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# The Jewish Quarterly Review.

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APRIL, 1892.

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## SPIRIT AND LETTER IN JUDAISM AND CHRISTIANITY.

.ג'ת' ספר ונחזה.—“Let us bring the book and see.”

(*Talmudic Saying.*)

AMONG those whom the Mishnah (*Synhedrin*, xi. 1) declares to have forfeited eternal life, the following are enumerated:—He who says that the Resurrection is not taught in the Torah; further, *he who affirms that the Torah does not come from God* (*min-ha-Shamayim*); also the Epikuros. This is immediately followed by, “R. Akiba says, He also who reads in strange books, and he who utters incantations over wounds” (literally “wound”). Although I am here only concerned with the assertion (*italicised in the text*) regarding the man *who denies the divine origin of the Torah*, I have cited the other dicta as well, because, from their being classed together, it is evident that, as regards their origin, they all belong to one and the same epoch. This can have been no other than the period which is marked on the one hand by the party divisions of the Sadducees, Pharisees and Essenes, and, on the other, by the birth of Christianity. The proof of this statement lies—apart from the impression produced by the collocation of instances—in the reference to the “Epikuros” and the “Strange Books.” Both conceptions point unequivocally to the period in question, and can only be comprehended in connection therewith.

If this view of the matter is kept in mind, then the assertion regarding the denial of the divine origin of the Torah has an interest attaching to that age, which I shall here endeavour to make clear. To this end it is necessary, in the first instance, accurately to define the above declaration, for, taken in the general terms in which it is enunciated, it suffers from a certain indistinctness that opens the door to the most diverse questions. What is to be understood by denial of the divine origin of the Torah? Is it that the Torah was not revealed by God, but is the work of man? This opinion is no doubt included in the statement of the Mishnah, but there is not the least justification for the assumption that in Jewish antiquity such an opinion had ever sprung up and spread so as to necessitate its resistance by the imposition of a penalty. All antiquity, including the Jews, was more inclined to refer extraordinary appearances, marvellous discoveries, teachings and writings, directly to the Deity than to contest the intervention of God in the development of the human race; and it would be an anachronism without parallel to believe that the divine origin of so extraordinary a book as the Torah had to be established by means of a law, and to be protected against the attacks of sceptics and unbelievers by threats of punishment. As a fact the contrary appears from the discussions in Sabb., 30*b*: it was easier to pronounce in favour of the divine origin of certain writings than successfully to deny such origin to others. It required no little trouble to finally establish the canon and exclude therefrom the numerous apocryphal writings, so readily were people disposed to acknowledge the divine origin of everything for which such a claim was put forth. Accordingly, the denial of the divine origin of the Torah, of which the Mishnah treats, cannot refer to the *contents*, but to the *letter* of the Torah. Its intention is to establish the divine authorship of the *text* of the Torah, and hence the denier of this claim is threatened with the loss of "eternal bliss." In this sense also the statement of the

Mishnah is explained by the Talmud (*Synhedrin*, 99a): He who asserts that the Torah is not from God, or denies the divine authorship of even *one single verse of the Torah*, and affirms that not God but Moses of his own accord pronounced it, is guilty of the transgression referred to in Num. xv. 31, and will incur the punishment of excision thereunto attached.<sup>1</sup> It is now no longer open to doubt that the dictum of the Mishnah has for its object to give a sanction to the verbal text of the Torah, and that on this account it condemns the denial of its divine origin as a sacrilegious act to be avenged by the loss of future bliss.

## II.

Herewith, however, the difficulty involved in that dictum is rather increased than removed. While, on the one hand, as I have shown, it was not rendered necessary by any denial of the divine character of the Torah itself, no such attempt ever having been made, there is, on the other hand, still less reason to believe that the divine origin of the wording of the Torah was even questioned. Had any such thing ever occurred, the inviolability of the text of the Torah would have had to be affirmed much more distinctly than has actually been the case,<sup>2</sup> and it is then hardly likely that people would have been content with a legal declaration of a purely eschatological character, such as the one under consideration or even with the whole Mishnah in which it is found. But *textual criticism*, especially biblical criticism, was unknown to the ancient Jews. This fact is not contradicted by the circumstance that the greatest importance was placed upon the

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<sup>1</sup> Maimonides הל' תשובה regards as a denier of the Law (כופר בתורה) whosoever says שאין התורה מעם ד' אפילו פסוק אחר אפילו תיבה אחת.

<sup>2</sup> The views of the Talmud on this point, mainly attached to our Mishnah, are collected in משפחת סופרים by Rosenfeld (Wilna, 1883), p. 6, *seq.*

preservation and propagation of the traditional text, and that even in ancient times a special department of study, the Soferic or Massoretic, dealt with these tasks. Such criticism as was in vogue did not proceed from any doubt as to the divine origin of the text, but rather presupposed it, and nothing but the piety springing from such belief renders the care bestowed on the biblical books explicable. Josephus expressly says (*Contra Ap.* i. 8), "What credit we give to these books is also well known. In all these ages past no one has been so bold as to add anything to them, or to take anything from them, or to change anything in them. But it is natural to all Jews immediately and from their birth to regard those books as the teachings of God, and to persist in them, and, if occasion be, to die for them. . . . Who among the Greeks would suffer the least harm for such a cause, or even for the loss of all their writings?" If according to this evidence hardly any doubt concerning the divine origin of the text of the Torah could ever have been entertained, then, as I have remarked, the dictum of our Mishnah is rather darkened than illumined by its Talmudic explanation, and it is clear that the key to the comprehension of both passages must lie in some definite motive which it is for us to discover, since only by this means can we hope to overcome the difficulties referred to.

### III.

Before, however, I undertake this task, I must draw attention to another circumstance which is closely connected with our inquiry. The use which both Talmud and Midrash make of the formula, "Read not thus, but thus" (. . . אל . . . אל תקרי) is well known. This formula, by means of which, for the purpose of supporting a particular opinion, a variant is proposed to the received reading, keeps the Bible text in a constant state of fluctuation, and the boldest conclusions of an arbitrary criticism do not touch the authenticity of the text in anything like the

same measure as does its frequent and capricious use. It will be said that in such cases no seriously-meant alteration of the text is intended ; and this is doubtless the case, though the suggestions introduced by that formula are at times as similar to the emendations of modern criticism as one pea is to another.<sup>1</sup> Indeed, there can be no question that many a critic of the present day, who, by his venturesome emendations, raises a storm in theology, might, in Talmudic times, have proposed the very same things without hesitation under cover of the formula. Be that as it may, we must at all events allow that its use even by way of Hagadic diversion or Halachic association, could not possibly have asserted itself to the extent it actually has done if every alteration of the text, however much it might commend itself and however lofty might be the object with which it was proposed, had been regarded as the grave sin which the dictum of our Mishnah and its Talmudic explanation declare it to be according to the view hitherto entertained. It is even reported that in the *Torah of Rabbi Meir* several variations upon the received reading had been found, presumably due to his own hand. Granted that these remarks were only intended as "humorous" <sup>2</sup> marginal notes, still such treatment of the Bible text—which, as the witty Frenchwoman observed of chess, was too serious for play, and too playful for a serious occupation—must occasion surprise, and all the more so, seeing that such a proceeding is in marked opposition with the severity with which our Mishnaic dictum and Talmudic explanation guard the text against all injury. Let us picture to ourselves what would be the result if, not in some comic journal, but in serious

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<sup>1</sup> Comp. *Sota* 11*b*, where, instead of עָרִי עֵרִים, it is proposed to read עָרִי עֵרִים, which R. Samuel Edels (*Chiddushe Hagadoth*) seems to take as a seriously meant interpretation of the text.

<sup>2</sup> In this way Graetz (*History of the Jews*, iv. 2, p. 469) understands the "letter changes" of R. Meir there cited. Comp. Rapoport, *Erech Millin*, p. 8.

writings, and with a good motive, the texts of ancient and modern classics were treated in the same manner as the Bible text is in Talmud and Midrash; what confusion would be certain to ensue in course of time, and what censure such license would call forth from all earnest-minded men. Out of this dilemma there is in my judgment only one way of escape, viz., the assumption that in antiquity, philological fidelity to the letter was unknown, and that men did not hesitate to sacrifice a letter here and there, when the object was to find a home in the Torah for some religious idea, and to shelter it under its sacred authority. This fact, which ought not to cause surprise, since the early students of Scripture were certainly lacking in a sense for etymology, and in a profounder appreciation of grammar, perhaps gave rise to the legend that when the first Tables of the Covenant were broken the letters flew into the air (*Pesachim*, 87*b*). Whatever view may be taken of the matter, so much is certain, that this legend could only have arisen and spread among those to whom the letter was no *rocher de bronze*. This circumstance also explains the occasional occurrence of inexact citations of Biblical passages in the Talmud (*B. Kam.*, 55*a*. *B. Bathra*, 113*a*, and *Toss. ibid.*). It has hence been inferred that many a Talmudic sage was but little conversant with the Bible (*Toss. ibid.*), an inference, however, which can hardly be sustained, seeing that searching the Scriptures formed the life's labour of the Talmudic doctors. Their minute acquaintance with the Bible text is made evident in almost every page of the Talmud. The truth is rather that they were not greatly concerned for the letter as such, and that in their *naïveté* they were free from that anxiety which fastens upon the letter of the Scripture, even the sages of the Tossaphistic age exercising a much freer and more unbiassed judgment, at least, in respect of the vowel signs, than later piety would have ventured to permit.<sup>1</sup>

<sup>1</sup> Comp. Rapoport in his preface to Freund's שורש דבר ומוצא דבר (Vienna, 1866), p. 7.

Now this state of things is only explicable on the assumption that our Mishnaic dictum, which, according to the explanation of the Talmud, gives especial authority to the letter, was never transmuted into the flesh and blood of the learned world, which circumstance, again, can only be accounted for on the supposition that the assertion of the Mishnah had in view a particular object which was based upon certain contemporary conditions, but which lost its significance in the altered relations of succeeding ages. Upon this object, however, the true light appears to be thrown from a quarter to which I shall now direct the attention of the reader.

#### IV.

In the second epistle to the Corinthians the Apostle obviously sets himself the task of proving the continuity of the old teaching and the new, or of deriving the latter from the former. One can understand the endeavour to find in the soil of the Old Testament the foundation for the teaching of Christ. Equally natural was it that such an endeavour should incur the charge of falsification. Now to attack an opponent has been from of old a mode of parading one's own innocence; on that account the Apostle levels from his side the charge of falsification against those from whom he had to expect the same accusation against himself. He designates the many (*οἱ πολλοί*), *i.e.*, the Jews, as corrupters of the word of God (ii. 17), and asserts of them that they do not understand the word of God at all, as "even unto this day, when Moses is read, a vail is upon their hearts" (iii. 15). But what guarantee does the Apostle offer for the accuracy of *his* conception of the divine word, *i.e.*, the Old Testament? It is contained in the sentence, "For the letter killeth, but the spirit giveth life" (iii. 6), to which the thesis is subsequently added, "Now the Lord is that Spirit; and where the Spirit of the Lord is, there is liberty" (iii. 17).



We have doubtless before us in these sentences the written precipitate of a mighty turmoil out of which the Pauline doctrine made its way to victory. If, however, we take these oft-quoted words in the simple sense that rightly belongs to them, they lose all point, and sink to the level of a commonplace, which certainly expresses a general truth, but which, on that very account, is not likely to have ever been contradicted. Does any one imagine that the idea that "the Lord is the Spirit" would have been combated by a Jewish contemporary of the Apostle? This can hardly be maintained, as it was chiefly because this same truth was so deeply rooted in the heart of the Jews, that the doctrine of the Incarnation encountered their opposition. But, further, the sentence "the letter killeth but the spirit giveth life" contains in its general sense nothing which would have been disputed by the Jewish contemporaries of the Apostle. This I think I have proved in the foregoing argument. We have seen that the Tannaim and the Amoraim used, as it were, to play ball with the letter of the Bible for the sake of the spirit, and I may here recall the Hagadah above referred to, that at the breaking of the Tables of the Covenant the letters flew into the air. What can this Hagadah mean, if any meaning is to be assigned to it at all, but that it is not the letter of the Bible but the spirit that is of value? I need not, in order to establish my contention that in Judaism undisputed precedence has at all times been accorded to the spirit over the letter, appeal to Hagadic utterances, the interpretation of which is a matter of individual taste. The history of biblical exegesis from the oldest times furnishes irrefutable proofs of this fact. How could the *jus talionis* (Exodus xxi. 24 *seq.*) have been set aside, how could the operations of the year of release (Deut. xv. 2) have been annulled, if the letter and not the spirit of the Torah had been clung to? This is also proved by the well-known traditional explanation of passages like Exodus xxi. 19, xxii. 1; Deut. xxii. 17, etc., all of which have reference to the administration

of justice, and on that account demanded the subjection of the letter to the spirit. If then these assertions of the Apostle do not in their general acceptation introduce anything which his Jewish contemporaries would not have freely conceded, one cannot understand the irritation which forces him to speak of the "vail of Moses" as of a bandage which prevents the eyes of the Jews from perceiving the truth, or the spirit of the word of God. This very irritation is an evidence, as is also the whole treatment of the subject in the Epistle to the Corinthians, that the Apostle's assertions are in no way intended to be taken in their general, purely doctrinal sense. As little do they bear this meaning as does our Mishnaic dictum which deprives of eternal bliss him who denies the divine origin of the verbal text of the Torah. The two declarations serve rather to mark the respective standpoints of two opposite parties in that conflict of opinion, which resulted in the separation of Christianity from Judaism; they can, therefore, only be explained by the light they mutually throw on each other, as I shall now endeavour to show.

V.

Where, in the New Testament, the person, life and teaching of Jesus are read into the Old, or are drawn out from it, it is by the employment of *symbolism and allegory* that this is accomplished, neither of which was foreign to Jewish modes of thought, the Hagadah itself making abundant use of both methods. The *הוּדָה דְכַתִּיב* of the latter (the formula which indicates that a Hagadic observation was based upon a Biblical passage), thus finds its New Testament equivalent in the *καθὼς γέγραπται* ("as it is written"), or *ἵνα πληρωθῆ* ("in order that it might be fulfilled"), by which phrases certain passages of the Bible are directly connected with events in the life of Jesus. This method of exegesis was, however, the more dangerous, as being

hallowed by tradition, and beloved by the people. There is likewise no doubt that many Hagadahs, with Christian colouring, were written down, and became the common property of the people, even as there is no room to doubt that these Hagadahs, which, at the present time form a constituent part of the New Testament, led directly to an opposition against the Hagadah itself in the world of Jewish learning. We are told of scholars who most severely condemned the writing down as well as the study of Hagadahs, and who boasted of never having looked into Hagadic books.<sup>1</sup> However this and similar statements may be explained, it is clear that they can all be referred, partly to the recognition of the danger in which the symbolism and allegory of the Hagadah involved Judaism by favouring the intrusion of Christianity, and partly to the arrangements designed to obviate this danger. It is surely not by mere accident that R. Akiba, who in our Mishnah denies future bliss to one who reads in *strange books*, did not devote himself to the Hagadah, and perhaps even condemned it (*Synhedrin*, 38b, 67b; *Chagigah*, 14a). Akiba, moreover, was certainly not the first to adopt this opinion, his utterance in the Mishnah appearing only as supplementary to the preceding remarks; but, as I shall show, his name stands as representative of that mode of regarding the Scriptures, by means of which the intrusion of Christian elements could best be guarded against, and which emphasized the *letter* as the foe of all symbolism and allegory. The two latter designate the *spirit* of which the apostle, in the Second Epistle to the Corinthians (iii. 6), says that God "hath made us able ministers of the New Testament, not of the letter, but of the spirit." We only need the juxtaposition of the Jewish Tanna and the Christian Apostle in order to perceive how much depends upon the accentuation of the spirit. The Apostle was concerned, not with the spirit of the Biblical text, but with the Christian

<sup>1</sup> Comp. Zunz, *Gottesdienstliche Vorträge*, p. 335, and Rapoport, *Erech Millin*, article הגדה, § 3, *seq.*

spirit, which was to be breathed into the Old Testament. But as this could only happen by adopting the Hagadic method of regarding the letter as something unstable and movable, the Jewish teachers felt themselves compelled to retain their hold upon the letter, *not for the sake of the letter, but for the sake of the spirit.*

Herein lies also the point of the Mishnaic declaration that he who asserts the Torah is not from God (*min-ha-Shamayim*), *i.e.*, that he who, while acknowledging the "spirit" of the Old Testament to be Divine, yet treats the letter as symbolic or allegoric in the interest of this "spirit," would be deprived of future bliss. A vital question for Judaism was involved, *viz.*, the purity of the Divine teaching, which could only be protected by the bulwark of the letter (*i.e.*, the literal sense of the word), from any admixture of foreign elements, and it is, therefore, comprehensible why he who threatened the very life of Judaism, was himself threatened with the loss of eternal life. It was the bulwark of the letter, or in the language of the Apostle, the "vail of Moses" which effectually warded off the invasion of Judaism by a foreign "spirit," and preserved the special characteristics of the old faith.

This explanation of the relation between spirit and letter, which, on the one hand, is represented by the Second Epistle to the Corinthians, and on the other by the Mishnah, corresponds in all respects with the doctrinal system of R. Akiba, which has rightly become of paramount influence in Judaism. R. Akiba is the exact antithesis of the Apostle Paul, and although he did not by way of opposition to the Apostle declare that the spirit kills and the letter gives life, he might well have done so, of course with the proviso that he had in his mind a "spirit" foreign to the Old Testament. For, that the sentence of the Apostle in its general sense, stripped of all notions due to religious party feeling, was accepted by R. Akiba as well as by Jewish tradition, has been, I think, convincingly

established. Although R. Akiba did not make the remark just suggested, nevertheless his whole doctrinal system is based upon the accentuation of the letter, and it is well known that a Midrash<sup>1</sup> having reference to this subject is assigned to him. This system is not only calculated to unite the oral with the written law, and to obtain rules for new juristic cases<sup>2</sup>—although it must be admitted that it has been abundantly and even excessively used in this direction—but it was founded in the first instance with the object of providing in the letter a bulwark against Christian symbolism and legend. To this object point also certain mystical utterances, such as (*Sabb.*, 89a) that God provided the letter with crowns, etc., as well as the saying frequently to be met with in later Jewish writings, that “Letters make wise,”<sup>3</sup> the origin of which, it must be admitted, cannot be traced in Jewish literature. But the evidences traceable in that literature, and our Mishnah above all, suffice to prove that in the history of the origin of Christianity it was the letter which was made to enter the field, for the spirit’s sake, against the spirit emphasised by Paul.

M. GÜDEMANN.

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<sup>1</sup> אֹתִיּוֹת דֵר' עֲקִיבָא

<sup>2</sup> Comp. Grätz, *History*, iv. 2, p. 56, *seq.*

<sup>3</sup> אֹתִיּוֹת מַחְכִּימוֹת Comp. Dukes' *Zur Rabbinischen Spruchkunde*, p. 91.