Dissertation #13

Title: **Begriff und Form der Häresie nach Talmud und Midrasch**
(The Concept and Form of Heresy According to Talmud and Midrash)

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Executive Summary: The dissertation belongs to the field of the history of religion and to the discipline of Halakhic scholarship. The author - a graduate of the Prague rabbinical school - aims to provide an overview of the attitude towards heresy in Jewish law, doctrine and aggadic lore as it manifested itself in classical rabbinic literature and, to a smaller extent, among medieval and early modern rabbinic authorities, while also engaging with 19th century Jewish Studies scholarship. Even though three different terms for heretics: "Min", "Apikoros" and "Mumar", are analyzed here, the focus of the work is directed towards the first concept ("Minut"), the least acceptable and most transgressive form of heresy, applied not to gentiles but only to Jews opposed to the core tenets of Judaism, especially to those exhibiting polytheistic beliefs (the author stresses that the notion did not primarily refer to Jewish Christians). Many examples from Talmudic stories are given of the beliefs of those heretics and of how the Jewish sages tried to disprove those views. In addition, lists of religious rules concerning the treatment of heretics and of transgressors are also furnished by the author.

Introduction (p. 5 - 6)

The author bemoans the lack of a systematic and comprehensive academic examination of the treatment of heresy in classical rabbinic literature and of the stories associated with it, promising to fill the gap by the dissertation which is meant to focus on three particular terms for heretics separately: *Min* (מין), *Apikoros* (אפיקורוס) and *Mumar* (מומר), other terms like Kofer (כופר) or Meshumad (משומד) are said by the author to be mere synonyms without a distinctive meaning given to them by the Talmudic sages.

Part I

a. The Literal and Factual Meaning of the Term *Min* in Talmud and Midrash

Engaging intensively with scholarship from the area of Jewish Studies (*Wissenschaft des Judentums*) and Christian Hebraist scholarship on the etymology of the term *Min*, the author discards various explanations put forward in the past, such as Joseph Albo's theory that the word *Min* designates the Manichaens, that is the disciples of the third-century Iranian prophet Mani, and also discards the attempt to read it as an abbreviation for "the believers in Jesus the Christian", agreeing instead with a view first advanced by the English 17th scholar Nicolaus Fuller and later adopted by the German-Jewish historian Isaac Marcus Jost (1793 - 1860), according to which the word *Min* derives from the Hebrew verb מֵאֵן (to deny / negate).

In order to back up this claim, the author sets out to prove the antiquity of term, especially its pre-Christian and *a fortiori* pre-Manichean origins. Based on passages from the Mishnah and from midrashic literature, for example on *Kohelet Rabbah* chapter XI, where the term *Min* refers to ideas associated with a hedonic, Hellenist and non-Christian worldview.

Afterwards, the characteristics ascribed to the *Minim* are reconstructed by the author quoting from rabbinic literature, especially from the Babylonian Talmud: it is said - against Abraham Geiger and others - to apply exclusively to Jews with heretical views and not to gentiles, though not just to those Jews embracing Christianity but to heretics with all sorts of deviant views, above all polytheist ones.

b. The Meaning of the Term *Min* in Post-Talmudic Rabbinic Literature

Here in this short chapter, various additional definitions and classifications of *Minim* by medieval and Renaissance rabbinic commentators (Rashi, Maimonides, Joshua Boaz, Abraham ibn Chisdai) are provided, where the two latter authors, Abraham Ibn Chisdai and Joshua Boaz, seem to favor a more restrictive notion of heresy than Rashi and Maimonides.

Part II

a. The Heresy of the Minim in relation to the concept of G'd (pp. 17 - 25)

The author first outlines the general conception of heresy (*Minut*) among the Talmudic sages: it consisted in the denial of the fundamental beliefs of Judaism; it applied, according to Maimonides, however only to those who had been properly instructed in the teachings of Judaism and not to those, like the Karaites, who simply followed the mores of their fathers.

How heresy expressed itself in relation to the belief in G'd in practice is, afterwards, illustrated by examples of polytheistic heresy in rabbinical lore (*aggada*), taken especially from the Babylonian Talmud. There, heretics are often portrayed as utilizing Biblical expressions (such as the plural form *elo'im*) or verses (such as Amos 4, 13) to argue for the existence of a multiplicity of deities. The responses of the sages to these heretical statements, too, are, then, presented in detail by the author: for instance, Rabbi Simlai in the Jerusalem Talmud tractate *Berakhot* IX, 1 counters the objection to monotheism based on the plural form of the divine name by noting that the verbs accompanying this noun in the books of the Bible are words in the singular number. Similarly, the author also shows instances of other related heretical beliefs questioning the omnipresence or omnipotence of G'd and quotes the rabbinic responses towards them.

b. The Heresy of the *Minim* in Relation to the Belief in Resurrection (pp. 25 - 28)

This section - identically structured as the preceding one - deals with heresy that manifested itself in the denial of corporal resurrection (in the view of the author, this was the fruit of gnosticism). Again many examples are given, such as when in the midrash *Bereshit Rabbah* chapter 14, in Sepphoris, a heretic asks of Rabbi Jose ben Halafta how resurrection is possible since a vessel made of clay cannot be reassembled either, once broken into shards. To this the rabbi responds with a question, asking the heretic why it is impossible to restore a broken bowl made of clay but feasible to do this with a vessel of glass (by collecting the shards and melting them); the heretic answers: "Because glass can be blown." Rabbi Jose says, then, in return: "Listen now to what you yourself have said. What has been created by the breath of man, can arise out of its own debris - thus, all the more so, what has been created by the breath of G'd: i.e. man into whom G'd has breathed the breath of life." (see Genesis 2:7)

c. The Sorcery of the *Minim* (pp. 28 - 30)

Heretics, so the author, were also depicted in classical rabbinic literature as sorcerers - sorcery being, in general, a practice forbidden for Jews to practice. However, this magic is also shown as limited in its force or as leading to the destruction of those engaging in it. In a story in *Ecclesiastes Rabbah* which the author reports, a heretic succeeds in parting the sea but once he tries to cross it on the dry ground, the sea closes again and drowns him.

Part III: The Attitude of the *Minim* Towards Judaism (pp. 31 - 38)

In this part, the author illustrates the attitude of the heretics (*Minim*) towards Judaism by means of various quotations from rabbinic literature in the main body of the text, in the footnotes the primary sources are cited together with further context, similar passages and, often, also with references to interpretations of those quotations by 19th century academic scholars of Judaism (especially Heinrich Graetz, Alexander Heinrich Goldfahn, and Abraham Geiger). In general, heretics were described not just as contemptuous of Judaic religious practice in the abstract but also as hateful towards the Jews as a people in and towards the sages in particular. The author, for example, reports on a Talmudic story in Bavli *Eruvin* 101a of a heretic claiming - on the basis of the biblical verse *Mica* 7,4 - that even the best among the Jews are just as good as thorns, to which the rabbi Joshua ben Hananiah responded that, like thorns protect the plant, so would the best among the Jews protect the whole people. The author

also cites (without expressing any judgment on it) Alexander Heinrich Goldfahn's assessment that said heretic must have been a Jewish Christian, while Jacob Hamburger (1826 - 1911) in his *Real-Encyclopädie für Bibel und Talmud* is cited as seeing in Rabbi Joshua's answer a veiled reference to the abolishment of the Mosaic commandments by Christianity.

Part IV: The Rabbinic Sayings and Exceptional Laws against the *Minim* (pp. 38 - 46)

Here, the author lists 21 tenets and regulations issued by the sages concerning the *Minim*, followed by a reference to where the provision in question is mentioned in classical or medieval rabbinic literature and (often) also followed by further context from primary and secondary sources in the footnotes. Those provisions listed by the author are of a purely theological or a ritual nature, and do not contain penal sanctions of any kind against heretics..

An excerpt of this part shall be presented here:

"§ 2. The *Minim* have no part in the world to come. (Maimonides, *Hilchot Tshuva* III, hal. 6)

(...)

§ 8. It is forbidden to save the books of the *Minim* from a fire on a Sabbath (Babylonian Talmud, *Shabbat* 116b) - Footnote: However, it is permitted to desecrate the Sabbath in order to save holy scriptures from a fire; to save heretical books is not permitted. Compare Jerusalem Talmud, *Shabbat* XV 1 and Maimonides *Hilchot Shabbat* Part 23, hal. 26.)"

Part V: The Term "Apikoros" and its Meaning in Talmud and Midrash

a. The Etymology of *Apikoros* (pp.47 - 49)

Two different etymologies are offered by the author in this section. First, the one proposed by the Talmudic sages themselves and by Maimonides, according to which the word derives from the stem p-k-r (free) and, therefore, denotes a freethinking and licentious person. According to a second etymology put forward - so the author with references in the footnotes - by Judah Ha-Levi, Joseph Albo, Jacob Emden and other rabbis, this term comes from the ancient Greek philosopher Epicurus and his school. Siding with the latter explanation the author cautions, however, that the word does not just refer to the followers of Epicurean philosophy but to everyone disrespecting the "bearers and interpreters of the divine scripture".

b. The factual meaning of the word *Apikoros* (pp. 49 - 51)

According to the author, definitions of the term *Apikoros* vary among the Talmudic sages, and several sourced examples are given. The word seems to primarily denote those denying the oral law, though, or those scorning the teachers of the oral law. At the end of the section, the author also gives the more systematic definition by Maimonides according to which the word applies to those disbelieving in prophecy, denying Moses' prophecy, denying divine providence or rejecting the oral law.

Part VI: The Term *Mumar* and Its Meaning in the Talmud (pp. 52 - 56)

a. Overview (pp. 51- 53)

Deriving from the root m-v-r (to change), the word *Mumar* - so the author - was used by the Talmudic sages to designate those who interchanged the permitted for the forbidden, transgressing some commandments while, however, still remaining faithful to Judaism in theory. The rabbinic attitude towards the *Mumarim* (who, for example, publicly desecrated the Sabbath) was not uniform: partly it was taught to treat them like heretics (*Minim)*, others argued that only those engaging in acts of idolatry are to be equated with the *Minim*.

b. Rabbinic Sayings and Prescriptions Against the *Mumarim* (pp. 53 - 56)

This section contains 15 different rabbinic injunctions concerning the *Mumarim* (followed by their scriptural source and, often, accompanied by more extensive references to primary and secondary

sources). The author does not provide a systematic analysis of the regulations in question and rather simply produces a list of various halakhic rules. An excerpt of the

“ § 1. If someone transgresses a commandment willingly or just to spite (*Mumar lehachis*), it is as though he has renounced the whole Mosaic law and he, therefore, cannot be admitted to any religious function ([Babylonian Talmud] *Chullin* 5a, [Shulchan Aruch] *Yore de’ah* 2, 5).

(...)

§ 6. However, it is permitted to receive the sacrifice of a Mumar who did neither offer libations to idolatry, nor publicly desecrate the Sabbath. ([Babylonian Talmud] *Chullin* 5a; Maimonides, *Hilchot Maaseh Korbanot* Chap. III, hal. 4.) (Footnote: ibidem is written, אבל אם היה מומר לשאר עבירות מקבלין ממנו כל הקרבנות כדי שיחזור בתשובה)”

Index of Names

The work ends with an index of the Talmudic sages mentioned and quoted in the dissertation, ordered chronologically.