**Women and Gentiles:**

"… Speaking generally, how feeble are their intellects!" (*Guide* iii.27)

Women and gentiles essentially represent the “other” in Maimonides’ thought. His works – which were written in Judeo-Arabic or Hebrew – were certainly not addressed to gentiles. It would seem that they were also not addressed to Jewish women. This is evident from his frequent use of the term “man” (or 'ns'n), referring only to the Jewish man; e.g., “A man should first study the Law and then take a wife” (*Code of Law, Study of the law* i.5), “similarly, it is permitted for a man to rent his vineyard to a gentile” (*Code of Law, Sabbath* vi.14), “when a man (in the original: 'ns'n) is married to a woman” (*Guide* iii.49).

We will open this discussion with a certain reservation: The status of women and gentiles in Maimonides’ thought is not necessarily exclusively the product of his personal perspective. In light of the fact that he considered himself as being bound by the Jewish tradition, especially its system of commandments; their status is already established to a large degree in the Law, which he considered himself bound by. Therefore, the analysis below cannot rely on those laws cited in his writings which are not the product of his independent ruling. However, it is possible to draw inferences as to his weltanschauung from the reasoning which he provides for these laws.

E.g., it is possible to relate to his ruling that only a Jewish man may be crowned as king or appointed to a position of authority:

5. One may not appoint someone as king… unless his mother is a Jew; as it states: “You may not place upon you a gentile, who is not your brother” (Deuteronomy 17:15). This not only pertains to royalty, but also to all forms of Jewish authority… even one placed in charge of the aqueduct from which water is distributed to the fields. Needless to say, a judge or prince may only be a Jew; as it states: “from the midst of your brethren shall you place a king upon you” (ibid.) – in the case of all appointments placed upon yourselves, it may only be “from the midst of your brethren.”

6. A woman may not be appointed as royalty, as it states “king” (ibid.) – and not a “queen.” Similarly, in the case of all Jewish appointments, one may only appoint a man. And one may not appoint as king or High Priest, a bloodletter, a barber, bathhouse attendant or a tanner. This is not because they are unfit; but, rather, since they have a base occupation, the people will always disparage them… (*Code of Law, Kings,* chap. i).

Maimonides counted the prohibition against appointing a king who is not of Jewish extraction among the 613 commandments having a biblical source. He provides the rationale for this prohibition in his work, *The Guide for the Perplexed*: “For no individual has ever been the chief of a nation to whose race he did not belong, without doing it great or small injury,” (*Guide* iii.50) as Maimonides assumes that there is a sort of human compassion which is rooted in blood relations (*Guide* iii.41). In other words, there is no claim here of the inferiority of non-Jews. Rather, the issue is that they are foreigners. In principle, Maimonides ought to justify the non-appointment of a Jew to a position of authority in another nation.

As was mentioned, Maimonides also rules that one may not appoint a woman to a position of authority, albeit he does not count this prohibition among the 613 commandments. One might be able to deduce the explanation for this from the rationale for the prohibition against other appointments, mentioned in the continuation in the text cited above: “not because they are unfit; but, rather… the people will always disparage them.” Among the general public, the status of women is inferior, whether Maimonides views this as justified or not. This perspective is apparently also the basis for Maimonides’ ruling that “A woman may not read the Torah publicly, because of the honor of the community” (*Code of Law, Prayer* xii.17). It is clear that this can also refer to the attitude of the congregation in that time and place; as Maimonides presents it this way in his responsum to a question concerning the prohibition against reading from the Torah in the synagogue using a scroll of a single book of the Pentateuch, rather than from a proper Torah scroll (*Code of Law, Prayer* xii.23). In this responsum (294), he clarifies that the phrase “the honor of the community” reflects a rationale which is not innate; and presents a historical precedent for ignoring it, when a congregation read publicly and with a blessing from Torah scrolls which were not properly processed: “And the westerners relied on this inference… and no one ever raised an objection, as they were all wise, and their wisdom was level-headed and accurate, and they knew that the blessing was not contingent on the scroll… but, rather on the reading itself.” In other words, since the general public believed that it is more dignified to read from a Torah scroll made properly of parchment, the practice was established that it is preferable to act in accordance with “the honor of the community.” However, this is not a substantive obligation of Jewish law. For obvious reasons, we will not deal with the practical ramifications of the question of whether the laws instituted concerning the status of women because of “the honor of the community” are – according to Maimonides – also contingent on time and place.

For it is reasonable to assume that the scientific and social perspectives of his time – especially those concerning the characteristics of women – did not fail to influence Maimonides’ thought; and one should not underestimate their impact, whether to a greater or lesser degree. The status of women relative to men, is expressed by a metaphor, which Maimonides attributes to Plato, which utilizes a comparison to matter and form-idea. Given that matter is the source of all deficiency, including all evil which afflicts the world, in contrast to human form which is the divine image and the source of immortality; this clearly expresses the inferiority of women relative to men. Identifying with the platonic source, Maimonides incorporates allegorical interpretations of biblical texts: Eve, alongside the serpent, caused Adam’s passions to control him; thereby, preventing him from attaining perfection. Also, the description of the ideal woman alongside the prostitute in Proverbs represents the ultimate matter which is subservient to the form, in contrast to the inferior matter which controls and subjugates. Alongside this influence of Greek philosophy, to a certain degree, one can distinguish his position by means of comparison with other Jewish thinkers close to his time; as they, too, accepted the authoritative religious tradition, and also were subject to the influence of the scientific and social viewpoints of the time.

The concern here is establishing the status of the “other” – women and gentiles – relative to Jewish men; and only to a minor degree, and tangentially, what the appropriate way to relate to them is. There is reason to distinguish between a claim of inferiority expressed by differentiating between superhuman and human and between human and subhuman. Although both are detrimental to universal equality, the ramifications for the personal status of the inferior is different. The inferior status of the “other” may cause discrimination and painful injury, but not necessarily. A paternalistic relationship may be loving, especially when the “other” is a woman. It may express compassion – when the woman or gentile is perceived as emotional and suffering. It may even be caring – when the inferior serves as a life partner or an essential worker. On the other hand, the relationship may be hostile when the gentile is a member of an enemy population or another religion.

In order to illustrate what can follow from Maimonides’ thought, it is useful to cite an extreme example which he brings, in which the gentile and woman converge in one individual (a gentile woman). Apparently, he was not compelled here by a binding source in Jewish Law.

If, by contrast, a Jewish male enters into relations with a gentile woman, when he does so intentionally, she should be executed. She is executed because she caused a Jew to be involved in an unseemly transgression, as [is the law with regard to] an animal. [This applies regardless of] whether the gentile women was a minor of three years of age, or an adult, whether she was single or married. And it applies even if [the Jew] was a minor of nine years old, [she is executed]. (*Code of Law, Prohibited relations* xii.8)

In this context, the life of the gentile woman has no innate worth as a human being. She is to be executed if she is a stumbling-block (“because she caused a Jew to be involved in an unseemly transgression”). Even so, in order to reach meaningful conclusions concerning this issue, one must examine the components of the example which was cited. Is the gentile woman defined as an “animal” in relationship to a Jew because she is a woman, because she is a gentile or only because she is both? Perhaps (as it will, in fact, turn out) in this context there is yet another component, besides these two categorizations?

Nonetheless, it is possible to assume to some degree, based on this citation, that according to Maimonides, not every mortal is considered to be a human being in every respect. Indeed, in his philosophical work, *The Guide for the Perplexed*, it is possible to find characterizations of mortals who are of the nature of:

“…Is not a man, but an animal having the shape and configuration of men” (*Guide* i.7).

“The status of those is like that of irrational animals” (*Guide* iii.51).

Attaining “the true human form,” which is by way of “human perfection,” is achieved by study. The pinnacle of this study is knowledge of God, within man’s ability. This is acquired by means of a progression of knowlege, with metaphysics at the pinnacle.

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Therefore, the question arises: Is there anything which fundamentally blocks a person’s ability to acquire the necessary education; and if so, is there a relationship between it and that person being a woman or gentile? In fact, in one of the chapters of *The Guide for the Perplexed*, Maimonides describes a congenital obstruction which absolutely prevents a person from acquiring the necessary knowledge:

For it has been explained, or rather demonstrated, that moral virtues are I mean perfect rationality – unless it be by a man thoroughly trained with respect to his morals and to endowed with the qualities of tranquility and quiet. There are moreover, many people who have received from their first natural disposition a complexion of temperament with which perfection is in no way compatible. Such is the case of one whose heart is naturally exceeding hot… This is also the case of one whose testicles have a hot and humid temperament… Similarly you can find among people rash and reckless folk… Perfection can never be perceived in such people… (Guidei.34).

In this context, the necessary knowledge is metaphysics. Physical aspects can prevent a person from achieving this accomplishment, even if they only affect his character, and do not directly harm his ability to learn. However, since a tranquil disposition is a prerequisite for learning, a hot and extremely reckless temperament which is uncontrollable does not allow a person afflicted in this way to attain his desired goal.

However, it should be noted that the perspective presented here is inconsistent with the claim that every person is capable of attaining human perfection, if he tries to the best of his ability. Maimonides made this claim in his introduction to M. Avot: “It is possible for [a person] to be born initially suited by his nature for excellence or deficiency… there is only propensity by virtue of temperament… such that it is somewhat easier for him. In no way is any action compelled or prevented.” The example presented in this context is also fundamentally different than those presented in *The Guide for the Perplexed*:

… that a person’s temperament tends more towards dryness, and the essence of his brain is pure and his moistures are few. It is easier for such a person to remember and to understand matters, than it is for a person controlled by white liquid, and whose brain contains many liquids… if one teaches a person whose nature is coarse and who possesses many liquids, and explains to him, he will learn and understand, but only with difficulty and through great effort.

Here, the physical trait does not affect the person’s character; rather, it directly affects his ability to learn. According to the accepted perspective of that time, a woman’s temperament is colder and moister than a man’s. Maimonides mentions this both in *Medical Aphorisms* xxv.29 and in his *Commentary on the Mishna, Yoma* viii.4. This moisture interferes with her ability to understand and to remember; however, it is possible to overcome this by means of greater effort.

In another context, Maimonides characterized women’s natures extremely passionately, and even more negatively than this: “How quickly they are affected and, speaking generally, how feeble are their intellects” (*Guide* iii.37). In general: “For a female in all species is more defective than the male” (*Guide* iii.46). Even so, Maimonides did not characterize women as possessing the defect of excessive heat, which absolutely prevents one from attaining equanimity, the example brought there having been taken from the man's body. Even the claim regarding the weakness of their intellect is not a comprehensive one; rather, as was mentioned, it is only “speaking generally.” Even so, it is difficult to find a basis for the assumption that Maimonides held that women’s intellectual inferiority stems exclusively from socio-cultural circumstances. Their moist physical temperament makes it more difficult for women to attain intellectual achievements than for men; although it does not prevent it in absolute terms.

Maimonides’ cognizance of women’s intellectual limitations finds expression in his approach to their education. He posits that they can certainly learn what actions are required of them according to Jewish Law, in order to maintain a proper society:

… to know clearly what is prohibited and what is permitted and the like in terms of the other commandments. And even though these are labeled “a minor matter” by the Sages, as the Sages stated: “A major matter – the Divine Chariot, and a minor matter – the questions of Abaye and Rava”; nonetheless, it is proper to give these antecedence, as they develop one’s mind first. Furthermore, they are the *summum* bonum which God bestowed for properly ordering this world, in order to attain the World to Come. And it is possible for all to know them; adult or minor, man or woman, one with much intelligence and one who is limited intellectually (*Code of Law, Fundamentals of the Law* iv.13).

Since even someone “who is limited intellectually” can understand and know how to act, and since they are beneficial for “properly ordering this world,” there is no reason that a woman should not study them. At the same time, these studies are innately beneficial; they develop the mind, which is necessary in order to attain metaphysical knowledge. There is no clear indication in this statement by Maimonides of any recommendation or directions for children, those who are “limited intellectually” or women engaging in the theoretical study of metaphysics.

At the same time, the Jewish tradition has ruled that women are not obligated in the study of the Law, and one would not expect Maimonides to deviate from that norm. However, his personal view can be inferred from the explanations which he gives for the Sages’ positions and even for their reasoning:

A woman who studied the Law, is rewarded for it; but her reward is not like a man’s, as she is not commanded… And even though she is rewarded for it, the Sages instructed people not to teach their daughters the Law (M. Sotah 3,3); because most women’s intellects are not suited to being taught, and they turn the words of the Law into nonsense due to their limited intelligence. The Sages stated: “If one teaches his daughter the Law, it is as if he taught her vacuousness” (ibid. ibid.). To what does this apply? To the Oral Law. However, in terms of the Written Law, he should not teach it to her *ab initio*; but if he taught her, it is not as if he taught her vacuousness (*Code of Law, Study of the Law* i.13).

Maimonides was bound to the Jewish Law and ruled accordingly: The study of the Law is incumbent on men, and *ab initio* it is exclusively their responsibility to study and to teach specifically their male offspring. However, *post factum*, a woman who learned is assured of her reward. Therefore, a father who already taught his daughter the Written Law did not do something useless. Nonetheless, Maimonides’ formulation of the explanation which he provided may express his personal perspective: “because most women’s intellects are not suited to being taught, and they turn the words of the Law into nonsense due to their limited intelligence.” The explanation regarding the comprehensive prohibition is based on an assumption concerning “most women.” The grammatical form “to be taught,” in contradistinction to that of “to learn,” generally connotes learning from a teacher. For example: “Children are brought to be taught when they are about six or seven” (*Code of Law, Study of the Law* ii.2). If so, what is meant by a women’s intellect which is not suited for it? The phrase “intellect suited,” or even “proper intellect” often connotes a developed (*Code of Law, Divorce* ii.14, 16) or focused intellect (*Code of Law, Fundamentals of the Law* vii.8). It is, therefore, reasonable to assume that – as opposed to male children who are capable of being taught – most girls are not able to concentrate for this purpose, and may even cause harm: “And they turn the words of the Law into nonsense due to their limited intelligence.” The phrase “limited intelligence” apparently expresses the quality which the Sages described in their statement: “In terms of women, their intellect is simple” (BT Shabbat 33b). Granted, in principle the possibility exists that “their intelligence will increase” (*Code of Law, Repentance* x.2). However, as was mentioned, Maimonides is not dealing here with exceptional individuals. The concern which he is expressing relates to potential harm: “and they turn the words of the Law into nonsense.” As Maimonides taught in his *Commentary on the Mishna*: “He taught her vacuousness – I.e. nonsense and analogies.” As was mentioned above, Maimonides held that women, despite their limited intellect, should still study “the questions of Abaye and Rava,” the actions required for the world to run properly. The Oral Law, which women are forbidden to study, is not a collection of practical Jewish Law. Rather, it is apparently the continuous text of the Talmud; which also includes topics other than rulings in Jewish Law. Part of this study is what Maimonides characterized as “wasting time on debate in the Talmud” (*Letters*, 255). However, the greater concern is apparently in the midrashic part, which might be interpreted by the general public as nonsense. Nonetheless, it should be emphasized again that Maimonides is referring to “most women” and “speaking generally”; while – as will be clarified below – at least one woman actualized the divine image which she possessed.

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For human perfection at its pinnacle, according to Maimonides, may be expressed in one of two ways: [1] By a person attaining the level of prophecy during his lifetime. [2] By a person attaining intellectual immortality after he dies, which is called the World to Come in classical terminology. It turns out that these two are not the exclusive domain of men. One can find at least one precedent of a woman over the course of history.

One may ostensibly assume, based on Maimonides’ *Commentary on the Mishna* (*Eight Chapters* iv), that all of the women who left Egypt were prophetesses: “… men – the least of their wives was compared to Ezekiel b. Buzi (the prophet), as the Sages noted (*Deuteronomy Rabbah*, *Ki Tavo*, 8, passim).” This assumption is compatible with R. Judah Halevi’s perspective that “all of them such a level that the divine speech addressed them, and the matter passed on their wives, and some of them became prophetesses... it bore fruit through Moses, Aaron and Miriam” (*Kuzari* i.95). For according to the *Kuzari*, the entire Jewish people attained divine revelation at Sinai, after a very short period of preparation: “The people prepared themselves for the level of prophecy… it took place after three days” (*Kuzari* i.87). By contrast, according to the approach of Maimonides, as explained in *The Guide for the Perplexed* (ii.33), not everyone present at the Revelation heard the word of God, as they were not all worthy. It, therefore, seems that Maimonides’ statement in his *Commentary on the Mishna* concerning the prophetic supremacy of all of those who left Egypt is not consistent with his crystalized view; both in terms of the level of the generation of the wilderness, and in terms of the high standard of qualifications for attaining prophecy.

Nonetheless, Maimonides named one woman who attained both prophecy and life in the World to Come; namely Miriam, the sister of Moses and Aaron. He added to her name the epithet by which she called in the Bible, “Miriam the prophetess” (*Code of Law, Impurity of Leprosy* xvi.16). The description of Miriam’s departure from this world (alongside that of Moses and Aaron) is presented as “salvation from death;” as in this context of the eternity of the true-life “the other prophets and excellent men are beneath this degree.” Ostensibly, one can infer from this that Miriam, like Aaron, attained the highest level of human perfection. However, one should note that in that same chapter, the three Patriarchs of the nation are specifically mentioned alongside Moses, as those who maintained their exalted level even when involved in mundane matters. It therefore seems that the ranking here is context-dependent: The Patriarchs were superior to all others in that their level was not diminished by involvement in communal activities; whereas Miriam and Aaron’s superiority stemmed from their being taken when they were at the height of intellectual activity. In any case, one cannot see in any of these achievements a true comparison to the prophetic level of Moses, who belonged to both groups. Maimonides clearly declares that Moses was superior to both Aaron and Abraham. In any case, there was at least one woman in history who attained the level of prophecy, and merited immortality of the soul on the highest level.

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As was mentioned, gentiles are also the “other” in Maimonides’ thought. Here, in contrast to the perspective of R. Judah Halevi, there is no indication of a fundamental genetic difference between them and Jews. However, Maimonides also shared the view of his time that a certain population possessed a defective physical temperament, which could impair their intellectual ability. This is described by him in *Medical Aphorisms* xxv.58, in which he cites the Muslim philosopher who he greatly respected:

 In the Book of Elements, Abu Nasser Alfarabi mentioned that people living in temperate climate are more perfect in their intelligence… than people living in the far northern or southern climates (p. 430).

Those who speak the following languages are counted among the populations of the temperate climates:

The Greek language, Hebrew, Arabic, Persian and Aramaic (p. 431)

The fact that the Greeks are counted among the positive group of populations of the temperate climates poses a difficulty for their identification with Japheth, the son of Noah, who headed to the far north, as was already argued by R. Judah Halevi: “They were Greeks, and Greece descended from Japheth, who dwelled in the north… only found among the descendants of Shem… wisdom only comes to the Greeks when they are in power” (*Kuzari* i.63). Maimonides had a different perspective. In his opinion, the Greek’s wisdom did not necessarily originate with the Jews and the Greek nation was not located in the far north, as was mentioned, but rather in the region of the temperate cultures. He also describes the origins of the scattering of the human race to different climates differently. He assumes that until Seth, the son of Adam, knowledge of God dominated the world (*Code of Law, Idolatry* i.1). Later, starting with the time of Enosh, the Sabian paganism began to emerge, which “extended over the whole earth” (*Guide* iii.29). However, through the influence of Abraham and his followers this idolatry was pushed from the center to “the extremities of the earth, … the Turks in the and the Hindus in the extreme South.” There is, therefore, a correlation between the presence of paganism in extreme climates and people in these regions being inferior and lacking temperate natures, even being described as the cultural “missing link” between man and apes:

… The furthermost Turks found in the remote North, the Negroes found in the remote South, and these who resemble them from among them that are with us in these climates. The status of those is like the irrational animals. To my mind, they do not have the rank of man, but have among the being a rank lower than the rank of man, but higher than the rank of apes (*Guide* iii.51).

However, the explanation that cultural inferiority is due to the lack of the influence of knowledge of God, which had only been disseminated in the temperate climates, is inadequate as an explanation for the inferiority of the physical temperament (along with the appearance and speech) of those born in those regions. In any case, even if the extreme climates, with their deficiencies, do not contain Jewish populations; they do not represent all gentiles.

Indeed, in principle a non-Jew may also attain both prophecy and immortality. For, contrary to the opinion of R, Judah Halevi, Maimonides explicitly characterized prophecy as the perfection which typifies humanity as a whole:

There are people who exist among the human race… and they are the prophets, and this is prophecy, and this is what it is (*Commentary on the Mishna, Sanhedrin, introduction to chap. x,*6).

One of the foundations of the religion is to know that God causes human beings to prophesize (*Code of Law, Fundamentals of the Law* vii.1).

But our not believing in the prophecy of Zeid and Ammar is not because they are not Jews, as the masses think… for Job and Zophar and Bildad and Eliphaz and Elihu are all considered prophets by us, despite the fact that they were not Jewish… but we believe in a prophet or reject him based on his prophecy, not on his extraction (*Letter to Yemen*).

Ostensibly, one would have expected Maimonides to cite the figure of Balaam as the example of the existence of a prophet among the gentiles; as he is presented by the Sages as being a prophet on par with Moses, or even greater than him (*Numbers Rabbah* xiv.20). However, he rejects this possibility out of hand:

Thus it has been made clear that his apprehension is different from that of all those who came after him in Israel, which is "a kingdom of priests" (Exod. 19:6) and all the more of all who came from other nations (*Guide* ii.35).

The fact that the Jewish people are defined as "a kingdom of priests and a holy nation" is characterized by Maimonides as a function of their “knowledge of Him, may He be exalted” (*Guide* iii.32), meaning comprehension of God. Since the Bible states that no prophet arose among the Jewish People like Moses, the possibility that a prophet like him could arise among lesser nations is certainly negated. The implicit assumption upon which this claim seems to rest is that there is a relationship between the achievements of a given prophet and the society to which he belongs. This will be clarified below. Balaam – who is, so to speak, the contender for the crown – is described in *The Guide for the Perplexed* (ii.45) as being on a sub-prophetic level even “when he was good,” while his wickedness is already spelled out at length in his *Commentary on the Mishna, Sanhedrin* x.2; *Avot* v.17. The catch is that even the ostensibly historical examples of gentiles who attained prophecy cited in *Letter to Yemen* were not particularly successful. On the one hand, Job is presented in *The Guide for the Perplexed* as a sub-prophet (*Guide* ii.45). On the other hand, he is presented as being a merely fictional character, as Maimonides apparently favored the approach that his story is only an allegory (ibid. iii.22). Even so, as was mentioned, Maimonides clearly stated that fundamentally there is nothing preventing a non-Jew from attaining the level of prophecy.

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Together with prophecy, immortality is also presented by Maimonides as being completely universal.

But each and every person born to this world, who has been inspired and came to the understanding that he wishes to stand before God and serve and worship Him, to know God, and walks upright, as God created him, and cast off the yoke of the many calculations which man has sought – such a person is sanctified as holy of holies, and God will be his share and inheritance forever and ever (*Code of Law, Sabbatical Year and Jubilee* xiii.12).

Aside from these demands made of the elite, Maimonides also offers a less demanding entrance fee for the World to Come. For gentiles, who are not obligated in the 613 commandments, the fulfillment of a mere seven is sufficient: The prohibitions of idolatry, sexual immorality, murder, theft, eating the limb of a living creature and the obligation to establish courts. Maimonides enumerates:

The commandments which Noahides are commanded… and one who accepts them is referred to as a “*ger toshav* [a resident alien]” in all contexts… anyone who accepts the seven commandments and is meticulous in their observance is one of the righteous of the nations of the world and has a share in the World to Come. This is on the condition that he accepts them and observes them because the Holy One, blessed be He, commanded them in the Law, and informed us, by means of Moses, our teacher, that Noahides had been commanded to observe them. However, if he observed them based on his own conclusions, he is not a *ger toshav*, nor one of the righteous of the nations of the world; only [alternative reading: nor] of their wise (*Code of Law, Kings* viii.10-11).

A gentile who accepted upon himself to observe the seven Noahide Laws, has the right to dwell in the Land of Israel; and is, therefore, called a *ger toshav* [a resident alien] due to this right, even if he does not exercise it. If he also is meticulous in observing what he undertook, his is considered “a righteous person of the nations of the world” and has a share in the World to Come. However, there is a further condition: He must accept it “because the Holy One, blessed be He, commanded them in the Law, and informed us, by means of Moses, our teacher, that Noahides had been commanded to observe them” – meaning, by the authority of the Mosaic Law. Not only can’t such a person remain an idolatrous Christian, he can’t even be a Moslem who believes in the commandments of the Koran and accepts its content as authoritative scripture.

At the same time, it turns out that all of this will only be in effect in the Messianic Age: “A *ger toshav* can only be accepted when the Jubilee is in effect. However, when the Jubilee is not in effect, only actual converts are accepted (*Code of Law, Idolatry* x.8; *Prohibited Relations* xiv.1-6). The categories of “*ger toshav*” and, therefore, also “a righteous person of the nations of the world,” will only apply to gentiles in the Messianic Age, when there will be a return to the days of old, and “the Sabbatical Years and Jubilees will be observed as per the commandments written in the Law” (*Code of Law, Kings* xi.1). At the present time, a gentile can only improve his standing by means of full conversion; becoming a Jew, obligated in the 613 commandments.

As many others have emphasized, based on Maimonides, the difference between someone who belongs to the Jewish people and one who doesn’t expresses itself in the fact that (at least in Maimonides’s day) he was born into a society which accepts the 613 commandments upon itself, while the gentile was not. When an individual gentile accepts the 613 commandments upon himself as a convert, he is a Jew, in every sense. In terms of this – as has been emphasized more than once – there is a fundamental difference between Maimonides and R. Judah Halevi, who claims that a Jew possesses a sacred essence from birth, which cannot be adopted.

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Therefore, the question arises: Is the status of an ordinary gentile lower than that of an ordinary Jew? The answer is given in various contexts. One of them implies that a Jew’s life is sacred, irrespective of his conduct, purely based on his basic belief: “… and the Law is concerned about the lives of Jews – whether wicked or righteous – because they are connected to God, and believe in the essence of the religion” (*Code of Law, Murderer and Preservation of Life* xiii.14). It would seem that in this context the “connecting and” should be interpreted as a “clarifying and”: All Jews are connected to God in so far as they believe in the essence of the religion. The explanation for their superiority in this context is very similar to the statement mentioned above that Jews are considered to be "a kingdom of priest and a holy nation' (Exod. 19, 6), through the knowledge of Him" (*Guide* iii.32).

In another context, the special status of the majority of the average Jews is apparently characterized as the product of their actions alone. This can be seen in the category “the multitude of the adherence of the Law” (*Guide* iii.51), which is meant to describe ordinary Jews. This population would seem to include Jewish women, as well; as they are only exempt from a small portion of the commandments. As will be discussed below, the path of advancement is not blocked off for them in principle, even if, due to their nature, they typically have learning difficulties which may make it hard for them to acquire education. The status of one who is in this category of “the multitude of the adherence of the Law” is described in a famous parable presented in the conclusion of *The Guide for the Perplexed* (iii.51). According to this parable, humanity is ranked based on their degree of closeness to, or distance from, the king who is located in the palace. This category is located within a cultural area, apparently in a temperate climate. It is still far from the palace, but is facing it. The groups within the population who are in a better state, who are much closer to the king, consist of those who have acquired knowledge. A person’s rank, in terms of his position relative to his goal, is determined by the amount of education he has accumulated. Even so, aside from a person’s position, there is an additional parameter which determines his ranking: The realistic possibility which furnishes hope that this person will approach his goal. As will be clarified below, such a parameter exists among “the multitude of the adherence of the Law.” This parameter consists of two components: The first is that they are in the king’s province, rather than outside of it, and are facing the palace. The second is that they are facing the palace and every step that they take brings them closer to the king. As will be clarified below, these advantages distinguish the general Jewish public from others.

There is one group which is remote and located outside the regions of human civilization. It has already been mentioned above:

… The furthermost Turks found in the remote North, the Negroes found in the remote South, and these who resemble them from among them that are with us in these climates. The status of those is like the irrational animals. To my mind, they do not have the rank of man, but have among the being a rank lower than the rank of man, but higher than the rank of apes (*Guide* iii.51).

The position of the second group is better, as they are located inside the regions of civilization. However, although they “have opinions and are engaged in speculations,” these are described as “incorrect.” In effect, according to Maimonides’ terminology, it would seem to be appropriate to refer to them as “heretics” (*kufr* in Arabic). As opposed to “ignorance,” which connotes failure to know that which should be known; in his opinion, “heresy” is expressed by “belief about a thing that is different from what the thing really is” (*Guide* i.32), i.e. error. Those who believe that they know are actually “far worse than the first” for two reasons: In terms of themselves, the more they move forward, the further they move from the truth. Also, as opposed to the ignoramuses who are outside the regions of civilization, they pose a threat to others: “They are those concerning whom necessity at certain times impels killing them… lest they should not astray the ways of others" (*Guide* iii.51).

As was mentioned, these ignoramuses, who primarily dwell in the north and south of the civilized world, are remnants of the ancient pagans. On the other hand, the heretics who err, who comprise the population of the central region, are civilized people who are not counted among the believers in the true religion. Today, these would be the Christians who are characterized by Maimonides as worshippers of wood and stone (*Commentary on the Mishna, Avoda Zarah* 1.1-4) and as believers in the Trinity (*Guide* i.50). By contrast, the status of the Moslems is different: “These Arabs are not idolaters, at all… and they are proper and impeccable monotheists (*Letter to* *R.* ʿ*ovadyah the convert*). Granted, the Koran is not divine Law; but that is not due to its content. Rather, it is because Mohamed was incapable of attaining prophecy and being God’s messenger because of his ethical limitations, and he was a plagiarist of the Mosaic Law. Maimonides characterizes the Moslems as a monotheistic community, whose behavior is uncontrolled. In any case, it seems that there is no basis for characterizing the majority of them as "the multitude of the adherence of the Law."

One way or the other, it is frequently implied that the status of current gentiles, even if they are not idolaters (a category which includes Christians according to Maimonides), is not necessarily different than that of animals. This finds expression in the reasons which Maimonides provides for several laws. One instance is where Maimonides notes “that the dwelling of a gentile is not considered a dwelling; but, rather, he is considered like an animal” (*Code of Law, Domains* ii.9). The other is where he deals with the prohibition against anointing someone using the anointing oil: “And gentiles who are like animals… – is exempt, as it states: “And you shall not anoint a man’s flesh” (Exodus 30:32) (*Code of Law, Vessels of the Temple* i.6).

Aside from these, the most significant example in terms of this topic is the one cited in the beginning of this discussion, in which the status of the hybrid “other” is described; a gentile+ a woman = a gentile woman. The discussion concerns the prohibition against sexual relations between Jews and gentiles. Jews who violated this prohibition receive thirty-nine lashes, if they intended to marry; as, in that case, they violated a biblical prohibition. If that was not their intention, then they are only punished by receiving lashes for rebelling against a Rabbinic proscription. In a case where the man is Jewish and the woman is a gentile, another punishment is added to this one which is meted out by the court: If the act was performed publicly, he is killed by zealots. In any case, he is subject to excision at God’s hands. Maimonides clarifies the severity of the harm inflicted in such a case:

This sin, despite the fact that it is not subject to capital punishment in court, should not be taken lightly. For it involves harm which has no parallel in any of the prohibited sexual acts. For a son who is born of a woman who is prohibited by virtue of incest is his son in every respect, and is considered a Jew, despite the fact that he is a bastard. However, a son from a gentile woman is not his son, as it states: “For they will turn your children away from Me” (Deuteronomy 7:4) – i.e. removes him from following God. And this causes him to attach himself to the gentiles, who God separated us from, and to turn away from God and to betray Him (Code of Law, Prohibited relations xii.6).

The serious consequence which might result is the birth of a gentile in place of a Jew. The description of the transition from “following God” to “and to turn away from God and to betray Him” corresponds, to a certain degree, to the description that was mentioned above, to the effect that “Jews – whether wicked or righteous – because they are connected to God, and believe in the essence of the religion” (*Code of Law, Murderer and Preservation of Life* xiii.14). In other words, to be born as a gentile rather than as a Jew is considered to be a very significant “loss,” and the Jew who is responsible for it is severely punished.

What is the law concerning the gentiles involved in such a case? If it is a situation of “a gentile who had relations with a Jewish woman, if she is married – he is put to death because of her, and if she is single – he is not put to death.” In other words, his sentence corresponds, to a large degree, to that of “a Jew who had relations with a Jewish woman.” As was mentioned, in this case, the product of these relations is a Jew in every sense. However, as was mentioned, the result is entirely different when a gentile woman is involved, and her causing the “loss” makes her punishment more severe:

 If, by contrast, a Jewish male enters into relations with a gentile woman, when he does so intentionally, she should be executed. She is executed because she caused a Jew to be involved in an unseemly transgression, as [is the law with regard to] an animal. [This applies regardless of] whether the gentile women was a minor of three years of age, or an adult, whether she was single or married. And it applies even if [the Jew] was a minor of nine years old, [she is executed]. And this is explicit in the Law, as it states: “Yet they are the very ones who, at the bidding of Balaam, induced the Israelites… and slay also every woman who has known a man carnally” (Numbers 31:16-17) (*Code of Law, Prohibited relations* xii.1-8).

The gentile woman is sentenced to death, regardless of whether she is an adult or a child (three months and a day old), single or married. These factors are relevant in terms of the punishment of a Jewish female. She is not punished at all if she is a child, and is not put to death if she is single. More so, the criteria here is whether or not the Jewish man “enters into relations with a gentile woman, when he does so intentionally.” However, it makes no difference that in terms of the gentile woman the act occurred under duress. The explanation is “because she caused a Jew to be involved in an unseemly transgression, as [is the law with regard to] an animal.” This characterization (“like an animal”) is explained in the following context:

If a minor of nine years old who enters into relations with an animal or caused it to enter into relations with him – it is put to death because of him, and he is exempt… If one has relations with an animal unintentionally, or if a woman unintentionally caused an animal to enter into relations with her – the animal is not put to death because of them, despite the fact that they are adults (ibid. i.16-18).

Stoning the animal is purely a function of its having caused a Jew to sin deliberately, even in a case where the sinner is not subject to punishment and is exempt himself. The same is true of a gentile woman. Like an animal, she is also considered an object in every sense, and is to be eliminated if she was the cause of a significant sin. The biblical precedent cited by Maimonides deals with the Midianite women who ensnared the Israelites: “Yet they are the very ones who, at the bidding of Balaam, induced the Israelites… and slay also every woman who has known a man carnally” (Numbers 31:16-17); which the Sages interpret as: “The text refers to those who were suitable to enter into relations with” (BT Yevamot 60b). Maimonides relied on the biblical precedent of the Midianite women, despite the fact that he was not bound by Jewish Law to comply with any earlier ruling concerning this principle. Maimonides’ ruling can be understood in light of a statement of his which was already cited in another legal context, in which he raised a hypothetical question concerning discrimination against gentiles, in terms of damage which they cause:

Do not be troubled by this matter and do not be shocked by it, just as you aren’t shocked by the slaughter of animals, even though they did nothing wrong. For one whose human characteristics are not perfected is not truly a human being, and its telos is only for human beings (*Commentary on the Mishna*, *Bava Kamma* iv.3).

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In conclusion, it turns out that Maimonides apparently did not see any fundamental impediment standing in the way of the “other” wishing to attain human perfection. Nonetheless, there seems to be a significant inequality, expressed in “inequality of access to advantage,” between Jewish men on the one hand, and women or gentiles on the other. The source of this relative inferiority is biological circumstances in the case of women, and historical-social circumstances in the case of gentiles. A woman’s moist temperament is the cause of her learning difficulties, while the Jewish people’s extraction from Abraham and Moses, who brought about a intellectual and legal revolution, is the cause of their superiority over the other nations. Therefore, “In terms of the gentile who did not stand at Sinai and was not given the Law, his chances of attaining human perfection are infinitely weaker than those of a Jew.” In any case, it would seem that the status of the average Jewish woman is closer to the status of “ignoramuses who involve themselves with the commandments” than to those “who are considered to be like animals.”

Paradoxically, it is specifically R. Judah Halevi, with his nationalistic focus, who took a different stance. True, he holds that only someone who is born Jewish can reach the pinnacle of actualizing “the divine aspect” by means of prophecy. This even applies to someone who converted to Judaism. On the other hand, according to his approach, he characterizes the human species as possessing “the rational aspect,” allowing them to live a proper social life. Their belonging to this category is not contingent on significant intellectual accomplishments. Maimonides, as mentioned above, expressed great appreciation for the step of conversion; and someone who chose to be Jewish is absolutely on the same level as one who was born into the Jewish people. In any case, as was stressed, according to in Maimonides’ opinion, there is no fundamental impediment standing in the way of the “other” – whether gentile or woman; and they may reach the human pinnacle expressed by the attainment of prophecy and immortality.