

## GUIDE 1:36 HERESY

The subject of this chapter is the capital offense of heresy. The chapter's difficulty lies in Maimonides' struggle to explain heresy in value free language, the language of facts as opposed to the language of morality. However, law cannot be subject to a purely rational analysis. Can Maimonides overcome the incoherence of a value free analysis of the heresy law? In the course of this essay, I do my best to grasp his resolution of this *problematic*, but remain troubled.

Let's begin at the beginning, with Adam in Eden, beyond good and evil.

“Through the intellect man distinguishes between the true and the false. This faculty Adam possessed perfectly and completely. The right and the wrong are terms employed in the science of apparent truths (morals), not in that of necessary truths...After man's disobedience, however, when he began to give way to desires which had their source in his imagination and to the gratification of his bodily appetites, as it is said, ‘And the wife saw that the tree was good for food and delightful to the eyes’ (Genesis 3:6), he was punished by the loss of part of that intellectual faculty which he had previously possessed...He therefore transgressed a command with which he had been charged on the score of his reason; and having obtained a knowledge of the apparent truths (Judeo-Ar. אֱלִמְשֵׁהוֹרָאֵת, Heb. *ha-m'fursamot*: opinions) he was wholly absorbed in the study of what is proper and what improper (*ha-ra v'ha-tov*). Then he fully understood the magnitude of the loss he had sustained, what he had forfeited, and in what situation he was thereby placed. Hence we read, ‘And ye shall be like Elokim, knowing good and evil,’ and not ‘knowing’ or ‘discerning’ the true and the false.” (Guide 1:2)

This quotation, from the second chapter of the Guide, is Maimonides' classic statement of the distinction between pursuit of the truth and pursuit of the good. His purpose in the Guide is to return man to his prelapsarian state, concerned only with truth and falsity, not moral judgments of good and evil. The pursuit of the truth is not necessarily concerned with moral values, while the pursuit of the good is not necessarily concerned with the true. It is not that the two pursuits are contradictory, but that they are different species. Compare Plato's *Republic* 2:377-383: the founders of the state represent God to the citizens on the one hand as *good*, and on the other as *perfect*. The first is a judgment, while the second is a fact. Though the two accounts are different, they do not necessarily contradict each other.

Maimonides tries to explain capital heresy purely in this truth perspective rather than from a moral perspective. But how can we address the heresy law from that Edenic height? If society executes heretics, it does so because their actions are *bad*, not because they are false. God, in his view, does not make conventional moral judgments, and, therefore, must take heresy as a false doctrine, not an evil one. Perhaps that works at the divine level, but, at our level, how can Maimonides explain the execution of heretics without recourse to moral judgments? To be value-neutral he needs to prove that capital heresy is *false* logically or philosophically. Can he succeed? The charge against monotheism has been that it unleashed inquisitions and religious persecution on the world. The Bible tells of divinely driven religious wars against polytheists and other heretics. How can *falseness* of an idea ever justify extermination?

The *scope* of capital heresy exacerbates his problem. His understanding of the law includes a series of crimes. It includes idol worship, polytheism, dualism, some ascriptions of corporeality, some descriptions of corporeal action, bald imputations of some nonessential attributes, as well as the worship of angels, demons, stars, plants and animals. It includes those who arrive at these notions through a philosophic process. But it also include those raised by their parents to believe these things, as well as the ignorant who are somehow lead to these conclusions. The law not only demands their execution by a Jewish sovereign acting in the land of Israel (not on foreign soil), but it also imposes this duty upon the gentile sovereign acting against idolatrous gentiles (Noahide laws).

Maimonides runs through a range of fairly unsatisfactory solutions. Ultimately, he has only two, though he makes neither explicit here. The first is to deny the moral content of the law and its enforcement by making that moral content our anthropomorphic projection on God. In other words, we take purely instrumental action but we say we are forestalling God's rage. The second is to conceive heresy as an absolute impediment to our conjunction with the active intellect. It prevents our making ourselves the image of God. This answer is his best. We will explain these two solutions in our conclusion to this chapter.

### **DIVINE RAGE: A FALSE START**

The chapter begins with a false start. Maimonides begins to discuss biblical statements of divine favor and divine rage. Then, abruptly, he changes direction: "This (divine attribution) is not the subject of the present chapter (*ayn inyan zeh materet perek ze*); I intend to explain in it what I am now going to say." This is Maimonides' way of telling us to read this on multiple levels. The problem is attribution of the emotion of anger to God, but he says he does not want to discuss the general problem of divine attributes yet. That is because he prefers to begin with the *object* of divine rage, what God is really supposed to be "angry" about, which is always *capital heresy* (*lo lashon kas v'lo lashon kina, ki im b'avoda zara davka*).

Returning briefly to lexical mode, Maimonides interprets biblical language describing God's jealousy, anger or rage, and why the Bible calls someone an enemy, adversary, or hater of Lord. We already know that God is beyond change and therefore also beyond any affect or passion, including the emotion of anger. No one can be His "enemy." We use these terms *equivocally* with respect to God and with respect to man. For God these words always express an ascription of capital heresy, not literal rage (See my note on the exceptions to this rule, below, "Is Divine Rage Always Against Idolatry?"). These terms are just the Torah's *legal* designations for punishable transgressions.

### **THE SERIOUSNESS OF HERESY**

Maimonides' argument is that capital heresy is philosophically or logically *false*, as opposed to *evil*. The first step in the argument is his assumption that Aristotle already proved this. He does not mention it here, but Maimonides elsewhere credits Aristotle with the demonstration of divine existence, unity, and incorporeality, and so it follows that those who hold the contrary positions maintain falsehoods.

Maimonides proceeds in the following curious manner. To make the argument that the law *should* punish heresy, he seeks to prove the logical *seriousness* of capital heresy. We hold our breath as he performs this tightrope walk. He must show that some falsehoods are more serious than others are, and he has five levels of seriousness:

Level 1. False assertions about individuals. It is wrong to assert "Zaid is sitting" when he is standing. The assertion is clearly false but trivial.

Level 2. False assertions about basic Aristotelian physics in the *sublunar* sphere. The examples given are "the element of fire is under air," "the element of water is under earth," or that "the earth is flat." The first two depend on the five-element theory of Aristotle, in which each element eventually ends up in its "proper place." The proper places of the elements, in order of height, are earth, then water, air, fire, and finally the indefinable fifth element of the astronomical heavens. These Level 2 false assertions are apparently more serious than the Level 1 statement above because the first mistake involves one individual only, Zaid, whereas Level 2 errors deal with entire *species* of elements and ultimately to everything beneath the moon.

Level 3. False assertions about the *superlunar* universe and the principles of all *corporeal* things. It is false to assert that "The sun consists of fire," or "the heavens form a hemisphere." The sun, like all heavenly creations, consists of the fifth element, and, so, Aristotelian physics holds it false to say that the sun consists of the fourth element, fire. A "hemisphere" is half a sphere. Since the earth is a sphere, the heavens must be a sphere too, not

a hemisphere. Only someone who believed that the universe just extended out to the horizon (i.e., the earth is flat) would think the heavens are a hemisphere. These level 3 assertions are more serious than level 2 assertions. This is because the heavens and the sun are physically higher than the earth, and are on a higher plane of perfection than the earth. Moreover, their action ultimately controls the movement of all things on earth. Assertions about them are more *serious* than errors about the proper places of the four lowly elements. Level 3 also includes statements of astronomy and geometry. These are principles of the entire physical universe and therefore serious. His examples are “the sun is a (two dimensional) circle” instead of a three dimensional sphere, and that a “geometric cone is a half the volume of a cylinder of the same height” rather than a third the volume. Note that Level 3 is the highest level of *corporeal* falsehoods.

Level 4. False assertions about incorporeal beings. It is false to say, “The angels eat and drink.” To attribute corporeality to non-corporeal intelligences is a *category mistake*. Since the prior three levels of falsehood all deal with the lower level of corporeality, those three levels obviously are less serious than errors about the nature of the perfect incorporeal beings.

Level 5. False assertions about God. It is false to assert that “something besides God is to be worshipped,” because we have proven there is only one God; the worship of anything else beside God means that something beside God deserves worship; and no *creature* of God deserves worship. Whether this really is logically true, Maimonides clearly understands it is, and because it involves the universe’s greatest entity, its Creator, a statement of falsehood of this type is more *serious* than all the others are. Indeed, he tries to convince us that the distinction between 5<sup>th</sup> level heresy and the other errors is merely a matter of degree. “Nor is the infidelity of him who thinks that the cone of a cylinder is half a cylinder or that the sun is a circle like the infidelity of him who thinks that there are more deities than one,” (Pines’ trans.) *ayn kfirat mi sh’hashev ki shifua ha-istona hetzia, sh’ha-shemesh igula, k’kfirat mi sh’hashev sh’hashem yoter al ekhad.*

Having demonstrated to his satisfaction that heretical statements are more *seriously* false than other statements because they are about the most important Being, and since the Bible, speaking the language of men, does not have a direct way of expressing this philosophical point, it uses metaphorical language which describes God as “angry” with heretics. This only means that they believe in a falsehood. He says that when he uses the term “heresy” it means holding a concept that a thing is different from what it really is, *kvanati b’milat kfira kviat dea al davar heifakh m’kafi sh’hu*. Friedlander, alone among English or Hebrew translators, renders *kfira*, used twice in this paragraph, as “error,” taking Maimonides’ statement at face value. *Kfira*, Arabic *kufr*, in various forms, appears seven times in the chapter, and Friedlander obscures its meaning four times. The other translators consistently take it as “infidelity” and “infidel,” thereby preserving the tension inherent in Maimonides’ formulation.

Clearly, heretics hold a *false* Level 5 thought. But why describe these heretics as *enemies* of God? And why project *anger* against them onto perfect, affectionless God?

## ENEMIES

*The first problem* is that most idolators are not enemies of God. According to Maimonides’ famous explanation in Mishneh Torah, *H. Avodah Zara* 1:1, everyone originally believed in God. God uses agencies and forces to run the world. These agents are merely servants doing his bidding. One honors the Master by honoring His servant. Therefore, they worshipped the angels, the “separate intelligences” which in-form the planetary spheres, and so on. Eventually, they erected temples and icons representing the “servants.” Nevertheless, “No idolater ever did assume that any image made of metal, stone, or wood has created the heavens and the earth, and still governs them.” Should they suffer execution?

*The second problem* is the *ignorance* of people who commit heresy. They are *ignorant* because they have been brought up with false notions, or because they do not know how to deny divine corporeality. They do not know

how to interpret anthropomorphisms in the Bible. Are they “haters” and “enemies” punishable for their ignorance? Besides, they are victims of the sophistries of the educated heretics. Should the victims suffer like the perpetrators?

Maimonides responds to the problems presented by the first two groups. Even though the *first* group, the idolators who believe in God, have merely made a mistake about honoring God’s servants, their position historically reified into a movement that persuades the masses away from monotheism. Idolatrous ideas are so powerful that they are a “snare.” Therefore, despite their plausible justification, idolators who believe in God end in the same place as hardcore idolators that consciously displace God, and are as culpable.

Judaism never treats the *second* group, the ignorant, as leniently as other religions do, since knowledge of law is the major requirement of a commandment-based religion. An excellent example of this is the Mishnah called *Demot*, the law that treats the kosher kitchens of educated Jews differently than those of ignorant farmers. Besides, they should know better. Maimonides reminds us that Jonathan and Onkelos early on translated the Bible into Aramaic popular editions that nullified anthropomorphisms, and that Jewish education was always devoted to erasing polytheist and corporeal notions. Therefore, the failure of the ignorant heretic to apply to his betters for guidance and instruction is punishable.

The heretics who know what they do constitute a third group. They are clearly dangerous, even though some are also part of the first group who actually believe in God. They are the greatest threat because they *persuade* the masses to follow their false beliefs and present an example to them. While worship is strictly a prerogative of the one God, they ascribe it to other gods as well. This misleads the ignorant who only get the procedure of worship, not its meaning, and do not understand that honoring the servant displaces the Master (*v’haya ze goram l’heder mitziuto ytalei m’todaat he-hamon, l’fi sh’ayn he-hamon makhir ele pa’ulot ha-pulkham, lo inyanam v’lo amitat ha-neeved b’hem, l’khen haya ze sh’hevia l’kakh sh’nitkhayevo k’laya*). For these reasons, that is, the extent of their threat to the community, and the magnitude of their threat to God’s prerogative of worship, the law subjects them to judicial execution.

Thus, Maimonides disposes of the excuses of the heretics. But he has not yet told us what is wrong with the heretical ideas themselves.

### THE PSYCHOLOGY OF IDOLATRY

At the beginning of the chapter, after his false start, Maimonides asserts that all references in the Bible to divine anger or rage really are about idolatry and polytheism, i.e., *avoda zara*. He lists thirteen instances, mostly from Deuteronomy. The pattern of thirteen quotations reveals that the first (Deut. 11:16-17), last (Deut. 12:31) and middle quotations (Nahum 1:2) link to other parts of the Guide. Leo Strauss always looked for such numerical patterns of concealment in what he called “the art of writing.” Maimonides also thinks that burying a new concept in a series of unexceptional references constitutes an acceptable form of concealment (Guide 3:23; see my notes on Elihu in 1:13).

The first proof-text links to Guide 3:29. He argues there, and in Mishneh Torah, *H. Avoda Zara* 2:2, that *ideas* of *avoda zara* are in themselves dangerous and:

“It is the principal object of the Law and the axis round which it turns, to blot out these opinions from man’s heart and make the existence of idolatry impossible. As regards the former Scripture says: ‘Lest your heart be persuaded,’ etc. (Deut. 11:16)”

In the corresponding Mishneh Torah passage, he rules that the mind should not “roam” in these subjects. He holds it forbidden to read books on the subject or meditate on it (Commentary on the Mishna, *Avot*, 2:17; Guide 3:29-30; Mishneh Torah, *H. Avoda Zara* 3:2. His own case was the exception.). This is the seriously heretical

danger of *avoda zara*: it has enormous psychological power. Allowing the mind to “roam” on *avoda zara* “would cause you to turn after it and do as the idolators do.”

The middle quote, Nahum 1:2, and the last of his quotes, Deuteronomy 12:31, both link to Guide 1:54. 1:54 explains divine rage differently than our chapter does. In that chapter, Maimonides explains divine rage in terms of human psychology. When the Bible ascribes emotion to God, it *projects* on Him our own emotional state. He says:

“Whenever any one of His actions is perceived by us, we ascribe to God that emotion which is the source of the act when performed by ourselves, and call Him by an epithet which is formed from the verb expressing that emotion.”

Projection is the attribution of one’s own attitudes, feelings, or suppositions to others. It is a commonplace of Freudian psychology anticipated by Maimonides. Projection is a defense mechanism, though he would not have understood it as such. God punishes idolators with natural and historical disasters, so we call Him “wrathful”:

“His actions towards mankind also include great calamities, which overtake individuals and bring death to them, or affect whole families and even entire regions, spread death, destroy generation after generation, and spare nothing whatsoever. Hence, there occur inundations, earthquakes, destructive storms, expeditions of one nation against the other for the sake of destroying it with the sword and blotting out its memory, and many other evils of the same kind. Whenever such evils are caused by us to any person, they originate in great anger, violent jealousy, or a desire for revenge. God is therefore called, because of these acts, ‘jealous,’ ‘revengeful,’ ‘wrathful,’ and ‘keeping anger’ (Nah. 1:2) that is to say, He performs acts similar to those which, when performed by us, originate in certain psychical dispositions, in jealousy, desire for retaliation, revenge, or anger: they are in accordance with the guilt of those who are to be punished, and not the result of any emotion: for He is above all defect! The same is the case with all divine acts: though resembling those acts which emanate from our passions and psychical dispositions (*tekhunot nafshiot*), they are not due to anything superadded to His essence.” (Guide 1:54)

He continues, in 1:54, to explain that leaders ought to imitate God in this way. When confronted with crime, particularly the crime of *avoda zara*, they should take swift emotionless action to punish the offense to social order. He mentions the war against the Canaanite nations who committed idolatry in the land of Israel. The leader practiced *imitatio dei*.

Maimonides concealed his concept of the legal mechanism of *avoda zara* in the first, central and last of the brace of thirteen proof-texts. Since heretical ideas contain such psychological power, the political leader must purge them from society. When he does so, he acts in imitation of God, not from the emotion of anger, but, rather, *as though* he acts out of anger. To retain its deterrent effect, the purely instrumental fact of this “anger” must be concealed from the multitude.

### **THE POLITICS OF HERESY**

This political reference to the actions of the leader clarifies Maimonides’ thinking. Heresy is not only *false* logically, but is dangerous to the conduct of society, and so the state exterminates heresy. Maimonides believes that serious falsehoods undermine the government of the society. This political judgment requires the sanction of morality for enforcement.

Later, in chapters 3:27-37, he explains the purposes for these laws. The entire structure of law benefits the soul and the body of man. The laws against heresy “establish true principles and perpetuate them among the people.” He recounts many specific ills deriving from the heretical practice, and he repeats the many exhortations from the Torah on the subject. One purpose for these laws is that they reduce man’s corporeal desires. They make men more pure and holy. Maimonides considers *avoda zara* destructive of this end.

We might add in further explanation that the *source* of law in the Torah system is ultimately divine. To the extent that men come to believe in heresy, that source is undermined and the entire system called into question. Heresy is thus the form that treason takes in the Torah regime.

### IS DIVINE RAGE ALWAYS AGAINST IDOLATRY?

As Friedlander and Kafih note, scriptural expressions of divine rage are not always against idolatry. Three such exceptions are Numbers 12:9, Exodus 22:24 and Exodus 4:14. They are about, respectively, Moses, Miriam and the oppression of strangers. The commentators try in various ways to resolve the contradiction. I prefer to note how Maimonides himself treats these passages.

- In Guide 1:24 he explains Numbers 12:9. This is where Miriam is punished with leprosy for slandering Moses. Maimonides explains “anger” there in two related ways. Divine rage is the “hiding of the face,” (*hester panim*) of God from Miriam, that is, the withdrawal of divine protection. Divine rage also refers to the *punishment* she received. Guide 1:24 is really about how God’s withdrawal and our punishment are really the same thing.
- In Guide 3:28 he explains the exception at Exodus 22:23. That passage expresses God’s anger with those who oppress strangers. This “anger” is His *punishment* of the oppressors, which Maimonides says serves the purpose of removing injustice and establishing good morals. Again, this punishment is emotionless but necessary correction, imaginatively projected by us on God as divine rage. Guide 3:28 restates the question of our chapter. “Scripture further demands belief in certain truths, the belief in which is indispensable in regulating our social relations; such is the belief that God is angry with those who disobey Him, for it leads us to the fear and dread of disobedience to the will of God.”
- In Exodus 4:14, Moses, at the burning bush, asks God to send anyone but him on the mission to save the Jews, incurring “the anger of the Lord.” Maimonides does not write about Exodus 4:14 but probably adopts the Talmud’s explanation for God’s anger. That God is angry at Moses’ diffidence means that He *punished* Moses. God punished him by removing his priesthood and granting it to Aaron and his progeny (Talmud *Zevuot* 102a). Somewhat differently, R. Abraham ben Maimonides, invoking his father, writes on this passage:

“*And the anger of the Lord was kindled against Moses*”: You already understand that all terms for divine anger are metaphors for the *created voice*. God spoke harshly in reply to Moses’ refusal in order to preclude further refusal. But this ‘anger’ is an expression meaning ‘punishment.’ According to my father, Moses was ever after punished with stuttering. The proof is that later in Egypt he said [to God] ‘And how will Pharaoh hear me as I have sealed lips?’ This was the reason the rabbis gave for their statement that at the revelation on Mount Sinai his stuttering was removed.” (*Perush al Shemot* 4:14, my trans.)

All of these ideas of “punishment,” “hiding of the face” and the withdrawal of divine protection come together in Guide 1:54, the chapter on divine rage as *projection*.

Thus, while it is not true, strictly speaking, that all Biblical statements of divine rage are against idolatry, it is true that they are all about the divine *government* of the Jewish people. Heresy undermines that system of government, and so, we tell the people that whenever God is “enraged” He is fighting His war against idolatry and heresy.

This brings us back to the beginning of the chapter. How can *we say* that God is enraged at all? How can we tell the people that God is enraged, when, in our same chapter, Maimonides says we must also tell them that He is beyond *affection*?

## CONCLUSION

On balance, I do not think this is one of the more successful of the chapters of the Guide. It operates on too many levels.

When Maimonides protests that the divine attribution of an emotion to God “is not the subject of the present chapter,” he dissembles. Divine anger is the only possible reason for the execution of heretics, especially those who are merely ignorant. God is enraged at them and we do our best to make Him happy. But if that is the premise, how would Maimonides have understood its inner meaning? What it means for God to be enraged is that we project our *distance* from God (and its tragic consequences) back on Him. The defect in our intellectual apprehension of God (i.e., the notion that He is not unique) prevents our conjunction with the active intellect. *Ayn inyan zeh*, “this is not the subject,” means that though it is too early to treat the doctrine of divine attributes, we hazard the explanation that erroneous notions of God disrupt the activation of the intellect. Israel criminalizes these notions precisely because Torah makes it the society that means to preserve the possibility of the active intellect.

Even-Shmuel writes here: “What is the rage producing error that keeps people who could reach God from doing so? ...God ‘favors’ one who strives to reach Him, but is ‘angry’ with those who refuse to allow their thought to reach God.” More precisely, *even* those who strive to reach God fail to do so when heretical thoughts nullify their notion of Him. They no more reach Him than those who refuse to strive to reach God. The defective notion of the highest existence prevents conjunction with the active intellect. Compare Plato, “The true lie, if such an expression be allowed, is hated by gods and men...[it is] that *deception*, or being deceived or uninformed about the *highest realities* in the *highest part* of themselves, which is the soul...that, I say, is what they utterly detest” (*Republic* II:382, Jowett).

Maimonides did not shrink from ruling the extermination of idolatrous heresy. Nevertheless, this must give us pause. Even in the biblical period, when confronted with actual idolators, the Jews repeatedly refrained from this extermination. Their problem is that God always punishes them for this, ultimately, with exile, for having allowed idolatry to thrive in their land.

*Copyright © 2017, Scott Michael Alexander, no copying or use permitted except in connection with the Maimonides Group at YahooGroups.com*

*scottmalexander@rcn.com*