What Must a Jew Believe: Dogma and Inadvertent Heresy, Revisited

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The medieval debates over the fundamentals of faith continue to resonate in contemporary Judaism. In particular, one dispute among medieval authorities over the case of an "inadvertent heretic," i.e., a person who contradicts a tenet of the Jewish faith without intending to do so, is important for defining heresy, and by implication, for defining belief and what it means to be a Jew. Perhaps no one has written as much about this as Professor Menachem Kellner, who in a number of articles and books has argued that there is a basic dispute between medieval authorities on how to define heresy, and as a consequence, about how to define belief in Judaism.[1]

According to Kellner, one view maintains that "while we would certainly demand of the faithful Jew an attitude of trust, loyalty, and commitment to God and to His Torah, we could not be satisfied with that, but would also be forced to judge the faithfulness of every Jew in terms of the

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[1] See, e.g., Kellner, *Dogma in Medieval Jewish Thought: From Maimonides to Abravanel* (Oxford: Oxford University Press, 1986, published in Hebrew as תורת העיקרים בפילוסופיה היהודית בימי הביניים, 1991); "Heresy and the Nature of Faith in Medieval Jewish Philosophy," *Jewish Quarterly Review* 77:4, pp. 299–318; reprinted in *Science in the Bet Midrash: Studies in Maimonides* (Brighton, MA: Academic Studies Press, 2009), Ch. 5; כפירה בשוגג בהגות יהודית בימי-הביניים: הרמב"ם ואברבנאל מול רשב"ץ ורח"ק?; "What is Heresy?" in *Science in the Bet Midrash*, Ch. 6; and *Must a Jew Believe Anything?* (1st ed., London: Littman Library, 1999; 2nd ed., London: Littman Library, 2006). In each of these works, Kellner presents a version of the argument that I will critique here. In my opinion, Kellner expresses his view most clearly and succinctly in his *Jewish Quarterly Review* article, and I will therefore primarily refer to it. [This article has now been republished once again as part of a small selection of Kellner's articles in the recent volume of the Library of Contemporary Jewish Philosophers, *Menachem Kellner: Jewish Universalism* (Brill, 2015), suggesting that the editors (or the subject) of the volume agree with my assessment.] in (תשמד) מחקרי ירושלים במחשבת ישראל ג,ג

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specific doctrines which he or she affirms or denies." The other view, by contrast, defines belief only as an attitude of trust in God and the Torah but not as adherence to any specific set of doctrines—"the one has literally nothing to do with the other."[2] With these definitions of what it means to be a faithful Jew, it follows that an inadvertent heretic, inasmuch as he lacks affirmation of the proper doctrines, is a heretic only according to the former view. But according to the latter view, one who possesses the right attitude towards Judaism cannot be a heretic, despite maintaining doctrines that deviate from Jewish norms.[3]

The *locus classicus* for this discussion about the status of an "inadvertent heretic" is the dispute between Rambam and Ra'avad (in *Hilkhot Teshuvah* 3:7) about whether one who believes in a corporeal God is a heretic (*min*). Rambam classifies this person as a *min*, and Ra'avad objects, noting that there were great men who wrongly held this view because of their mistaken literal interpretation of *pesukim* and *aggadot*.[4] Here, then, we may have a dispute about the status of one who unwittingly contradicts one of the tenets of Judaism—Rambam seemingly does not make exception for the "innocent corporealist," whereas Ra'avad does.

If, in these words of Rambam and Ra'avad, the dispute about inadvertent heresy remains implicit and subject to alternative interpretations, it emerges explicitly among Jewish thinkers in the centuries that follow. The best-known proponents of the two opposing viewpoints are R. Joseph Albo and R. Isaac Abarbanel, with Albo taking the "lenient" view—an unintentional heretic is not a heretic—and Abarbanel taking the "strict" view, that espousing heresy, like ingesting poison, retains its effect

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2 Kellner, "Heresy and the Nature of Faith," pp. 317-318.

3 Kellner bases this distinction on Martin Buber's "two types of faith": "faith in," which expresses a relationship of trust, and "faith that," which means accepting as true a given proposition. For another formulation of this distinction, see R. Aharon Lichtenstein's article "The Source of Faith is Faith Itself," in *The Jewish Action Reader I* (New York: Union of Orthodox Jewish Congregations in America, 1996) in which he recommends to those "struggling to develop faith…the counsel to focus persistently, in terms of Coleridge's familiar distinction, upon faith rather than belief, upon experiential trust, dependence and submission more than upon catechetical dogmatics."

4 Rambam writes: חמישה הן הנקראין מינים: האומר שאין שם אלוק, ואין לעולם מנהיג; והאומר שיש שם מנהיג, אבל הם שניים או יתר; והאומר **שיש שם ריבון אחד, אלא שהוא גוף ובעל תמונה...** א"א ולמה קרא לזה מין וכמה גדולים וטובים ממנו הלכו בזו המחשבה לפי מה שראו במקראות ויותר ממה שראו בדברי האגדות המשבשות את הדעות. For discussion of Ra'avad's position, see Isadore Twersky, *Rabad of Posquieres* (Cambridge: Harvard University Press, 1962), pp. 282–286.

regardless of one's intentions.[5] But as Kellner notes, in each case, these philosophers borrowed their arguments from lesser-known sources: from R. Shimon b. Tzemah Duran (Rashbetz) in the introduction to his commentary on Job, *Ohev Mishpat*, and R. Avraham Bibago in his philosophical work *Derekh Emunah*. These two thinkers, in turn, formulated their positions in a way that reveals the fundamental issues underlying their debate, and in fact anticipated much of the subsequent discussion about these topics.

In the course of his lengthy introduction to *Ohev Mishpat*, Rashbetz discusses the subject of the principles of Judaism, and says that Judaism can be reduced to one principle, or it contains as many principles as the number of letters or words in the Torah. As Rashbetz explains, the one principle of Judaism is to accept the entirety of what the Torah teaches; therefore, if one knowingly rejects *any* single word or letter of the Torah, that would qualify the individual as a heretic.[6] Following this, Rashbetz presents his view regarding inadvertent heresy:

> עוד יש לך לדעת כי מי שעלו בידו **שורשי התורה כראוי**, ועומק עיונו היטה אותו להאמין **בסעיף אחד מסעיפי האמונה** היפך ממה שהוסכם עליו שהוא הראוי להאמין... אע"פ שהוא טועה אינו כופר.

Rashbetz distinguishes between the "roots of the Torah" (*shorshei ha-Torah*) and the "branches of the faith" (*se'ifei ha-emunah*), and maintains that as long as one retains the "roots," an error concerning one of the "branches" does not qualify him as a heretic.[7]

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5 See Albo, *Sefer ha-Ikkarim* 1:1-2; Abarbanel, *Rosh Amanah*, Ch. 12.

6 *Ohev Mishpat*, Ch. 9: דע אתה המעיין, כי העיקר הגדול בכל זה הוא להאמין מה שכללה אותו התורה בענינים אלו, ומי שכופר במה שכללה אותו התורה – עם היותו יודע שזהו דעת התורה – הוא כופר ואינו מכלל ישראל. ולזה יצדק לומר כי עיקרי התורה הם כמספר אותיות שבתורה או כמספר תיבות... כי מי שאינו מודה באחת מהן הוא משומד ואינו בכלל ישראל. ויצדק לומר גם כן שאין בתורה כי אם עיקר אחד והוא להאמין כי כל מה שכללה אותו התורה הוא האמת.

7 Kellner, in translating this passage ("Heresy and the Nature of Faith," p. 305), elides this distinction between "roots" and "branches":

> You also ought to know that one who has properly accepted **the roots of the Torah** but was moved to **deviate from them** by the depths of his speculation, and who thereby came to believe concerning one of the branches of the faith the opposite of what has been accepted as what one ought to believe… even though he errs, he is no denier. (Emphasis added.)

A more accurate translation would be: "One who has properly accepted the roots of the Torah, but the depths of his speculation swayed him to believe regarding **a single branch of the branches of the faith** the opposite of what

That the distinction between roots and branches is fundamental to Rashbetz's view is clear from the continuation of his discussion:

> וכן יש מחכמי ישראל מי שאמר שאין להם לישראל ימות המשיח שכבר אכלו אותו בימי חזקיה, ואע"פ שגינוהו חכמים על מאמרו וגילו טעותו אבל לא אמרו עליו שהוא כופר, אע"פ שמי שיאמין זה היום היה כופר לפי מה שהשרישוהו הרב [=הרמב"ם] ז"ל.[8] **והסיבה בזה הוא מה שקדמנו, שאחר שהם מודים בשורשים, אם בסעיף אחד מהשורשים הם בלתי מאמינים** מפני הכרח הפסוקים שעלו פירושהם בידם בטעות, אין להוציאם מפני זה מכלל ישראל. וענין אלישע בן אבויה הוא **סתירת העיקרים מכללם** והאמין בשתי רשויות הפך מצוות ה' אלקינו ה' אחד וכו', ומפני זה קראוהו מקצץ בנטיעות. **אבל המקיים הנטיעות בשורשיהם, ויקצץ פתילים בסעיפיהם, אף על פי שהוא טועה אינו כופר ומין**.

Here again, Rashbetz clearly distinguishes between "root" beliefs, such as divine unity, for which there can be no justification, and other beliefs, such as the advent of the messiah, which he maintains have the status of "branches," and which therefore can in certain cases be excused.[9]

To understand the significance of this distinction, let us turn to the opponent of Rashbetz's view, the aforementioned R. Avraham Bibago, a fifteenth-century Maimonidean philosopher. At the end of his work *Derekh Emunah*, R. Avraham Bibago responds to Ra'avad's attack on Rambam:

> אמנם מאמר הראב"ד הוא אצלי מבואר הפלא...והיה אפשר המצא איש מה בלתי מאמין בשום עיקר מהעיקרים ובשום אמונה מהאמונות התורה והיותו

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has been accepted…" This example demonstrates the potential consequences of even a small error regarding the (translation of) roots of the Torah.

8 Here, Rashbetz seems to adopt a position similar to that of Hatam Sofer (*She'eilot u-Teshuvot*, *Yoreh De'ah*, no. 356) that although rejection of the belief in the messiah was not always heresy, the consensus of sages about this issue transformed its status as heresy: והאומר אין משיח וקים לי' כרבי הלל הרי הוא כופר בכלל התורה דכיילי אחרי רבים להטות כיון שרבו עליו חכמי ישראל ואמרו דלא כוותיה שוב אין אדם ראוי' להמשך אחריו כמו ע"ד משל במקומו של ר"א היו כורתים עצים לעשות פחמין לעשות ברזל לצורך מילה, ואחר דאיפסקא הלכתא ע"פ רבים מחכמי ישראל דלא כוותיה, העושה כן בשבת בעדים והתראה סקול יסקל ולא מצי למימר קים לי כר"א.
Perhaps, however, Rashbetz is arguing that following Rambam's explanation for this principle's inclusion as one of the thirteen principles of Judaism, it becomes nearly impossible for one to claim that his rejection of this principle was done without knowledge of the Torah's teaching on the subject, and therefore this is now considered to be a knowing rejection of the Torah's teaching.

9 For the distinction between "roots" and "branches," see *Ohev Mishpat*, Ch. 8, in which Rashbetz distinguishes between three "*avot*" and their "*toladot*."

בלתי מבין כוונת התורה ולא יקרא ולא יהיה מין וכופר. וזה כולו חוץ מן השכל ומן האמונה.[10]

In other words, according to Bibago, if one accepts Ra'avad's claim that beliefs arrived at by mistaken understanding do not constitute heresy, one can believe anything and still not be considered a heretic. This is a *reductio ad absurdum* argument—surely no Jewish thinker could arrive at the conclusion that all beliefs can be justified based on the ignorance of the one who holds them. Judaism, Bibago argues, is a religion defined by certain doctrines. Without adherence to these defining doctrines, one is not an adherent of the Jewish religion. Thus, inadvertence with regard to defining beliefs is not an excuse.

Kellner returns to this discussion in his *Must a Jew Believe Anything?* In this book, Kellner argues that Rambam distorted Judaism by defining it in terms of adherence to certain propositions. Kellner maintains that this Maimonidean innovation was rejected almost universally, and finds support for his own view from the case of inadvertent heresy: "The only two medieval thinkers who follow Maimonides [regarding inadvertent heresy] are R. Abraham Bibago and R. Isaac Abrabanel."[11]

However, the closer reading of Rashbetz presented above largely undermines Kellner's position. There is in fact *no* medieval thinker who endorses the notion that one can be a Jew in good standing lacking certain basic beliefs. In other words, Rashbetz accepts the *reductio ad absurdum* argument of Bibago: a Jew who innocently rejected every principle of Judaism, despite pure intentions, would not be a Jew in good standing, because Judaism is a religion defined by acceptance of certain doctrines. There is no such thing as a purely "attitudinal" faith in Judaism. Both Rashbetz and Bibago agree that Judaism has definitional beliefs. Their dispute is whether these definitional beliefs are identical with Rambam's thirteen principles (Bibago), or whether these *shorshei ha-emunah* are reducible to three principles (Rashbetz).

Kellner understood Rashbetz's reference to the "one principle" of Judaism—to accept everything taught in the Torah—as an articulation of "attitudinal faith," that all that matters is an *attitude* of acceptance of the

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10 *Derekh Emunah*, p. 102c. Kellner (accurately) translates as follows:

> RABaD's statement is really amazing to me… It would be possible to find a man who does not believe in any one of the principles or beliefs of the Torah because of his failure to understand the meaning of the Torah. [On this position] such a one could be called neither a sectarian nor a heretic. All this opposes reason and faith. ("Heresy and the Nature of Faith," p. 302)

11 Kellner, *Must A Jew Believe Anything?* p. 68 n. 3.

Torah's teachings. Kellner therefore concludes his argument by claiming that Rashbetz was inconsistent, and that in fact Rashbetz did not understand the implications of his own position:

> All this is clear in retrospect. It was not so clear to the medieval figures whose texts we have been analyzing. This is indicated by the fact that strict consistency would demand that a thinker who defined "belief" in [attitudinal] terms ("belief in") should reject the notion of dogma or principles of faith altogether. This is emphatically not the case: Duran, Crescas, and Albo all put forward dogmatic systems of one form or another. They were willing to follow Maimonides' lead in laying down principles of faith for Judaism, even as they resisted adopting the conception of faith which underlay his system of dogmas.[12]

Rightly understood, however, Rashbetz's approach is entirely consistent. When Rashbetz refers to the (one) principle of accepting everything taught in the Torah, this means that one who knowingly rejects any teaching of the Torah is defined as a heretic. But this does not mean that there are no definitional beliefs that when lacking undermine one's standing as a Jew. Rashbetz's *shorshei ha-Torah* represent the (encapsulated) content of Judaism.[13]

Perhaps the best illustration of our argument comes from R. Yehuda Halevi's *Kuzari*. Kellner, in many of his works, presents Halevi's definition of being Jewish as the opposite of Rambam's—whereas for Rambam Judaism is defined as acceptance of a creed, for Halevi it is defined by means of biology, i.e., by descent from Abraham, Isaac, and Jacob.[14] For Kellner, the creedal definition of faith is a Maimonidean innovation that stands diametrically opposed to Halevi's notion of Jewish "essentialism."

Ironically, however, Halevi himself depicts the role of "propositional faith" in precisely the way that Rambam would subsequently. In his *Kuzari* (III:17), Halevi explains that the blessings of the *Shema* contain the principles of the Jewish faith, and that with acceptance of these principles, one can be called in truth part of Israel:

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12 Kellner, "Heresy and the Nature of Faith," p. 318.

13 On the distinction between "two types of heresy," see also my article "ביאור שיטת מהרש"ל שחייב למסור נפשו שלא לשנות דברי תורה" in *Kovetz Hitzei Giborim*, vol. 8 (*Elul* 5775), pp. 829–833.

14 See, e.g., *Must a Jew Believe Anything*, pp. 2–5, 112-113; *Maimonides' Confrontation with Mysticism* (London: Littman Library, 2006), Ch. 7; *Maimonides on Judaism and the Jewish People*, p. 50: "Jewish identity is, contra Halevi, not a matter of genes, but of commitment."

ואחר כן יספר אותם עקרי האמונה אשר בהם תשלם האמונה היהודית, והם ההודאה באדנותו יתעלה, ובקדמותו, ובהשגחתו על אבותינו, ושהתורה מאתו, ובמופת על כל זה, והיא החתימה, והיא יציאת מצרים...**ומי שכלל את אלה בכוונה גמורה, הוא ישראלי באמת**, וראוי לו לייחל לדביקות בענין האלקי המתחבר בבני ישראל מבלעדי שאר האומות.[15]

Thus, even Halevi, who serves as Kellner's anti-Maimonidean foil in defining what it means to be a Jew, accepts the view that Jewish identity is defined by belief in certain key principles. In fact, not only staunch rationalists like Rambam (and the rest of the medieval Jewish philosophical tradition), but also "anti-rationalists" like Halevi, Nahmanides,[16] and Maharal[17] expounded what they saw to be the principles of Judaism.

In sum, Kellner has rightly identified two types of faith within Judaism, and this insight remains an important one. However, his application of this insight is flawed. Despite Kellner's best efforts, there is no support in the sources that he marshals for defining faith purely as an attitude of trust, which does not require acceptance of any specific doctrines. This seemingly minor point has significant ramifications for much of Kellner's discussion of dogma. Contra Kellner, all medieval authorities accept that Judaism requires belief in specific doctrines ("faith that"), because absent acceptance of the defining principles, the faith one "believes in" is not Judaism.[18] ☙

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15 *Sefer ha-Kuzari*, trans. Y. Sheilat (Jerusalem, 2010), p. 76. This point about R. Yehuda Halevi maintaining that proper belief is a necessary criterion for entry into the Jewish people was drawn by Chaim Henoch, *Nachmanides: Philosopher and Mystic* (Jerusalem: The Harry Fischel Institute For Research In Jewish Law, 1982), p. 162 [Hebrew], as well as Isadore Twersky, *Halakhah ve-Hagut* (Tel Aviv: Open University, 1992), vol. 1, p. 74 n. 23.

16 See Henoch, *Nachmanides*, pp. 159–179.

17 Maharal, *Gevurot Hashem*, Ch. 47; R. David Cohen, *Ha-Emunah ha-Ne'emanah*, pp. 11–14.

18 Moshe Sokol, "Theoretical Grounds for Tolerance," in M. Sokol ed., *Tolerance, Dissent, and Democracy: Philosophical, Historical, and Halakhic Perspectives* (Oxford: Aronson, 2002), pp. 130–136, has already argued against Kellner's understanding of Rashbetz; however, I believe Sokol's interpretation remains imprecise. My own view is consistent with that of Julius Guttman, *Philosophies of Judaism*, pp. 279–280. After this paper was completed, I discovered another article by Menachem Kellner in which he addresses and disputes Guttman's position—see his "Rabbi Shimon ben Ẓemaḥ Duran on the Principles of Judaism: 'Ohev Mishpat,' Chapters VIII and IX," *PAAJR*, vol. 48 (1981), pp. 231–265; however, I found his arguments far from compelling. His "proofs" that Rashbetz does not distinguish between "roots" and "branches" require maintaining that there is no distinction between Rashbetz's "*avot*" and "*toladot*" in *Ohev Mishpat*, Ch. 8. Thus,

although belief in God's incorporeality and belief in the messiah are classified under the first and third of Rashbetz's principles, respectively, Rashbetz maintains that their denial is not equivalent to denial of an entire principle. On the other hand, denial of divine unity, i.e., belief in "two powers," undermines the entire principle of God's existence. Rashbetz himself makes this point explicitly, as quoted above. [See also above, note 7; Kellner repeats his mistaken translation in this article, p. 260.]