

RESPONSE TO WILLI GOETSCHEL

Spinoza's Excommunication

David Novak

In 1954, on the occasion of the 300th anniversary of the excommunication of Baruch Spinoza, David Ben-Gurion, the first prime minister of the state of Israel, wrote a letter to Rodrigues Pereira, the *hakham* (chief rabbi) of the Portuguese-Israelite community in Amsterdam – the same community from which Spinoza was excommunicated – indicating the time had come to lift the *herem*, the ban of excommunication. It was, Ben-Gurion wrote, a source of profound embarrassment to the Jewish people that they had done to Spinoza something quite close to what the Athenian people had done to Socrates; it was time now, especially since Jews had an independent state of their own, which Spinoza to a certain extent had intimated in *Tractatus Theologico-Politicus* [TTP], for the ban to be lifted.

In his response to Ben-Gurion's letter, Pereira made two major points. His first point was a traditional rabbinic one: a later court could not possibly repeal the decision of an earlier court unless it considered itself to be "greater in numbers and in wisdom than their predecessors." Pereira observes with traditional humility that the Talmud says, "if our ancestors were angels, we are but men, and if our ancestors were men, we are but asses." The point about numbers referred to the contemporary Portuguese Jewish community, which had been decimated by the Holocaust.

The second point Pereira made was that as a student at the University of Amsterdam he had taken a course in Spinoza. After studying Spinoza's writings, he said to the prime minister, "When I became chief rabbi, I accepted the rulings of my predecessors. No rabbinate has the right to review a decision of previous rabbinate unless it is greater in number and wiser. I don't consider myself wiser than those who came before me." That brought at least the formal proceedings for lifting the ban on Spinoza to a screeching halt.

The reason I mention this is that beginning in the 19th century there was an attempt to reintegrate Spinoza into the Jewish tradition. It was

conducted on two fronts: one was an effort by Reform Jews – Reform Judaism having come into its own during the mid-19th century – to argue that Spinoza had been excommunicated by an exceptionally narrow-minded Orthodox rabbinate in Amsterdam. According to the reformers, this rabbinate was keen on remaking the *Marranos*, the secret Jews of Portugal from whom Spinoza was descended, into properly practicing and properly believing (“orthodox”) members of the normative Jewish community. The *Marranos* emigrated to the Netherlands, seeking to live as Jews again, but they still had the mindset of Christians.

The rabbis were thus more occupied with issues of heresy than were most other traditional Jewish communities at that time. So, the reformers opined, if there had been a different kind of rabbinate, a different kind of Judaism, in Amsterdam at that time, Spinoza would never have been excommunicated. The reformers also recognized that this ban was very much *post factum*; that is, Spinoza had left the community before the excommunication was issued. He was issued a summons to appear before the *beit din*, and when he failed to appear, the rabbis became quite disturbed and issued the *herem*. (The excommunication document can still be seen in the library archives of the Portuguese synagogue in Amsterdam.)

Why the ban against Spinoza was more severe than those pronounced against others at the time is ably addressed by Steven Nadler in his 1999 biography, *Spinoza: A Life*. But the point is quite obvious: Spinoza had left the community. In a letter to Willem van Blijenburgh, one of his gentile interlocutors, Spinoza clearly indicates that his leaving the Jewish community was something he had to do. He felt they were better off without him, and he was better off without them. He was quite sanguine, actually quite unperturbed, that the ban had been placed against him. He was not bitter, and he did not consider himself to be the victim of any injustice (interestingly enough, like Socrates, who also did not complain about his rejection by Athens).

It is very important to understand that the ban is very similar to excommunication in the more liturgical or eucharistic forms of Christianity. That is, nobody can be ejected from Judaism by any human authorities if that person either was born into the Jewish community or has been properly converted to Judaism. Jewish birth and conversion to Judaism are both

indelible. Already by Spinoza's time, the Talmudic principle that was given doctrinal force by the 11th-century exegete Rashi, namely that no matter what a Jew does, even affiliating with another religion (which Spinoza did not do, at least in a formal sense), s/he is still a member of the Jewish people. That principle was fully in force. At most, a heretic or even an apostate could be denied certain rights or privileges of being a member of the Jewish people in good standing by communal authorities acting with due process of law.

Excommunication (*herem*) in Judaism is the same as it is in certain forms of what we might call "High" Christianity. For example, in the Christian tradition one is denied the sacraments until s/he repents. So too it is with the *herem*: one under the ban of excommunication is not, for instance, to be counted as part of a *minyan*, a quorum, or to be buried in a Jewish cemetery. But, of course, there is always the possibility of repentance, and when that occurs the community is supposed to fully reinstate the former sinner to his or her normative status as a bona fide Jew. So this is the point of Spinoza's excommunication, which, as far as we know, he never resented. The problem is that Spinoza, unlike Jews prior to him, did not formally convert to another religion; he did not become a *meshumad* (apostate). Yet, unlike heretics (*apikorsim*), who usually insisted that they were still members of the Jewish community, Spinoza never insisted on any such thing. Thus, his "Jewishness" has been argued for and against by both Jews and gentiles until this very day.

The question then is: Can Spinoza be posthumously reconciled with Judaism by modern Jewish thinkers? Can he once again be taken to be a *Jewish* thinker to whom Jews can go for Jewish guidance as they do to earlier thinkers such as Maimonides or Hermann Cohen? Or did Spinoza really take himself outside the pale of Jewish discussion? Even if that is the case, this does not mean Jews cannot consider him as seriously as they would consider Aquinas or Calvin, or any other non-Jewish thinker who might have insights pertinent to Jewish thought. I accept the latter notion, and I think Christian thinkers can accept it as well – that is, if they see the aspect that was Spinoza's most radical departure from Jewish theology to be an equally radical departure from Christian theology.

This radical departure was Spinoza's great inversion of a classical Jewish dogma, the divine election of Israel. Spinoza inverted the doctrine:

Israel elected God rather than God elected Israel. Now, if God elected Israel, it is questionable whether God could ever un-elect Israel – which was a Jewish argument against Christian supersessionism. God's election is indelible. (For Calvin, the theologian *par excellence* for the Dutch Protestants for whom Spinoza seemed to be writing whether in Latin or in Dutch, God's covenant with the Jewish people was irrevocable. Thus Christianity had not superseded Judaism as much as it had gone beyond Judaism, but without eliminating the Jewish people from God's covenantal plan. That might explain why Jews did better politically in the Calvinist Netherlands than in Catholic Spain or Portugal.)

The question Spinoza presented was that, if the Jews had elected God, could they not un-elect him as their sovereign? Spinoza marshaled a number of biblical texts to argue that Israel's election and subsequent un-election of God as their sovereign is not just his own original idea. Not many people understand God's election of Israel as being perhaps the most basic Jewish dogma. As such, Spinoza's inversion of it to mean Israel's election of God is most radical, "denying a root" as the ancient rabbis might have put it.

If one is to follow the notion of election in Christian theology, it is important to reflect on Karl Barth's view. His discussion in *Church Dogmatics* is that the election of Israel is a prototype of God's election of the Jew, Jesus of Nazareth, to be the unique incarnation of Christ, the only-begotten Son of God. Therefore, the difference between Jewish and Christian notions of election is not that Jews affirm divine election and Christians deny it. The difference is over what the *terminus ad quem* of divine election is. For Jews that *terminus* is the election of Israel – now only the Jewish people – by God at the events of Exodus-Sinai. For Christians it is the election of Jesus as the manifestation of the second person of the Trinity.

Now, if one sees the doctrine of election as the major connection between Judaism and Christianity, then one can also see that Spinoza is as problematic for Jewish theology as he is for Christian theology. In dealing with questions of, for example, the particular and the universal, Enlightenment notions tended to pick up on Spinoza that one moves from the particular into the universal. Hence the question would be whether the particular is *aufgehoben* (overcome), whether it is simply broken down and dissolves into the universal and disappears, or whether it remains intact

within the universal – and then transcends it. Yet the move is still from the particular to the universal.

When one analyzes very carefully the doctrine of election and its development in rabbinic and Christian thought, it seems that the universal moves into the particular and not the other way around. Therefore, the task is to bring the world into the elected community of Israel, into the *ecclesia*, if you will, not for the *ecclesia* or *Knesset Israel* to diffuse itself into some kind of universal pact. I don't think one need go as far as Hermann Cohen and refer to Spinoza as "the great enemy." I don't count him an enemy of Judaism or of the Jewish people. I look upon him as someone who left at least Judaism, if not Jewishness, which is a wholly different way of defining the Jewish presence in the world. So Spinoza is for me, and I think for some other Jewish thinkers, playing a role very similar to the role certain former Christians have played for Christians. That is, people who have left the tradition or the traditional community in some way, but by their leaving have provided a tremendously enlightening perspective for those who have not left.

I would give one modern philosophical analogy. To a certain extent one could look at Martin Heidegger as being a former Christian in the way Spinoza was a former Jew. If one looks at what I consider Heidegger's single most important essay, "On the Essence of Truth" (*Vom Wesen der Wahrheit*), where he brilliantly shows that the correspondence theory of truth is rooted in a creationist theology, one sees the former Christian believer casting light on the epistemological and ontological significance of the biblical doctrine of *creatio ex nihilo*, a doctrine Christianity readily accepted from Judaism. There we find Heidegger, the former Christian, seeing something in the biblical teaching that he has rejected, yet clarifying that teaching for those Christians (and Jews) who remained in the tradition in a way that they perhaps could not do themselves. *Mutatis mutandis*, I think Spinoza, in his treatment of relation, law, and election by inverting the tradition, gave a perspective that could only be that of a former believer, a former member of the community, for those who have chosen to remain part of the traditional community and continue its ongoing trajectory.

In that sense, Spinoza did set the agenda for Jewish modernity. Indeed, all of us live in the wake of his startling insights, even if we have chosen

to invert the path that he inverted by retrieving the ancient tradition and its founding revelation anew.

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