the first-person plural. Consequently, philosophy and scientific inquiry are incompatible with Jewish law.

This passage does not accord with the depiction of Maimonides we find in the literature. Indeed, this passage is rarely cited in academic scholarship. For the most part, those who mention it, such as Leo Strauss⁴ and Jacob

"intellect," "state of mind," "judgment," "intention," "ethical disposition," and "psychological state." What holds these meanings in common, according to Septimus, is that they refer to internal processes of the mind. The word "mind" could also work here and in the examples brought throughout this article as a translation of *de'ah* and *da'at*.

2. Numbers 15:39. Maimonides lists this verse as the forty-seventh negative commandment in his list of commandments in the introduction to the *Mishneh Torah*. According to his words there, the negative commandment is "not to stray after the thoughts of the heart or the sights of the eyes." The biblical prohibition in Maimonides's interpretation is considerably less comprehensive than Maimonides's explanation quoted here.

3. Maimonides, *Mishneh Torah* (Kedumim: The Mishneh Torah Project, 2009), 64 (my translation); henceforth: *MT*, *hilkhot 'avodah zarah* 2:2–3.

4. Leo Strauss alludes to this passage in his "Notes on Maimonides' *Book of Knowledge*," in *Studies in Platonic Political Philosophy* (Chicago, IL: University of Chicago Press, 1983), 200–201. Strauss notes that Maimonides's *hilkhot 'avodah zarah* are "at variance with the teaching of the *Guide*, according to which the creation of the world is not demonstrable and the prohibition against

Levinger,⁵ do so only briefly and treat it as an example of a law not applicable to the intellectual elite, even though Maimonides gives no indication that such is the case. Elsewhere, the passage is dealt with in connection with Modern Orthodox

idolatry is not accessible to reason.” According to Strauss, this variance is present because of “the defects of the minds of most men” (clearly referring to the passage I quoted above) and the fact that “what is true of most minds is not true of all.” The problem with Strauss’s interpretation is that Maimonides gives no indication that he is referring to only some minds and not to all human minds; this is not even suggested in the passage Strauss refers to, *hilkhot ‘avodah zarah* 2:3. Indeed, his characterization of the human intellect as “short,” i.e., “inadequate,” seems to refer to the differentia of humans among beings with intellects. See, e.g., *hilkhot yesode ha-Torah* 3:9: “The intellect of the stars and the spheres is smaller than the intellect of the angels, but greater than the intellect of humanity.” Strauss notes the distinction between the vulgar and the intellectual elite in 11:16 and wonders if the text might be including belief in idolatry along with belief in superstitious practices as the stuff of fools, known to be incorrect by “clear proofs” to “those who possess science and are perfect in mind.” The context, however, concerns only superstition, and given the strength of the wording of the prohibition in 2:2–3, we would expect direct affirmation that it does not refer to the intellectual elite. Did Strauss not notice that the passage in 2:2–3 seems to refer to all human beings equally? Strauss also refers in a footnote to *Guide* II 33 (75a), and this, indeed, seems to be the only source for the notion that a generally worded law could somehow not apply to the intellectual elite. In the passage referred to in the *Guide*, Maimonides discusses the different ways the Ten Commandments were understood. Moses, according to Maimonides, received the commandments directly and the people received the commandments from Moses. According to Maimonides, only the first two commandments, which refer to God’s existence and oneness, were comprehended by the people, since only those commandments are accessible to human reason. Strauss’s use of this footnote in relation to chapter 2 of *hilkhot ‘avodah zarah* in *Mishneh Torah* is presumably intended to suggest that there too the law has a dual character, where some laws are accessible to human reason, e.g., the existence and oneness of God, and other laws, perhaps all other laws, are not. Strauss does not ask where the prohibition against *questioning* God’s existence or oneness that we quoted above falls in this story. Does one need to question these things in order to come to knowledge about them, or can one come to know them without questioning? In any case, the simple, surface reading of *hilkhot ‘avodah zarah* 2:2–3 speaks to intellectual and vulgar alike. Indeed, the passage does not even admit a radically different reading for “philosophically aware students” than for “conventionally minded rabbinic readers” as Menachem Kellner noted for a number of other passages in the *Mishneh Torah*. See his “The Literary Character of the *Mishneh Torah*: On the Art of Writing in Maimonides’ Halakhic Works,” in Fleischer et al., *Me’ah She’arim*, 29–45.

5. Jacob Levinger, *Maimonides as Philosopher and Codifier* [in Hebrew] (Jerusalem: Mosad Bialik, 1989), 211. Levinger mentions this passage in the context of enumerating the 613 commandments as listed in the *Mishneh Torah* in an effort to locate their treatment in part 3 of the *Guide*. Regarding the forty-seventh negative commandment, he says, “This is not justified explicitly, but according to Maimonides’s words [*Guide* III 51], an error in theory can be the source of a great obstacle even for other people, with the result that it can become obligatory to kill the errant. From the form of this commandment’s formulation in the *hilkhot ‘avodah zarah* 2:2–3, one gets the impression that the perfectly wise person may be able to rise above this prohibition and that Maimonides himself, who declared that he read all of the books of foreign worship that were available to him ... did not see himself bound to [this prohibition]” (my translation). Note that *hilkhot ‘avodah zarah* 2:2–3 does not suggest death as a penalty and that there is no direct connection between that section and *Guide* III 51, or any other part of the *Guide*.

notions of *Torah u-madda*⁶ (the relationship between Judaism and science).⁶ The ample rabbinic scholarship on the *Mishneh Torah*, when it treats this passage, is primarily focused on Maimonides's talmudic sources and other medieval interpretations of them.⁷ The talmudic passages on whose basis Maimonides is

6. I am aware of four such cases: (1) Norman Lamm, *Faith and Doubt: Studies in Traditional Jewish Thought* (New York: Ktav, 1971), 39–40 n. 52. Lamm argues that the passage in question should be compared to *MT, hilkhot talmud Torah* 1:12 (1:11, in the edition cited above), “according to which the study of metaphysics is included in the category of *Gemara*.” Accordingly, Lamm thinks that *MT, hilkhot ‘avodah zarah* 2:2–3 is intended for the masses of Maimonides’s time, while the elite are enjoined to study metaphysics in accordance with his reading of *MT, hilkhot talmud Torah*. *MT, hilkhot ‘avodah zarah* 2:2–3, however, makes no such distinction, and my reading of *MT, hilkhot talmud Torah* 1:11 below does not see it as prescribing a kind of study that contradicts the former law. (2) Yehuda Parnes, “Torah U-Madda and Freedom of Inquiry,” *The Torah U-Madda Journal* 1 (1989): 68–71. Parnes argues, “Torah u-Madda can only be viable if it imposes strict limits on freedom of inquiry in areas that may undermine the [thirteen principles of faith]” (71). Yet, the thirteen principles of faith, found in Maimonides’s *Commentary on the Mishnah*, tractate Sanhedrin, introduction to chapter 10, are not mentioned in this passage in the *MT* (nor at all in the *MT*). Parnes, too, grants an exception to this prohibition for Maimonides himself and for anyone else who studies these issues to understand and to teach others to avoid their heretical pitfalls. (3) Lawrence Kaplan and David Berger, “On Freedom of Inquiry in the Rambam—and Today,” *The Torah U-Madda Journal* 2 (1990): 37–50. Comparing *MT, hilkhot ‘avodah zarah* 2:2–3 with Maimonides’s *Commentary on the Mishnah, Book of Commandments*, and *Guide of the Perplexed*, Kaplan and Berger argue, “the Rambam’s prohibition is not directed against intellectual inquiry in sensitive areas, but, rather, against intellectual inquiry in these areas *improperly conducted*” (40). In particular, they argue that the sentence I have translated, “He would not know the measures by which to judge [these questions] until he knows the truth in its essence” means that if they had attained the measures (*middot*) by which to judge the questions, they would be able to do so. Again, this implies a distinction between an elite, who have studied Torah and science and know the measures in question, and a general populace that has not—a distinction not found in Maimonides’s formulation in the *MT*. My method in reading the *MT* here is to read it as a legal work whose injunctions can be understood on their own, i.e., without the need for external works, even those of Maimonides himself, to explain the simple meaning of its injunctions. This method is suggested by Maimonides’s words in the introduction to the *MT*, “I, Moses Maimonides the Spaniard ... saw fit to compose [the *MT*] ... so that all of the laws would be revealed to small and great alike with regard to each commandment and to each thing the sages have enacted—in general so that one would not need another composition in the world for any of the laws of Israel, but this composition would be a compendium of the entire oral law.” (4) Aharon Lichtenstein, “Torah and General Culture: Confluence and Conflict,” in *Judaism’s Encounter with Other Cultures: Rejection or Integration?*, ed. Jacob Schacter (Northvale, NJ: Aronson, 1997), 279–82. Lichtenstein includes all of the points attributed to sources 1 and 3 above, adding still more sources (particularly talmudic, but also literary) for his argument than found in 3. Somewhat surprisingly, toward the end of his discussion, he says, “In *Mishneh Torah*, the Rambam in effect omitted the qualification of [permitting the study of these forbidden topics in order to understand them and teach others to avoid their pitfalls] entirely” (282). However, Lichtenstein is writing as rabbi and halakhic decisor; he is not writing to explicate Maimonides, or even the law as it appears in *MT*, but in order to determine the approach to open inquiry among his students and followers.

7. See, e.g., Shem Tov ben Abraham ibn Gaon, *Migdal ‘oz* (Constantinople, 1509), ad loc.; Joseph Karo, *Kesef mishneh* (Venice, 1574), ad loc.; Hezekiah da Silva, *Peri hadash* (Karlruhe, 1757), *Hilkhot ‘akum* 2:2; Isaac Shangi, *Be’erot ha-mayim* (Salonica, 1755), ad loc.; and Zadok Rabinowitz of Lublin, *‘Ozar ha-melekh* (New York: Biegeleisen, 1954), 91–92. An exception to this is Nahum Rabinovitch, *Mishneh Torah ... ‘im perush yad peshutah, Sefer madda’*, vol. 2 (Ma’aleh

assumed to have written the statement above are, however, neither as broadly condemning nor as forceful as Maimonides's words.⁸ Moreover, Maimonides's comments on these passages in his *Commentary on the Mishnah* do not presage his views in the *Mishneh Torah*.⁹ That is, Maimonides's prohibition of freethinking in the *Mishneh Torah* represents a break from talmudic precedent and even his own previous legal writings.¹⁰ Nevertheless, the implications of this prohibition are broad.

⁸Adumim: Ma'aliyyot, 2007), 525–33. Like Kaplan and Berger, Rabinovitch argues that *MT, hilkhot 'avodah zarah* 2:2–3 does not apply to those who have learned the proper “measures” (*middot*) for studying these topics. Moreover, he also argues that Maimonides's wording here prohibits serious thought about these issues (based on his interpretation of the phrase *להעלות על הלב*, but the main thrust of the prohibition is directed against adopting idolatrous opinions as doctrines (based on his interpretation of the phrase *להעלות על הדעת*, which does not actually appear in the passage in question).

8. The thinkers mentioned in the previous note mention four talmudic passages. (1) B. Shabbat 149a: כתב המהלך תחת הצורה ותחת הדיוקנאות - אסור לקרות בשבת. ודיוקנא עצמה - אף בחול אסור להסתכל בה, משום שנאמר אל תפנו אל האלילים. מאי תלמודא? - אמר רבי חנין: אל תפנו אל מדעתכם. “Our rabbis taught: The writing under a painting or an image may not be read on the Sabbath. And as for the image itself, one must not look at it even on weekdays, because it is said, Turn ye not unto idols. How is that taught? — Said R. Hanin: [Its interpretation is,] Turn not unto that conceived in your own minds.” (2) B. Sanhedrin 100b: רבי עקיבא אומר: אף הקורא בספרים החיצונים וכו'. תנא: בספרי מינים. רב יוסף אומר: בספר בן סירא נמי אסור למיקרי. “R. Akiva said: Also he who reads uncanonical books, etc. A Tanna taught: [This means], the books of the Sadducees. R. Joseph said: it is also forbidden to read the book of Ben Sira.” (3) B. Hagigah 11b: כל המסתכל בארבעה דברים רתוי לו כאילו לא בא לעולם: מה למעלה, מה למטה, מה לפנים, ומה לאחור. “Everyone who tries to know the following four things, it were better for him if he had never come into the world, viz.: What is above and what is beneath, what was before creation, and what will be after all will be destroyed.” (4) B. Pesahim 63b (Makkot 16a, Sanhedrin 10a, and elsewhere): וכל לא שאין בו מעשה אין לוקין עליו “The transgression of a prohibition involving no material action is not punishable by flogging.” All translations of the Talmud are from the Soncino edition.

9. (1) Regarding B. Shabbat 149a, Maimonides says that it is forbidden to read anything aside from prophetic writings and their interpretations on the Sabbath. Even a book containing words of wisdom and science, but not interpreting prophetic writings, may not be read on the Sabbath. (2) Maimonides's introduction to *Perek ḥelek* links the “external books” to the heretics (*minim*) and to the Epicureans (see below), and these, along with the book of Ben Sira, history books, and music books, are said to be frivolous works that do not contain wisdom, i.e., a waste of time. This statement appears to be a recommendation rather than a legal prohibition. (3) Regarding B. Hagigah 11b, Maimonides says the prohibition about asking what is above and what is beneath, etc., applies only to one who has not studied the sciences in order or to one who has not studied science at all. These questions, which he says are the foundations of the Torah, may, however, be asked by those with proper scientific background (a position directly contrary to the one in *MT*) so long as they seek answers by themselves and not share them with others. (4) Maimonides does not associate any of the three abovementioned passages with any kind of punishment.

10. Maimonides's *Book of Commandments*, however, presents an explanation of the forty-seventh negative commandment that is quite close to *MT, hilkhot 'avodah zarah* 2:2–3, probably because of the character of *Book of Commandments* as a kind of preparatory work for *MT*. Maimonides states: “Commandment 47: We are forbidden from releasing our thoughts with the result that we would believe in opinions that are the opposite of those put forth by the Law. Rather we should make our thought short and place a boundary at which our thought will stop. That boundary is the prescriptions and prohibitions of the Law, as it says, ‘so that you do not follow your heart....’” Maimonides, *Sefer*

MISHNEH TORAH

Scholars have long noted that Maimonides's description of God at the opening of *Sefer ha-madda'* (the book of knowledge), the first of the fourteen books that make up the *Mishneh Torah*, is heavily indebted to Aristotle and the Islamic *falāsifah*. God is the first existent, who gives existence to every existent. All existents in the world thus depend on God, but God does not depend on other existents. Moreover, God conducts the concentric spheres that make up the universe. Nevertheless, God is not a body, not a force of body, but is "the Knower, the Known and the Knowledge itself—all one" (הוא היודע והוא הידוע והוא הדעה) (עצמה—הכל אחד).¹¹ This description does not come from the Bible or Talmud, but from the philosophers, some of whom—most notably Aristotle—were idolaters. Nevertheless, Maimonides is not advocating open and free thought about these issues. Instead, acceptance of these principles is equated with various central biblical precepts. "Knowledge of this thing [i.e., this description of God]," Maimonides tells us, "is a positive commandment, as it says, 'I am the Lord your God.'"¹² Maimonides's biblical source for this commandment is no less than the first of the Ten Commandments.¹³ Rejection of this account of God is thus, for Maimonides the jurist, a rejection of the first of the Ten Commandments. Indeed, even questioning the oneness of God is, according to Maimonides the jurist, a violation of the second of the Ten Commandments: "Thou shalt have no other gods before Me."¹⁴ That is to say, although Maimonides draws on

ha-mizvot: mekor ve-tirgum, ed. and trans. Joseph Qafih (Jerusalem: Mosad Harav Kook, 1971), 205–6 (my translation, quoting from Numbers 15:39). Both laws prohibit freethinking about topics that can lead to contradictions with the Law. The formulation of *Book of Commandments* does not go into detail, but is clear about exercising control over one's thoughts and not allowing them to exceed the bounds of the Law. Yet, Maimonides's statement, "we should make our thought short" (נקצר פכרנא), suggests that people *can* make their thoughts larger (i.e., turn to think about metaphysical topics?) if they so choose. At the same time, in the *MT* man's intellect is short to begin with, and thus he ought to control his thoughts. Note further that Maimonides's use of the first-person plural here in the *Book of Commandments* suggests that he includes himself in this prohibition.

11. *MT, hilkhot yesode ha-Torah* 2:10. On the use of *de'ah* to mean "intellect" here, see my "Da'at Ha-Rambam and Da'at Samuel ibn Tibbon," 50. Maimonides explicitly refers to this statement made in "our great compilation" (i.e., in the *MT*) in the *Guide of the Perplexed* I 68, when he uses the Arabic expression *عقل عاقل ومعقول*. The latter expression is frequently used to translate Aristotle's *νοῦς νοῦν νοεῖν*; see, e.g., Avicenna, *The Metaphysics of the Healing*, trans. Michael Marmura (Provo, UT: Brigham Young University Press, 2005), 297 and Averroes, *Tafsir ma ba'd at-tabi'at*, ed. Maurice Bouyges (Beirut: Imprimerie Catholique, 1938–42), 1616 ff.

12. *MT, hilkhot yesode ha-Torah* 1:6, quoting Exodus 20:2 and Deuteronomy 5:6.

13. It is also the first positive commandment enumerated in Maimonides's *Book of the Commandments* and introduction to the *Mishneh Torah*. On the significance of understanding "I am the Lord your God" as a separate commandment and the opposition to this interpretation by Crescas and Abarbanel, see Menachem Kellner, *Science in the Bet Midrash: Studies in Maimonides* (Brighton, MA: Academic Studies Press, 2009), 133–43.

14. *MT, hilkhot yesode ha-Torah* 1:6, quoting Exodus 20:2 and Deuteronomy 5:6: וכל המעלה על: This is the דעתו שיש שם אלוה אחר חוץ מזה עבר בלא תעשה, שנאמר, "לא יהיה לך אלהים אחרים על פני" וכפר בעקר. This is the first of the negative commandments enumerated in Maimonides's introduction the *Mishneh Torah*,

philosophers for developing his account of the divine, his juridical position does not allow that crucial element of philosophical inquiry, namely, questions.¹⁵

Indeed, those who reject the description of God and prophecy that Maimonides lays out can be considered heretics or Epicureans, neither of whom has a “share in the world to come” according to Maimonides.¹⁶ Among those considered heretics are those “who say that there is no God and that the world has no Conductor” and those who say that God is a body.¹⁷ Maimonides enumerates three kinds of Epicureans: “those who say that there is no prophecy at all and that there is no knowledge [*madda*] that reaches man’s heart from the Creator; those who deny the prophecy of Moses our master; and those who say that God does not know the actions of human beings.”¹⁸ While Epicurus and other materialists are clearly included among the condemned here, so are all pagans. Moreover, even Jewish Aristotelians would be included in this condemnation, since, as Maimonides tells us in the *Guide of the Perplexed* III 17, “in Aristotle’s opinion God’s providence ends at the sphere of the moon.”¹⁹

where his words are ה' לאלהים: “One ought not raise to his thought that there is a god other than the Lord.” The latter formulation is somewhat similar to the Muslim *shahādah*, or at least the first part: لا إله إلا الله, “There is no god but Allah.”

15. Regarding the first chapters of the *Mishneh Torah*, Shlomo Pines says, “I did not find in the text in question the slightest hint as to the possibility of doubt with regard to the conceptions that are expounded there.” See “The Philosophical Purport of Maimonides’ Halachic Works and the Purport of the *Guide of the Perplexed*,” in *Maimonides and Philosophy*, ed. Shlomo Pines and Yirmiyahu Yovel (Dordrecht: Martinus Nijhoff, 1986), 5. Similarly, Menachem Kellner, *Science in the Bet Midrash*, 145–55, discusses Maimonides’s prohibition against doubting God’s existence and oneness (and the rest of the of thirteen principles of faith) in his *Commentary on the Mishnah*. Kellner argues there that Maimonides’s legal injunctions leave no room for doubt at all and do not even allow inadvertence (*shegagah*) as a mitigating circumstance.

16. *MT, hilkhot teshuvah* 3:6. Isadore Twersky notes that the meaning of the term Epicurean in the *Mishneh Torah* is not yet well understood. See *Introduction to the Code of Maimonides* (New Haven, CT: Yale University Press, 1980), 430 n. 183. Since Twersky wrote those words, there has been a vast literature on the topic of heresy and heretics in Maimonides. See, e.g., Hannah Kasher, *Heretics in Maimonides’ Teaching* [in Hebrew] (Tel Aviv: Ha-kibbutz Ha-me’uhad, 2011) and the sources cited therein. For a different approach that associates Maimonides’s own views in the *Guide* with Epicureanism, see Gadi Weber, “Maimonides and the Epicurean Approach to Providence,” *The Review of Metaphysics* 68 (2015): 545–72. The difficulty in pinning down precisely what Maimonides meant by “Epicurean” is due to his different uses of the term in his different works. He writes in the *Commentary on the Mishnah*, Sanhedrin 10:1, “The word Epicurean [*apikoros*] is an Aramaic word, whose meaning is making light of and scorning the Law or the sciences of the Law. Accordingly, this term is applied to one who does not believe in the foundations of the law or disparages the sages, whether any student of the sages or his teacher.” However, it is clear in *Guide* I 74, II 13, II 32, and III 17 that Maimonides understands Epicurus to be an independent thinker, an atheist, and an atomist. Given these vastly different understandings of Epicurus and Epicureanism in the *Commentary on the Mishnah* and in the *Guide*, I think it not unreasonable to try to understand “Epicurean” on its own terms in the *Mishneh Torah*, as I do here.

17. *MT, hilkhot teshuvah* 3:7.

18. *Ibid.* 3:8.

19. Moses Maimonides, *The Guide of the Perplexed*, trans. Shlomo Pines (Chicago, IL: University of Chicago Press, 1963), 465. See also, e.g., II 22, Pines trans. pp. 319–20. Maimonides’s

It is in light of these observations that we must interpret Maimonides's call to Torah study. Maimonides famously places study as the center of Jewish life in his *Mishneh Torah*, as a commandment legally binding on all Jewish men, to be performed every day and every night until the day of one's death.²⁰ Yet, this study is of the religious sort, rather than of the questioning, even skeptical academic sort we promote in modern universities. According to Maimonides:

One is required to divide his study time into three: one third directed to the Written Torah, one third directed to the Oral Torah, and one third to understanding and contemplating the end of a thing from its beginning, to inferring one thing from another, to likening one thing to another, and to discussing the mores [*de'ot*] that the Torah treats so as to know what the root of the mores is and how to derive the permitted and forbidden and the like from among the things learned from tradition [*mi-pi ha-shemu'ah*]. And this matter is what is called "Talmud."²¹

In other words, one's study should consist of three parts: Written Law, Oral Law, and Talmud. Given the elaborate description of the latter, there is no reason to assume that the first two are anything but reading and understanding the texts of the Bible and the *Mishneh Torah* itself (which Maimonides says encompasses the entire Oral Law and relieves the need for reading any other text of law). It is in Talmud that we find topics associated with philosophy in the ancient world. Thus, it seems to include logic, ethics, and the relationship between ethics and law. Moreover, all of this study that Maimonides calls "Talmud" is governed by tradition (*ha-shemu'ah*), that is, it would seem, not open for independent inquiry.

That what Maimonides has in mind when he says "Talmud" is not the same as what today's talmudic scholars have in mind is emphasized when he gives another description of Talmud in the next paragraph. There he says, "One contemplates with his intellect so as to understand one thing from another; ... and the matters that are called 'Pardes' are included in Talmud." Thus, it seems that the

understanding of this principle has been a source of much controversy. See, e.g., Shlomo Pines, "The Limitations of Human Knowledge according to Al-Farabi, Ibn Bajja, and Maimonides," *Studies in Medieval Jewish History and Literature*, ed. Isadore Twersky, 3 vols. (Cambridge, MA: Harvard University Press, 1979), 1:82–109; Zev Harvey, "Maimonides' Critical Epistemology and Guide 2:3," *Aleph: Historical Studies in Science & Judaism* 8 (2008): 213–35; and Aryeh Leo Motzkin, "On the Limitations of Human Knowledge," in *Philosophy and the Jewish Tradition: Lectures and Essays by Aryeh Leo Motzkin*, ed. Yehuda Halper (Leiden: Brill, 2011), 147–52.

20. *MT*, *hilkhot talmud Torah* 1:8–10.

21. *Ibid.* 1:11. The first line of this passage is derived from B. Avodah Zarah 19b and B. Kiddushin 30a: "One is always required to divide his studies into three: a third for Bible, a third for Mishnah, and a third for Talmud." Elsewhere, the Babylonian Talmud suggests that the term "talmud" may refer to oral study or derivation or inference from the Bible (e.g., B. Bava Kamma 104b). Maimonides's formulation, however, appears to include in "talmud" any kind of inference, not only those based on the Torah. On Maimonides's use of *de'ot* to mean "mores" in the *MT*, see my "*Da'at HaRambam and Da'at Samuel ibn Tibbon*," 52.

scholar ought to begin with logical inferences and use them to lead to an understanding of the “Pardes.” The “Pardes” (orchard) is used in the Mishnah and Gemara to refer to the esoteric knowledge of the Account of Creation and the Account of the Chariot.²² Here Maimonides includes it as the pinnacle of study and one to which one can increasingly devote himself after attaining proficiency in the Written and Oral Law.

Yet for Maimonides in the *Mishneh Torah* “Pardes” refers to the account of God, angels, elements, animals, humans, and the world in the first four chapters of *Hilkhot yesode ha-Torah* (laws of the foundations of the Torah) with which he opens his code of law.²³ There Maimonides made clear that the study of the Pardes is not for questioning or skeptical inquiry, but rather “to see the wisdom of the Holy One Blessed be He in all of his creatures,” thereby increasing man’s love for God in fulfilment of the commandment to love the Lord thy God.²⁴ This study of God and the world is not available to all, Maimonides tells us, and even some of the great sages of Israel “did not have the power to know or grasp all these things in their essence.” Maimonides cautions his readers not to “walk about in the Pardes unless one has filled his belly with bread and meat—and this ‘bread and meat,’” he says, “is clear knowledge of the permitted and forbidden.”²⁵

Maimonides, then, places contemplation of God and the world—subjects treated by the philosophers as metaphysics and physics—as central pillars of Judaism. Yet the contemplation he has in mind is not philosophical inquiry. Error about any of these topics leads to violation of central tenets of religion and can even lead to heresy and idolatry. Maimonides thus urges would-be scholars to fill their minds with knowledge of what is permitted and what is forbidden and only then to undertake to navigate the seas of such contemplation. Only one who is well acquainted with what the law allows should set out to contemplate God. For, as we have seen, even thinking about uprooting a principle of Judaism is a violation of the Law.

THE GUIDE OF THE PERPLEXED

Maimonides’s hardline anti-free-inquiry viewpoint in the *Mishneh Torah* meets with a major difficulty: the *Guide of the Perplexed*. In the *Guide*, Maimonides raises all of the questions that he said could cause someone to uproot one of the roots of the Torah. Indeed, his approach to these questions, as has been noticed

22. B. Ḥagigah 11b. In the *Guide*, Maimonides identifies these two Accounts with Aristotelian *physics* and *metaphysics* (introduction to part 1, p. 6). Maimonides claims there that this identification is made in the *Mishneh Torah* as well. However, in the *Mishneh Torah* he makes no mention of the *sciences* of physics or metaphysics, to say nothing of Aristotle, but rather associates the Account of Creation with chapters 3 and 4 of *yesode ha-Torah* and the Account of the Chariot with chapters 1 and 2 of *yesode ha-Torah*. See *MT, hilkhot yesode ha-Torah* 4:10–13. That the contents of these four chapters correspond to Aristotelian science is not obvious. See my discussion below.

23. *MT, hilkhot yesode ha-Torah* 4:12.

24. *Ibid.*

25. See also Amos 8:11 and Maimonides’s discussion of it again in *Guide* I 30.

by a number of scholars, is perhaps less answer focused than many would like, and in some cases contains contradictions, leading commentators to radically different views of what Maimonides says. Here we note that Maimonides radically contradicts his legal opinion in the *Mishneh Torah*, *hilkhot 'avodah zarah* (laws of idol worship) 2:2–3.

In the *Mishneh Torah*, Maimonides forbids thinking about and questioning six things: (1) God's unity; (2) the existence of the Creator; (3) what is up, down, inside, or outside; (4) prophecy; (5) the divine origins of the Torah; and (6) idolatry, including reading idolatrous books and thinking about their contents. In fact, these are the main topics of the *Guide*. While the complexities of the *Guide* generally do not permit a simple characterization of its 179 chapters, divided into three parts, these forbidden topics of inquiry could make up a kind of loose outline of the topics of the *Guide*.²⁶

1. The first part of the *Guide* dedicates some thirty-six chapters to corporeal Hebrew terms used in the *Guide* for describing God.²⁷ One of the main points of these chapters, and indeed of the first part of the *Guide* as a whole, is to explain that God is in fact incorporeal and also one, even though numerous biblical passages apparently present God as corporeal and having more than one body part.²⁸ That is, the chapters raise the question of God's unity and, while ultimately arguing in favor of it, they present the opposing view, note its origins in the Bible itself, and certainly encourage thinking about it.²⁹

2. God as Creator (*bore'* in the Hebrew of the *Mishneh Torah*) is discussed in the first half of the second part of the *Guide*. This discussion culminates in Maimonides's famous account of the different views of whether and how the world was created in II 13 and following. We might note that Maimonides famously supports *creatio ex nihilo* here (though *aeternitas post creationem*), while he maintains the eternity of the sphere in the *Mishneh Torah*.³⁰ The reader of this

26. This way of describing the *Guide* in no way undermines or invalidates other enumerations of its chapters. Indeed, the artistic construction of the *Guide* is intentionally suited to a number of organizational principles.

27. Chapters 1, 3–4, 6–16, 18–25, 28–30, 37–45, 67, and 70. Additionally, chapter 65 discusses words for speaking about God and chapters 2, 61–64 discuss names of God.

28. On God as simply one, without parts, and the difficulty of characterizing this One in scriptural language, see, e.g., *Guide* I 57.

29. Indeed, Maimonides famously notes in *Guide* II 25 that God's incorporeality, as explained in part 1 of the *Guide*, is in fact a figurative interpretation of the Bible, which literally states that God does have a body and body parts, and so is not simply one.

30. See *MT, hilkhot yesode ha-Torah* 1:5: הגלגל סובב תמיד, "the sphere revolves eternally," or perhaps "continuously." In either case the reader will question the eternity of the world. See also *Guide* I 71, where Maimonides says, "the proofs for the oneness and existence of the deity and of His not being a body ought to be procured from the starting point afforded by the supposition of the eternity of the world, for in this way the demonstration will be perfect, both if the world is eternal and if it is created in time" (Pines trans., 180–81). Such a statement certainly encourages the reader to question creation.

section would certainly be led to raise the question of creation³¹ and therefore also the question of the existence of the Creator.³²

4. The second half of the second part of the *Guide* is dedicated to a discussion of prophecy. Chapters 32–48 of the second part form a detailed, though at times contradictory, account of prophecy as intellectual overflow. That prophecy as such could be understood in a radically different way is suggested by Maimonides's insertion, perhaps invention, of “the philosophers' view of prophecy” in II 32.³³ That the philosophers have a view of prophecy raises questions about the extent to which prophecy is a natural phenomenon. Maimonides is explicit in raising these questions, though his answers have led some medieval commentators to say that Maimonides himself prefers the naturalistic account of prophecy to the

31. See especially statements like that in II 17: “we do not wish to establish as true that the world is created in time. But what we wish to establish is the possibility of its being created in time” (Pines trans., 298). Kenneth Seeskin argues convincingly that Maimonides's approach to the question of creation is more inviting to questioning and more skeptical than that of Aquinas. See “Maimonides and Aquinas on Creation,” *Medioevo: Rivista di Storia della Filosofia Medievale* 23 (1997): 453–74.

32. In *Guide* I 71, Maimonides criticizes the *matakallimūn* for, inter alia, grounding their proofs of the existence of God on the assumption that the world is created (see Pines trans., 179–80). Instead, Maimonides argues that the proof for the existence of God should be grounded on the assumption that the world is eternal (see also II 25). In either case, the question of creation is crucial for establishing the existence of the Creator. Accordingly, merely asking about creation invites questions about the existence of God. Additionally, W. Z. Harvey argues that the statement in the *MT* that God's existence is derived from the eternal motion of the heavens is “pedagogically (if not epistemologically) preparatory to the metaphysical proof based on the distinction between necessity and contingency” à la Avicenna. According to Harvey, the proof of the *MT* is pedagogically useful because it appears to those insufficiently versed in physics to hold both if the world is eternal and if the world is created in time. In Harvey's view, those who learn enough physics and question the premises of the pedagogical proof will be drawn to study the Avicennian proof of God's existence pointed to in the *Guide*. However, “the Avicennian proof [pointed to in the *Guide*], even if perfectly valid, is ... not thoroughly comprehensible, and presumably never will be. Doubt and perplexity, like awe, are inherent in the quest to know God.” See W. Z. Harvey, “Maimonides' First Commandment, Physics, and Doubt,” in *Hazon Nahum: Studies in Jewish Law, Thought and History Presented to Dr. Norman Lamm on the Occasion of His Seventieth Birthday*, ed. Yaakov Elman and Jeffrey Gurock (New York: Yeshiva University Press, 1997), 149–62, quotes from 160–61.

33. While Maimonides's account of prophecy is likely based on al-Farabi's *The Perfect State*, chap. 14 (see trans. Richard Walzer [Oxford: Clarendon, 1985], 210–27 and see also Joel Kraemer, *Maimonides* [New York: Doubleday, 2008], 387–88), al-Farabi does not claim that there is a “philosophical view” of prophecy. An Arabic treatise purporting to be part of Aristotle's *Parva naturalia* did attribute to Aristotle a view of prophecy in dreams, but this view, while it does mention the active intellect, is more concerned with predicting future events than Maimonides's *Guide* II 32. See Shlomo Pines, “The Arabic Recension of *Parva Naturalia* and the Philosophical Doctrine Concerning Veridical Dreams according to *al-Risāla al-Manāmiyya* and Other Sources,” *Israel Oriental Studies* 4 (1974): 104–53. Compare with Aristotle's *Parva naturalia*, which also discusses predicting the future. Prediction of the future as a primary function of prophecy is a central part of Maimonides's *Letter on Astrology*. In *Guide* II 32 Maimonides is remarkably silent about the content of prophecy according to the philosophical view of prophecy, and it is possible the philosophers see prophecy as a kind of heightened form of philosophy. See, however, *Guide* II 36.

view of “our Law.”³⁴ That is, Maimonides’s words here can lead, indeed have led, to questioning what he calls the Jewish view of prophecy.

5. Part 2 of the *Guide* ends with the specific difficulties inherent in the biblical depictions of prophecy, especially in biblical parables. Maimonides turns to the most difficult of these parables, the chariot seen by Ezekiel, at the beginning of part 3 of the *Guide*. He then turns to the Law’s understanding of providence and evil, continuing with an interpretation of the perhaps most challenging biblical depiction of providence and evil: the book of Job. The second half of part 3 of the *Guide* treats the reasons for the commandments in the Bible. Maimonides’s assumption throughout is that there is “a cause for all of the commandments.”³⁵ Yet the causes for the commandments are often historical, based not on universal truths, but on eradicating certain opinions prevalent among the people at the time of the giving of the Torah. Maimonides famously points out a kind of evolution of thought about the divine in III 29 and suggests ways in which common opinion may change further in the future. The discussion in part 3 of the *Guide* invariably leads readers to question the divinity of the Torah. Even while Maimonides clearly advocates for the divine roots of the Law, the reader is at the very least led to question whether the Torah is from heaven or not.

6. The *Mishneh Torah*’s prohibition against reading books of idolatry or even thinking about their content turns out in the *Guide* to be related to, perhaps even a special case of, the prohibition against questioning the divinity of the Torah. Maimonides discusses this in *Guide* III 29 and 37, where it becomes clear that he himself has read books of idolatry and even used them to understand the historical context of the biblical commandments. In *Guide* III 29 he says:

The meaning of many of the laws became clear to me and their causes became known to me through my study of the doctrines, opinions, practices, and cult of the Sabians.³⁶ ... I shall mention to you the books from which all that I know about the doctrines and opinions of the Sabians will become clear to you so that you will know for certain that what I say about the reasons for these laws is correct.... The knowledge of these opinions and practices is a very important chapter in the exposition of the reasons for the *commandments*. For the foundation of the whole of our Law and the pivot around which it

34. See, e.g., Profiyat Duran, *Heshev ha-efod* in Maimonides, *Moreh ha-nevukhim* (Jerusalem: Barzeni, 2004), 67b–68a and Joseph Kaspi, *Maskiyot kesef* in Joseph Kaspi, *Commentaria hebraica in R. Mosis Maimonidis Dalalat al Haiirin sive Doctor Perplexorum*, ed. Salomo Werbluner (Frankfurt am Main: 1848), 113. The confusion is compounded by the fact that the ambiguous presentation of prophecy in *MT*, *hilkhot yesode ha-Torah* 7 may lend itself more easily to the philosophical understanding of prophecy than to that of “our law.” See Kellner, “Literary Character of the *Mishneh Torah*,” 39–42.

35. *Guide* III 26, Pines trans., 508.

36. Maimonides apparently uses the term “Sabians” to refer to all idolaters. On the portrayal of the Sabians in Arabic literature see Sara Stroumsa, *Maimonides in His World: Portrait of a Mediterranean Thinker* (Princeton, NJ: Princeton University Press, 2009), 84–105.

turns, consists in the effacement of these opinions from the minds and of these monuments from existence.³⁷

Not only does Maimonides acknowledge having read, indeed *studied* books of idolatry, he explicitly draws on these books for interpreting the reasons for the commandments of the Torah. Lest there be any ambiguity, Maimonides in the same chapter refers to the “books of idolatry” (ספרי עבודה זרה) in Hebrew, rather than Arabic, the language of the *Guide*, using the same expression he uses in the *Mishneh Torah*. His ensuing summary of these idolatrous books is apparently intended for the reader to verify his claims about idolatry, thereby encouraging the reader to open the books himself. Far from the *Mishneh Torah*’s prohibition against thinking about idolatry, Maimonides’s *Guide* says that idolatry must be understood so that Judaism can be understood. That is, thinking about idolatry and thinking about the divinity of the Law go hand in hand—one needs to consider one in order to think about the other.

Careful readers may have noticed that I skipped number 3: the *Mishneh Torah*’s prohibition against asking “what is up, what is down, what is in front, and what is behind.”³⁸ The language of this prohibition is taken from the Babylonian Talmud, Ḥagigah 11b, where it is framed less as a prohibition, more as good advice. The Mishnah there states, “Every one who tries to know the following four things, it were better for him if he had never come into the world.”³⁹ In context and in the ensuing discussion it is clear that these “four things” are connected to, and perhaps constitute the essential parts of the Account of the Beginning and the Account of the Chariot. These two areas of study, the Talmud makes clear, make up the Pardes, the orchard of divine knowledge that only few can enter and only with extreme care. We have already seen that Maimonides associates this Pardes with his account of God, the angels, and the world at the beginning of the *Mishneh Torah*. The prohibition against these four questions would thus seem to be a prohibition against asking questions about the Pardes, or at the very least asking potentially critical questions.⁴⁰

The Pardes is treated quite differently in the *Guide of the Perplexed*. In the introduction to the first part of the *Guide*, Maimonides apparently includes the Account of the Beginning and the Account of the Chariot among the parables that the *Guide* seeks to explain. Under the guise of repeating something from the *Mishneh Torah*, Maimonides says, “The Account of the Beginning is identical with natural science, and the Account of the Chariot with divine science.”⁴¹ In

37. *Guide* III 29, Pines trans., 518, 521.

38. Maimonides explicitly recommends inquiring into the first of these questions in *Guide* I 47: “The sages have said ... *Know what is above thee, a seeing eye and a hearing ear*: Now when you investigate the true reality ...” (Pines trans., 105).

39. Soncino trans.

40. Such a prohibition could only apply to those readers familiar enough with the Talmud to recognize the connection between this statement and the Pardes. Maimonides makes clear in his introduction to the *Mishneh Torah* that these are by no means his only readers.

41. Pines trans., 6.

fact, Maimonides does not call these accounts “science” in the *Mishneh Torah*, and it is not entirely clear that he even *has* a Hebrew word for science in the book, that is, a word equivalent to the Arabic *‘ilm*, which he uses throughout the *Guide*.⁴²

What is clear is that the science that is to be employed by the addressee of the *Guide* is fundamentally different from the way the Pardes is to be employed by the addressee of the *Mishneh Torah*. In the *Mishneh Torah*, the Pardes leads directly to a better understanding of God’s wisdom; in the *Guide*, the subjects of the Pardes lead, at least initially, to perplexity. The addressee of the *Guide* is not only expected to study the Pardes, he is also expected to be perplexed. This perplexity is a result of the addressee’s confusion as to how to reconcile the Pardes with the Law. Maimonides says:

It is not the purpose of this Treatise to make its totality understandable to the vulgar or to beginners in speculation, nor to teach those who have not engaged in any study other than the science of the Law—I mean the legalistic study of the Law. For the purpose of this Treatise and of all those like it is the science of the Law in its true sense. Or rather its purpose is to give indications to a religious man for whom the validity of our Law has become established in his soul and has become actual in his belief—such a man being perfect in his religion and character, and having studied the sciences of the philosophers and come to know what they signify. The human intellect having drawn him on and led him to dwell within its province, he must have felt distressed by the externals of the Law.... Hence he would remain in a state of perplexity and confusion as to whether he should follow his intellect, renounce ... the foundations of the Law. Or he should hold fast to his understanding of [the Law] and not let himself be drawn on together with the intellect, rather

42. The Hebrew word *hokhmah* was used to translate the Arabic *‘ilm* by numerous thinkers, including the Ibn Tibbons, and is often considered to be Maimonides’s word for “science.” Maimonides discusses the meanings of the Hebrew term *hokhmah* at *Guide* III 54, but even there he does not unequivocally assign to it the meaning of “science.” See, however, Twersky, *Introduction to the Code of Maimonides*, 366–68, 395, 473–76, and 595–97. Bernard Septimus, “What Did Maimonides Mean by *Madda’*,” 86–88, esp. n. 16, argues that *hokhmah* in Maimonides’s Hebrew refers specifically to “objectified knowledge” such as a “discipline.” That this is the meaning of the term in the *Letter on Astrology* (written after the *Guide*) is not in doubt, however, the term appears at least twenty-seven times in the *Mishneh Torah* and only in one instance is it clearly referring to “science” as a discipline: *Sefer shofetim, hilkhot sanhedrin* 2:1. Elsewhere, it seems to refer to general “wisdom” associated with the “wise man” (*hakham*). In any case, the term *hokhmah* does not appear in connection with the Account of the Beginning or the Account of the Chariot in the *Mishneh Torah*. The term *hakham* is used in *hilkhot yesode ha-Torah* 4:10–13, but only to refer to the (presumably talmudic) sages who cautioned against studying the two Accounts in public, and in some cases were not able to understand fully the topics of the two Accounts, and to the wise student who can understand the Accounts on his own. Note that in the account of *hokhmah* in *Guide* III 54, Maimonides distinguishes repeatedly between the science of the law and “the verification of the opinions of the *Torah* through correct speculation” (Pines trans., 634). It is not clear to me that either these of statements (or any others in III 54) refers unequivocally to “science” as understood by Aristotle and the Islamic Aristotelians, though either statement could be interpreted to explain *hokhmah* in the *Mishneh Torah*.

turning his back on it and moving away from it. ... [He] would not cease to suffer from heartache and great perplexity.⁴³

The *Guide of the Perplexed* is dedicated to the reader who has studied sciences and strives to maintain his religious belief. In other words, the study of science has not (or at least not only) led this reader to deeper understanding of the manifestation of God's wisdom in the world or even to love of God, but to perplexity. That is, it has led to questions. These questions place the addressee in a quandary: he can either give up the Law or live a life of heartache and perplexity.

The passage from the *Mishneh Torah* with which I opened this article describes an individual in a similar quandary. He is questioning the fundamentals of the Law on the basis of his "short intellect" and finding himself at an impasse. In the words of the passage from the *Mishneh Torah*, such a person "would not know the measures by which to judge until he knows the truth in its essence." This impasse, in both the *Mishneh Torah* and the *Guide*, can lead to abandoning the Law and becoming a heretic. Yet the two works approach the perplexed in a strikingly different manner. The *Mishneh Torah* prohibits the free use of the mind, while the *Guide* encourages the perplexed to study further, in particular, to study the *Guide*.

The main discussion of the talmudic prohibition against asking "what is up, what is down, what is in front, and what is behind" in the *Guide* occurs in the context of the discussion of the limitations on human knowledge in I 32. Here too we see a difference in approach from the *Mishneh Torah*. In the *Mishneh Torah* Maimonides advocates not asking open questions about the Pardes at all, but instead recommends using logical reasoning to back up and support the basic depiction of the Pardes Maimonides gives in chapters 1–4 of *Hilkhot yesode ha-Torah*. In *Guide* I 32, Maimonides explains that these four questions—what is up, what is down, what is in front, and what is behind—have as "their purpose, in its entirety ... to make known that the intellects of human beings have a limit at which they stop."⁴⁴ Maimonides asserts here that human beings ought not ask what is beyond their capacity to understand, but, nevertheless, the sages' purpose in the talmudic text "is not ... wholly to close the gate of speculation and to deprive the intellect of the apprehension of things that it is possible to apprehend."⁴⁵ That is, in *Guide* I 32, there is no general prohibition against asking open-ended questions about metaphysics, only against extending the intellect beyond what it can comprehend.

The limitations mentioned here are natural, not legal, as in the *Mishneh Torah*. Moreover, they concern only those things that are demonstrated. R. Akiva, "who entered [the Pardes] in peace and went out in peace" is said by Maimonides to have believed only those things that have been demonstrated and to have rejected only those things whose contradictories have been proved false.⁴⁶ Regarding

43. Pines trans., 5–6.

44. *Guide* I 32, Pines trans., 70.

45. *Ibid.*

46. *Ibid.*, Pines trans., 68.

everything else, R. Akiva is said to have suspended judgment, in a manner comparable to the *ἔποχή* (suspension of judgment) of the ancient Pyrrhonists.⁴⁷ Elisha ben Abuyah is said by Maimonides to have earned his condemnation from the Talmud because he believed things that were not demonstrated and was consequently “overcome by imaginings.”⁴⁸ Unlike Elisha, R. Akiva is said to have pursued demonstration as far as it goes and not to have aspired to go beyond the limits of demonstration. The limitations imposed by demonstration are clearly different from those imposed in *Mishneh Torah*, *hilkhot ‘avodah zarah*, chapter 2.

We might ask further: How would the R. Akiva of *Guide* I 32 treat the subjects of the Pardes discussed in *Hilkhot yesode ha-Torah*, chapters 1–4? Certain points of the Pardes are demonstrable, according to Maimonides, such as the existence of God and His unity, but others are not.⁴⁹ The eternity of the world, for instance, is maintained at *Hilkhot yesode ha-Torah* 1:5, but said to be questionable if not entirely incorrect at *Guide* II 25. Other issues, such as the number of spheres, the unchanging character of the heavens, and the natural makeup of ether, also turn out to be not demonstrated and perhaps not demonstrable. R. Akiva, then, would not be able to accept the Pardes of the *Mishneh Torah*. R. Akiva may have entered the Pardes in peace and gone out in peace, but he could not have accepted those propositions in the Pardes that are not demonstrations. As exclusive followers of demonstration, he and the readers of the *Guide* who adopt his approach must place themselves in some sense outside of the Pardes of the *Mishneh Torah* and outside of its theoretical assumptions. They may in some sense be at peace with the Pardes, that is, not disturb it, but they must also “go out” of the Pardes into a place where they can dedicate themselves to following only demonstration.

PUNISHMENT

The *Guide of the Perplexed*, then, is directed to one who is in violation of the *Mishneh Torah*’s prohibition against freethinking about the foundations of the Law. What are the consequences of this violation? At the end of the statement from the *Mishneh Torah* quoted at the beginning of this article, Maimonides notes that violation of this law “causes man to be driven out of the world to come, [but] does not carry the punishment of lashes.” That is, there is no court-ordered punishment for violation of this prohibition in the *Mishneh Torah*, only a threat about the world to come.⁵⁰ Lashes, of course, are relegated by Maimonides and his contemporaries to the time of a functioning Sanhedrin, but Maimonides grants wise men the authority to apply isolation and exile to, inter alia,

47. See Josef Stern, *The Matter and Form of Maimonides’ Guide* (Cambridge, MA: Harvard University Press, 2013), 85–86.

48. *Guide* I 32, Pines trans., 69.

49. On the equivocal uses of the term *burhān* regarding these proofs see Josef Stern, “Maimonides’ Demonstrations: Principles and Practice,” *Medieval Philosophy and Theology* 10 (2001): 47–84.

50. On the different kinds of punishment that include not attaining the world to come, see Hannah Kasher, “On the Meanings of the Biblical Punishment of Karet (Excision) and the Midrashic ‘He Has No Share in the World to Come’ According to Maimonides” [in Hebrew], *Sidra: A Journal for the Study of Rabbinic Literature* 14 (1998): 39–58, esp. 49–53.

heretics and people who speak ill of the sages.⁵¹ Yet, the perplexed inquirers into the foundations of the Law incur no such penalty so long as they do not make their views too public.⁵² Practically speaking, someone who asks questions and raises doubts about any of the six things about which he is forbidden from thinking would have only to worry about the threat of being driven out of the world to come. If the questioner is at all serious, his worry about his share in the world to come cannot be too great, since most of his questions would entail questioning reward and punishment in the world to come as a kind of corollary.⁵³

Violators of this precept would then find themselves without any consequence in this world. Indeed, they would find an entire book, Maimonides's other magnum opus, dedicated to them. Rather than court-ordered punishment, they would have a book to read. That is, the *Guide of the Perplexed* serves in some sense in lieu of other punishment, or perhaps, indeed, it is their punishment. Instead of lashes or isolation, they read the *Guide*.

Yet the *Guide* is not entirely silent on the notion of punishment for theoretical sins; Maimonides addresses this notion in his discussion of sacrifices and divine worship in *Guide* III 46. There, he develops a principle according to which the external act of atonement, including at least some sacrifices, is reminiscent of the sin that was committed.⁵⁴ While Maimonides's application of this principle to the sacrifices is not entirely convincing (presumably, intentionally so),⁵⁵ it does seem to work for other kinds of atonement. Thus, for example, people can seek atonement for sins involving property by expending property, or for corporeal pleasures in corporeal afflictions like fasting and awakening at night. Maimonides explicitly mentions that disobedience in connection with morals requires attaining

51. See esp. *MT, hilkhot talmud Torah* 6:14.

52. This is in contrast to Maimonides's statement in *Guide* III 51 with regard to the errant whose backs are turned to the ruler's habitation, "They are those whom necessity at certain times impels killing them and blotting out the traces of their opinions lest they should lead astray the ways of others" (Pines trans., 619). Levinger suggests that this passage is in direct correspondence with *MT, hilkhot 'avodah zarah* 2:2–3.

53. Questioning the Creator's existence and His relation to the natural world obviously entails questioning divine reward and punishment. Questioning God's unity or the possibility of idolatry entails questioning whether what is punished by one god is not rewarded by another and therefore whether there is not a standard outside of the divine realm. Asking what is up, down, inside, or outside implies asking what, if anything, will happen in the next world. Questioning prophecy and the divine origins of the Torah entails questioning the rewards and punishments mentioned in the Torah and works of prophecy.

54. See Pines trans., 587–91.

55. E.g., it is not impossible to believe, as Maimonides says, that the Yom Kippur sacrifice of a calf is meant to be reminiscent of the sin of the golden calf. However, Maimonides also suggests that the reason a goat is sacrificed for every other sin offering is either because of Israel's worship of goats in the desert (which he identifies with pre-Islamic worship of the jinn) or because Joseph's coat was shown to Jacob covered in goat's blood. Neither case would seem to be sufficient reason for sacrificing a goat in every sin offering. Neither involved the entire people and neither is treated in the Bible as Israel's worst. See Pines trans., 588–89. For the midrashic sources on which Maimonides is likely drawing here see Michael Schwarz's Hebrew translation of the *Guide* (Tel Aviv: Tel Aviv University Press, 2002), 620 nn. 86 and 91.

the contrary moral habit “as we explained in *Hilkhot de’ot*” in the *Mishneh Torah*.⁵⁶ The explanation in the *Mishneh Torah* concerns not atonement or forgiveness, but correction of moral imbalance. Thus, in *Guide* III 46 Maimonides moves seamlessly from sacrificial atonement to moral balance and adjustment of habits toward the mean.

It is in this context that he brings up sins caused by theoretical errors: “If the act of disobedience consists in theorizing—I mean by this that if he believes in an opinion that is not sound because of his incapacity and his slackness in inquiry and in devoting himself to theorizing—he must counter this by suppressing his thinking [*fikratihi*] and preventing it from thinking about anything pertaining to the things of this world [*al-dunyā*], but direct it exclusively to the intelligible [*ma’qūl*] and to an exact study of what ought to be believed.”⁵⁷ Maimonides here discusses a person who is led to an incorrect opinion through incapacity, the Arabic of which literally means “because of his shortness,”⁵⁸ or by his unwillingness to study and theorize enough. Such a person repents by not thinking about this world, but thinking only about the intelligible and analyzing what ought to be believed. That is, the corrective counter to sins of theorizing is theorizing, albeit of a different kind. The kind of thinking the penitent theorizer is supposed to undertake concerns *only* metaphysics and opinions. Even the “exact study of what ought to be believed” places the focus of the corrective measures on the study, rather than on the beliefs; Maimonides does not advise revising one’s beliefs, but rather better inquiry.⁵⁹

The suppression of thought about this world is not a suppression of inquiry into natural science, as might seem from the English translation above. Rather the word for “this world” that Maimonides uses, *al-dunyā* in Arabic, is derived from the word *daniya*, “to be low,” and accordingly refers to the “lower world,” usually in opposition to the final world, *al-ākhirā*, that is, the world to come. Maimonides uses the term *dunyā* only two other times in the *Guide*, once in his discussion of Ash’arite views of reward and punishment in this world (*fī al-dunyā*) and the world to come in III 17, and once in his discussion of intellectual prayer in III

56. Pines trans., 589. The reference is to *Mishneh Torah*, *hilkhot de’ot* 2:2–3. Cf. chap. 4 of Maimonides’s “Eight Chapters.”

57. *Guide* III 46. Pines trans., 589. I have modified Pines’s translation in two ways. Pines uses “speculation” for *nazr*, but I prefer “theorizing,” since it can more clearly indicate a scientific activity. Pines translates *fikrah* “reflecting,” which I find rather too scientific; I use “thinking” instead. Ibn Tibbon has *maḥshavah*, which may be intended to recall its use throughout the *Mishneh Torah*.

58. Ar. לקצורה. Note that the *Mishneh Torah* at *hilkhot ‘avodah zarah* 2:2 (quoted at the beginning of this paper) refers to קוצר דעת.

59. I am reading Maimonides’s immediately subsequent example of Aaron and the golden calf as an example of a moral failing, rather than a theoretical sin. That Aaron’s involvement with the golden calf is connected to moral habits, rather than a theoretical misunderstanding, is supported by his and his descendants’ act of atonement: sacrificing “a bullock and a calf.” This sacrifice both recollects the crime and serves to wean the priestly family off of idolatrous moral habits. It does not involve exclusive devotion to the intelligible or abstention from thinking about this world. Moreover, Maimonides turns from this example to that of the worship of goats, making it clearer still that the sins in question are not of theorizing, but of action.

51. The relevant passage in III 51 states, “Know that all the practices of the worship, such as reading the *Torah*, prayer, and the performance of the other *commandments*, have only the end of training you to occupy yourself with His commandments, may He be exalted, rather than with matters pertaining to this world [*al-dunyā*]; you should act as if you were occupied with Him, may He be exalted, and not with that which is other than He.”⁶⁰ This passage is part of Maimonides’s recommendations to the reader about how to pray and observe the commandments with a view to attaining “intellectual worship” (*al-‘ibādah al-‘aqliyyah*) of God.⁶¹ This intellectual worship bears two striking similarities to the repentance Maimonides recommends for theoretical errors in III 46: removing oneself from the world (*al-dunyā*) and focusing on the intellectual, that is, the intelligible. Both also concentrate on the conventional, whether established opinions or rituals. In III 51, the conventional rituals are used to train one to be truly occupied with God, that is, to intellect actively. It is not impossible to read the passage from III 46 as giving a similar role to conventional opinions. That is to say, the penitence of theoretical sinners is very similar, if not entirely identical, to *Guide* III 51’s ideal form of worship that either is or leads to “intellectual worship.” If so, then Maimonides may see theoretical errors as part of the path to ideal theoretical achievement.

Perhaps it is with this in mind that Maimonides addresses the *Guide* precisely to the perplexed, that is, to those who, if not guilty of theoretical errors, are in danger of becoming so. Such people have the potential to attain the ideal “intellectual worship” of *Guide* III 51. Yet this potential is not always realized, and while Maimonides states that introducing and encouraging intellectual worship is the goal of III 51,⁶² his stated goals for the entire *Guide of the Perplexed* are more circumspect. Thus, for instance, toward the end of the introduction to the *Guide*, Maimonides says regarding the goals of the entire book, “I claim to liberate that virtuous one from that into which he has sunk, and I shall guide him in his perplexity until he becomes perfect and finds rest.”⁶³ Maimonides does not claim to do away with the perplexity entirely, as one might expect from the successful intellectual worshiper, but rather to help the perplexed choose perplexity over heresy and thereby find perfection and rest.⁶⁴

60. Pines trans., 622.

61. *Ibid.*, 623. On this form of worship see Steven Harvey, “Avicenna and Maimonides on Prayer and Intellectual Worship,” in *Exchange and Transmission across Cultural Boundaries: Philosophy, Mysticism and Science in the Mediterranean World*, ed. Haggai Ben-Shammai (Jerusalem: Israel Academy of Sciences and Humanities, 2013), 82–105.

62. “The subject of this chapter [III 51] ... is to confirm men in the intention to set their thought to work on God alone after they have achieved knowledge of Him, as we have explained. This is the worship peculiar to those who have apprehended the true realities; the more they think of Him and of being with Him, the more their worship increases” (Pines trans., 620).

63. Pines trans., 17.

64. Drawing on al-Farabi’s account of perplexity (*ḥayra*) in the *Philosophy of Aristotle*, W. Z. Harvey reaches an even stronger conclusion: “the philosopher never frees himself or herself from perplexity.” Moreover, he says, “To be a philosopher means to be continually perplexed—continually confronted with new and ever more challenging perplexities. The Guide of the Perplexed is simply the

One who is in violation of the *Mishneh Torah*'s prohibition against free-thinking about the foundations of the Law would find in the *Guide* the theoretical counter to both potential and actual theoretical sins. As we saw in *Guide* III 46, those guilty of theoretical sins are urged to abandon the things of this world and concentrate on the intellectual objects of thought and accepted opinions. Reading and studying the *Guide* itself, insofar as it would involve the precise study of the relationship between the intelligible and accepted Jewish opinions, could fulfill the requirement for punishment for theoretical sins.

PLATO'S LAWS

The function of the *Guide* as a punishment has a parallel in Plato's *Laws*. The *Laws* is one of the few of Plato's dialogues extant today in some form in Arabic. Sources mention two Arabic translations of the *Laws*, neither of which is now extant,⁶⁵ and at least two Arabic summaries of the work, one of them a translation of Galen's epitome of the *Laws*,⁶⁶ as well as al-Farabi's well-known commentary on the *Laws*.⁶⁷ One of these summaries and al-Farabi's commentary include only the first nine books of the *Laws*, but it is possible that other texts containing more of the *Laws* were available to Maimonides. We do not know, therefore, in what form Maimonides could have encountered Plato's *Laws*. It is thus not impossible that the similarity pointed to below is entirely coincidental. However, this similarity is also loose enough that Maimonides could even have heard it indirectly from a secondhand account of the *Laws*.

In Plato's *Laws*, an unnamed Athenian stranger, in discussion with a Spartan and a Knossian, comes up with a system of laws for a city to be built in the Cretan countryside. While the Athenian Stranger gives some accounts of what law is in general, most of the dialogue is dedicated to laying out actual laws, some in great detail. Thus, we find laws about market regulation, marriage and families, and also numerous laws related to worshipping the gods through sacrifices, games, and choral dances. In books 9 and 10 of the *Laws*, the Athenian Stranger turns to the punishments due to violators of various laws. He is especially

Guide of the Philosophers." See Harvey, "Maimonides on the Meaning of 'Perplexity' (*ḥayra* = *aporia*)," *Conference on Jewish Studies CISMOR Proceedings* 7 (2013): 74.

65. Ibn al-Nadim, a tenth-century Arabic bibliographer, lists two translations of the *Laws*, one by Hunayn ibn Ishaq and one by Yahya ibn ʿAdi. See *The Fihrist of al-Nadīm*, trans. Bayard Dodge (New York: Columbia University Press, 1970), 2:592–93.

66. On the summaries of the laws and their manuscript tradition as well as their relation to al-Farabi's summary, see Steven Harvey, "Did Alfarabi Read Plato's *Laws*?," *Medioevo: Rivista di Storia della Filosofia Medievale* 28 (2003): 51–68. In addition to these summaries, there are also a number of other manuscripts of Arabic works entitled *Kitāb al-nawāmīs* (Book of the laws) that are not written by Plato. See Dmitri Gutas, "Galen's Synopsis of Plato's *Laws* and Fārābī's *Talkhīs*," in *The Ancient Tradition in Christian and Islamic Hellenism*, ed. Gerhard Endress and Remke Kruke (Leiden: CNWS, 1997), 101–20, esp. 102.

67. The most recent and best edition of al-Farabi's commentary on Plato's *Laws* is edited by Thérèse-Anne Druart, "Le Sommaire du Livre des 'Lois' de Platon," *Bulletin d'études orientales* 50 (1998): 109–55.

concerned with violators of divine laws. In book 9, he begins with temple robbery, and book 10 concerns laws of heresy.

The laws of heresy of book 10 are primarily directed at young people who do not believe that “the gods are according to the laws” (885b)⁶⁸ and are thus likely to act or speak impiously in the future. Yet these wayward youths are not interested in “doing unjust things” (885d),⁶⁹ but want to be persuaded of the laws’ account of the gods. According to the Athenian Stranger, they turn directly to the lawgivers, in this case the interlocutors of the dialogue the *Laws*, for gentle persuasion that the gods exist, are concerned with human affairs, and are not easily bribed through sacrifices and prayers. Their request for gentle persuasion puts a demand on the lawgivers to come up with an account of the divine, an apology, as it were, for the laws, and one that can without spiritedness (θυμός) convince the questioning youth to follow the laws. The requirement that the account not involve spiritedness means that it must involve rationality, or something close to rationality.

The account the Athenian Stranger gives is a critique of materialism and an argument for the centrality, indeed divinity of soul. Soul is a god and the first soul is a kind of One God. As conductor of the world, soul governs all things and is not easily bribed to do injustice. These arguments, which take up the better part of book 10 of the *Laws*, are said to be a “prelude” (προοίμιον) to the law against impiety, that is, a kind of persuasive argument encouraging its hearers to follow the law.⁷⁰ Following the prelude, the Athenian Stranger gives the law: impious words or actions are to be reported to the magistrates who are to punish the impious with imprisonment.

The prison for those who are not convinced by the Athenian Stranger’s account of divine soul is to be separate from the other prisons. It is to be in the center of town, near the senior council. Its prisoners are to be those who have been deemed to reject the arguments about divine soul because of lack of νοῦς, not because of “evil temperament and mores.”⁷¹ That is, these prisoners are not intellectually convinced of the arguments, but are not otherwise a threat to the peace of the city. Their sentence is to be imprisoned for at least five years, during which time they meet with members of the senior nocturnal council, who admonish and teach them for the “salvation of the soul.”⁷² That is, they are imprisoned in the center of town for five years, during which they discuss

68. Plato, *Laws* 885b. Loeb Classical Texts, *Plato X* (New York: G. P. Putnam’s Sons, 1926), 2:298. All citations from the *Laws* refer to this edition. Translations are my own.

69. The Greek here is οὐκ ἐπὶ τὸ μὴ δρᾶν τὰ ἄδικα τρεπόμεθα, “we do not turn to doing unjust things.” The Loeb translation of “instead of seeking to avoid wrong-doing” is overly and inaccurately interpretive of the sentence.

70. 907c–d.

71. 908e. I am rendering ἤθος here as (the noun) “more” because Aristotle uses it this way in the *Ethics*, i.e., in a way parallel to that of תּוֹרָה in Maimonides’s *MT*, *hilkhot de’ot*. Plato, of course, may have a different meaning in mind, but this does not affect its meaning in this context. Note that those who do have bad temperaments and mores, those who are “like beasts,” are held in a different prison.

72. 909a.

soul and the divine with the eldest and most respected members of the city—a fate closer to college than to what we typically consider prison.

The goal of this prison is to induce a kind of “moderation” (σωφροσύνη) in the imprisoned. Accordingly, the Athenian Stranger calls this prison a σωφρονιστήριον, probably a wordplay on the φροντιστήριον of Aristophanes’s *Clouds*. In the φροντιστήριον of the *Clouds* Socrates convinces young men to become φρόνιμος, “thoughtful.” In the σωφρονιστήριον the nocturnal council is to convince the wayward, questioning youths to become moderate. The Athenian Stranger says no more about what this moderation consists of, other than that the one who becomes moderate can then dwell among the moderate.⁷³ The goal then is apparently that the youths be reintroduced to society and then dwell as citizens among them.

The wordplay with Aristophanes’s φροντιστήριον emphasizes that “thought” (φρονήσις) is in fact *not* the object of the Athenian Stranger’s σωφρονιστήριον; “moderation” (σωφροσύνη) rather than thought is the object. Indeed, the Athenian Stranger does not specify that the imprisoned need agree with his account of soul and the divine or with the other arguments put forward by the members of the nocturnal council. The goal of the prison sentence is moderate living, not agreement with the views of the city. The penalty for those who do not agree to live moderately is death.⁷⁴ This penalty is not said to be for disagreement with the city’s views, but for not agreeing to live within the city “moderately.” The wayward youth, then, has every incentive to live within what the city considers a moderate lifestyle, even if he is not necessarily convinced by all the arguments of the city.

MODERATION AND REST IN THE *GUIDE OF THE PERPLEXED*

If we take the *Guide of the Perplexed* in the context in which it fits in the *Mishneh Torah*, it seems to play the part of the σωφρονιστήριον of Plato’s *Laws*. The *Mishneh Torah*, Maimonides’s code of law, prohibits questioning the divine and the connection of the divine to humanity. There is no direct punishment in this world for violating this prohibition, but Maimonides wrote a separate book directly addressing all of the main issues brought up in the prohibition, namely, the *Guide of the Perplexed*. This book, in my own estimate, should take about five years to read. Moreover, the *Guide* ostensibly answers the questions raised in the *Mishneh Torah*, but the answers are complicated, contradictory, and often so unclear that commentators disagree on what they are. Its goal, indeed, may not be to provide answers to all questions.

Is the goal of the *Guide* to provide σωφροσύνη? I want to suggest that moderation is included as part of the “rest” (*’istirāh*) that Maimonides tenders as a reward for the reader of the *Guide*. We saw above that in his introduction to the *Guide*, Maimonides says he will guide his addressee “in his perplexity until he becomes perfect and he finds rest.” Later, at the end of his introduction to part

73. Ibid.

74. Ibid.

I of the *Guide*, Maimonides says that the *Guide* will be a “key permitting one to enter places the gates to which were locked. And when these gates are opened and these places are entered into, the souls will dwell therein, the eyes will be delighted, and the bodies will find rest [*’istirāḥ*] from their toil and from their labor.”⁷⁵ In this place to which the *Guide* leads souls can dwell, but it is bodies that will find rest.⁷⁶

“Rest” is not a standard philosophical term and Maimonides does not tell us precisely what he means by it. We are thus left to look to the other uses of the term in the *Guide* to discern its senses from context. This term for “rest,” or its base form, *rāḥah*, appears in ten other chapters in the *Guide*.⁷⁷ Two of these chapters use “rest” in contrast to “toil and labor”⁷⁸ and pain and suffering.⁷⁹ Three of these chapters refer to the process of changing habits,⁸⁰ four chapters discuss rest in relation to the Sabbath and holidays,⁸¹ and one chapter refers to rest (*’istirāḥ*) as self-knowledge and not “seeking a final end for what has not that final end.”⁸² In all cases, Maimonides appears to understand rest as not doing some kind of labor, either bodily toil or the toil of thinking and having opinions.

This latter kind of rest from having opinions, especially those inculcated by habit, is associated with civilized life in *Guide* I 31. Maimonides makes the following analogy:

The people of the desert—notwithstanding ... the lack of pleasure and the scarcity of food—dislike the towns, do not hanker after their pleasures, and prefer the bad circumstances to which they are accustomed to good ones to which they are not accustomed. Their souls accordingly would find no rest

75. Pines trans., 20 (translation modified).

76. Compare Sa’adiah’s largely negative portrayal of bodily rest (*rāḥah*) in *The Book of Beliefs and Opinions* (*Kitab al-’amanat wa-l-’itiqadi*), treatise 10, chapter 16 (for English, see trans. Samuel Rosenblatt [New Haven, CT: Yale University Press, 1948], 397–99). Sa’adiah associates bodily rest with laziness and negligence, which can in their extreme lead to a variety of bodily illnesses. Rest of the soul, however, can be “a premonition [*tadhkīr*] of the quiet and the tranquility that will prevail in the world to come, and by means of which one can come to love it” (based on Rosenblatt’s translation, 399). We may note that the biblical support Sa’adiah brings for this notion of the rest of souls, Isaiah 32:17–18 (“And the work of righteousness shall be peace ...”), is used by Maimonides to say that nothing bad will result from giving charity (*MT*, *hilkhot matanot ’aniyim* 10:2), i.e., to refer to peace and prosperity in this world alone.

77. They are: *Guide* I 2, I 31, I 67, II 31, III 12, III 13, III 24, III 35, III 41, and III 43. The term *’istirāḥ* appears in I 31 and III 13, and the term *rāḥah* occurs fourteen times in the other eight chapters. Pines is not consistent in his translation of either term and renders them at times “rest,” “ease,” “repose,” “solace,” and “well-being.” Some of these English terms are used for other Arabic terms in other places in the *Guide*.

78. *Guide* I 2, Pines trans., 26.

79. *Guide* III 12, Pines trans., 441. Maimonides twice cites and then argues against Razi’s unfavorable comparison of the *rāḥah* (“well-being” according to Pines’s translation) of this life with all of the pains and bad things of this life.

80. *Guide* I 31, III 24, and III 41.

81. *Guide* I 67, II 31, III 35, and III 43.

82. *Guide* III 13.

in living in palaces, in wearing silk clothes, and in the enjoyment of baths, ointments and perfumes. In a similar way, man has love for, and the wish to defend, opinions to which he is habituated and in which he has been brought up and has a feeling of repulsion for opinions other than those. For this reason also man is blind to the apprehension of true realities ...⁸³

In this analogy, someone raised in a desert is compared to one brought up on certain (religious, it turns out, text-based) opinions and one who apprehends true reality is compared to one enjoying the pleasures of civilized life. Just as the desert dweller will not enjoy civilized pleasures, one immersed in certain opinions cannot easily abandon them to begin to contemplate true realities, that is, metaphysics. One who intends to contemplate true realities must somehow overcome those opinions inculcated in his youth so that he can enjoy the pleasures of the intellectual life.

Surprisingly, Maimonides gives an entirely contradictory description of the relationship between habit and civilized rest in III 24: "It is as if [the Bible] said that He, may He be exalted, has first accustomed you to misery in the desert in order to make your rest greater when once you came into the land. And this is true, for to pass from weariness to rest is more pleasant than to be constantly at rest. And it is known that but for their misery and weariness in the desert, they would not have been able to conquer the land and fight."⁸⁴ That is, Maimonides says not only that the Israelites became tougher by enduring the hardship of desert life, but that they were better able to enjoy the pleasant settled life of Israel after, indeed because of, the hardship of the desert. This is a direct contradiction: in I 31, Maimonides says that those accustomed to desert life do not enjoy civilized pleasures, while in III 24, he says they enjoy civilized pleasures more *because* they have become accustomed to greater hardship! If the analogy of I 31 were to be applied to this statement in III 24,⁸⁵ it would suggest that opinions inculcated through habits *can* be a good preparation for civilized life, that is, it would seem, for proper metaphysical speculation. Moreover, it could perhaps also imply that habits and opinions need to be viewed as toil and hardship in order to aid people in apprehending true realities beyond them.⁸⁶

I propose another interpretation. In I 31, the civilized pleasures are the apprehension of true reality. In III 24, the civilized pleasures are associated with living in the Land of Israel, with following the Law in its full application under a political regime. That is, in III 24, the analogy of civilized pleasures refers to actual civilization, with its accompanying laws, habits, and opinions. In III 24,

83. Pines trans., 67. Pines translates *tastirih*, "repose," which I changed to "rest" to conform to other uses of the term.

84. Pines trans., 499. Pines translates *rāhah* here "well-being," which I have changed to "rest" for the sake of consistency.

85. Is there any significance to the fact that *Guide* I 31 and III 24 have parallel positions in the *Guide*? There are thirty chapters preceding I 31 and thirty chapters following III 24.

86. This is more or less the position I attribute to Samuel ibn Tibbon in my "*Da'at HaRambam and Da'at Samuel ibn Tibbon*."

the Israelites are not abandoning their habituated opinions in favor of apprehending the true realities. Rather, they are abandoning those opinions and habits they adopted in Egypt in favor of a new set of opinions and habits with which they will conduct their civilized life. Maimonides famously does not consider this an easy process,⁸⁷ but as more conducive to pleasure than abandoning opinions altogether.

“Rest,” then, has two different meaning in I 31 and III 24. In I 31, rest is apprehension of the true realities, and in III 24, rest is living according to acceptable habits and opinions, such as those adopted by the Israelites when they took possession of the Land of Israel. This comparison highlights that the civilized pleasures of the apprehender of true realities of I 31 are not shared by the entire civilization; indeed, they are not civilized in the sense of being political goals or politically attained goals. The city inhabited by the apprehender of true realities in I 31 is a city of the mind, which can perhaps be identified with the divine city of apprehenders of God described in III 51. It is a city where law is insufficient and habit and opinion must be overcome in pursuit of pure intellectual apprehension. In contrast, the civilization of III 24 is a political association and as such has laws, habits, opinions, and even a holy text. The pleasures of resting in the civilization of III 24 surely do not involve undermining that political order by dissolving those laws, habits, etc.

The other meanings of rest can be understood in accordance with these two views of civilized pleasures: proper opinions and apprehension of true realities. Most of the meanings concern developing the former, proper opinions through rest. In III 41, Maimonides connects rest with “noble moral qualities” when explaining the biblical command to allow a captured woman to mourn for a month before assuming full marital relations. Maimonides says she finds “rest in weeping and grieving” until she is too tired to continue.⁸⁸ This rest seems intended to relieve the captive woman of her previous idolatrous opinions as part of the process of adopting new opinions, that is, of joining the community of Israel. In another instance of the term for “rest,” one of the main purposes of the Sabbath, Maimonides says repeatedly, is to support the opinion that the world is created.⁸⁹ This opinion is important, we learn in one place, because “at first go and with the slightest of speculations [it] shows that the deity exists.”⁹⁰ However, in I 71, Maimonides argues at some length that proving God’s existence from the creation of the world is a fallacy of the *kalām* and incompatible with demonstration.⁹¹ The Sabbath, then, promotes opinions about the creation of the world and the existence of God, but not according to scientific demonstration. Rest on the Sabbath, then, is a rest with acceptable opinions, not a rest with true apprehension of reality, which presumably relies on demonstration. The role of rest (*rāḥah*) in these examples is somewhat different: in III 24, it is the state of holding acceptable opinions, in III 41 it is part of the process of adopting new opinions, and in the

87. Cf. *Guide* III 29 ff.

88. Pines trans., 567. Pines translates *rāḥah* here “solace.”

89. See *Guide* II 31, Pines trans., 360; III 35, Pines trans., 537; and III 43, Pines trans., 570. See also III 32, Pines trans., 531, and III 41, Pines trans., 562.

90. *Guide* II 31, Pines trans., 360.

91. Pines trans., 179 ff.

chapters that refer to the Sabbath it supports and presumably promotes the acceptable opinions. Yet, despite these disparities, in all of these cases, rest (*rāḥah*) is part of the process of adopting and keeping acceptable opinions, one of the hallmarks of Maimonides's understanding of Judaism.

We find the second view of rest in Maimonides's characterization of the Garden of Eden, where he associates rest with pure intellectual apprehension and "toil and labor" with man's removal from pure intellect in the realm of good and evil.⁹² Later in the *Guide*, in III 13, Maimonides states that when man knows himself and his limits, his thoughts are at rest and he does not seek the unknowable final cause of the universe.⁹³ This seems similar to the peace (Hebrew, *shalom*) R. Akiva is said to have found when he went out of the Pardes. Yet Maimonides does not say in III 13 that one should not apply his intellect at all, but rather that he should not apply his intellect to things that are beyond the intellect. In fact, the addressee of III 13, like R. Akiva of the Pardes, is encouraged to contemplate only those things that can be grasped by the intellect. That is, this person finds rest only through intellection and not through extending the intellect beyond what it can comprehend. This rest, like that of the Garden of Eden, is one of pure intellectual cognition.⁹⁴

A third meaning of the term "rest" that does not fit into my twofold categorization is given in Maimonides's account of the Sabbath in *Guide* I 67. There Maimonides says, "refraining from speech is likewise called rest [*menuḥah*]." Now, Maimonides is primarily interested in divine speech, which he associates with divine will and creation. But he notes, "the signification of the [Hebrew] verb [*va-yanah*] derives from that of rest [*al-rāḥah*]"⁹⁵ and relies on examples of resting from speech from the human realm. These examples are 1 Samuel 25:9, where David's emissaries to Nabal speak and then rest from speech while waiting for a response, and Job 32:1, where Eliphaz, Bildad, and Zophar finish up their speeches,

92. *Guide* I 2. Note the rest described in III 12 as pertaining to bodily pleasure is attributed to Razi, not Maimonides directly.

93. "For when man knows his own soul, makes no mistakes with regard to it, and understands every being according to what it is, he becomes calm [*ʿistirāḥa*] and his thoughts are not troubled by seeking a final end for what has not that final end; or by seeking any final end for what has no final end except its own existence, which depends on the divine will—if you prefer you can also say: on the divine wisdom" (Pines trans., 456).

94. We find a similar view of rest as intellectual grasp in connection with the Hebrew term for rest, *menuḥah*, or its verb *nah*, in the three instances in the *Guide* outside of I 67 and the other references to the Sabbath. In *Guide* I 40, Maimonides says that the verse "when the air rested upon them" (Numbers 11:25: ...כנה עליהם הרוח...) refers to "the divine intellectual overflow that overflows to the prophets and in virtue of which they prophesy" (Pines trans., 90). In *Guide* II 32, Maimonides says Baruch ben Neriah's statement, "I am weary with my groaning, and I find no rest" (Jeremiah 45:3: יגעתי באנחתי ומנוחה לא מצאתי) refers to not receiving the intellectual overflow after having prepared himself for prophecy (Pines trans., 362). Note that Pines's translation speaks of prophecy *resting* on suitably prepared individuals at the bottom of p. 361, but the Hebrew has שורה, which is not elsewhere connected with *rāḥah* or *ʿistirāḥ*. At *Guide* II 45, the second view of prophecy, which is an intellectual overflow manifesting itself through speech, is said to be present in the verse in Numbers 11:25, referred to above in *Guide* I 40. Note that Samuel ibn Tibbon translates both *rāḥah* and *ʿistirāḥ* with *menuḥah*, suggesting that he considered the words to share the same meaning.

95. Pines trans., 162.

that is, their theological arguments. Indeed, the Arabic word for speech here is *kalām*, a word perhaps not unsuitable for the style of arguments of Eliphaz, Bildad, and Zophar. Rest, in this view, means not speaking, or possibly not engaging in *kalām*.⁹⁶

Let us now return to Maimonides's promise of rest to the addressee of the *Guide*. The first mention of it is ambiguous, permitting one to read all three meanings of rest into it: pure intellectual apprehension, adopting and keeping acceptable opinions, and refraining from speech. The second mention at the very end of the introduction notes, "bodies will find rest [*ʾistirāḥ*] from their toil and from their labor."⁹⁷ This cannot refer to rest as intellectual cognition, since that rest does not involve bodies. It can only refer to the two other meanings of rest: adopting and keeping acceptable opinions and refraining from speech. The addressee of the *Guide*, then, can be expected to live among other members of his faith with a quiet acceptance of their opinions. While this addressee may continue to strive for pure intellectual cognition, also called rest by Maimonides, he is also expected to adopt the other forms of rest: accepting, or at least not contradicting the general opinions of his society. If indeed, the addressee of the *Guide* is one who is in violation of the *Mishneh Torah*'s laws against freethinking, then he can be expected to return to accept the common opinions, or at least refrain from speaking about them after reading the *Guide*.⁹⁸ That is, Maimonides's *Guide* could lead wayward, perplexed youths to a kind of σωφροσύνη.

96. Al-Ghazali also uses the term *ʾistirāḥ* with reference to refraining from speech and instruction in his description of the period of his life when he gave up teaching religious matters in favor of a life of seclusion. For al-Ghazali, however, *ʾistirāḥ* is a negative term, one he employs to criticize himself for refraining from teaching others. The negativity is emphasized in his pairing of the term with the Arabic term *kasal*, "laziness." See *al-Munqidh min al-Dalal* (Beirut: Dar al-Kutub al-ʿIlmiyyah, 1988), 75. English translation by Joseph McCarthy in *Freedom and Fulfilment* (Boston: G. K. Hall, 1980), 106. I thank Dong Xiuyuan for pointing out this source to me.

97. Pines trans., 20 (translation modified).

98. This is apparently in many respects the view of Moses Nahmanides in his letter asking the rabbis of northern France to repeal their ban on reading the *Guide* and the first book of the *Mishneh Torah* (in *Kitve rabenu Mosheh ben Nahman* [Jerusalem: Mosad Harav Kook, 2005/6], 339):

הוא [הרמב"ם] כמוכרח ואנוס לבנות ספר מפני פילוסופי יון שמה לנוס
לרוחק מעל ארסטו וגליאנוס, השמעם דבריהם, אם טעיתם אחרי ראיותיהם?
לא אליכם רבותינו, הביטו וראו היש מכאוב כמכאובינו,
כי גלו בנים מעל שולחן אביהם, ויתגאלו בפת בג המלך וביין משתייהם.

[Maimonides] was as one necessarily forced to construct a book [viz., the *Guide of the Perplexed*] because of the philosophers of Greece—a book to which one can flee far away from Aristotle and Galen. Have *you* heard their words, have *you* erred after their proofs? Let it not come unto you, my masters! Behold, and see if there be any pain like our pain [cf. Lamentations 1:12]. For children are banished from the table of their fathers [cf. B. Berakhot 8a] and have defiled themselves with the king's food and with the wine which he drank [cf. Daniel 1:8, referring to Nebuchadnezzar's non-kosher meals of which Daniel refuses to partake].

This view is an expression of one common approach to the *Guide* that understands the work to be addressed only to the *navokh*, i.e., the perplexed student, *not* the upright, pure believer. The latter

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It is possible, then, to view the *Guide of the Perplexed* as a vehicle for philosophical punishment for theoretical crimes, as defined in the *Mishneh Torah* and perhaps also in *Guide* III 46. This notion of philosophical inquiry as punishment is a Platonic notion that is seen most clearly in the *Laws*, where inquiry into the divine only comes up in a developed way as a response to freethinking youth.⁹⁹ That is, inquiry into the divine in the *Laws* develops out of a concern for protecting the laws of the city. This is in contrast to Plato's discussion of the development of inquiry into the divine in book 2 of the *Republic*, where Socrates builds his account of the divine *prima facie* as a preface to saying what kinds of speech, especially poetry, can be allowed in the city.¹⁰⁰ That is, in the *Republic*, the account of the divine determines the makeup of the city, while in the *Laws* the makeup of the city, namely, the laws, determines the account of the divine. It is only in the moderation-inducing prison that thoughtful but wayward-leaning youths are able to publicly discuss the divine outside of concerns for the city. Once they leave this prison, these youths are expected to keep their thoughts to themselves. Maimonides's *Guide* similarly provides a semipublic forum in the form of a publicly disseminated book for the perplexed to ask questions explicitly forbidden in the *Mishneh Torah*. After finishing the *Guide*, readers are encouraged to live in the city and quietly accept the traditional law.

Yet at the same time, the addressee of the *Guide* is encouraged to adopt intellectual worship in III 51 and to strive for rest through pure intellectual cognition of reality. This goal may not contradict Maimonides's other goal of bringing bodily rest, that is, moderation, since intellectual activity is a solitary pursuit. Indeed, it is clear from numerous chapters throughout the *Guide* that nearly everyone who seeks such intellectual activity is quite far from accomplishing it. It is possible, then, that one could strive for perfect intellectual comprehension of reality while at the same time quietly living in accord with the opinions and habits of one's society.

Let us end by noting that the punishment that the violator of the *Mishneh Torah*'s laws against freethinking faces in the *Guide* is in crucial respects the opposite of the punishment Adam faced when he was expelled from the Garden of Eden. Adam, according to Maimonides, enjoyed rest (*rāḥah*) in Eden, until he was punished with "work and toil." This work and toil, it seems from the context of *Guide* I 2, refers to opinions and politics. The body of the addressee of the *Guide* is to "be eased of [its] toil and of [its] labor" and to find rest. In one sense, the addressee can be made to go beyond opinions, habits, and politics

would read only the *Mishneh Torah*. See, e.g., the words of Joshua Rokeaḥ, the Belzer Rebbe, cited in Jacob Levinger, *Maimonides as Philosopher and Codifier* [in Hebrew] (Jerusalem: Mosad Bialik, 1989), 13. The Belzer Rebbe's insistence that one need only study the Talmud is parallel to the study of the laws, or perhaps the study of the book, the *Laws*, that the Athenian Stranger recommends at various points in the *Laws*.

99. This notion of punishment may also be present in Plato's *Gorgias*, which was almost certainly not available to Maimonides.

100. Plato, *Republic* 381b ff.

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to enjoy rest in intellectual apprehension, that is, to return to the Garden of Eden. In another sense, the addressee of the *Guide* finds rest in quiet accommodation to society. He thus both returns to Eden and lives in the world around him.

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