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Setting Boundaries: Early Medieval Reflections on Religious Toleration and Their Jewish Roots

Abstract: The history of toleration has no beginning. Tolerance and intolerance, the instincts to welcome and to exclude, have been practiced by each individual and every people. From its beginnings, Judaism regarded itself as the religion of a chosen people that drew lines of separation between itself and others (especially in the matter of purity) while also welcoming the stranger. Christianity and Islam acted similarly. This paper explores particular ways in which Judaism’s approach to the problem of tolerating those with whom it could not comfortably live a shared life influenced its daughter faiths, especially Christianity.

I.

In the early Middle Ages, Judaism, Christianity, and Islam all affirmed some form of the proposition that there is no compulsion in religion and that people have a right both to the public practice of their religion and to the formation of a shared community that embodies it. Indeed, many religious thinkers and legists would have agreed with Augustine’s reformulation of Cicero in the City of God (XIX, 24), where he defined a people as “a multitude of reasonable beings bound together by a common agreement as to the objects of their love.”¹ In other words, religion

¹ “Coetus multitudinis rationalis rerum quas diligit concordi communione sociatus.” This definition dictated different ways of formulating the question of religious toleration than those typically found from the seventeenth century onward. Alan Bray, The Friend (Chicago: University of Chicago Press, 2003), is a brilliant exposition of the differences between pre- and post-Lockean ideas of society, between building social life around friendship and building it around liberty.

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was to be viewed not simply as a matter of private practice, but rather as something that should create a shared, public life. Few societies, however, were so homogenous that “common agreement as to the objects of their love” could be assumed. Thus, the question of the relationship between the axiom that religious faith cannot be coerced and the axiom that religion, by its very nature, tends to form a shared community was inevitably centered on the place of the (religious) stranger within society.

In early medieval Europe, the imperative of religious fidelity played out both culturally and politically, against other considerations, which were generally of a prudential nature. This essay seeks to relate seriously to Jews, Christians, or Muslims who wished to affirm the exclusive nature of their faiths (as expressed, inter alia, through endogamous marriage, or through eating only with coreligionists). It considers the common belief that religion cannot be compelled and the resulting conundrum of how the life of the individual related to the values of each society. However, as we are most concerned here with the relationship between Judaism and Christianity, a definition of terms, and a prior word of caution, is in order.

When we speak of early medieval Christian dependence on Jewish precedent, we refer to knowledge of Jewish thought or practice that emanates from different types of sources. Such knowledge might have been gleaned from personal contact with Jews. Alternatively, we may be referring to information that a learned Christian, either a priest or a monk, might have obtained through participation in the liturgy or from reading the Old Testament, which he subsequently passed on to the laity. The most

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2 For background, see Israel Jacob Yuval, Two Nations in Your Womb: Perceptions of Jews and Christians in Late Antiquity and the Middle Ages, trans. Barbara Harshav and Jonathan Chipman (Berkeley: University of California Press, 2006).

likely source of information concerning various aspects of Judaism, however, was Christian tradition itself. The similarities between the faiths were often morphological. In other words, Christianity continued Jewish ideas or achieved similar intellectual or historical accommodations to problems already faced by Judaism. The study of the Old Testament had a marked efflorescence among Latin Christians in the early Middle Ages and was widely used both as a code of moral conduct and in early canon law.\(^4\) Leviticus and Deuteronomy in particular became central sources in dealing with problems of daily life. This use, in turn, was very significant, as it indicates that ancient Mediterranean Christianity’s reservations about Jewish ritual-purity legislation often fell away in the early Middle Ages.

Before the increased awareness of Judaism, ca. 1100, which was marked by intensive Christian study of the Hebraica veritas and an occasional rapprochement between individual Christian and Jewish thinkers, few Christians possessed an intimate knowledge of Judaism, and fewer still studied Judaism directly. Many, however, were touched by the Jewish moral/ritual code.\(^5\)

The learned Bede (d. 735) was something of an exception to the low Christian level of Jewish knowledge. In his historical and exegetical works, he invested a good deal of thought in trying to recreate things Jewish, such as the layout of the Temple in Jerusalem or the way in which, over time, early Christianity had separated from Judaism.\(^6\) In the ninth


century, Agobard of Lyons was, like Bede, an exception to this general pattern. His consuming anti-Judaism, which was more typical of the late than of the early Middle Ages, was marked by his familiarity with the Talmud and also with Toledot Yeshu, which for Christians was an offensive portrayal of Christ's life. This anti-Judaism was aimed at opposing various privileges the Carolingians had given Jews. Agobard wished the Jews to continue to live in isolation from Christian society. He also approved of coercing Jewish children into the Church, just a generation after Alcuin had tried to persuade Charlemagne to desist from his practice of converting pagan Saxons by the sword.

The tensions created by the desire to be a people both set apart from but also open to the stranger lay at the core of Jewish life, both before and after the advent of Christianity. We hardly need to cite the evidence. Israel was to be “a holy nation” and “a kingdom of priests,” different from other nations. The biblical law of the “beautiful captive woman” evokes many of these tensions. Deuteronomy 21:10–13 dictates:

> When you take the field against your enemies, and the Lord your God delivers them into your power, and you take some of them captive, and you see among the captives a beautiful woman and desire her and would take her to wife, you shall bring her into your house, and she shall trim her hair, pare her nails, and discard her captive’s garb. She shall spend a month’s time in your house lamenting her father and mother; after that you may come to her and possess her; and she shall be your wife.

For both Jewish and Christian writers, this passage was about preserving one’s own religious purity and distinctiveness while bringing something or someone into that tradition from the outside. True, a

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7 On Toledot Yeshu see Bredero, Christendom, pp. 286–287; and Morris Goldstein, Jesus in the Jewish Tradition (New York: Macmillan, 1950), pp. 147–166. Stow, Jewish Dogs, pp. 15–20, discusses Agobard of Lyons. There has been extensive debate (see n. 18 below) as to whether, in general, Jews had a more favorable place within Christian or Muslim society. See Glenn W. Olsen, “The Middle Ages in the History of Toleration: A Prolegomena,” Mediterranean Studies (forthcoming); and Kalman G. Bland, “Defending, Enjoying, and Regulating the Visual,” in Fine, Judaism, pp. 281–287 at p. 284. It is very difficult to generalize on this point because of the variety of attitudes found at various times and places.

8 Adele Berlin and Marc Zvi Brettler, eds., Michael Fishbane, consulting ed., The Jewish Study Bible (Oxford: Oxford University Press, 2004), p. 414. For purposes of the present study, there are no significant variations in the Vulgate text of this passage.

process of purification had to take place. In the end, however, one could either live with the non-Jew or make the foreigner one’s own. We might say that this sums up the Jewish experience of being simultaneously a people apart while, hopefully on God’s terms, being able to appropriate that which is foreign but desirable. Ivan J. Marcus provides an example of this dynamic from our period. In his study of the manner in which twelfth- and thirteenth-century German and French Jewish boys observed the festival of Shavuot (Pentecost), he freely acknowledges all of the ways in which a rite of passage, which was perceived to be ancient but was actually a medieval invention, depended upon surrounding Christian practices, in addition to Jewish sources. He calls copying of Christian mores that are then put to Jewish purposes to form Jewish identity “inward acculturation.”

Thus, upon closer examination, developments that we are tempted to describe simply as acculturation, that is, a religion taking on the forms of its surrounding culture, often emerge as a variation of the story of the “beautiful captive woman.” A religion can reshape elements extrinsic to itself in order to maintain its distinct identity.

II.

The very notion of Law in ancient Judaism denoted a form of life pleasing to God and distinguishing the Jews from surrounding peoples. Law posited the creation of a territory, or community, of purity in a world of impurity. Based upon a biblical passage of some importance for the history of Jewish political thought, the ancient Hebrew additionally understood himself, at least in some circumstances, to have received a divine mandate to take the offensive in war, including the slaughter of entire populations in order to take over their territories. According to Deuteronomy 20:10–18, a text of which Jews, Christians, and Muslims were aware, God told the Hebrews that in laying siege to a city of their enemies, they should first offer to make peace therewith. If this was accepted, the besieged should become the subjects of the Hebrews and pay


them tribute. If they refused, the city should be assaulted and its men- 
folk killed. If the city was close enough that the Jews could inhabit it 
themselves, they were to kill every living thing therein. 12 Texts such as 
these led medieval Christian polemicists to stress the contrast between 
Judaism, as a barbaric religion of violence, and Christianity, as a religion 
of peace. 13 These passages also prompted intense discussion among me-
dieval Jewish thinkers, who saw the need to justify the ancient Israelites’ possession of the land God had given them and their concomitant dis-
possession of others. 14 

There were various means of maintaining a life pleasing to God. To 
keep the community pure, 15 the prophets continuously called the people 
back to being set apart, to not mingling with other peoples. The biblical 
struggle against idolatry was an exercise in self-definition by the exclusion 
of seductive Others. 16 The attempt of the earliest Christians to selectively 
take over the mantle of Judaism—that is, to present themselves as the 
“true Jews” or the “true Israel”—only sharpened Jewish self-definition 
by adding a new and dangerous foe to the list of threatening Others. 17


15 Gaca, *Making of Fornication*, pp. 127–131, and see nn. 35 and 41 below. In Islam and Christianity, the sin of apostasy was punished with the death penalty.


In addition, Jews were not to marry outside of Judaism. This belief was taken up by St. Paul when he declared that Christians should marry only “in the Lord.” Neither group in any official way wished to mix with the other or, for that matter, any other. Thus, from the Christian side, medieval canon law reaffirmed the prohibition of intermarriage between Jew and Christian that is already found in the Theodosian Codex.

The very notion of purity, of being set apart, meant that any form of religion which took the idea of purity seriously was committed to some form of intolerance and exclusion. This point was unendingly repeated by Christians who also, in the spirit of the *Letter to Diognetus*, thought themselves to be, in some sense, a group set apart. In the same vein, a

and Christianity and the extended period that was required for the two to become differentiated, see the important essays in Adam H. Becker and Annette Yoshiko Reed, eds., *The Ways That Never Parted: Jews and Christians in Late Antiquity and the Early Middle Ages* (Tübingen: Mohr Siebeck, 2003). Even if we did not possess Bede’s account, we would know from Columbanus’ letters, around 600, that the protracted controversy about the dating of Easter, which the Irish celebrated on 14 Nisan, involved the question of “Judaizing.” See Clare Stancliffe, “Columbanus and the Gallic Bishops,” in Giles Constable and Michel Rouche, eds., *Auctoritas: Mélanges offerts à Olivier Guillot* (Paris: Presses de l’Université Paris-Sorbonne, 2006), pp. 205–215. For other Christian attempts to stop the commingling of Jew and Christian, as during Holy Week, and for further bibliography on the accusation of “Judaizing” in the early Middle Ages, see Meens, “Uses of the Old Testament,” pp. 71, 76–77. Ireland had no Jews, but in Gaul, where the bishops were trying to differentiate the two religions, it was thought best not to have Easter celebrated on the same day as Passover.

18 Gaca, *Making of Fornication*, esp. pp. 146–152, however, tends to exaggerations such as: “Paul... emphasizes that to make a religiously mixed marriage is the most dangerous transgression Christians can commit” (p. 171). The attitude of Islam to interfaith marriages is more complicated than that of Judaism and Christianity, and less negative. See Yohanan Friedmann, *Tolerance and Coercion in Islam: Interfaith Relations in the Muslim Tradition* (New York: Cambridge University Press, 2003), pp. 160–193. On the meaning of toleration in Islam and the variety of ways in which it was practiced, see pp. 1–12. Regarding compulsion in religion, see pp. 87–120. On the other hand, Robert Spencer, ed., *The Myth of Islamic Tolerance: How Islamic Law Treats Non-Muslims* (Amherst, N.Y.: Prometheus, 2005), though it sometimes shows the often oppressive reality of “dhimmitude” in the manner of Bat Ye’or, seems to suggest a Muslim ideal wherein there should be no “second-class status” for minority religions. This view, however, imports a modern understanding of toleration into the analysis, which, as I suggest in what follows, tends to work against any religion’s being able to maintain itself publicly. A related work is Andrew G. Bostom, ed., *The Legacy of Jihad: Islamic Holy War and the Fate of Non-Muslims* (Amherst, N.Y.: Prometheus, 2005).


20 According to the anonymous, late-second- or early-third-century *Letter to Diognetus*, 1, the Christians are a “new race,” and wherever they dwell they are sojourners and strangers (5). See *The Apostolic Fathers*, vol. 2, trans. Kirskopp Lake (Cambridge, Mass.: Harvard University Press, 1913), pp. 350–379. Augustine’s exposition, in the *City of God*, of the idea that Christians are always on pilgrimage is an expression of this.
full Jewish life could not include extensive contact with gentiles. Hence the talmudic prohibition of “oversociability with gentiles.”21 Similarly the Qur’an (5:51) warned: “Believers, take neither Jews nor Christians for your friends. They are friends with one another. Whoever of you seeks their friendship shall become one of their number.”22 Long before the segregation that was institutionalized in the ghettos of early modern European history, many Jews expressed a desire to live solely among their coreligionists. Thus, a fourteenth-century German Jewish will states that “My sons and my daughters should make every effort to live in Jewish communities, both for their own spiritual advantage and so that their sons and daughters will learn Jewish tradition.”23

All of the revealed religions had similar concerns in the Middle Ages—and long afterward.24 The anti-Jewish polemic that was undertaken by the Jewish authors of the books of the New Testament regarding the Messiah, or Islam’s later criticism of Jews and Christians for not accepting the additional revelation of the Prophet, helped the new religious communities to emerge and “define their turf.” As far as Judaism was concerned, the goal of both its medieval legal codes and its responsa literature was not

21 Remer, “Ha-Me’iri’s Theory,” p. 79.
22 Janina M. Safran, “Identity and Differentiation in Ninth-Century al-Andalus,” *Speculum* 76 (2001), pp. 573–598. While describing the concern that Muslims not be corrupted by contact with Jews or Christians, Safran also notes other statements in the Qur’an and Sunna that allow for coexistence, even intimacy (p. 583). See n. 31 below.
23 Quoted in Judith R. Baskin, “Women and Ritual Immersion in Medieval Ashkenaz: The Sexual Politics of Piety,” in Fine, *Judaism*, pp. 131–142 at p. 141. One late medieval Christian way of drawing boundaries, short of actually constructing a ghetto, was the placing of a *Judensau*, or Jew-pig, an image meant to disgust, on the doorways of churches and inns, or on the gates of cities, to indicate that Jews were not welcome. See Caroline Bynum, “The Presence of Objects: Medieval Anti-Judaism in Modern Germany,” *Common Knowledge* 10 (2004), pp. 1–32 at pp. 12–14. I thank Professor Bynum for bringing her article to my attention.
only to interpret earlier Jewish tradition, but also to arrive at binding decisions that would allow both the individual and the community to continue to practice a shared version of Judaism. 25

Religion, even for minorities, remained a public and communal practice, and all were concerned with the preservation of boundaries. All were nervous about allowing coreligionists to eat in the presence of members of another religion. 26 The very first, early-fourth-century Spanish Christian provincial council at Elvira stated that Christians who ate with Jews had to abstain from Communion and do penance. Some form of this injunction remained common. 27 The most important taboo, however, was sexual. All of these religions tried to establish firm boundaries in the matter of sexual relations. The worst transgression of all was interfaith sexual relations. 28 Indeed, the principal motivation for the decree of the


26 For the early Middle Ages, including sixth-century forced expulsion and conversion of Jews, see my colleague Isabel Moreira’s Dreams, Visions, and Spiritual Authority in Merovingian Gaul (Ithaca, N.Y.: Cornell University Press, 2000), pp. 100–103. For examples of early medieval Christian penitentials, see Rob Meens, “Pollution in the Early Middle Ages: The Case of the Food Regulations in Penitentials,” Early Medieval Europe 4 (1995), pp. 3–19 at pp. 15–17; and Meens, “Uses of the Old Testament,” p. 71. In the late Middle Ages, the particularly anti-Semitic Bernardino of Siena declared that “it is a mortal sin to drink or eat with Jews.” (Cf. Franco Mormando, The Preacher’s Demons [Chicago: University of Chicago Press, 1999], pp. 170–171.) None of this, however, is specifically Jewish or Christian. Genesis 43:32 relates that Egyptians would not eat with Hebrews.


28 Ruth Mazo Karras, Sexuality in Medieval Europe: Doing unto Others (New York: Routledge, 2005), p. 25. There is a growing scholarly literature on this subject. See David Nirenberg, Communities of Violence: Persecution of Minorities in the Middle Ages (Princeton: Princeton University Press, 1996). The book is valuable for Nirenberg’s comments on how toleration has been studied teleologically with the Holocaust in mind.
Fourth Lateran Council of 1215 that Jews wear a badge on their clothing was to prevent miscegenation.  

As with Christians and Muslims, medieval Jews had to negotiate between religious injunctions to offer hospitality and those aimed at preserving them as a people set apart. Interestingly, one of the debates within Islam today concerns how an infidel is to be greeted. For example, in Salafist Islam, a Muslim may not initiate a greeting but may respond. On the other hand, the Qur’an, referring to Christians as the “nearest in love” to Muslims, told the faithful:

Dispute not with the People of the Book [that is, Jews and Christians] save in the most courteous manner... and say, “We believe in what has been sent down to us and what has been sent down to you: our God and your God is one, and to him we have surrendered.”

As with all religions, there were many forms and degrees of practice among the Jews themselves. Nevertheless, the reality of an outsider living within a Jewish community was uniquely problematic. Moses Maimonides (1135–1204), the most eminent of medieval Jewish scholars and author of the Mishneh Torah, declared that should Jews obtain power in the Holy Land, “It is forbidden to tolerate idolaters in our midst.” This is not an isolated statement. The Mishneh Torah also states that if a city does not appoint

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32 Mishneh Torah, Laws of Idolatry 10:6, quoted in Remer, “Ha-Me’iri’s Theory,” p. 87 n. 26. For its context, see Kreisel, “Maimonides’ Political Philosophy.” I have been unable to see Revista española de filosofía medieval, 12, Maimónides (2005). Already in the ninth century Agobard of Lyons, whose anti-Judaism we have already noted (n. 7 above), articulated a Christian perspective in his ideal of juridical segregation between religions: “That holy city of Jerusalem, shining in the times of grace with innumerable crowds of monks, clerics, and other faithful persons, will not be subjected to Saracens; just as in other cities and regions, neither will Rome be subject to the Goths, a mixture of pagans and heretics, nor Italy to the Lombards.” See Agobard, “Adversus Legem Gundobadi,” trans. Abigail Firey, “Lawyers and Wisdom: The Use of the Bible in the Pseudo-Isidorian Forged Decretals,” in Celia Chazelle and Burton Van Name Edward, eds., The Study of the Bible in the Carolingian Era (Turnhout: Brepols, 2003), pp. 189–214 at p. 201. Presumably this passage shows that for Agobard the primary line is drawn between Christians and non-Christians. See also Stow, Jewish Dogs, pp. 15–20.
teachers of the Torah for the young, it is to be laid waste. Elsewhere, having stated that there is to be no coercion to convert to Judaism, Maimonides nonetheless maintains that “Moses was commanded by God to compel all people to accept the Commandments enjoined upon Noahides. Anyone who does not accept them is to be put to death.” Even though they do not go so far as to insist upon conversion to Judaism, but only acceptance of the Noahide laws, such statements may shock the modern reader. Indeed, they seem to have some parallel to the Almohade policy that though one did not have to convert to Islam, the alternative was death. This was the policy that had driven Maimonides himself out of Andalusia.

The problems involved in understanding Maimonidean statements such as these are formidable. Aviezer Ravitzky, referring especially to The Guide of the Perplexed, suggests that in considering the ideal human society Maimonides uses two distinct models. The first is political, or, as Ravitzky puts it, “the political realization of the Torah.” This model begins with physical security, which is a precondition for human perfection. It does not aim at the complete elimination of evil, but rather its taming, so that spiritual perfection may be attained. The second model is the reverse of the first. In it, physical security follows from the soul’s perfection. This second model is utopian and aims at the perfection of the entire human race, the return to man’s condition before the first sin.

Maimonides’ apparent granting of messianic significance to the material success of a king of Israel, in some texts, appears to be an example

35 For a translation of Ibn Al-Quifti’s description of this, see Joel L. Kraemer, “The Life of Moses Ben Maimon,” in Fine, Judaism, pp. 413–428 at p. 423. See p. 424 for the accusation that Maimonides had apostasized after converting to Islam. See also n. 42 below.
36 Aviezer Ravitzky, “‘To the Utmost Human Capacity’: Maimonides on the Days of the Messiah,” in Kraemer, Perspectives, pp. 221–256 at pp. 222–236.
37 Maimonides’ belief that the final perfection is “man’s return to his original stature” is closer to Greek Christian ideas of the last state being like the first than to Latin Christian ideas. See Glenn W. Olsen, “Problems with the Contrast Between Circular and Linear Views of Time in the Interpretation of Ancient and Early Medieval History,” Fides quaerens intellectum 1 (2001), pp. 41–65. Ravitzky apparently views the restorative impulse as a form of realism, which, in my opinion, it does not seem to be. Cf. Ravitzky, “To the Utmost,” pp. 232–236.
of the first model. In the passage from *Mishneh Torah* with which our discussion began, however, the two models merge and the messianic era becomes the political realization of the Torah, through the usual processes of war, struggle, and internal compulsion. According to Maimonides, the natural processes of the present world will continue in messianic times, but with Israel's sovereignty restored.

One may debate how “realistic” this vision is, and there is reason to suspect that it is actually utopian. It is, however, realistic when compared with Maimonides’ further hope for the salvation of all humans.\(^\text{38}\) Though his thought commonly had universal application, it was always centered on “Jewish law and the well-being of Jewish society.” He habitually looked forward to the messianic age, when the messiah-king would rule over a populace united in the worship of God.\(^\text{39}\) As with most Jews, and many Christians, the memory of the Temple and of Jerusalem lived on in his imagination, and he hoped for a return to the Holy Land.\(^\text{40}\) Thus, in those “passages which shock” he was simply following the logic of what was required for the creation of such a state of affairs, that is, to exclude anyone who did not properly acknowledge God.

Modern Christians, in turn, easily overlook the fact that if God’s plan of salvation as described in Ephesians 1:10 (“that he should bring everything together under Christ, as head, everything in the heavens and everything on earth”)\(^\text{41}\) has any practical historical implications, it moves in the direction not of tolerance but of intolerance. The Christian “day when all acknowledge God” is generally placed after history has

\(^{38}\) I have used the term “utopia,” because most Maimonidean scholars do so. I note, however, that, absent the political dimension of his words, there is some parallel between Maimonides’ hopes of universal salvation and those found in the Christian tradition. I am thinking of those of Origen or, recently, Hans Urs von Balthasar. See the latter’s *Dare We Hope “That All Men Be Saved”? With a Short Discourse on Hell* (San Francisco: Ignatius Press, 1988). For some idea of the range of messianic expectation in medieval Judaism, which often includes revenge, judgment, redemption, and the hope for the transformation of society, see Marc Michael Epstein, “Illustrating History and Illuminating Identity in the Art of the Passover Haggadah,” in Fine, *Judaism*, pp. 298–317 at pp. 313–317.

\(^{39}\) Kreisel, “Maimonides’ Political Philosophy,” p. 197. From the earlier literature on which Kreisel builds his analysis of Maimonides’ treatment of the king-messiah, see especially Amos Funkenstein, “Maimonides’ Political Theory and Realistic Messianism,” *Miscellanea Mediaevalia* 9 (1977), pp. 81–103 (this is a wonderful article, which nevertheless considers as politically possible things which seem to me utopian); Ravitzky, “To the Utmost,” pp. 221–256; and Blidstein, “Holy War,” p. 214.


\(^{41}\) Cf. Daniel 7:9–14. This passage is still the First Reading in the Roman Catholic mass for the Feast of the Transfiguration.
concluded and is viewed as being achieved not by war but by free as-
sent. Maimonides’ messianic kingdom, on the other hand, seems to occur
more or less in time, as it possesses both temporal and atemporal char-
acteristics. Each position, therefore, has difficulties specific to its own
formulation. Thus, Maimonides’ idea that, at the end, God “will be all in
all,” which Islam shares, is hardly a harbinger of toleration, as the word
is presently understood.

Maimonides, who left Córdoba and then Morocco in the face of
Muslim insistence that non-Muslims convert, go into exile, or be put to
death, seems to be saying that should Jews come to power, they too will
insist on a social order pleasing to God. But implicitly Maimonides holds
a less draconian form of this idea, insisting not that all be Jewish, only
that all accept Noahide law.42 (Perhaps some such thought, but in the
more unrelenting form of insistence on forced baptism, was in the minds
of those Crusaders who, in 1096, assaulted Jewish communities along the
Rhine.43 In the face of forced baptism, some Jews chose martyrdom [in-
cluding killing themselves or those dear to them].)44

that for a time Maimonides pretended to practice Islam (i.e., he was a crypto-Jew). See
pp. 415–416, regarding this charge as well as Maimonides’ own ideas on forced apostasy
and forced conversion. Concerning his overall position, Kreisel, “Maimonides’ Political
Philosophy,” pp. 213–214, concludes: “in effect, Maimonides turns every war waged by
a Jewish king into a holy war. He maintains that the inhabitants of all the conquered
areas, even outside the Land of Israel, are required to accept the Noahide laws on pain
of death. Maimonides subtly suggests that putting an end to idolatry should be the main
goal of every war of conquest. This stance is eerily reminiscent of the religious fanati-
cism of the Almohades, and he may well have been influenced by their ideology despite
the fact that he and many other Jews were its victims.” Cf. Blidstein, “Holy War.”

43 The distinction between anti-Judaism and anti-Semitism, in spite of strong criticism
from some quarters (see Stow, *Jewish Dogs*, pp. 204–205 n. 12), still seems useful in order
to distinguish between hostility to Judaism and an anti-Jewish hostility that is based spe-
cifically on racial theories. The origin of such theories is disputed. I note that Maimonides
seems to express a form thereof in *Mishneh Torah*, Laws of Forbidden Intercourse 19:17,
“If a person exhibits impudence, cruelty, or misanthropy, and never performs an act of
kindness, one should strongly suspect that he is of Gibeonite descent, since the distinctive
traits of Israel, the holy nation, are modesty, mercy, and loving kindness…. ” For the idea
that the atmosphere of the land of Israel makes people wise, see Ephraim Kanarfogel, “A

Companion*, p. 11, contains many assurances by various authors that this or that Jew,
while adopting the values of his surrounding culture, remained faithful to his Jewish her-
itage. Perhaps such a roseate view is explained by the preponderance of American authors
in these books. It is as though the Prophets had never lived. On the First Crusade, see
also Tuomas Heikkilä, “Pogroms of the First Crusade in Medieval Local Historiography:
The Death of Archbishop Eberhard of Trier and the Legitimation of the Pogroms,” in
In any case, Maimonides’ stance against living with “idolaters” shows a medieval thinker addressing the question of the place of an inassimilable minority within a religious state. While this problem is sometimes thought of as modern, it lay at the core of all Western religions from their inception.\textsuperscript{45} Maimonides stands at the end of the period studied in the present essay, and thus his influence on subsequent Christian thought lies beyond our purview. However, his reflections on living with “idolaters,” to the effect that such a minority has no place in the “best state” (i.e., the messianic kingdom), which is a problem dealt with by all of the religions discussed here, justifies his consideration.

At this juncture, it is appropriate to examine whether Maimonides’ exclusion of the idolater can, at least partially, be reconciled with statements in Mosaic law, such as: “The stranger who resides with you shall be to you as one of your citizens; you shall love him as yourself, for you were strangers in the land of Egypt” (Leviticus 19:34). On the one hand, Maimonides clearly thought that a stranger should be welcomed. Indeed, on several occasions, he discusses the status of non-Jewish resident aliens within a Jewish state. Since no such state existed in his day, he must have been speaking of the messianic age, which he apparently thought to be imminent, with the struggle between Christianity and Islam as its prelude.\textsuperscript{46} On the other hand, the argument can be made that his logic led him to the ineluctable conclusion that “there can be no Jewish national territory if idolaters are present; therefore they must be eliminated.”\textsuperscript{47} It is impossible to be certain about such interpretations, because Maimonides can be frustratingly vague. Clearly, for him Judaism is charged with the “universal triumph of its belief [monotheism], a triumph based in part on the use of physical force.”\textsuperscript{48} Yet what can such a charge involve?


\textsuperscript{48} Ibid., p. 215.
Must it not mean that the struggle for true belief begins on a historical plane but somehow passes beyond history into a messianic condition of universal monotheism, which has both historical and ahistorical characteristics? Force is needed to bring universal monotheism into being but, if interpreters such as Gerald Blidstein are right, does not characterize Maimonides’ “messianic age” per se.\textsuperscript{49} Interpreter after interpreter of Maimonides insists that his view of the messianic age is more normative than achieved and is firmly set within the framework of history. Yet how can this vision square with features such as the obsolescence of war?\textsuperscript{50}

If we ponder why there can be no idolaters in the messianic Jewish state, but possibly non-Jewish resident aliens, we need simply to consider the difference between the two. An idoler for Maimonides, as for St. Paul (Romans 1:20–25), is a polytheist. Presumably, a resident alien, so far as the present discussion is concerned, is to be a monotheist. Maimonides had reservations regarding both of Judaism’s daughter religions, especially Christianity. For him, the Christian doctrine of the Trinity could not be reconciled with a proper view of the unity of God.\textsuperscript{51} Yet he also thought that divine “cunning” had used these two faiths to bring the entire world to monotheism.\textsuperscript{52} Thus, a return to polytheism was simply not possible. In this sense, we may suggest that for him the defects of Islam and Christianity were nevertheless closer to a proper monotheism than they were to ancient polytheism. This thesis is borne out by the fact that a key criterion for being a resident alien is the observance of the Noahide laws. Therefore, since Maimonides maintains that a war to eliminate polytheism is justified, or even mandatory, he seems to be saying that while polytheism is beyond the pale, Muslims or Christians might be found in a Jewish state, though not as full citizens, so long as they observed all seven Noahide laws, accepting them not merely as dictated by “natural law” or reason, but as part of Mosaic revelation.\textsuperscript{53} This demand was something to which a Muslim or Christian could give his assent. The envisioned result seems, therefore, to have been a spiritual

\textsuperscript{49} Ibid., pp. 218–219.
\textsuperscript{50} Ravitzky considers the range of opinion on the nature of the messianic age (“To the Utmost”). See n. 62 below. Not to be impious, but a good deal of this sounds like Woodrow Wilson’s “war to end all war.”
\textsuperscript{51} See Funkenstein, “Realistic Messianism,” pp. 91 n. 35 and 94ff.
\textsuperscript{52} Ibid., p. 94.
\textsuperscript{53} Kraemer, “Life of Moses Maimonides,” pp. 212–213. Either Funkenstein’s reading in regard to the already existing conversion of the world to monotheism (n. 51 above) needs qualification, or Maimonides’ belief here that the battle against polytheism continues needs explanation.
environment that was sufficiently homogenous to allow for the full practice of Judaism, while not so conformist as to exclude the presence of the resident alien.

Medieval thought possessed unending variety, and one should not seek to impose too much uniformity upon it. However, one could say that this ideal was at least one that some thinkers in all of the religions under consideration understood. Politically, they wanted a public order that fostered their own, true religion, but not at the cost of eliminating any religion whose presence did not diametrically contradict the most important issue, monotheism. Their hope was to prevent the members of such faiths from exerting control over society; to keep them in a legal status that was less than full citizenship (something analogous to “dhimmitude”), but also in an atmosphere that was not without friendliness and charity.

Maimonides goes on to say that the resident alien must be treated kindly, and that where a Jew finds himself living among people who do not keep the Noahide laws, he must show charity toward them, as if they were Jews. In a controversial interpretation of Maimonides’ idea of holiness, Menachem Kellner has asserted that for him “Holiness… is a challenge, and not a gift.” This presents a useful perspective from which to view Maimonidean messianism in general, and specifically the possible presence of non-Jews in a Jewish state. If Maimonides understands the messianic age to be directed toward the future attainment of holiness, rather than as having already achieved it, much that is puzzling in his theory becomes clear.

Not to detract from his esteem, Maimonides was not a systematic thinker in the manner of thirteenth-century Christian scholastics, and he is not always an easy author to understand. One must have some sympathy for Leo Strauss’ much-berated interpretation of him as an esoteric writer who conceals his views from the common reader. Maimonides’

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54 Kellner, “Spiritual Life,” pp. 276. Cf. p. 293: “Holiness as an ethical challenge is thus addressed to all people, not to Jews alone. This, I think, sums up Maimonides’ conception of the messianic age.”

thought, esoteric or not, can sometimes strike one as undigested. However that may be, and whatever the apparent disjuncture between the various genres of Maimonides’ writings, his political theory is clearly set in both the Jewish and Greco-Roman (especially the Aristotelian) traditions. It ultimately aims at a goal that is simultaneously Jewish and Greek. It is not so much that he synthesized the two traditions, for, as Philo before him, his first commitment was to Judaism. Rather, he uses Greek thought in order to elicit ideas that he thinks are really present in Jewish tradition. He desires a political regime that establishes order and social harmony and protects life and property. That regime is established toward the end of fostering knowledge and the worship of God, while binding the people to their traditions and community. He lays great weight on the cultivation of correct ideas within the community, while, like Plato, he acknowledges that society will rest, to a significant degree, on convention and myth. As was true of virtually all ancient and medieval political thought, Maimonides maintained that the goal of government is to make men good, by aiding in their intellectual perfection. David Novak argues that in his jurisprudence Maimonides “extends the range of rabbinic or humanly made law beyond anything that had been done before.” This expansion, however, was a project of the age. Long before Maimonides, Christian canon lawyers, against received Germanic notions of customary law, promoted the place of reason and the concept of “newness” in the development of positive law.

Maimonides, who consistently thought in terms of the king-messiah, devoted the last book of Mishneh Torah, the Book of Judges, to a...
consideration of government, courts, and kingship and to the reborn sovereignty which would characterize the messianic age. Throughout his writings, but especially here, government is based on the Torah, and all authority flows from it. Maimonides’ single-mindedness stands in contrast to Christian thought. As many have observed, from the beginning, Christianity, as opposed to Judaism and Islam, had to come to terms with a culture that was already in place, namely, that of the Romans. As a result, Christianity is characterized by a political dualism that is not found in the other two great monotheistic religions. No Christian contemporary of Maimonides so unwaveringly bases his political thought on the Bible as Maimonides bases his on the Torah, in spite of his approval of much of Greek political thought. On the other hand, it could be argued that Christianity’s dualism is much more than political. This is because, especially in its Catholic form, it provided such a large place for the goods that Greco-Roman thought, especially the Stoic tradition of natural law, had discovered. Christianity, therefore, had to develop its visionary tendency within the awareness that whatever goes beyond nature cannot, \textit{prima facie}, undermine it.

Though Christian as well as Jewish political thought aims at attaining such ultimate virtues as peace and justice, the Augustinian sense of man’s defective nature permeated the Christian culture of Maimonides’ day. As a result, it stood in the way of expecting more than a modicum of justice and peace in this world. True, the Christian sense of what is possible in this world was slowly becoming more hopeful in Maimonides’

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62 Kreisel, “Maimonides’ Political Philosophy,” p. 204.

63 Kreisel, “Maimonides’ Political Philosophy;” and Steven Grosby, “The Biblical ‘Nation’ as a Problem for Philosophy,” \textit{Hebraic Political Studies} 1:1 (2005), pp. 7–23. Alfred L. Ivry, “The Toleration of Ethics and the Ethics of Toleration in Judaism and Islam,” in Brinner and Ricks, \textit{Studies in Islamic and Judaic Traditions}, vol. 1, pp. 167–184 at p. 168, observes that “Islam, like Judaism, was established as a realistic as well as visionary community.” This could be seen as a more generous way of describing what I have been calling the tension between realism and utopianism in a thinker like Maimonides, but only by not confronting the question of what check the “realistic” places on the “visionary.”
day. Nevertheless, despite the fact that when reciting the Lord’s Prayer
the Christian prayed that “thy kingdom come on earth as it is in heaven,”
Christianity, except for millenarian pockets, never entertained the idea of
refashioning society within the limits of time, in the way that Maimonides
seems to have envisioned.\textsuperscript{64} Though the Christian tended to hope “at the
end” for things similar to those for which the Jew prayed, for the most
part Christians did not think that within the bounds of time there could
be universal peace and acknowledgment of God, which are the central
characteristics of Maimonides’ messianic age.\textsuperscript{65} Under the theological vir-
tue of hope, Christians were bound to work and hope for these things,
but their pessimism was too deep to think that they would be fully re-
alized in any social or political form on this side of the \textit{eschaton}. The
Matthean “kingdom of God,” a kingdom ultimately not of this world,
began in time to the extent that humans obeyed God. It achieved its full-
ness, however, only on the other side of history.

There is, however, a persistent ambiguity on these issues so far as
Maimonides’ writings are concerned. In fact, he frequently expressed
some form of the idea that the messianic age will be characterized by
a significant degree of imperfection.\textsuperscript{66} Indeed, when he maintains that
even in the messianic era the law will fail to perfect the average Jew,

\textsuperscript{64} On Christian millenarian thought, which often bears a resemblance to Jewish
messianic thought, see Bernard McGinn et al., \textit{The Encyclopedia of Apocalypticism}, 3

\textsuperscript{65} Kreisel, “Maimonides’ Political Philosophy,” pp. 204–206, describes Maimonides’
position as “almost paradoxical” (p. 204), for he sees the prophet as best equipped to lead
society but tends in fact to limit the prophet’s power in favor of the king or Sanhedrin.
Kreisel writes that for Maimonides the messiah will “usher in a period of world peace
in which all nations acknowledge and worship the one God” (p. 206). (See the summary
of the characteristics of the messianic age as Maimonides envisaged it.) Karl Löwith,
\textit{Meaning in History} (Chicago: University of Chicago Press, 1949), pp. 33–51 at p. 44, fa-
mously linked Karl Marx’s historical views to the Jewish messianic tradition in this way:

\textit{The real driving force behind this conception is a transparent messianism which
has its unconscious root in Marx’s own being, even in his race. He was a Jew of
Old Testament stature, though an emancipated Jew of the nineteenth century who
felt strongly anti-religious and even anti-Semitic. It is the old Jewish messianism
and prophetism—unaltered by two thousand years of economic history…Though
perverted into secular prognostication, the \textit{Communist Manifesto} still retains the
basic features of a messianic faith: ‘the assurance of things to be hoped for’.

This passage is highly suggestive, but the reader who knows modern utopian thought
must be struck by Maimonides’ idea of an age in which a non-supernatural messiah-
king accomplishes things like establishing world peace.

\textsuperscript{66} Kreisel, “Maimonides’ Political Philosophy,” p. 207, speaking of pre-messianic
society, notes that “Maimonides is not very optimistic in how far Jewish law can go in
positively transforming its average practitioner” and argues that Maimonides sees the
law promoting social perfection “\textit{as much as possible} [Kreisel’s emphasis].” Cf. Novak,
Maimonides actually approaches the Christian conception. His thought thus wanders between utopia and history in a way that is very difficult to pin down. On the one hand, he is capable of making shrewd historical comments about how this or that aspect of society has developed over time. On the other hand, his assertion that Abraham was the paradigmatic philosopher, who brought forth a nation that was predicated on intellect rather than on myth, is very difficult to reconcile not simply with modern historical knowledge, but with the considerable pessimism that Maimonides himself expresses elsewhere about how difficult it is to perfect an entire people. This difficulty adds to the ambiguity of his picture of the messianic age:

The sages and prophets did not long for messianic times in order to rule the world and subjugate all the nations, and not to be exalted by the nations, and not to eat, drink, and be merry, but to engage in the divine Law and its wisdom without oppression or interference, in order that they merit the World to Come…. In this period there will be no hunger, war, envy, or rivalry, since goods will be found in great abundance, and delicacies will be as plentiful as the soil. The entire world will be devoted solely to the attainment of knowledge of God.67

Judaism, Christianity, and Islam have all been subject to two opposite impulses.68 On the one hand, there is the chiliastic impulse, wherein the eschaton breaks through to the present. On the other, there is the eschatological impulse, wherein the present anticipates the eschaton. The

“Jurisprudence,” p. 241 n. 16, who calls attention to Maimonides’ belief that all the commandments would be kept in the messianic regime, while the natural order would still exist: “The Messiah is not supernatural but only politically superlative.”

67 Mishneh Torah, Laws of Kings and Wars 12:4–5, cited in Kreisel, “Maimonides’ Political Philosophy,” p. 214. Kreisel, as a liberal, admits both the problematic character of Maimonides’ political thought and its faithfulness to an affirmation of absolute truths, with the classical goal of government educating its citizens toward the truth (pp. 215–218). See also Ravitzky, “Maimonides,” pp. 312–313, who perhaps places Maimonides’ “messianic utopia” more completely beyond history than does Maimonides. In the same volume, Seymour Feldman, “Maimonides—A Guide to Posterity,” multiplies the puzzles: Is the perfect man who experiences no evil in history or not? (pp. 326–327). If Maimonides does not believe in personal or individual immortality, then must the messianic age be wholly in time? (p. 327). If so, how can one account for its perfection? (A good case can be made, though, that Maimonides did believe in personal immortality. See Byron L. Sherwin, “Jews and the World to Come,” First Things 164 [2006], pp. 13–16.) Feldman’s discussion of Maimonides as Jewish scholastic (pp. 332–335) is interesting. However, if Aquinas is the telos here, it seems to me that Maimonides is closer to twelfth-century Christian pre-scholastic writers than to mid-thirteenth-century scholasticism.

68 I am using Karl Rahner’s distinction.
idea of a messianic age, however, presents a special case. Maimonides seems to conceive of this era as occurring in time. As a result, it requires the establishment of a government, including the use of force to control others. It is also, however, characterized by things that seem to lie beyond the possibilities of temporal existence, such as an entire community’s total fealty to the Law. Here the historical seems to stand cheek by jowl with the utopian. The result is that Maimonides must use force (e.g., for the exclusion of idolaters) in order to maintain the worship of God in the messianic age. We might say of Maimonides, as has recently been said of thirteenth-century Dominican inquisitors, that his goal was not the exclusion of any single person or group, but the inclusion of all “within God’s transcendent community.” The rub, though, is that this kind of an ideal “works” only if it is truly transcendent and powerless. That is, it is effective only if it is outside of time. If there is any temporal dimension, disagreement within the community will be inevitable. We can easily see the downside of wishing to include the use of force (whether in the form of an inquisition or of the exclusion of idolaters) against those who refuse to worship the Lord properly. While the modern liberal likely understands himself to be unwilling to practice such coercion, it was the common currency of those, in other times and places, who wished to maintain a shared public life. The upshot is that we might even be able to suggest a calculus wherein the more one sees ultimate goals, such as peace and harmony, as unattainable in time, the better one is situated to tolerate—in the original, Ciceronian sense, of “bearing with”—human vagaries. However, to the degree that one thinks these goals are attainable within history, one must be committed to the use of force to attain them. This is one irony of dreams such as “making the world safe for democracy.”

III.

In the English-speaking world, often as part of a Protestant or liberal narrative, the history of the idea and practice of intolerance often starts with Christianity’s arrival center-stage in the Roman world with the conversion of the emperor Constantine and the subsequent formation of

69 Christine Caldwell Ames, “Does Inquisition Belong to Religious History?” American Historical Review 110 (2005), pp. 11–37 at p. 24, tries to view the inquisitors as they understood themselves. She asks why we should view the Inquisition primarily under categories of power at all. I would think Ames would have to argue that, like the believer in the messianic age, the Dominicans wanted “eschatology now” and were to that extent involved in a power enterprise.

70 Olsen, “The Middle Ages,” studies the history of tolerare, starting with Cicero.
political Christendom. As stated, obvious candidates for precursors to Christianity in the practice of intolerance, such as Judaism, do not bulk large in these narratives. In the case of Judaism, this may be a result of a kind of post-Holocaust etiquette wherein some are reluctant to suggest that a people that has suffered so much over the course of history has itself practiced, and even justified, the very things that the modern liberal condemns in Catholicism.\footnote{Nirenberg, in Communities of Violence, pp. 4–9, is unrelenting in his criticism of the misuse of teleological views of Judaism ending in the Holocaust, and about the limitations of the “lachrymose” and “Jerusalem” schools of interpretation. Gregor Dallas, in 1945: The War That Never Ended (New Haven: Yale University Press, 2005), argues to the same point.}

In the conventional narrative of the origins of intolerance, it is late-fourth-century thinkers such as Athanasius, Ambrose, and Augustine who are seen as being the first theoreticians of a theory of tolerance and intolerance.\footnote{One may even find a lament over the manner in which Augustine’s thought hardened as he aged so that he “may be the first theorist of the Inquisition.” See Peter Brown, Augustine of Hippo: A Biography, rev. ed. (Berkeley: University of California Press, 2000), p. 236. Brown’s second thoughts, still based on liberal premises, are found in Brown, “The Limits of Intolerance,” in his Authority and the Sacred: Aspects of Christianization of the Roman World (Cambridge: Cambridge University Press, 1995), pp. 27–54. See also Carol Harrison, Augustine: Christian Truth and Fractured Humanity (Oxford: Oxford University Press, 2000), pp. 152–154. John von Heyking, Augustine and Politics as Longing in the World (Columbia, Mo.: University of Missouri Press, 2001), thinks Brown has provided insufficient background and context.}

The truth is, or so the argument goes, that no person or people has ever been free of intolerance, nor should we expect anyone to have been. Hence, the history of toleration has no beginning. The more that life is viewed as being about something less banal and empty than the desire of modern man for freedom of the individual, the more it reveals its true dimensions as tragic or dramatic rather than progressive.\footnote{Ingo Broer and Richard Schlüter, eds., Christentum und Toleranz (Darmstadt: Wissenschaftliche Buchgesellschaft, 1996), has one merit in that it emphasizes that the history of Christendom is simultaneously a history of tolerance and intolerance. Although the volume skips over the medieval epoch, it has four essays tracing tolerance from the biblical period through the age of Constantine.}

As noted, in the early Middle Ages the idea of tolerance was closely tied to the notion that there can be no compulsion in religion. It is commonly believed that in classical Athens (ca. fifth century) there was a regnant idea that the individual stood out from his defining social context and, especially compared with the heroic age, was understood to be responsible for his choices. Though the ancient Greek and Jewish experiences had been quite different, a certain sense of the individual vis-à-vis the group had also developed in Judaism, especially as a result
of the Babylonian captivity. Prior to the exile, God had declared to the House of Israel, through the prophet Amos, that if justice were to flow, he must be sought not in vulnerable sanctuaries, but in himself. Implicit in this assertion is the idea that, whatever the communal context, the individual has a response to make to God, and this response involves choice. Christianity continued, and in its monastic form deepened, this perception of the individual who needs to speak for himself in God’s presence.

Augustine’s older contemporary, Athanasius (ca. 296–373), one who stood contra mundum and was intimately acquainted with persecution and suffering, wrote of his certitude that a person confident of his beliefs would not force them on the unwilling. This in contrast to the Devil, who was the source of persecution and who, since he lacked truth, forced himself on others:

> our Savior is so gentle that he teaches thus, “If any man wills to come after me,” and “Whoever wills to be my disciple”; and coming to each he does not force them, but knocks at the door and says, ‘Open unto me...’; and if they open to him, he enters in, but if they delay and will not, he departs from them. For the truth is not preached with swords or with darts, or by means of soldiers, but by persuasion and counsel.

When Athanasius wrote these words, Christianity was not yet the official religion of the Roman Empire, and Ambrose had not yet argued against Symmachus’ plea for the toleration of “paganism,” in the incident of the Altar of Victory. In other words, the story was soon to be considerably complicated. However, Athanasius’ view, at least in some generic form that insisted that religion by its very nature rested upon choice, was never lost, and is found in each of the religions of the Book.

Augustine himself knew that humans were at once free and not free. Though fascinated by the question of free will, he understood the ways in which no person can be free. He knew that, in considerable measure, he was a Christian not because he had made some free and unfettered choice, but because his mother had nagged him in every way possible. Still, when he came to consider the theme of tolerance, his instincts were all on the side of allowing each individual the final say as to which road he would take:

74 Amos 5:4–5, 21–23.

It seemed to certain of the brethren, of whom I was one, that although the madness of the Donatists was raging in every direction, yet we should not ask of the emperors to ordain that heresy should absolutely cease to be, by sanctioning a punishment on all who wished to live in it; but that they should rather content themselves with ordaining that those who either preached the Catholic truth with their voice, or established it by their study, should no longer be exposed to the furious violence of the heretics.76

Only reluctantly, as a bishop facing the unremitting hostility of the Donatists, who endangered any Catholic priest on the roads, did Augustine finally agree to an active assault on the Donatists by the state.77 His first impulse had been that the state was only to protect peaceful persons from attack, which was one possible understanding of toleration. He eventually invoked persecution, reluctantly, in an apparently intractable situation.

If the Third Council of Toledo (589) permitted the forced conversion of Jews, medieval canon law and theology forbade forced conversion.78 True, the situation of minorities could change quickly, usually according to political circumstances. Similarly, the perceived need of the majority community to preserve itself sometimes fluctuated over relatively short periods, as evidenced by the aforenoted history of Visigothic Spain. Thus, the permission for forced conversion that was granted by the Third Council of Toledo crystallized against a backdrop of apocalyptic agitation that resulted in a desire for “collective purity” and a return to religious unity.79 Thus, various practices that fall short of forced conversion, but


77 Jill Harries, in *Law and Empire in Late Antiquity* (Cambridge: Cambridge University Press, 1999), pp. 148–149, describes an incident in which a gang of Donatists had murdered two Catholic priests. In response, Augustine rejected retaliation and advocated mercy and magnanimity toward his enemies, while urging that any punishment administered by the state should be aimed at reform.


which make us moderns wince, also occurred. For example, some considered it within the bounds of acceptability to force Jews to attend Christian sermons, in order to secure their conversion.

Just a few years after the Third Council of Toledo, Pope Gregory I (590–604) explicitly opposed the use of coercion in the conversion of Jews. Twenty-five years later, the Qur’an declared, “There is no compulsion in religion.”  

A little later, Bede, describing Augustine of Canterbury’s mission to England and the conversion of King Ethelbert, with its attendant wave of conversions, noted: “…the king, although he rejoiced at their conversion and their faith, compelled no one to accept Christianity, though nonetheless he showed greater affection for believers since they were his fellow citizens in the kingdom of heaven.”  

Whatever the degree of compulsion endemic to tribal society that peeks out of this text, Bede clearly understood that there was to be no compulsion in religion. When Alcuin, in the ninth century, condemned Charlemagne’s conversion of the Saxons by the sword, he showed that he, too, grasped the heart of Athanasius’ point.  

In the 1140s, an unknown Mozarabic (i.e., Arabic-speaking) Christian priest in Spain argued for the superiority of Christianity over Islam:

the religion of the cross has spread throughout the earth without the sword and without coercion. But your religion triumphed by the sword and coercion on the earth. And the author of your way fought nations and conquered them…. And the Arabs entered our cities and uprooted our abodes…. The Messiah son of Mary, on

pp. 77–110 at p. 82; and Wolfram Drews, The Unknown Neighbour: The Jew in the Thought of Isidore of Seville (Leiden: Brill, 2006).

80 Sura 2:256. See S. Katz, “Pope Gregory the Great and the Jews,” Jewish Quarterly Review n.s. 24 (1933), pp. 113–136, and the further bibliography found in Bredero, Christendom, p. 276 n. 5. The sura cited is that which was quoted by Pope Benedict XVI in his lecture on “Faith, Reason, and the University: Memories and Reflections,” Regensburg, September 12, 2006, and which subsequently caused considerable uproar. What was remarkable about that lecture was the pope’s indirect suggestion that the Qur’an contains incompatible ideas about the religious use of violence. It is this point which lies behind his explanation of the difference between Manuel II Paleologus’ understanding that even God must abide by reason and the Islamic understanding of transcendence, in which God’s will is not bound to any human category, including reason.


the other hand, came humbly and in weakness and did not fight anyone.83

As much as it was part of an inter-religious polemic, and possibly part of a Reconquista ideology, this statement shows the persistence of Augustinian and Athanasian views. When, in the mid-thirteenth century, Jaime the Conqueror wrested eastern Spain from the Muslims, the instrument of surrender for one set of Muslim villages specified: “Nor may they [the Christians] forbid preaching in the mosques or prayer being made on Fridays and on their feasts…; but they [the Muslims] are to carry on according to their religion. And they can teach students the Qur’an and all the books of the hadith; and the mosque endowments are to belong to the mosques.”84

My point in providing examples of the continuing Christian belief that religion should not be forced upon others is that, as a formal principle, this was rarely in question. Yet there were always boundaries to be defended. For example, a recent study has shown that in the late Roman world a kiss could be used to set boundaries. Thus, in the fourth and fifth centuries, the “exclusive kiss” was used to differentiate “us” from “them,” viz. to exclude pagans or to differentiate between Christians and Jews. Ambrose, speaking figuratively, wrote that the Jews do not have a kiss. By this he meant that they cannot kiss, because they do not love.85 On the other hand, if medieval Ashkenazic Jews preferred to resolve business disputes and adjudicate legal transactions in Jewish courts, this sentiment was not very different from St. Paul’s desire that the Christians of his day not turn to Roman law, but rather resolve disputes among themselves.86 Aspiring to boundaries and identity was common to all, and, to the degree possible within the legal constraints set by Christian or Muslim authorities, the medieval Jewish ideal was self-government based on halacha, which was administered by rabbinic judges.87


87 Ibid., p. 16.
Initially, Christians had been in a situation similar to that of the Jews. Over time, especially in the wake of Constantine's conversion, the situation of the two religions diverged dramatically. Under Constantine and his successors, Christians were no longer constrained to settle disputes among themselves privately. After the official proclamation in 380 that the Roman Empire was Christian, Christians could dictate the terms by which minorities could live in their lands. The same would be true of Muslims, in the areas under their control. However, long before these had achieved this position, Jews had lost the possibility of sovereign self-government and had to be content with arrangements such as those found in Andalusia, where a prominent Jew represented the Jewish community to the Caliphal, princely, or royal court. Considering the aforementioned parallels, we have no reason to expect more Jewish thought regarding political theory prior to the founding of the State of Israel than we find in pre-Constantine Christianity. Indeed it is easy to view the messianic expectation of someone like Maimonides as representing a “hope against hope” and to thereby explain the difficulties it raises. However, in spite of all the questions one may raise about its clarity, it is still remarkable that, in his specific historical context, Maimonides wrote as much about politics as he did. He, who saw the philosopher or king as bringing to bear on everyday life the conclusions of philosophy, viewed the judicial tasks he himself performed for the Jews in Egypt, in particular, as imitating—and as such extending—God's governance of the universe. It is thus likely that he would have agreed with those Christian writers who recommended similar imitation of God's rule to their monarchs.

IV.

The emphasis in this paper has been on the ways in which Christianity and Islam dealt with problems of exclusion and inclusion that they inherited from Judaism. Of course, influences ran in every direction, and medieval Jewish experience is unintelligible without an understanding of

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88 Davidson, Moses Maimonides, pp. 35–64, esp. 54–65, convincingly argues against the idea that Maimonides was ever “head of the Jews in Egypt.”

the myriad ways in which it was influenced by its surrounding cultures, whether Islamic or Christian. Jews commonly lived in close enough proximity to their Christian neighbors for both sides to engage in an ongoing encounter with each other’s cultures, which led to the acceptance and rejection of aspects thereof. A famous example of this is Rabbenu Gershom’s (ca. 960–1028) decree banning polygamy among the Jews of German and nearby lands. Christian missionaries and clergy had fought a protracted and, when all is said and done, surprisingly successful war against native German polygamy and polygyny. And, though Jews might still have practiced polygamy elsewhere, it was increasingly out of the question for a European minority population to do so.

Sometimes, it is difficult to decide in which direction the influences ran stronger, from Christianity to Judaism, or from Judaism to Christianity. As we have noted, it has long been known that in the early Middle Ages Christian exegetes focused their studies on the Old Testament, and many of their ideas concerning purity were based on the Torah. Less known is the profound influence that Christian penitential practice had on Judaism, especially among the adherents of twelfth-century German Pietism (Hasidut Ashkenaz). Here again the boundaries between the religions were especially marked by concern with matters sexual. Sefer Hasidim, the central text of the Jewish Pietists, states that if a man has had intercourse with a gentile, he is to fast three days and nights a year for three years or over the course of one year. The Christian echoes here are easily discerned.

One advocating an Enlightenment point of view might suggest that, in the end, arguments about boundaries and about defining one’s common or public life should have ended in an agreement to disagree. However,

91 Ibid., p. 13.
92 Fine, “Introduction,” p. 15; and Glenn W. Olsen, “Marriage in Barbarian Kingdom and Christian Court: Fifth Through Eleventh Centuries,” in Olsen, ed., Christian Marriage: A Historical Study (New York: Herder and Herder, 2001), pp. 163–165, 169–171. To this may be added Michel Rouche, “Le mariage, la loi civile et la loi religieuse dans les capitulaires de Carloman et Pépin le Bref (742–757),” in Constable and Rouche, Auctoritas, pp. 231–240. Fine tends to be upbeat, telling us that “Jews always preserved their identity as a minority community in the lands in which they lived” (p. 15), and “The vast majority of ritual practice [in rabbinic Judaism] was essentially the same from one place to the next” (p. 16), without mentioning any of the surviving complaints of Jewish travelers about the unsatisfactory Judaism found in this or that place. Abraham Grossman, Pious and Rebellious: Jewish Women in Medieval Europe (Hanover, N.H.: University Press of New England, 2004), provides a good idea of the diversity found in medieval Judaism.
the fact of the matter is that the more central the substance of such quarrels was to one’s self-understanding, it was that much less likely for any agreement to value tranquility above all else to obtain. The liberal, or modern, solution—which was introduced in its initial form in the time of Erasmus, was confronted in Thomas More’s withering examination of religious latitudinarianism in *Utopia*, and was then expressed in an “articles of peace” reading of the American founding documents—was not yet the self-evident road to be taken. Indeed, David Nirenberg’s brilliant, post-Enlightenment analysis of late medieval Spain sheds more light on medieval life in general and on the question of boundaries than all of the regnant narratives of human progress put together. Nirenberg emphasizes that there never was a Golden Age of peaceful coexistence between religions or social groups in Spain or, by implication, anywhere else in the European Middle Ages. Coexistence was partially predicated on violence and, according to Nirenberg, one of the great mistakes of modern liberal thought, itself utopian in its *telos*, has been to view such violence only negatively. Nirenberg does not praise violence *per se*. He does, however, acknowledge that where different religions or worldviews coexist in close proximity, there will always be a substratum of violence or, at least, unease. A certain amount of hostility is the price one pays for human association, for social life. Humans are always caught between their desires to exclude and to include. In the words of a popular song, “You can’t have one without the other.”

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96 Judith Lieu, “Self-Definition Vis-à-Vis the Jewish Matrix,” in Margaret M. Mitchell and Frances M. Young, eds., *The Cambridge History of Christianity: Origins to Constantine* (Cambridge: Cambridge University Press, 2006), p. 215: “Too often, ancient pluralism has been supposed to generate mutual toleration, a view that neither modern experience nor ancient examples, such as the community of the Dead Sea Scrolls, support.”