The Abrogation of Mosaic Law in Judaism's Medieval Polemic with Islam: Seʿadyah Gaon, Yaʿqūb al-Qirqisānī, Maimonides

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The number of books by Jewish authors dedicated exclusively to a polemic with Islam could be counted by the fingers on one hand. Until recently, researchers could point to just two relatively late Hebrew works from Christian Spain: Maʾamar ʿal Yishmaʿel (Treatise against the Muslim), in which Barcelona rabbi Shlomoh ben Abraham ibn Adret (ca. 1235 – ca. 1310) refutes several of Ibn Ḥazm's arguments,[1] and Ḳeshet u-Magen (The Arrow and the Shield) by Shimʿon ben Ṣemaḥ Duran (1361–1444) of Mallorca, contained in the second volume of Magen Avot (The Shield of the Fathers).[2] The ongoing study of manuscripts from the Cairo Genizah[3] has nevertheless expanded this modest corpus of written Hebrew polemics to include works written in lands controlled by Islam. These were written within the cultural context of Baghdad's multiconfessional salons (Arabic: *majlis al-kalām*, pl. *majālis*), in which religious-theological questions were discussed. The authors of these Arabic-language polemics, which have been preserved in varying states of quality, are the Karaites[4] Yaʿqūb al-Qirqisānī and Yūsuf al-Baṣīr[5] and the Rabbanite Samuel

1 Ibn Adret's work was published by Joseph Perles, *R. Salomo b. Abraham b. Adereth: Sein Leben und seine Schriften nebst handschriftlichen Beilagen*, Breslau 1863, Hebrew part, 1–24; repr. in: *Teshuvot ha-Rashba le-Rabenu Shelomoh b. R. Avraham ben Adret*, ed. Ḥayim Z. Dimitrowsky, vol. I, Jerusalem 1990, 115–158. A new edition was prepared by Bezalel Naor, *Maʾamar Al Yishmaʿel. Rabbi Solomon ben Abraham ibn Adret*, Spring Valley, NY 2008, 59–132. For a paraphrased translation, see Camilla Adang, "A Jewish Reply to Ibn Ḥazm," in Maribel Fierro (ed.), *Judios en tierras de Islam. Judios y musulmanes en al-Andalus y el Maghreb*, Madrid 2002, 179–209. Cf. Harvey J. Hames, "A Jew amongst Christians and Muslims: Introspection in Solomon ibn Adret's response to Ibn Hazm," *Mediterranean Historical Review* 25/2, 2010, 203–212.

2 Livorno 1785. A Critical edition, based on the Bodleian Ms. 151, can be found in Prosper Murciano's New York University dissertation, *Simon ben Zeman Duran, Keshet u-Magen*, microfilm publication, Ann Arbor 1975. The anti-Islamic section was translated into German by Moritz Steinschneider, Islam und Judenthum: Kritik des Islam von Simon Duran (1423), *Magazin für die Wissenschaft des Judenthums* 7, 1880, 1–48. On Ibn Adret and Duran's polemic with Islam, see Martin Jacobs, "Interreligious Polemics in Medieval Spain: Biblical Interpretation between Ibn Ḥazm, Shlomoh ibn Adret, and Shimʿon ben Ṣemaḥ Duran," in *Gershom Scholem (1897–1982): In Memoriam*, ed. Joseph Dan, vol. II, Jerusalem 2007, 35–57.

3 A "genizah" is a repository (most commonly in a synagogue) for storing ritual objects or documents containing the name of God. As these cannot be thrown away, they are stored here before being properly buried. The documents from the Cairo Genizah – i.e., the genizah at the Ben Ezra Synagogue in Fustat, which contains materials primarily from the 10th to 13th centuries – was rediscovered in 1896 by Solomon Schechter. See Stefan C. Reif, *A Jewish Archive from Old Cairo. The History of Cambridge University's Genizah Collection*, Richmond 2000.

4 Karaism is a movement within Judaism that rejects the authority of the oral Torah – i.e., the entire body of Rabbinical literature from the formative period – and accepts exclusively the Hebrew Bible as the

ben Ḥofni Gaon,[6] who attended such gatherings.[7] These treatises also describe the atmosphere of the disputations at these salons, which among other issues addressed the abrogation of the law (*naskh al-sharāʾiʿ*) and the miraculous inimitability of the Qurʾān (*iʿjāz al-qurʾān).* From the words of Samuel ben Ḥofni Gaon and Yūsuf al-Baṣīr, it is evident that the Muslim debaters' argumentation in particular managed to shake the convictions of even such intellectuals as Samuel and Yūsuf. In order to prevent the frequent conversions of his co-religionists, the latter even wrote up a manual containing answers to the Muslim's arguments.

The debates were held in private or in the courts of the local rulers and their viziers. During "official" debates, the Jewish and Muslim communities were represented by their official representatives; not infrequently, the Jews were represented by the exilarchs (aram. *resh galuta;* arab. *raʾs al-jālūt*), the official Jewish representatives before the Islamic authorities.[8] Baghdad from the mid-10th to mid-11th century[9] was not the only site of such *majālis*: similar multiconfessional debates were organized in the Syrian town of Raqqah and in Fatimid Cairo. One document from the Cairo Genizah mentions a *majlis* held by the Fatimid vizier Yaʿqūb ibn Killis (died 991), a Jewish convert to Islam,[10] in which the Sidur (prayer book) of Seʿadyah Gaon was ridiculed and criticized.[11] At the Cairo court two centuries later, Maimonides was a member of the circle of "lovers [of knowledge], who like to debate, especially on speculative theology (*kalām*)".[12] Within the Christian context, such

main source of Jewish law. Karaism formed during the 9th century through the fusion of various smaller groups with sectarian tendencies.

5 For information on al-Baṣīr and his writings, see David E. Sklare, Yūsuf al-Baṣīr: Theological Aspects of His Halakhic Works, in: D. Frank (ed.), *The Jews of Medieval Islam: Community, Society, and Identity*, Leiden 1995, 249–270.

6 A full description of the known details of Samuel ben Ḥofni's life and intellectual activities can be found in David E. Sklare, *Samuel ben Ḥofni Gaon and his Cultural World Texts and Studies*, Leiden, New York, Köln 1996.

7 David E. Sklare, Responses to Islamic Polemics by Jewish Mutakallimūn in the Tenth Century, in H. Lazarus-Yafeh et al. (eds.), *The Majlis. Interreligious Encounters in Medieval Islam*, Wiesbaden 1999, 137–161. Another disputation with a Jew about the abrogation of the Law in Bagdad's salon can be found in Ibn al-Murtadā, *Kitāb tabaqāt al-muʿtazila*: Susanna Diwald-Wilzer (ed.), *Die Klassen der Muʿtaziliten*, Wiesbaden 1961, 88–89.

8 Steven Wasserstrom, *Between Muslim and Jew: The Problem of Symbiosis under Early Islam*, Princeton, N.J. 1995, 146–147.

9 The intellectual atmosphere of Baghdad at that time, including the flowering of humanist culture within certain segments of Baghdad society, was described by Joel L. Kraemer, *Humanism in the Renaissance of Islam. The Cultural Revival during the Buyid Age*, Leiden, 1986; Robert Brody, *The Geonim of Babylonia and the Shaping of the Medieval Jewish Culture*, New Haven 2013.

10 For further information on Ibn Killis, see Walter J. Fischel, *Jews in the Economic and Political Life of Mediaeval Islam*, New York 1969, 45–68.

11 Mark Cohen and Sasson Somekh, In the Court of Yaʿqūb ibn Killis: A Fragment from the Cairo Genizah, *Jewish Quarterly Review* 80, 1990, 283–314; Id., Interreligious Majālis in Early Fatimid Egypt, in H. Lazarus-Yafeh et al. (eds.), *The Majlis. Interreligious Encounters in Medieval Islam*, Wiesbaden 1999, 128–136. Seʿadyah's *Sidur* was called *Kitāb jāmiʿ al-ṣalawāt waʾl-tasābīḥ*, "The Book of Prayers and Blessings".

12 Franz Rosenthal, Maimonides and a Discussion of Muslim Speculative Theology, in: Mishael Maswari Caspi (ed.), *Jewish Tradition in the Diaspora. Studies in Memory of Professor Walter J. Fischer*, Berkeley 1981, 109–112.

interreligious encounters even inspired the emergence of the apologetic literary genre known as "The monk in the emir's *majlis*".[13]

In many ways the debates at discussion salons, which were attended by the followers of various religions and spiritual orientations, were a continuation of Hellenist practice and were held in line with clearly established rules and etiquette, which the debaters had to observe.[14] The common framework of discussion was provided by Muʿtazilah theology (*kalām*), whose terminology and epistemology of revelation and tradition the participants all shared.[15] The basic rule of debate was a prohibition on invoking the authority of the various religious traditions. The debaters were allowed to base their arguments exclusively on arguments of reason, not on their Scripture or religious tradition.[16]

Researchers provide several explanations for the surprisingly small number of open Jewish apologetics written in Arabic. Most commonly, they point to the Jews' hesitance to criticize the Qurʾān and Islam, under which Jews held the inferior status of "protected people" (*ahl al-dhimma*). This caution was certainly justified. A later version of the "Covenant of Umar" (*ʿahd ʿUmar* – the statutes defining the legal status of non-Muslims living in Muslim society)[17] forbids non-Muslims from studying the Qurʾān or learning Arabic, and the jurist al-Māwardī (died 1058) includes a prohibition on criticizing the Qurʾān, the Prophet, or Islam among the conditions for legal protection.[18] Researchers see another possible explanation in an insufficiently common foundation for discourse. Whereas Christians shared with Jews the Hebrew Bible and had spent the entire Middle Ages engaged in polemic discourse regarding its interpretation – and thus represented a greater threat to Judaism – Islam, which had proclaimed Mosaic Law (*sharīʿat Mūsā*) as abrogated and the Torah a falsification, showed little interest in the Hebrew Bible. Tellingly, some of Moshe ben Maimon's (Maimonides, died 1204) responsa show that Jewish authors had both aspects in mind while writing their polemics. Even if Maimonides writes in Hebrew, he veils his critique of Islam in vague references. The true nature of "the Muslims' error and foolishness", says Maimonides, "rests in other things, which cannot be written here due to im-

13 This literature started to appear in the eighth century. See Sidney H. Griffith, The Monk in the Emir's *Majlis*, in H. Lazarus-Yafeh et al. (eds.), *The Majlis; Interreligious Encounters in Medieval Islam*, Wiesbaden 1999, 13–65.

14 Josef van Ess, Disputationpraxis in der islamischen Theologie: Eine vorläufige Skizze, *Revue des études islamiqes* 44, 1976, 23–59.

15 On the *convivencia* of Muslim, Christian, and Jewish theologians, see Sidney H. Griffith, *The Church in the Shadow of the Mosque*, Princeton, N.J. 2010, 156–159.

16 Carl Heinrich Becker, Christliche Polemik und islamische Dogmenbildung, *Zeitschrift für Assyrologie* 26, 1912, 190.

17 Milka Levy-Rubin, *Shurūṭ ʿUmar*: From Early Harbingers to Systematic Enforcement, in: David M. Freidenreich, Miriam Goldstein (eds.), *Beyond Religious Borders*, Philadelphia 2012, 31–43.

18 Al-Māwardī, *Al-Aḥkām al-sulṭāniyya wa ʾl-wilājāt al-dīniyya*, Beirut 2006, 258. Despite this prohibition, Jewish scholars living in Islamic cultures studied Arabic and the Quʾrān and were familiar with both. See Hava Lazarus-Yafeh, *Intertwined Worlds Medieval Islam and Bible Criticism*, Princeton, N.J. 1992, 143–160; Idem, Al jaḥas ha-jehudim le-qurʾan, *Sefunot* 20, 1991, 37–47. In a manual for supervisors of the bazaars (the muḥtasib, whose duties included supervising non-Muslims and the laws applying to them), the jurist Ibn Ukhuwwa (ca. 1300) orders any *dhimmī* who commits such crimes, to which he adds tempting a Muslim into apostasy, killed on the spot. Ibn Ukhuwwa, *Maʿālim al-qurba fī aḥkām al-ḥisba*, ed. R. Levy, Cambridge, London 1938, 40.

pious sons of Israel" (i.e., apostates).[19] In another responsum, he categorically forbids explaining the Torah to Muslims, since unlike Christians they do not consider it to be authentic. Expositions will not convince them, and will only evoke a negative reaction.[20]

Although the above-described reasons may explain the absence of monographic polemics written in Arabic, we may nevertheless classify as polemic most Jewish-Arabic medieval literature that explicitly or implicitly relates to the arguments of Muslim polemics. This subject can be found throughout the full spectrum of medieval Jewish literature, including responsa and legal literature, Biblical exegesis, poetry, homilies, and historical and theological or philosophical treatises. This naturally includes polemics as such – i.e., works whose sole and main aim was a critique of Islam. The same applies to Jewish Arabic-language polemics with Christianity, which do not exceed the number of books aimed against Islam. Faced with two dominant religions, the Jews mostly put their polemical energies into apologetics, with the goal of strengthening their own theological position.[21]

Naskh – abrogation

From the beginning, Islam's polemic discourse with Judaism was centered on three main, partially contradictory and mutually overlapping theses: the Hebrew Bible contains a prophecy of Muḥammad's coming (*aʿlām al-nubuwwa*); the Hebrew Bible is a falsification (*taḥrīf*, *tabdīl*); and the new revelation has abrogated Jewish Law (*naskh*).[22] According to the Muslim polemicists, the Jews claim that Mosaic Law is divine and eternal and not subject to abrogation, but their Scripture proves them wrong: it is full of contradictions, absurdities, erroneous information and numeral data, anthropomorphisms, undignified stories ascribed to the prophets, and examples of abrogation.[23] Jewish authors responded to all three theses in varying degrees, but their main focus was on the question of the abrogation of Mosaic Law by the subsequent revelations of the prophets Jesus and Muḥammad.

19 Maimonides, *Iggerot ha-Rambam*, vol. I, ed. Isaac Shailat, Jerusalem 1995, p. 239. On the use of the term *poshʿei we-rishʿei Yiśraʾel* for apostates, see Shelomo D. Goitein, *A Mediterranean Society*, vol. II, Berkeley 1971, 300.

20 Maimonides, *Responsa*, ed. J. Blau, (Jerusalem 1958), vol. I, § 149, 284–285. See David Novak, The Treatment of Islam and Muslims in the Legal Writings of Maimonides, in William M. Brinner, Stephen D. Ricks (eds.), *Studies in Islamic and Judaic Traditions*, vol. I, Atlanta, GA 1986, 244–246.

21 See Sarah Stroumsa, Jewish Polemics against Islam and Christianity in the Light of Judaeo-Arabic Texts, in N. Golb (ed.), *Judaeo-Arabic Studies: Proceedings of the Founding Conference of the Society for Judaeo-Arabic Studies*, Amsterdam 1997, 242–244, 246–247. See also Daniel J. Lasker, The Jewish Critique of Christianity under Islam in the Middle Ages, *Proceedings of the American Academy for Jewish Research* 57, 1990–1991, 121–153.

22 For *naskh*, Jewish authors writing in Hebrew used the equivalent *biṭul* or *temurah*.

23 On the Islamic polemic with the Hebrew Bible and Judaism, see Moshe Perlmann, The Medieval Polemics between Islam and Judaism, in S. D. Goitein (ed.), *Religious in a Religious Age*, Cambridge, MA 1974, 103–138; Mark R. Cohen, *Under Crescent and Cross. The Jews in the Middle Ages*, Princeton 1994, 139–161; Hava Lazarus-Yafeh, *Intertwined Worlds: Medieval Islam and Bible Criticism*, Princeton, N.J. 1992; Camilla Adang, *Muslim Writers on Judaism and the Hebrew Bible: From Ibn Rabban to Ibn Hazm*, Leiden, New York, Köln 1996; Theodore Pulcini, *Exegesis as Polemical Discourse. Ibn Ḥazm on Jewish and Christian Scriptures*, Atlanta, GA 1998.

The concept of abrogation did not appear in interreligious polemics only with the arrival of Islam, but had been at the center of Christianity's polemic with Judaism for centuries. Christians declared that most of the commandments of Mosaic Law should be understood as purely allegorical while those that related exclusively to the Jews had been annulled and replaced by the New Covenant. According to the Epistle to the Hebrews, the laws of circumcision, ritual purity, sacrifice, dietary laws, the Sabbath and other laws contained in the "first covenant" were all "obsolete" ("[w]hat is obsolete and aging will soon disappear", Hebrews 8:13)[24] and invalid, with some Christian apologetists arguing, after the fashion of their Hellenic counterparts, that they were the Jews' punishment for their sins.[25] Via various unorthodox Christian schools of thought, these ideas eventually made it into the Qurʾān as well.[26]

Muslim exegetes based the concept of abrogation – i.e., the annulment and replacement of one revealed law with another – primarily on the Qurʾān (2:106): "Such of Our (previous) revelations as We abrogate or cause to be forgotten, We bring (in their place) one better or the like thereof. Knowest thou not that God is able to do all things?" The original intention of this verse was to explain the contradictions between various verses of the Qurʾān or between the Qurʾān and Prophetic tradition (sunnah). On these foundations, Muslim scholars built a sophisticated system based on linguistic, historical, legal, and theological considerations through which they determined which verse had been revealed at a later date and thus represented a legally binding standpoint.[27] Muslim authors applied this exegetic rule of Islamic jurisprudence to their polemic with earlier religions and with their Scripture in order to explain why God later replaced his revelations to the Jews and Christians with Islam.

The views of Muslim theologians and their views on the definition and extent of the concept of abrogation were not always identical. Some claimed that abrogation related also to commandments that had been issued forever, as expressed by al-Ghazālī's teacher al-Juwaynī (died 1085): "By abrogation we mean [God's] pronouncement nullifying a prior pronouncement [by God], so if it were not for the second [abrogating] pronouncement, the first [abrogated] pronouncement would still apply."[28] The Muʿtazilites offered another definition, according to which abrogation was a pronouncement by God that limited a prior

24 On the "New Covenant" in medieval Christian polemic literature, see David Berger, *The Jewish-Christian Debate in the High Middle Ages: A Critical Edition of the Niẓẓaḥon Vetus*, Philadelphia 1979, 271.

25 Judah Bergmann, *Jüdische Apologetik im neutestamentlichen Zeitalter*, Berlin 1908, 94–119.

26 4:160; 6:146; 7:157. Karl Ahrens, Christliches im Qoran. Eine Nachlese, *Zeitschrift der Deutschen Morgenländischen Gesellschaft* 84, 1930, 158.

27 John Burton, "*Nasḵh*", in: *The Encyclopaedia of Islam, New Edition,* Leiden 1960–2002 (hereafter *EI*[2]), 1009–1012; Id., Abrogation, in: Jane Dammen McAuliffe (ed.), *Encyclopaedia of the Qurʾān*, Leiden, Boston, Köln 2001, 11–19. The hermeneutic principle of abrogation played an important role primarily within the exegesis of the Qurʾān, holy traditions (*ḥadīth)* and scholarship on the four (or five) "sources of Islamic jurisprudence" (*uṣūl al-fiqh*). John Wansbrough, *Quranic Studies: Sources and Methods of Scriptural Interpretation*, New York 2004, 192–202; David S. Powers, The Exegetical Genre *nāsich al-Qurʾān wa mansūchuhu*, in Andrew Rippin (ed.), *Approaches to the History of the Interpretation of the Qurʾān*, Oxford 1988, 117–138.

28 Martin Schreiner, Zur Geschichte der Polemik zwischen Juden und Muhammedanern, *Zeitschrift der Deutschen Morgenländischen Gesellschaft* 42, 1888, 660.

pronouncement and declared that this prior pronouncement had been originally issued for a limited period of time. Al-Shahrastānī (1086–1153) aptly described this view with the words: "*Naskh* is not in actuality a nullification [of God's commandment]; it is its fulfillment. The Torah (*al-tawrāt*) contains general and specific commandments that relate only to specific individuals or eras, and when this previously defined era ends, the validity of such a commandment ends as well. This is neither nullification nor a change in God's will."[29] In connection with the first definition, there arose the question as to whether abrogation also occurs in the case of commandments that have not yet become valid and that have never been applied; some theologians permitted only the abrogation of such commandments that have been applied for at least some time.

In their polemics, the Muslims tried to convince the Jews of the justification of the principle of abrogation by pointing out the "fact" that the Torah allows for this concept as well, since Mosaic Law replaced the earlier, divergent Law of Jacob. At the same time, however, they emphasized that abrogation did not imply God changing his mind (*badāʾ*) – a concept rejected by both Sunni Islam and Judaism.[30] Within the polemic context, this meant that, prior to the arrival of Islam, God had assigned each religion a previously defined period of validity – "for every age there is a Book revealed (*li-kulli ajalⁱⁿ kitābᵘⁿ*)", (13:38). Christianity had abrogated Judaism (*sharīʿat Mūsā*) at its appointed time, and Islam (*sharīʿat Muḥammad*) – God's last and final revelation to Man (33:40) – had eventually nullified and replaced both prior revelations. The Jews, adds al-Shahrastānī, reject both *naskh* as well as *badāʾ,* and "claim that there is but one Mosaic Law: it began and ended with Moses. Before Moses, there was no Law, but only the imperatives of reason (*ḥudūd ʿaqliyya*) and judges having the people's well-being in mind (*aḥkām maṣlahiyya*)".[31]

Jewish authors understandably rejected the notion of abrogation and the replacement of the Torah by the Qurʾān, just as they had previously rejected similar Christian claims. Using intellectual arguments and verses from the Hebrew Bible, they defended the eternal validity of the Torah and the concordance between their teaching and Judaism's current laws.[32] In his commentary on the Book of Daniel, the Karaite Yefet ben ʿEli (10th century, Basra and later Jerusalem) says of Christianity and Islam that they agree on one thing, namely that "the Torah has been abrogated (*qad nusikhat*) and replaced by a different law (*sharʿ*); that is, by a religion that will no longer be abrogated by any other [religion]. When Islam rose, [the Muslims] proclaimed of the Torah the same as the Christians, namely that the book of their lord [i.e., Muḥammad] had replaced (*qad nasakha*) the Christian religion with another."[33]

In their polemics with Judaism and Islam, Christian theologians (like their Muslim counterparts) faced the difficult task of defending the claim that Christianity (*sunnat al-*

29 Al-Shahrastānī, *Al-Milal waʾl-nihal*, A. Fahmī Muḥammad (ed.), Beirut 2007, 237.

30 *EI*², *s. v. "Badāʾ"* (I. Goldziher – [A. S. Tritton]). The early Shiites allowed for *badāʾ*.

31 Al-Shahrastānī, *Al-Milal waʾl-Nihal*, 232.

32 The principle of God changing his word was not unknown to Jewish tradition. The rescinding, correction, or change of an older prophecy by a new revelation can be found in the Hebrew Bible in (for example) 2 Kings 9:1–12 and Hosea 1:4–5 or from the "new covenant" in Jeremiah 31:31. Otto Eissfeldt, *Einleitung in das Alte Testament*, Tübingen 1956, 694.

33 David S. Margoliouth (ed.), *A Commentary on The Book of Daniel by Jephet ibn Ali the Karaite*, Oxford 1889, 125 (Arabic), 65–66 (English).

tafaḍḍul, "the law of grace") had abrogated Judaism (*sunnat al-ʿadl*, "the law of justice"), but that it could not be abrogated by another revelation – i.e., Islam. This "weak point" in the Christian debate on abrogation naturally soon became the target of both Muslims and Jews.[34] The Jewish apologetist Saʿd ibn Kammūna (died 1284) countered the Christian claim that Mosaic Law was invalid by citing the New Testament: "The [Christians], however, claim that the law of the Torah was abrogated by Christ, though the Gospel states: 'I did not come to destroy the Law of Moses but I came to fulfill it by the work of truth, amen amen; I say unto you: Till heaven and earth pass, one jot or one tittle shall in no wise pass from the law of Moses, nor will anything be abolished from his law; whosoever therefore shall lessen from the law of Moses anything, little or great, he shall be called the least in the Kingdom of Heaven…'" (as per Matthew 5:17–19). Jesus, Ibn Kammūna argues, observed the commandments of the Torah until his very end, and his disciples followed his example for a long time. Only much later, "when they had to mingle with the gentiles", did they declare that "the Torah was abrogated and had been obligatory only until the advent of Jesus Christ. Most of this goes back to the apostle Paul".[35]

The oldest detailed discussion of abrogation in Arab literature comes from the late 10th and early 11th century in the works of al-Bāqillānī (died 1013), ʿAbd al-Jabbār (died 1025) and above all Ibn Ḥazm (died 1064), all of whom additionally inform their readers of the various positions held by the Rabbanites, Karaites, Samaritans and the ʿĪsāwiyya sect.[36] Al-Bāqillānī, who in chapters 13 and 14 of Kitāb al-Tamhīd (The Introduction to Ashʿarite Theology, written 980) uses Scripture and intellectual arguments to refute the views of those opposed to abrogation,[37] thus divides the Jews into *al-shamʿaniyya* (*al-ashmaʿathiyya*?)[38] (i.e., Rabbanites) and *al-ʿanāniyya* (roughly "Karaites"). According to

34 In 997, the Jacobite Christian Abū ʿAlī ʿĪsā ibn Zurʿa (943–1009) wrote a treatise on this subject for the Jew Bishr ibn Finḥās ibn Shuʿayb. One of the four questions in which Christianity differs from Judaism, argues Abū ʿAlī, is the possibility of the abrogation of Mosaic Law. "Not every law is necessarily nullified [by a future law]. Abrogation is applied up to a certain point, after which it no longer arises. […] From this, it follows that Mosaic Law is no longer valid and that the law that nullified it cannot be itself nullified due to the consummate acts that God calls upon the people to perform through this law". See Paul Sbath (ed.), *Vingt traités philosophiques et apologétiques d'auteurs arabes chrétiens du IX^e^ au XIV^e^ siècle,* Cairo 1929, 19–31. Joel L. Kraemer, *Humanism in the Renaissance of Islam*, 116–123. Former Christian ʿAlī ibn Rabban al-Ṭabarī (died ca. 865) discusses this subject in *The Book of Religion and Empire*, trans. A. Mingana, Manchester 1922, 158–159.

35 Saʿd ibn Kammūna, *Ibn Kammūna's Examination of the Three Faiths*, trans. Moshe Perlmann, Berkeley, Los Angeles 1971, 74, 83. Ibn Kammūna apparently adopted this argument from ha-Levi's book *Sefer Kuzari* I:4. Many Muslim and Jewish authors in Islamic countries claimed that the true founder of Christianity was not Jesus but Paul, who introduced heretical ideas into Jesus' religion. Baron, *Social and Religious History of Jews*, V, New York, Philadelphia 1957, 118–119; Erdmann Fritsch, *Islam und Christentum im Mittelalter*, Breslau 1930, 49–51.

36 Al-Bāqillānī, *Kitāb al-tamhīd,* ed. Richard J. McCarthy, Beirut 1957, 160; Ibn Ḥazm, *Kitāb al-Fiṣal fiʾl-Milal waʾl-Ahwāʾ waʾl-Niḥal*, vol. I, ed. A. Shamsuddīn, Beirut 2007, 118.

37 For al-Bāqillānī's polemics against Jewish views on abrogation, see Robert Brunschvig, L'argumentation d'un théologien musulman du X^e^ siècle contre le judaïsme, in: *Homenaje a Millás-Valliorosa* I, Barcelona 1954, 232–235; John Wansbrough, *The Sectarian Milieu: Content and Composition of Islamic Salvation History*, Oxford, London 1978, 150–154; Adang, *Muslim Writers*, 210–216.

38 For the Rabbanites, the words *ashʿaniyya*, *shamʿaniyya*, and *ashmaʿathiyya* are the Arabic variants of the Aramaic word *shemaʿta*, "Oral Tradition". See Camilla Adang, The Karaites as Portrayed in Medie-

al-Bāqillānī, the Rabbanites consider the abrogation of Mosaic Law and the coming of a prophet after Moses who will nullify the Torah to be feasible from a rational point of view (*jāʾiz min ṭarīqat al-ʿaql*), but impossible on the basis of God's promise that he would "not abrogate the Law nor send a prophet to change it". By comparison, the Karaites consider the abrogation of the law impossible on the basis of logic and Scripture (*al-samʿ),* and claim that the abrogation of a commandment before it has been obeyed and performed equals *badāʾ*, a change in God's mind. The author also mentions the opinions of other spiritual strains within Judaism – the Samaritans and the followers of Abū ʿĪsā al-Isfahānī's sect known as ʿĪsāwiyya.[39] The Samaritans do not recognize any prophet after Moses, Aaron, and Joshua – i.e., not even Jesus and Muḥammad, whom the ʿĪsāwiyya do acknowledge as prophets, though with the qualification that they were sent with the law only to their respective "nations" and thus did not abrogate Mosaic Law.[40]

The first recorded literary debates between Muslim and Jewish theologians regarding abrogation date from the middle of the 9th century.[41] In Jewish polemic discourse (Rabbanite as well as Karaite), the first discussions of abrogation appear in the middle of the 10th century, as documented by fragments of Samuel ben Ḥofni's (died 1013) Kitāb Naskh al-Sharʿ (Treatise on Abrogation of the Law),[42] Seʿadyah Gaon's Kitāb al-Amānāt waʾl-Iʿtiqādāt (The Book of Beliefs and Opinions), several chapters in al-Qirqisānī's Kitāb al-Anwār waʾl-Marāqib (Book of Lights and Watchtowers), and various works by Maimonides.[43] This study addresses, in chronological order, the views on abrogation held by the latter three of these leading medieval Jewish thinkers, with Seʿadyah Gaon and Maimonides representing Rabbinic Judaism and al-Qirqisānī Karaism. Of course, other authors from both Jewish religious movements wrote on the notion of abrogation as well (some of these views will be presented here), but as has been said before, these three are central figures of medieval Judaism whose legal and theological thinking significantly shaped future debate, including debate on the abrogation of Mosaic Law within Jewish apologetics vis-à-vis Islam (and Christianity).[44]

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val Islamic Sources, in: Meira Polliack (ed.), *Karaite Judaism: A Guide to Its History and Literary Sources*, Leiden, Boston 2003, 181–182.

39 Al-Bāqillānī's categorization almost precisely mirrors the one presented by Samuel ben Ḥofni in *Kitāb naskh al-sharʿ*. Sklare, Responses to Islamic Polemics, 146–147.

40 For ʿĪsāwiyya's acknowledgement of Jesus and Muḥammad as prophets, see Wasserstrom, *Between Muslim and Jew*, 77–78. Some Jewish followers of Rabbinical Judaism also believed that Muhammad was a prophet, though one sent to the Arabs whose law did not apply to the Jews. This view was presented by Natanʾel ibn Fayyūmī of Yemen (died 1165) in *Bustān al-ʿuqūl* (*The Garden of Wisdom*), David Levine (ed.), New York 1908, 108–109.

41 The Muʿtazilite theologian Ibrāhīm al-Naẓẓām (died 845) debated the abrogation of the law (*naskh al-sharāʾiʿ*) with an otherwise unknown Jew named Yassā ibn Ṣāliḥ. See Wansbrough, *The Sectarian Milieu*, 110–112.

42 Sklare, *Samuel ben Ḥofni Gaon*, 28–29; Sklare, Response to Islamic Polemics, 146–149.

43 Julius Guttmann, *Die Religionsphilosophie des Saadia*, Göttingen 1882, 148–157; Haggai Ben-Shammai, The Attitude of Some Early Karaites towards Islam, in *Studies in Medieval Jewish History and Literature*, vol. 2, ed. Isadore Twersky, Cambridge, MA, London 1984, 28–30; Adang, *Muslim Writers*, 198–210.

44 Those who drew on Seʿadyah and al-Qirqisānī include, for example, Abraham ibn Daud. See Resianne Fontaine, Abraham ibn Daud's Polemics against Muslims and Christians, in: B. Roggema, M. Poorthuis,

Seʿadyah Gaon

Seʿadyah b. Yoseph, the Gaon of the Sura Academy in Baghdad in the years 928–942 C.E.[45] and the first key figure in medieval Judaism, was the first Jewish thinker to engage in a systematic polemic with Islam, although he never wrote an independent treatise on the subject. His polemic, which is dominated by the subject of abrogation, is contained in many of his works,[46] primarily in his interpretations of the Hebrew Bible and in the third chapter of his philosophical/theological treatise Kitāb al-Amānāt waʾl-Iʿtiqādāt. His arguments show that, by the mid-10th century, abrogation was already a widely discussed topic within Christian, Jewish, and Muslim theological discourse. By comparison, Seʿadyah does not discuss the falsification of the Torah (*taḥrīf*) at all and includes his polemic with Muḥammad's prophethood into his arguments against abrogation. The most likely reason lies in the importance of abrogation in the contemporary Muslim theological literature (e.g., al-Bāqillānī's Kitāb al-Tamhīd), which also devotes the most space to the question of abrogation.[47]

We have already mentioned that the question of abrogation was a frequent subject at Baghdad's multiconfessional salons. The renowned historian al-Masʿūdī (893–956) writes that one such salon, held by the vizier ʿAlī ibn ʿĪsa, was attended by Seʿadyah and his teacher Abū Kathīr, who debated the abrogation of the Law (*naskh al-sharāʾiʿ*) and the change of God's mind (*badāʾ*) with al-Masʿūdī himself.[48] From Seʿadyah's arguments (which we describe below) it is clear that he was highly familiar with the arguments for and against abrogation presented during debates at such *majālis*.

Researchers provide different answers to the question of who is the target of Seʿadyah's polemic in Kitāb al-Amānāt. Eliezer Schlossberg and Hava Lazarus-Yafeh believe that his arguments are directed against the Muslims, while Daniel Lasker identifies their target as being primarily Christians.[49] The truth probably lies somewhere in-between. Since the arguments for the abrogation of Mosaic Law were raised by Christians as well as Muslims, Seʿadyah does not target his arguments at one specific group but at all those (i.e., primarily Christians and Muslims, but also some Karaites) who "consider abrogation possible" (*man yujīzu ʾl-naskh*).

P. Valkenberg (eds.), *The Three Rings: Textual Studies in the Historical Trialogue of Judaism, Christianity, and Islam*, Leuven 2005, 19–34.

45 The most comprehensive treatment of Seʿadyah to date is Malter, *Saadia Gaon*; a more up-to-date survey is Robert Brody, *Rav Seʿadya Gaon* (in Hebrew), Jerusalem 2006.

46 Moshe ibn ʿEzra (died 1139) writes that Samuel ben Ḥofni and Dāʾud al-Muqammaṣ polemicized with the Muslims on the abrogation of the law, "including all that is dispersed in the many writings of r. Seʿadyah". Moshe ibn ʿEzra, *Kitāb al-Muḥāḍara wal-Mudhākara* (*Liber Discussionis et Commemorationis*), ed. A. S. Halkin, Jerusalem 1975, 38, line 43.

47 Al-Bāqillānī, *Kitāb al-Tamhīd*, 176–190.

48 Al-Masʿūdī, *Kitāb al-Tanbīh waʾl-Išrāf*, ed. M. J. de Goeje, Leiden 1894, 113.

49 Eliezer Schlossberg, R. Saadia Gaon's Attitude towards Islam, *Daʿat* 25, 1990, 39–40; Lazarus-Yafeh, *Intertwined Worlds*, 37; Daniel J. Lasker, Saadya Gaon on Christianity and Islam, in: Daniel Frank (ed.), *The Jews of Medieval Islam,* Leiden 1995, 165–177; Id., Against Whom Did Rav Saadia Gaon Polemicize in His Discussion Concerning Abrogation of the Torah?, *Daʿat* 32–33, 1994, 5–11 (in Hebrew); cf. Ben-Shammai, Attitude of Early Karaites, 8, note. 18.

Seʿadyah firmly defends the eternal validity of Mosaic Law. His argumentation is structured as follows: the functional identification of the Law and community (*innamā hiya umma bi-sharāʾiʿihā*); abrogation is not analogical to the issuing of subsequent commandments because of changing circumstances; the foundation for the acceptance or non-acceptance of Moses and any other prophet is not the presence of signs/miracles but the wisdom of his/their message; Scripture contains no inconsistencies; the commandments of Scripture are confirmed by reason (*ʿaql*) and tradition (*naql*).[50]

At the outset of his relatively extensive discussion of abrogation, Seʿadyah presents his standpoint: the authentic tradition of the prophets and the tradition accepted by all of Israel clearly reject the notion that the laws of the Torah could be subject to abrogation. This is proven by verses from the Torah and the Prophets, in which the formulation of laws is accompanied by the postscript that they apply *throughout their generations* (Exodus 31:16), for *a perpetual covenant* (Ibid.). Since the existence of the nation of Israel is conditioned on observance of the commandments and God proclaimed that the Jewish nation would exist for as long as heaven and earth, it follows that His laws are valid for the entire existence of heaven and earth (Jeremiah 31:31–36). By the same token, the last prophet Malachi calls on the Israelites to observe Mosaic Law until the day of resurrection, which will be preceded by the coming of Elijah (3:22–23).[51]

Whereas Scripture rules out the possibility of abrogating Mosaic Law, it is not nearly so clear whether intellectual arguments lead to the same conclusion. Seʿadyah mentions a certain group of co-religionists (he is apparently referring to the Karaites) who refute the possibility of abrogation using universal claims (*ʿumūm*) and distinguish among four types of commandments: 1. commandments that Scripture explicitly identified as eternally valid and thus inabrogable; 2. commandments that were time-limited from the beginning and cannot be abrogated during this time; since they are no longer valid following their expiry, this is not a case of abrogation; 3. commandments that apply to a certain place or for certain occasions; these cannot be nullified in the places to which they apply, and they are not valid in any other places; 4. commandments conditioned by a certain agent, e.g.: "Do as such, because the waters of the Nile flow" – the commandment cannot be nullified as long as the water flows, and if God issues a new commandment after the waters cease to flow, this is not an abrogation of the initial commandment. Confronted with the objection that there exists a fifth category of time-unlimited commandments that are valid until God issues another, this group of co-religionists answers that such a commandment is time-limited for a period of time known to the Creator, of which Man learns upon the issuance of the new law, and so this type of commandment is like the second kind. Seʿadyah presents these views without comment.[52]

After presenting his view and the view of the "certain group of co-religionists" who deny the possibility of abrogation, Seʿadyah turns to the arguments of two groups who con-

50 John Wansbrough, *The Sectarian Milieu*, 112–114.

51 Seʿadyah Gaon, *Kitāb al-Amānāt waʾl-Iʿtiqādāt*, ed. Samuel Landauer, Leiden 1880, 128; *The Book of Beliefs and Opinions*, trans. Samuel Rosenblatt, New Haven, London 1948, 157–158.

52 Guttmann claims that the manner in which Seʿadyah presents his various views justifies the conjecture that he denied the possibility of abrogation as a change in God's mind (*badāʾ*). Guttmann, *Die Religionsphilosophie des Saadia*, 148–150.

sider abrogation possible. One argues on the basis of intellectual arguments, the other through verses from Scripture.

Seʿadyah addresses the first group and its seven arguments,[53] which are based on a comparison of the commandments contained in the Torah with the changing conditions of everyday life. This group deduces the possibility of abrogation through an analogy with natural phenomena. After the fashion of the Muslim polemicists, Seʿadyah structures his debate in the form of a dialogue in which he first presents his opponents' view only to immediately refute it: 1. Just as God gives life and takes it away, so too can he issue a law and subsequently nullify it. Seʿadyah's response: Man is born in order to die, because death is the natural path to eternal life, the final goal of human existence. But God did not issue the Torah in order to abrogate it. If it were otherwise, then every law that nullifies a preceding law would be eventually nullified by a new law, and so on for eternity. It is unthinkable that the aim of every new law would be the abrogation of the old. 2. Just as death annuls Man's duty to observe the commandments, so too may any law annul the Torah. Seʿadyah's response: Whereas it is inevitable that death annuls the applicability of the commandments to Man, it is not unavoidable that a new law abrogates the Mosaic Torah. 3. Just as Man works one day and rests the next or fasts one day and eats the next, so too may the commandments apply at one time only to be replaced in another. Seʿadyah's response is the same as the previous: One cannot compare things that are unavoidable (because Man cannot fast or rest every day) with the abrogation of the Torah, which is not unavoidable. 4. Just as God makes Man rich or poor or blind or sighted according to his will, so too may he change the Torah. Seʿadyah's response: Wealth or handicaps are the reward for obedience or disobedience and thus depend on Man's actions; the Torah, on the other hand, does not depend on actions and thus cannot be nullified or replaced. 5. Just as nature is full of change (dates change color from green to red as they ripen), so too may the Torah be changed. Seʿadyah's response: Changes in nature are natural and unavoidable, whereas the nullification of the Torah is neither unavoidable nor possible, as shown in the answer to the first argument. 6. Just as working on the Sabbath, which reason considers allowed, was forbidden by revelation, so too may another revelation permit working on the Sabbath. Seʿadyah's response: This analogy would make sense if reason told us to work on the Sabbath and revelation forbade us from working; however, reason also acknowledges that resting one day a week is beneficial to man, and the revealed injunction merely rewards Man for withstanding work. 7. Just as Abraham's law was replaced by that of Moses, so too may Mosaic Law be replaced by a new one. Seʿadyah's response: the laws of Moses and Abraham are identical. Although Moses added certain edicts to the law of Abraham (such as the eating of unleavened bread on Passover and the laws of the Sabbath) in order to remember certain events in the history of the Israelites, these supplementary edicts do not abrogate the law of Abraham just as voluntary supplemental prayers, fasts and alms are not in conflict with the law of the Torah, which does not require such initiatives that go beyond the extent of the law.[54]

53 Robert Brody claims that Seʿadyah was apparently the first individual author in the history of literature to divide a book into numbered chapters in his preface. Seʿadyah often ordered the subject of his treatises using numbers. Brody, *Rav Seʿadya Gaon*, 48.

54 Seʿadyah Gaon, *Amānāt*, 129–132; *Beliefs and Opinions*, 159–163. Cf. Adang, *Muslim Writers*, 202–210.

Seʿadyah summarizes these seven arguments by saying: "These are, therefore, all […] mere diversions which cannot stand up under a careful inquiry into the matter."

After refuting these arguments, Seʿadyah presents another argument posited by the supporters of abrogation, according to which it is necessary to believe any prophet (i.e., Jesus and Muḥammad) who, like Moses, performs miracles and signs.[55] Seʿadyah shows astonishment at this argument: after all, the Jews' faith in Moses' prophethood is not based just on his miracles, but on the ethical value of his message. Miracles have only secondary value. If a prophet calls on the people to perform something reasonable (such as fasting on a particular day), he should be asked for a sign, after which his message can be believed. If, however, a wonder-worker demands something that reason considers misguided (e.g., adultery, stealing, and murder) or announces the sending of a flood in contradiction with God's promise (Genesis 9:15), then his signs and miracles cannot be respected. No miracle may serve as evidence of the truthfulness of something inherently untruthful.[56] Although Seʿadyah does not mention Muḥammad by name, the reader knew whom he had it mind.

After addressing the intellectual arguments of the supporters of abrogation, Seʿadyah turns to three arguments based on the Hebrew Bible. Here, too, he takes the same approach: First he presents the argument for abrogation, and then he refutes it.

1. As the first, he cites the verse "The Lord came from Sinai, and rose from Seir unto them; He shined forth from mount Paran, and He came from the myriads holy" (Deuteronomy 33:2). Although Seʿadyah does not say what the Muslims are trying to prove with this verse, he doesn't have to, since this verse was apparently cited the most frequently by the Muslim polemicists as a prophecy of the coming of Islam, and readers were familiar with its polemic interpretation.[57] In the Muslim view, the verse describes the evolution of the religious history of mankind and the progression of revelations culminating in Muḥammad's mission, which abrogates the prior revelations: Sinai symbolizes Judaism, Seir Christianity, and Paran Islam. Seʿadyah bases his counterargument on geography: Sinai, Seir, and Paran are the names of the various slopes of Mt. Sinai, as defined by the adjoining lands. He also describes the Muslim argument according to which the use of the past tense (*hofiaʿ*) in relation to Paran in Deuteronomy 33:2 but the future tense (*yavoʾ*) in Habbakuk 3:3 ("God cometh from Teman, and the Holy One from mount Paran") signifies the future coming of Muḥammad, who will nullify the first law, the Torah.[58] Seʿadyah refutes this claim through linguistic arguments (the connotations of the perfect and imperfect of a consecutive Hebrew verb).

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55 Seʿadyah Gaon, *Amānāt*, 132; *Beliefs and Opinions*, 163.

56 Ibid., *Amānāt*, 132–133; *Beliefs and Opinions*, 163–164. Shlomoh ibn Adret is of the same opinion in his polemics against Islam. See Adang, A Jewish Reply to Ibn Ḥazm, 198–199.

57 A list of Muslim authors who used this verse can be found in Eliyahu Ashtor (Strauss), Methods of Islamic Polemics (Hebrew), in *Memorial Volume for the Vienna Rabbinical Seminary*, Jerusalem 1946, 191–192. On the universal familiarity of polemic verses (Gen. 17:20; Deut. 18:15; 33:2) Maimonides adds: "These arguments have been rehearsed so often that they have become nauseating", Abraham Halkin and David Hartman, *Crisis and Leadership: Epistles of Maimonides*, Philadelphia 1985 (hereafter: Maimonides, *Epistles*), 107.

58 On the frequency of this verse in Muslim polemical writing, see Ashtor, Methods of Islamic Polemics, 195–196. By comparison, in the third chapter of Habakkuk, Christians saw a prophecy of the coming of Jesus. See Berger, *The Jewish-Christian Debate*, 124, 286–287. On these verses, see also Abraham ibn Daud, *Das Buch Emunah Ramah*, ed. Simson Weil, Frankfurt am Main 1852, 78–79.

2. As another argument for abrogation, Seʿadyah presents the question posed to him by an unnamed group of people regarding the identity of the person mentioned in Obadiah 1:1 ("[…] an ambassador is sent among the nations: 'Arise ye, and let us rise up against her in battle.'") Here, too, Seʿadyah does not indicate which conclusions this group drew from the verse; according to Schlossberg he is polemicizing with Christians, who identify the "ambassador" (*ṣir*) as Jesus.[59] Seʿadyah, however, does not interpret the passage as a prophecy of the future but as a story from the history of Israel: he identifies the "ambassador" as Jahaziel and the "battle" as Edom's war on Judah during the reign of King Jehoshaphat (2 Chronicles 20).

3. In their polemic with Judaism, other authors present the frequently cited verse of Jeremiah 31:31 as evidence of the abrogation of the Torah: "Behold, the days come, saith the Lord, that I will make a new covenant with the house of Israel, and with the house of Judah." Here, Seʿadyah argues, we must take into consideration the context. It follows from the subsequent verses the God is not talking of a "new" covenant, but of a "renewal" of the existing one. What is new in this covenant is that it will no longer be violated like the first: "Forasmuch as they broke My covenant, although I was a lord over them" (Jeremiah 31:32).[60]

One of the most widespread methods of medieval polemics with the Hebrew Bible and Judaism was based on the search for contradictions between various verses within the Hebrew Bible with the aim of demonstrating its falseness and abrogating its law.[61] From the large number of such "contradictions", Seʿadyah selected just ten, which he treats in his usual manner.[62]

1. Adam's sons took their sisters as wives (Bereshit Rabbah 22:3), which the Torah forbade. Response: Taking one's sister as a wife was forbidden even before Moses, but Adam had to marry his sons to his daughters because there were no other women on earth. This permission was later abolished; similarly, a sick man may eat on a day of fasting, but this reprieve no longer applies after his reconvalescence.

2. Cain was banished for killing Abel, but later the Creator commanded that murderers be killed. Response: This is not abrogation, for the Creator's commandment is that a murderer be condemned to death by a judge on the basis of testimony by two witnesses. Since this condition was not met in Cain's case, he was sentenced to banishment.

3. In the beginning, anyone could make an offering, but later God reserved this privilege for Aaron and his descendents alone. Response: Even before Aaron and his sons were chosen, not everyone could engage in sacrifice but only those who performed a service similar to that of a priest, and so this is not a case of abrogation.

4. Offerings are also to be made on the Sabbath, although it was forbidden to perform any kind of work on the Sabbath. Response: This argument not only fails to prove abrogation but actually refutes it. Offerings preceded the Sabbath, and even if the Torah forbade

59 Schlossberg, R. Saadia Gaon's Attitude towards Islam, 44.

60 Seʿadyah Gaon, *Amānāt*, 133–135; *Beliefs and Opinions*, 165–167.

61 Lazarus-Yafeh, *Intertwined Worlds*, 28–29.

62 These arguments are recapitulated by Martin Schreiner, Zur Geschichte der Polemik zwischen Juden und Muhammedanern, 604–605.

working on the Sabbath, it did not forbid offerings and circumcisions, which also preceded the Sabbath.

5. God commanded Abraham to sacrifice Isaac but immediately reversed his command with the words: "And he said: Lay not thy hand upon the lad, neither do thou any thing unto him" (Genesis 22:12).[63] Response: God indeed commanded Abraham to sacrifice Isaac, but was satisfied with Abraham's determination to fulfill the commandment.[64]

6. God forbade Balaam to go with the messengers of Balak, but later ordered him to do the opposite (Numbers 22:12 and 20). Response: God allowed him to go only with other, more esteemed messengers than the first messengers, in order to increase Balaam's esteem so that it would later be said that God saved his people through an esteemed person.

7. God told Hezekiah that he would die, but then gave him fifteen years of life (Isaiah 38:1–5; 2 Kings 20). Response: The threat of death was meant to motivate Hezekiah's penance, on whose basis God extended his life.

8. God chose the Levites to perform the service of the Lord in place of the firstborn (Numbers 8:18). Response: After the firstborn had sinned, God chose the Levites over them, for God punishes and denigrates sinners. For the same reason, he banished Adam from the Garden of Eden after he had sinned and cast out the Israelites from their land and led them into exile.

9. Joshua waged war on the Sabbath (Joshua 6). Response: The battle itself did not take place on the Sabbath, and so Joshua did not defile it.[65] The Israelites merely carried the Ark on the Sabbath and marched around the walls of Jericho with it, blowing on their trumpets – which is allowed on the Sabbath.

10. Originally, the Jews prayed towards the tabernacle, and later towards the Temple. Response: When praying, the people originally faced the Ark, but when it was transferred from the tabernacle to the Temple, the direction of their prayer changed accordingly.

Seʿadyah did not gather these "contradictions" in the Torah from Muslim sources, but probably from Ḥiwi (or rather Ḥayawayh) al-Balkhi – a Jewish skeptic from the second half of the 9th century and the author of a rhymed polemic in which he criticized 200 of what he viewed as problematic passages in the Hebrew Bible – or from al-Balkhi's followers[66] or the Karaites. Their biblical criticism compelled Seʿadyah Gaon to write a defense of Judaism and to refute al-Balkhi's arguments.[67] The examples he cites precisely match

63 On the frequency of this verse in Muslim polemical writing, see Ashtor, Methods of Islamic Polemics, 184.

64 On this passage in Seʿadyah's polemic with Islam, see Andrew Rippin, Saʿadya Gaon and Genesis 22: Aspects of Jewish-Muslim Interaction and Polemic, in William M. Brinner, Stephen D. Ricks (eds.), *Studies in Islamic and Judaic Traditions*, vol. I, Atlanta, GA 1986, 33–46.

65 The same argument was raised by Christian polemicists in Spain. Baron, *Social and Religious History*, V, 124.

66 A Rabbanite Hebrew work listing difficult Biblical questions, usually called *sheʾelot ʿatiḳot*, was relatively popular in the 11th century. Its aim was to emphasize the need for Rabbinical tradition in order to provide a proper understanding of the Hebrew Bible. Excerpts from this work were published by Solomon Schechter, Geniza Specimens. The Oldest Collection of Bible Difficulties, by a Jew, *Jewish Quarterly Review* 13, 1901, 345–374.

67 Israel Davidson, *Saadia's Polemic against Ḥiwi al-Balkhi*, New York 1915. On his person, see Sarah Stroumsa, *Freethinkers of Medieval Islam Ibn al-Rāwandī, Abū Bakr al-Rāzī and Their Impact on Islamic Thought*, Leiden, Boston, Köln 1999, 219–221.

Seʿadyah's ten points.[68] Although Seʿadyah here was not responding to Muslim polemics, the Muslim polemicists very soon borrowed these Biblical verses and incorporated them into their works as arguments for the abrogation of the Torah. We can encounter these and other arguments in the polemics of Ibn Ḥazm (died 1064), the Jewish convert to Islam Samawʾal al-Maghribī (1163), al-Qarāfī (died 1285) and others.

Seʿadyah concludes his debate on abrogation with three further arguments, of which I will mention only the first, for it is given by other Jewish authors as well, which testifies to its significance in their debates with the Muslims. The proponents of abrogation claim that the word *ʿolam* ("antiquity", "future") – on which Seʿadyah in particular bases his claims as to the eternal validity of the Torah – has several meanings in connection with the commandments of the Torah, from which follows the temporary nature of certain commandments (such as the Sabbath). In Seʿadyah's interpretation, the word *ʿolam* in Scripture signifies three chronological periods: a) fifty years (Exodus 21:6); b) the duration of a human life in the given Biblical section (1 Samuel 1:22); c) the duration of the world. The commandment of the Sabbath, about which Scripture says: "It will be a sign between me and the Israelites forever" (Exodus 31:17), falls into the third category. The same arguments are used by the era's other leading Jewish thinkers discussed below.

Al-Qirqisānī

Another Jewish theologian to write extensively on the subject of abrogation was Yaʿqūb al-Qirqisānī (first half of the 10th century), in his time a leading representative of Karaism. Al-Qirqisānī incorporated a brief summary of his arguments against Islam[69] (including the abrogation of the Torah) into his first compendium, Kitāb al-Anwār waʾl-Marāqib, in which he offers the following definition of *naskh*: "Is not abrogation the unbinding of that which was bound, making permissible that which was prohibited or prohibiting that which was ordered?"[70]

Al-Qirqisānī introduces his discussion of abrogation with a treatise on the Jewish ʿĪsāwiyya sect, whose founder and self-proclaimed prophet Abū ʿĪsā al-Iṣfahānī, also known as Obadiah (early or mid-8th century), acknowledged Jesus and Muḥammad as prophets, although their laws did not nullify or replace Mosaic Law.[71] According to al-Qirqisānī, Abū ʿĪsa's claims to being a prophet are undermined by his own contradictory statements. How can he claim to be a prophet when Muḥammad – whom he considers a prophet – declares himself to be the last of the prophets? Another contradiction identified by al-Qirqisānī lies in Abū ʿĪsa's proclamation that Moses, Jesus, and Muḥammad were sent to different nations with different laws, and that each nation reveres God in accordance

68 Judah Rosenthal, Ḥiwi al-Balkhi: A Comparative Study, *Jewish Quarterly Review* 38, 1947–1948, 329–332.

69 The text was first time published by Israel Friedländer, Qirqisānīs Polemik gegen den Islam, *Zeitschrift für Assyrologie* 26, 1912, 77–110. Al-Qirqisānī's debate on abrogation is summarized by Adang, *Muslim Writers*, 202–210.

70 Al-Qirqisānī, Kitāb *Anwār al-Marāqib*, *Code of Karaite Law*, ed. Leon Nemoy, New York 1939–1943, 469.

71 On the teaching of Abū ʿĪsa and the history of the movement bearing his name, see Steven M. Wasserstrom, The ʿĪsawiyya Revisited, *Studia Islamica* 75, 1992, 57–80; Id., *Between Muslim and Jew*, 84–88.

with its own laws, although Islam makes a claim for exclusivity (3:79/85). Where Abū ʿĪsā took a stand against proselytizing (for each human society should revere God in accordance with its own laws), al-Qirqisānī sees Judaism as a universalist religion, and documents this fact via a series of examples from the Hebrew Bible that describe converts fulfilling the commandments of the Torah or the reward they are promised for their conversion.[72]

Haggai Ben-Shammai, a leading expert in Karaism, believes that al-Qirqisānī's criticism is aimed not as much towards the ʿĪsāwiyya (who were already numerically insignificant by then, numbering no more than 20 or 30 followers in Damascus, whom al-Qirqisānī labels simple and limited, *nāqiṣī al-ʿuqūl waʾl-maʿārif*),[73] but against a group of Karaites from Tustar that like the ʿĪsāwiyya believed that Mosaic Law as a means of revering God was binding only for the Jews.[74] Al-Qirqisānī writes most openly on abrogation and the veracity of Muḥammad's prophethood[75] in the fifteenth chapter of Kitāb al-Anwār, in which he focuses primarily on the Muslims. The chapter is entitled "A response to the Muslims and to those who believe in the prophethood of the *pasul* (i.e., Muḥammad)".[76] Al-Qirqisānī opens his polemic by stating that there is no need to determine the credibility of the source and transmitter of a tradition whose content is absurd and false. Into this category, he includes reports on Muḥammad, for he "encouraged things inconsistent with reason, and uttered contradicting statements" – i.e., he acknowledged Moses' prophethood and the tradition of his miracles, accepted the Torah and took as witness those who followed it, as shown by al-Qirqisānī's word-for-word citation from the Qurʾān (5:43; 10:94; 16:45/43), but also proclaimed that the Jews were liars. "It is absurd that Muḥammad take as witness a person whom he considers a liar." Al-Qirqisānī here works with two premises: a) the Qurʾān considers the Jews to be liars (which he considers to be so universally known that he does not provide any citations), and b) there exists a contradiction between the words "witness" and "liar". From this contradiction, he comes to the conclusion that Muḥammad's entire message is "logically" absurd (*muḥāl*).

Al-Qirqisānī identifies an additional contradiction in Muḥammad's proclamation that the law of the Torah has been abrogated and replaced by a different law despite Moses' assurance of its eternal validity:

> "Muḥammad contradicted his former statement [where he said that the Torah is to be called upon to judge] by claiming that the Mosaic Law has been abrogated and replaced by another law. In spite of the fact that He who gave the Torah declared that it will not be abrogated nor nullified, and that it is in force to the Last Day [*inqiḍāʾ al-ʿālam*]. These declarations are to be found both in scriptural text [*naṣṣ*] and in

72 Al-Qirqisānī, *Anwār*, III.14.2–3.

73 Al-Qirqisānī, *Anwār*, III.13.1.

74 Ben-Shammai, Attitude of Early Karaites, 25–26.

75 Al-Qirqisānī, *Anwār*, vol. II, 292–301. Al-Qirqisānī states that he devoted a separate treatise (not preserved) on Muḥammad's prophethood. He speaks of his book on Muḥammad's prophethood on pages 284, 292, 301, 304.

76 In the Middle Ages, Jews called the prophet Muḥammad by the pejorative epithet *pasul* – a play on words involving the Arabic *rasūl* ("messenger"). The Hebrew *pasul m*eans "defective" or "ill-suited". Moritz Steinschneider, *Polemische und apologetische Literatur in arabischer Spracher zwischen Muslimen, Christen und Juden*, Leipzig 1877, 302. As opposed to al-Qirqisānī, Seʿadyah does not use any pejoratives for Muḥammad.

> tradition [*naql*]. The scriptural texts are Numbers 15:23; Exodus 31:16; Leviticus 23:21. These verses include three phrases which indicate eternity: 'perpetual covenant,' 'in all your dwellings' and 'throughout your generations.' Additional proofs are adduced from Malachi 3:22–23, [which is important because] Malachi is the last prophet [*khātam al-nabiyyin*],[77] and he, according to these verses, enjoined the observance of the Torah with its precepts. Neither he, nor any other prophet, has mentioned that God would institute a [new] law, or that he would enjoin any precept other that the precepts of the Torah. Also, Daniel announced [Daniel 9:24] that prophecy would end and that God would not send [another] prophet. After the seventy weeks mentioned there in detail there will be neither revelation nor prophecy nor prophet [*waḥy, nubuwwa, nabiyy*]."[78]

Although Seʿadyah and al-Qirqisānī cite the same Bible verses, their argumentation differs to a certain degree. Where Seʿadyah opens his argumentation by juxtaposing the Hebrew Bible's claims regarding the eternity of Mosaic Law against Muslim statements as to its abrogation, al-Qirqisānī opens his debate by comparing Muḥammad's claim of abrogation with statements from the Qurʾān that declare the Torah to be a credible source of justice. The aim of this comparison is to demonstrate the "logical" contradiction between the two claims. He provides evidence from the Hebrew Bible only as a supplemental argument, adding that they are taken from the text of Scripture (*naṣṣ*) and tradition (*naql*). Since as a Karaite, the concept of oral tradition was alien to al-Qirqisānī, he probably meant this term not in the sense of Talmudic tradition but as consensus among the community of believers much like the Islamic concept of *ijmāʿ*.[79]

Al-Qirqisānī subsequently presents arguments with which he refutes Muslim groups' views on abrogation, Muḥammad's prophethood, and his miracles. According to al-Qirqisānī, some groups argue that Malachi merely marked the end of prophecy for Israel and that Daniel's words mean that God will no longer cause any prophets to rise from among the Jews and will never again send a messenger from their ranks. At the same time, however, this does not mean that a prophet cannot appear among the other nations. Al-Qirqisānī counters that Daniel's statement is universal and does not apply to anyone specific.[80] He bases his argument on the terminology of Muslim Muʿtazili theology and law, which work with the concepts of the universal (*ʿāmm*) and individual (*khāṣṣ*), according to which any specification of exception must be expressly given in the revealed text. The next argument is an expansion of the preceding one: it is unimaginable that God would fail to announce the future coming of a prophet who will abrogate Mosaic Law:

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77 Although Jewish tradition most commonly used the phrase "the seal of the prophets" to describe the prophet Malachi, there exist other views as well. The Karaite Yefet ben ʿEli associated the term "the seal of the prophets" with the prophet Ezekiel (Daniel Frank, *Search Scripture Well. Karaite Exegetes and the Origins of the Jewish Bible Commentary in the Islamic East*, Leiden 2004, 242–243), and Maimonides' father Maimon with the prophet Daniel. L. M. Simmons, The Letter of Consolation of Maimun ben Joseph, *Jewish Quarterly Review*, o.s. 2, 1889–1890, 69. The Qurʾān (Sura 33:40) also describes Muḥammad as the "seal of the prophets", *khātam al-nabiyyin*. The church father Tertullian was the first to use this term ("the seal of the prophets") for Jesus.

78 Al-Qirqisānī, *Anwār*, III.15.2–3. Translation by Ben-Shammai, Attitude of Early Karaites, 27.

79 Ibid., 28–29.

80 Al-Qirqisānī, *Anwār*, III.15.4.

> "It is impossible to reconcile God's foreknowledge that He would abrogate the Mosaic Law through a prophet sent by Him to all human races on earth, and that He would order them all to embrace [another] law, with His refraining from announcing all this through Moses, the master of prophets [*sayyid al-mursalīn*] or any other prophet. It is all the more impossible, bearing in mind the announcement of Moses and other prophets about all that will happen until the end of times and generations, such as Moses' announcement of the future expulsion of [our] nation and its dispersion to the ends of earth, and also of its subsequent gathering and return as well as restoration and multiplication of good things [prooftexts: Deuteronomy 28:64; 30:4ff.]. These are the very promises which the prophets expounded and announced, such as the coming of the Messiah and the conditions which will exist in his era, and which include, amongst others, universal peace, cessation of wars, end of unbelief [*kufr*] and the [unification] of mankind in one faith [*milla*] and one language. Furthermore, Daniel mentioned each and every kingdom [which will exist] until the Messiah comes and gains control over the government of the world. Would it not be obligatory that information about this man [i.e. Muḥammad] and his prophethood and his law be joined to all [these] declarations and announcements? Moreover, he should be mentioned prior to anything else, and the mention and annunciation of him should be prior to the mention of any other matter; especially so since you describe him as having an important rank and a majestic position in heaven and on earth and as being the beloved of the Lord [*ḥabīb rabb al-ʿālamīn*], and [you say that] had it not been for him God would not have created the world. [Now,] it is impossible that all the prophets should fail to mention a person that fits this description, so that not [even] one should mention him. On the contrary, it should have been obligatory that all the prophets, from Adam down to Abraham, transmit to each other the annunciation about him."[81]

The debate on abrogation serves al-Qirqisānī as a springboard to refuting the old argument of Muslim polemics according to which the Hebrew Bible prophesizes the coming of Muḥammad. In his stance on this issue, he divides Muslims into the lay public (*al-ʿawāmm*), who accuse the Jews of lying when they deny that the Torah mentions Muḥammad, and "people of learning and speculative thinking" (*ahl al-ʿilm wa ʾl-naẓar*) who proclaim that either the text of the Torah is a falsification (*taḥrīf al-naṣṣ*) or its interpretation is (*taḥrīf al-maʿānī*), and claim that the Torah speaks of Muḥammad in intimations.[82] Al-Qirqisānī naturally rejects these groups' arguments and interprets all their cited prophesies of Muḥammad's coming in the sense that these prophesies were either fulfilled prior to the emergence of Islam or they will be fulfilled during the Messianic Age. One sign of this age is the Israelites' return from exile to the Land of Israel. The Muslims (like the Christians) saw the destruction of the Jewish kingdom and the Jews' expulsion from their homeland as evidence of the abrogation of their religion and the resulting need to adopt a new law – Islam. Al-Qirqisānī presents a different interpretation: the Jews' expulsion from

81 Ibid., III.15.5. Translation by Ben-Shammai, Attitude of Early Karaites, 30.

82 See Ignaz Goldziher, Ueber muhammedanische Polemik gegen Ahl al-kitāb, *Zeitschrift der Deutschen Morgenländischen Gesellschaft* 32, 1878, 366–367.

their homeland and the destruction of their kingdom resulted from neglecting and violating God's commandments of the Torah. Through the prophets, God had told the Israelites that the renewal of their state, the coming of the Messiah and the rebuilding of the Temple (as foreseen by Ezekiel), depends on their willingness to repent. "A man may repent only for something that he has neglected in his insubordination. This is the opposite of the Muslims' claim that Mosaic Law was nullified and made invalid and that it was therefore necessary to adopt a different one." Instead of adopting a new law, the Jews should return to observing the Torah.[83] Al-Qirqisānī refutes the Muslims' argumentation and launches a counterattack: in the end, all nations (Christians and Muslims included) will accept the laws of the Torah, including the Sabbath, the pilgrimage on the Feast of Tabernacles and the celebration of Passover, as mentioned in Isaiah 66:23 and Zechariah 14:18.

Al-Qirqisānī also criticizes the Muslims and Christians for their selectivity in choosing what to adopt from the Jews. If they adopt the Torah's statements about Moses, then they must also acknowledge the reports of his miracles and statements on the eternity and inabrogability of the Law – and acknowledge that the Jews adopted this Law from Moses and the other prophets. If the trustworthiness of their statements were questioned and the statements on the irrevocability of the law were considered false and willfully inserted into the Torah, then the same could be claimed of the pillar of the Torah (*aṣl*), which is the story of Moses. In such a case, al-Qirqisānī states, no report could be considered trustworthy.[84]

In discussing the subject of abrogation, al-Qirqisānī does not limit his criticism to just Christians and Muslims, but aims into his own ranks, in particular the *al-ʿanāniyya* (a school of Karaite thought) and certain Karaites themselves, whose views he discusses in the chapters of Kitāb al-Anwār entitled "On the diverse views of people on the eternity of the commandments and the abrogation of the Law" and "The arguments of the opponents of abrogation of the Law and supports of the pre-existence of the commandments (*qidam al-farāʾiḍ*)".[85] His words make it clear that the debate on whether the commandments preceded revelation was an integral part of the polemic between Islam and Judaism and within Judaism itself. When Yehuda ha-Levi (died 1141) writes in *Kuzari* (I:83) that in Egypt the Israelites possessed only a few laws, which they had inherited from Adam and Noah, and that "Moses did not nullify but added to them", he is thus responding to the Christian and Muslim thesis of the abrogation of Mosaic Law as well as to certain school of thought within Karaism. Al-Qirqisānī writes that these groups deny the possibility of the abrogation of Mosaic Law and consider all of God's commandments issued through Moses to have been valid since the creation of Adam; none were added nor taken away over the course of history, and all are valid for all people of all epochs. The commandments given to Moses had already been received by his predecessors, beginning with Adam. Some even claimed that Adam had been circumcised, celebrated Passover, sat in the tabernacle on Sukkot, and observed all of the commandments issued by God through Moses.

83 Al-Qirqisānī, *Anwār*, III.15.9.

84 Ibid., III.15.10.

85 The views of al-Qirqisānī and several other Karaites on this subject are discussed by Yoram Erder in Early Karaite Conception about Commandments Given before the Revelation of the Torah, *Proceedings of the American Academy for Jewish Research* 60, 1994, 101–140.

Other Karaites, so al-Qirqisānī, did not admit abrogation either, but did not declare the commandments to have been valid since the creation of Adam. According to them, the Law evolved and grew over the course of history. Adam served God by observing certain commandments, to which Noah and Abraham added new ones without nullifying any of the previous commandments. The number of commandments thus grew over the course of history until culminating with Moses.[86] This sum total of all commandments is now valid for eternity and cannot be added to or taken away from. Here, al-Qirqisānī takes the opportunity to formulate his own view (*hādhā huwa qawlunā wa madhhabunā*). He rejects the abrogation of Moses' Torah, for it contradicts Scripture; at the same time, however, he declares abrogation possible on the basis of reason. He identifies with the view of those Karaites who proclaim the pre-existence of some of the commandments and who admit the possibility that, without an express indication of their eternal or time-limited validity, the commandments may, at least theoretically, be abrogated.[87]

Al-Qirqisānī illustrates the fallacy of the idea of the pre-existence of all commandments by citing the verse from the Bible in which children in the future ask those who left Egypt the purpose of celebrating Passover: "And it shall come to pass, when your children shall say unto you: What mean ye by this service? that ye shall say: It is the sacrifice of Lord's Passover" (Exodus 12:26–27). Al-Qirqisānī ascribes these groups' efforts at proclaiming all the commandments contained in the Torah of Moses to be pre-existing to their anxious attempts at refuting Muslim teachings on the abrogation of all laws that preceded Islam.[88]

Since the question of the abrogation of the law is closely related to the question of whether God can change his intention (*badāʾ*), al-Qirqisānī included it into the more general discussion of abrogation. Like other Jewish thinkers, he takes a negative view of *badāʾ* and aims his polemic at a vague "group of Muslims" that can be identified primarily as the Shiites. This group admits the possibility of the Creator changing his mind – i.e., that he may first command something and later forbid it without the command being realized, and may also abrogate time-limited commandments before their expiry. They compare *badāʾ* to a wise man who writes his confidant a letter containing an order, but changes his mind before the letter arrives and so sends a second letter in which he annuls the original order. Al-Qirqisānī rejects this analogy. One cannot compare human wisdom to the omniscience of the Creator. He considers the idea of *badāʾ* unacceptable for it argues that God is unknowing. If God could issue a commandment and later find it poor, he could also rescind his prohibition and return to the original commandment, and then rescind it again. Such behavior is a sign of unknowing, which cannot be ascribed to God.[89]

Perhaps the most frequently cited evidence of God changing his mind in Muslim polemic literature is God's commandment to Abraham to sacrifice Isaac, which God later changed, ordering Abraham to sacrifice a ram instead (Genesis 22). As we have seen, Seʿadyah Gaon also addressed the story in the same context. Al-Qirqisānī calls this argu-

86 Similarly Yehuda ha-Levi in the book *Kuzari*, I:83 and especially III:39–41.

87 Ibid., IV.53.1–2. Two hundred years later, the philosopher and historian Abraham ibn Daud concedes the at least theoretical possibility of the abrogation of the commandments on the basis of reason, *Emunah Ramah*, 75–78. Cf. Schreiner, Zur Geschichte der Polemik, 635–638.

88 Al-Qirqisānī, *Anwār*, IV.52.1.

89 Ibid., IV.54.1–2.

ment "the most complicated question in Scripture that is erroneously assumed to involve *badā'*", and counters that the intention of God's commandment was not to sacrifice Isaac but to subject Abraham to his most difficult test so that he may prove his obedience to commandment. As soon as he had proven it, the test ended. As another presumptive example of God changing his mind in the Hebrew Bible, al-Qirqisānī mentions God's promise to destroy the Israelites, which he later rescinds (Deuteronomy 32:26 and 36).[90] To all these examples, al-Qirqisānī has the same answer: God's threats or blessings are conditioned upon a person's obedience or disobedience. God informed the people of the consequences of their choice in advance, and so these are not cases of *badā'*.[91]

Al-Qirqisānī acknowledges that God cannot give one person two contradictory commandments at the same time, but adds that with a change in person or change in time the purpose of a commandment changes as well and God may forbid a thing that had been allowed before or vice versa. Reason considers it acceptable, claims the author of Kitāb al-Anwār, that God may change his edicts depending on what is more beneficial for the person at the given time (*ṣalāḥ*). God, who has only man's welfare in mind, knows in advance what is best for him under changing circumstances, and so this is not *badā'*.[92] God can do anything: one day he may give life, and the other he may take it away;[93] he may have it rain or hold back the rain; he may give sustenance or withhold it; give health or sickness etc. Here, however, al-Qirqisānī comes dangerously close to accepting the concept of *badā'* and the argumentation of *naskh* as found by Muslim authors in the Hebrew Bible.

In their discussions with the Jews on the subject of abrogation, the Muslims also commonly pointed to the verse "thou shalt not add thereto, nor diminish from it" (Deuteronomy 13:1) as evidence that the changing legislation of the Hebrew Bible and of Rabbinical Judaism was in conflict with this verse. Al-Qirqisānī admits that new laws may be added to those of the Torah upon their revelation, but does not see this as abrogation. However, he entirely rejects the notion that any commandments could be taken away. That the question of abrogation stood not just at the center of the Muslim polemic with Judaism but was also discussed by the Jews amongst themselves is shown by al-Qirqisānī's mention of a discussion that he led with a co-religionist who, on the basis of this verse, considered it impossible that God could add new laws to the Torah. Al-Qirqisānī refutes his argument through the use of exegesis: the verse relates only to Man, and not to God. This is proven by the Hebrew Bible, which adds additional commandments to those of Moses – and this is not abrogation, but merely an addition to earlier commandments.[94]

90 As further examples of God changing his mind, he mentions 1 Sam. 2:30; Ps. 106:23; Exod. 4:24; Jon 2:4; 2 Kings 20:1 (King Hezekiah).

91 Al-Qirqisānī, *Anwār*, IV.54.3–7.

92 Ibid., IV.55.1–5; cf. Brunschvig, L'argumentation, 239.

93 Al-Qirqisānī, *Anwār*, IV.55.4. Seʿadyah Gaon uses the same argument. Ibn Ḥazm also argues similarly for abrogation. Perlmann, The Medieval Polemics, 111–112. Cf. al-Bāqillānī, *Kitāb al-Tamhīd*, 187–188.

94 Al-Qirqisānī, *Anwār*, IV.58.1–2. According to the Karaite Yefet ben ʿEli (second half of the 10th century), God revealed all the commandments through Moses. Some (such as the rational commandments, *al-farāʾiḍ al-ʿaqliyya*) were received prior to Moses, but most of them became valid during Moses' time. A third category of commandments applies only in the Holy Land and require the Temple; these laws will be observed until the end of day. Frank, *Search Scripture Well*, 240–243.

Maimonides

While Maimonides, the most important Jewish philosopher and theologian of the Middle Ages, barely addresses the questions of falsification (*taḥrīf*) and predictions of Muḥammad's mission, he discussed the abrogation of Mosaic Law, which he saw as a potential danger, on more than a few lines of his halakhic, philosophical and epistolographic writing, first and foremost in his Epistle to Yemen (Iggeret Teman), in which he engages in an extensive polemic with Islam.[95] In so doing, he followed in the footsteps of the work of Seʿadyah Gaon, Bustān al-ʿuqūl (Garden of the Intellects) by Rabbi Natanʾel ibn Fayyūmī of Yemen (died 1165), and above all his father Rabbi Maimon. In all three scholars' polemic discourse with Islam, abrogation played a central role as well.[96] Maimonides had already taken a stance against the Muslim concept of abrogation in his Commentary to the Mishnah, where he made the authenticity and irrevocability of the Torah the subject of the eighth and ninth articles of his "Thirteen Principles":

> "The Eighth Fundamentals Principle is that the Torah came from God. We are to believe that the whole Torah was given us through Moses our Teacher entirely from God. […] The Ninth Fundamental Principle is the authenticity of the Torah, i.e., that this Torah was precisely transcribed from God and no one else. To the Torah, Oral and Written, nothing must neither be added nor anything taken from it, as is said, 'You must neither add nor detract'" (Deuteronomy 13:1).[97]

He returns to a nearly identical formulation in the halakhic compendium Mishneh Torah (Hilkhot Melakhim 11:3): "This Torah, its statutes and its laws, are everlasting. We may not add to them or detract from them."[98] Influenced by Christian and Muslim polemic, medieval Jewish scholars no longer mentioned certain statements by Talmudic scholars ac-

95 Daniel J. Lasker, Tradition and Innovation in Maimonides' Attitude toward Other Religions, in Jay M. Harris (ed.), *Maimonides after 800 Years: Essays on Maimonides and his Influence*, Cambridge, MA 2007, 173–177; Eliezer Schlossberg, The Attitude of Maimonides towards Islam (in Hebrew), *Peʿamim* 42, 1990, 38–60.

96 Natanʾel ibn Fayyūmī does not mention "signs of prophecy" at all, and treats the questions of falsification and abrogation jointly in chapter six. See *Bustān al-ʿUqūl* (*Garden of the Intellects*), 65–69 (Arabic), 103–105 (English). Cf. Reuben Ahroni, From *Bustān al-ʿuqūl* to *Qiṣat al-batūl*: Some Aspects of Jewish-Muslim Religious Polemics in Yemen, *Hebrew Union College Annual* 58, 1981, 326–328. Maimonides probably knew this work. See Ronald C. Kiener, Jewish Ismāʿīlism in Twelfth Century Yemen: R. Nethanel Ben al-Fayyūmī, *Jewish Quarterly Review* 74/3, 1984, 249–266. In the preface to his edition and the Hebrew translation of *Bustān al-ʿuqūl* Joseph Qāfiḥ says that at the same time in Yemen, Yisraʾel ben Samuel discussed the question of abrogation in his book *Risāla fī ibṭāl al-diyāna al-yahūdiyya* (*The Book on the Abolition of the Jewish Religion*). *Gan ha-sekhalim*, Jerusalem 1953/54, 12. On Rabbi Maimon the Judge's polemics against Islam, see Eliezer Schlossberg, The Attitude of R. Maimon, the Father of Maimonides, to Islam and Muslim Persecutions, *Sefunot*, n.s. 5, 1991, 95–107 (in Hebrew).

97 *Mishnaʾim perush rabejnu Moshe ben Maimon*, ed. Josef Qāfiḥ, Jerusalem 1964, vol. IV, Pereḳ Ḥeleḳ, 114. Translation by Isadore Twersky, *A Maimonides Reader*, New York 1972, 420–421.

98 He expresses the same notion in the philosophical work *Guide of the Perplexed* II.39: "It is a fundamental of our Law that there will never be another Law. Hence, according to our opinion, there never has been a Law and there never will be a Law except the one that is the Law of *Moses our Master*." Maimonides, *Guide of the Perplexed*, trans. Shlomo Pines, Chicago 1974, vol. II, 379.

cording to which the laws of the Torah would cease to be valid in the Messianic Age.[99] Instead, Maimonides (Mishneh Torah, Hilkhot Megillah 2:18) expressly emphasized the full validity of Mosaic Law even in the Messianic Age.[100]

Like Seʿadyah and al-Qirqisānī, Maimonides emphatically rejected the possibility that Judaism could be replaced by another religion, including Islam. Of fundamental importance for his doctrine of the unreplaceability of Mosaic Law or the written and oral Torah (*Torah she-bi-khtav* and *Torah she-be-ʿal peh*)[101] is the uniqueness of the Torah of Moses and of Moses' status as a prophet as compared to other prophets and laws: nobody on a lower spiritual level can come with a better law that might abrogate Mosaic Law. In many places in his work, perhaps most expressly in Guide of the Perplexed II.39, Maimonides even excludes Moses from the category of prophethood and claims that his prophesies and the form in which he received them and passed them on differ in their essence from all past and future prophesies. In fact, the use of the word "prophet" in relation to Moses represents a homonym, for it describes something fundamentally different than when it is used for other people endowed with prophetic gifts:[102]

> "God is one in a unique sense of the term. And Moses, His prophet and spokesman, is the greatest and most perfect of all the seers. To him was vouchsafed the knowledge of God, what has never been vouchsafed to any prophet before him, nor will it be in the future. The entire Torah from beginning to end was spoken by God to Moses, of whom it is said: 'With him I speak mouth to mouth' [Numbers 12:8]. It will never be abrogated or superseded, neither supplemented nor abridged. Never shall it be supplanted by another divine law containing positive or negative duties. […] This prophet Moses our Master […] assured us that no other Law remained in heaven that would be subsequently revealed, nor would there be another divine dispensation."[103]

The Torah itself warns of the danger of the Muslim argument of abrogation, a warning Maimonides finds in the words of the prophet Daniel ("and he shall think to change the seasons and the law"; 7:25) predicting the coming of the prophet Muḥammad, who "will proclaim the abrogation of the Law and endeavor for its change". Maimonides also identifies

99 For excerpts from the Talmudic literature on this subject, see Norman Roth, Forgery and Abrogation of the Torah: A Theme in Muslim and Christian Polemic in Spain, *Proceedings of American Academy for Jewish Research* 54, 1987, 232–233.

100 Abraham ibn Daud holds a similar view. See Resianne Fontaine, Abraham ibn Daud's Polemics against Muslims and Christians, 25.

101 *MT* Hilkhot Yesodei ha-Torah 9:4; cf. Maimonides, *Epistles*, 114.

102 Moses is the greatest of all prophets (*raban shel kol ha-nebiʾim*), past and future. In *Guide of the Perplexed* II.45, where Maimonides classifies all the prophets into 11 groups, he expressly excludes Moses from all these groups for he considers him to be an utterly exclusive prophet. Where all the prophets received their visions in a dream or through angels, God spoke directly to Moses wide awake because unlike the "lower" prophets his intellectual and imaginative capabilities were in a state of perfect preparation for receiving emanation. Cf. *MT* Hilkhot Yesodei ha-Torah 7:6. Moses' prophetic uniqueness, combined with his superb physical traits and power, are described extensively by Maimonides' father Maimon in his Letter of Consolation. Schlossberg, The Attitude of R. Maimon, the Father of Maimonides, to Islam and Muslim Persecutions, 104–105.

103 Maimonides, *Epistles*, 103, 112.

him as the "little horn" (7:8).[104] Where Seʿadyah requires that for someone to be acknowledged as a prophet his message must be reasonable and not contravene Scripture (the miracle he performs is not decisive), Maimonides requires above all that a prophet's message (he may be of Israel or any other nation) be compatible with Mosaic Law, the observation of which the prophet should invoke. If he meets this condition, he should be asked to perform a miracle. If he performs one, then he is accepted as a prophet; if not, he should be killed as a false prophet.[105]

For Maimonides, another cornerstone of the uniqueness of the Torah. and thus its unreplaceability by another revelation, is the revelation on Mt. Sinai (*maʿamad har sinai*), where God presented the Torah to Moses before the eyes of the entire nation, accompanied by miracles and signs:

> "It is the pivot of our religion and the proof that demonstrates its veracity […] Remember, brethren, that this great, incomparable, and unique covenant and faith is attested by the best of evidence. […] If you can furnish me with something like the theophany at Sinai, in which the camp of Israel faced the camp of the divine presence, then I shall espouse your doctrine."[106]

The public nature of Moses' miracles played a key role not just in Maimonides' thinking but also in that of Seʿadyah,[107] Yehuda ha-Levi (died 1141)[108] and Abraham ibn Daud (died 1180).[109] Whereas Moses performed miracles publicly before the eyes of his entire people, Muḥammad prophesied only before a handful of believers, and the same applies to his miracles.[110] The Israelites accepted Moses as a prophet because they had personally been participants in the revelations on Sinai, and not just on the basis of his miracles.

Like Seʿadyah and al-Qirqisānī, Maimonides uses evidence from the Hebrew Bible to refutes the possibility that the Torah could be changed or that any of its commandments were temporary in nature; as examples, he offers numerous verses (e.g., Leviticus 3:17; Deuteronomy 13:1, 29:28, 30:12) expressing the notion of the eternal validity of Mosaic Law and its inabrogability by presumptive new revelations. Should any prophecy come after Moses,[111] it can only confirm Moses' Torah, even if its transmitter is not a Jew. There-

104 Ibid., 119. On the "little horn" as denoting the time of the rule of Islam, see Steinschneider, *Polemische und apologetische Literatur*, 308–310.

105 Maimonides, *Epistles*, 113.

106 Ibid., 104–105.

107 Seʿadyah Gaon, *Beliefs and Opinions*, Introduction, 29–30.

108 *Kuzari* I:86–89; *Juda Hallevi's Kitab al Khazari*, trans. Hartwig Hirschfeld, London 1931, 51–54.

109 Abraham ibn Daud, *Emunah Ramah*, 77–78.

110 The same argument, but this time aimed against Christianity, was used by Elijah of Genazzano in a disputation with Francesco of Acquapendente in Orvieto between 1472 and 1489. Elijah "strongly emphasizes the importance of the public witnessing of the revelation to Moses in front of six hundred thousand people as proof for the truth of Judaism. He contrasts this with the private teachings of Jesus to the disciples." Adam Shear, *The* Kuzari *and the Shaping of Jewish Identity, 1167–1900*, New York 2008, 123.

111 Based on family tradition, Maimonides dated the renewal of prophecy in Israel – although only in order to give hope to the persecuted Yemenite Jews – to the year 1215/1216. See Mordechai

fore, if someone proclaims the Torah of Moses to be annulled, he cannot be considered a prophet, and thus, Maimonides writes, Muḥammad is not a prophet:

> "Therefore, if a person will arise, whether Jew or gentile, and perform a sign or wonder and say that God sent him to: a) add a mitzvah, b) withdraw a mitzvah c) explain a mitzvah in a manner which differs from the tradition received from Moses, or d) if he says that the mitzvot commanded to the Jews are not forever, but rather were given for a limited time, he is a false prophet. He comes to deny the prophecy of Moses and should be executed by strangulation, because he dared to make statements in God's name which God never made. God, blessed be His name, commanded Moses that this commandment is for us and our children forever."[112]

In the preface to Commentary to the Mishnah and in Mishneh Torah, Maimonides concedes that a true prophet may order the violation of the Torah's commandments and prohibitions (except for the prohibition on idolatry), and that it is the duty of a Jew to obey his command – on the condition that the validity of such a commandment is temporary. In such a case, the prophet himself is aware that deviating from the provisions of the Torah is a violation that has been made temporarily necessary by circumstance, and that Mosaic Law shall continue to be valid after this circumstance has passed. If, however, he were to claim that the provisions of the Torah no longer applied for all eternity, then such a false prophet shall be killed.[113] Although Maimonides does consider Islam (as opposed to Christianity) to be a purely monotheistic religion,[114] in his eyes the prophet Muḥammad does not meet the criteria for a true prophet who could – even temporarily – violate Mosaic Law. Maimonides' attempts at undermining Muḥammad's status (he refers to him as *meshugga*ʿ, "madman", and *pasul*) as a true prophet bringing God's revelation must be understood as part of his attempt at refuting the Muslim argument of abrogation. He has the same goal in mind when, in the *Guide* (II.35), he places Moses' miracles above those of the other prophets. In II.40, Maimonides differentiates between divine religions and conventional religions.[115] In principle, both come from God, but only divine religion – by which he means the religion of Moses – can offer its followers spiritual consummation. Another difference between divine and conventional religions rests in the prophet-lawgiver, who is distinguished from a false prophet by several criteria, which Maimonides presents at the conclusion of the chapter:

A. Friedman, *Maimonides, the Yemenite Messiah and Apostaty* (in Hebrew), Jerusalem 2002, 80–83, 187–199.

112 *MT* Hilkhot Yesodei ha-Torah 9:1. Translation by Eliyahu Touger, *Mishneh Torah*, New York, Jerusalem 2003.

113 *Haḳdamot ha-Rambam la-Mishnah*, ed. and trans. Isaac Shailat, Jerusalem 1996, 34–36; *MT* Hilkhot Yesodei ha-Torah 9:3–5.

114 Maimonides states so in his letter to the convert Obadiah. Maimonides, *Iggerot ha-Rambam*, vol. I, 238. He declares Christianity to be polytheistic in *MT* Sefer ḳedusha, Hil. maʾakhalot asurot 11:7; *Commentary to the Mishnah*, ʿAvodah Zarah 1:3; *MT* Sefer ha-Madaʿ, Hilkhot ʿobdei kokhavim u-mazalot 9:4. Maimonides' son Abraham also calls Islam monotheistic in his interpretation of Genesis 21:14.

115 This distinction between conventional and divine religions is also made by Yehuda ha-Levi, *Kuzari*, I:81; II:48; III:7–9, 51, 97–98, 124–125.

> "The way of putting this [the claim of someone to prophetic revelation] to test is to consider the perfection of that individual, carefully to examine his actions, and to study his way of life. The strongest of the indications you should pay attention to is constituted by his renunciation of, and contempt for, the bodily pleasures, for this is the first of the degrees of the people of science, and all the more, of the prophets. In particular this hold good with regard to the sense that is a disgrace to us – as Aristotle has set forth – and especially in what belongs to it with regard to the foulness of copulation."[116]

Although Maimonides illustrates his words by referring to the false prophets Zedekiah the son of Maaseiah and Ahab the son of Kolaiah (Jeremiah 29:21–23), when Maimonides exhorts his readers at the end of the chapter to "know who I have in mind" they no doubt understood these references as alluding to Muḥammad's numerous wives and his inclinations to earthly delights – i.e., qualities that, in Maimonides' eyes, disqualify him as a prophet.[117]

Another argument that Muslim polemicists used in relation to the abrogation and *taḥrīf* of the Torah claims that the people of Israel are no longer the chosen people and that the Muslims have taken their place. In this relation, they most commonly cited Genesis 49:10 ("The scepter shall not depart from Judah, nor the ruler's staff from between his feet") – which holds a leading position in Christian-Jewish polemics as well[118] – with the aim of showing that the Jews' loss of national sovereignty, their political inferiority and their subjugation by a foreign power are evidence of God's wrath at his chosen people for not having accepted the new religion, and also a sign of the abrogation of his religion.[119] Just as Seʿadyah argues on the basis of Jeremiah's prophecy that the Jewish people and their Law shall endure for as long as heaven and earth, so too does Maimonides in the Epistle to Yemen (1172) cite the prophet Isaiah (59:21) to state that "the sign between us and Him, and the token that proves that we are indestructible lies in the perpetuation of God's Torah".[120] In the same letter, as to the enduring nature of the people and their law, he writes:

116 Maimonides, *Guide of the Perplexed*, vol. II, 384. The prophet's qualities are described in detail in II.36: "He will have detached his thoughts from, and abolished his desire for, bestial things – I mean the preference for the pleasures of eating, drinking, sexual intercourse, and, in general, of the sense of touch, with regard to which Aristotle gave a clear explanation in the 'Ethics', saying that this sense is a disgrace to us." Ibid., 371. See Aristotle, *Nicomachean Ethics* III.13.1118a–b.

117 See Shamir Yehuda, Allusions to Muḥammad in Maimonides's Theory of Prophecy in his *Guide of the Perplexed*," *Jewish Quarterly Review* 64, 1973–1974, 212–224. Quotes from the medieval commentators of *Guide of the Perplexed* who identified these allusions as referring to Muḥammad can be found in Norman Roth, *Jews, Visigoths and Muslims in Medieval Spain*, Leiden 1994, 220, 320.

118 Bernard Blumenkranz, *Juifs et chrétiens dans le monde occidental 430–1096*, Paris 1960, 227–237; Lazarus-Yafeh, *Intertwined Worlds*, 98–100; Baron, *Social and Religious History*, V, 125–130; Sbath (ed.), *Vingt traités*, 31–32.

119 Ibn Ḥazm mentions precisely this argument in his polemic with Judaism: "If they argue that the Torah says that Mosaic Law is valid for all ages, we respond that this is an unacceptable interpretation, for the Torah also says: 'They shall inhabit this land for all ages', and we can see with our own eyes that they have left it." Ibn Ḥazm, *Kitāb al-Fiṣal*, 129.

120 Maimonides, *Epistles*, 104.

> "Indeed God assured our father Jacob that although his children would be humbled and overcome by the nations, they and not the nations would survive and would endure. […] Although they will be abased like the dust that is trodden under foot, they will ultimately emerge triumphant and victorious. […] The Lord has given us assurance through His prophets that we are indestructible and imperishable, and we will always continue to be a preeminent community. As it is impossible for God to cease to exist, so is our destruction and disappearance from the world unthinkable. […] Similarly, He has avowed and assured us that it is unimaginable that He will reject us entirely even if we disobey Him and disregard His behests."[121]

Maimonides' father Rabbi Maimon devoted much of his "Letter of Consolation" to the chosen nature of the people of Israel. He raised the subject not only in order to strengthen the faith and inspire the Jews persecuted by the Almohads in the Maghreb, but also because of its strong polemic aspect – i.e., to refute arguments related to the abrogation of Mosaic Law.[122] Maimonides took the same approach in the *Epistle to Yemen*. Maimonides here strengthens the faith of his co-religionists in Yemen by reassuring them that they are still the chosen people, and also uses verses from the Hebrew Bible to refute Muslim claims to this status. God's blessing – i.e., the status of chosen people – belongs not to Ishmael (i.e., the Muslims), but Isaac (i.e., the Jews):

> "When God spoke to Abraham He made it amply clear that all the blessings that He promised and all his children to whom He will reveal the Law and whom He will make the Chosen People – all this is meant only for the seed of Isaac. Ishmael is regarded as an adjunct and appendage in the blessings of Isaac, for He says: 'As for the son of the slave-woman, I will make a nation of him, too, for he is your seed' [Genesis 21:13]. He clearly explains in this verse that Isaac holds a primary position and Ishmael a subordinate place. He announces: 'For it is through Isaac that offspring shall be continued for you' [Gen. 21:12] and He ignores Ishmael entirely. The meaning is that although the seed of Ishmael will be vast in numbers, it will be neither preeminent nor the object of divine favour, nor distinguished by the attainment of excellence by which one may become famed or celebrated. […] Thus He singled out Isaac to the exclusion of Ishmael in all these blessings. […] He further stated regarding Isaac that one of the blessings of which He assured Abraham would be that God's Torah and religion would be vouchsafed to his children. […] He singled out Isaac to the exclusion of Ishmael in all these blessings. He singled out him and not Ishmael in the religion, as He states: 'But My covenant I will maintain with Isaac' [Gen. 17:21], after saying regarding Ishmael: 'I hereby bless him' [Genesis 17:20]. He made it clear through Isaac that Jacob was singled out in all this to the exclusion of Esau, for Isaac said to him: 'May He grant the blessing of Abraham to you' [Genesis 28:4]. In a word, it is clear from the verses in the Torah that the divine covenant made with Abraham to grant the sublime Law to his descendents referred exclusively to those who belong to the stock of both Isaac and Jacob. Hence the prophet expresses his gratitude to God for the covenant 'that He made with Abraham, swore to

121 Ibid., 102.
122 Schlossberg, The Attitude of R. Maimon, 106.

> Isaac and confirmed in a decree for Jacob, for Israel, as an eternal covenant'" [Psalms 105:9–10 and 1 Chronicles 16:16–17].[123]

Conclusions

The central status of the question of the abrogation of Mosaic Law (*naskh*) and a change in God's mind (*badāʾ*) within medieval Jewish apologetics with Islam is confirmed by the discourse of three leading representatives of Judaism at the time: Seʿadyah Gaon, al-Qirqisānī and Maimonides. Their writings show that they used more or less the same biblical passages and rational arguments for and against abrogation as those found in the works of Muslim authors such as al-Bāqillānī or Ibn Ḥazm. From the 10th century on, these arguments were a standard part of the discussion on abrogation. Although we cannot assume that Muslim authors read the works of Jewish theologians, for the frequent use of Hebrew and the Hebrew alphabet when writing in Arabic made these works incomprehensible for them (there are only very rare instances of Muslim authors possessing even a superficial knowledge of Hebrew), we may assume that they familiarized themselves with the Jewish standpoint and arguments during oral debates at Baghdad's multiconfessional polemic salons of the 10th century and at other cultural centers. The source of biblical passages cited in discussions on abrogation were either Christian participants in these salons (who were more likely to be familiar with the Hebrew Bible and arguments of the polemic literature with Judaism) or the polemic theses of Jewish skeptics such as Ḥiwi al-Balkhi. The biblical passages and intellectual arguments used by al-Balkhi to imply abrogation or a change in God's mind can be found in the works of Jewish as well as Muslim authors. On the one hand, the salons' polemic debates impelled Jewish authors such as Yūsuf al-Baṣīr, Samuel ben Ḥofni, al-Qirqisānī and Seʿadyah Gaon to respond to and refute the Muslim arguments in book form; on the other, the theology and terminology of *kalām* cultivated at these salons provided the necessary argumentational methods and tools.

In conclusion, we may confirm Salo W. Baron's statement[124] that, whereas the antinomistic attacks by pagan Greek and Roman authors and the early Christians had caused the Jews to emphasize the Law as a "fence" around the Torah, the new critique of the validity of specific commandments of Mosaic Law (conducted primarily from the positions of rationalism and religious skepticism that had spread among some followers of *kalām* or among free-thinkers of the Renaissance in Islam) forced the Jews to reconsider the meaning and purpose of religious law in general and of the individual commandments in particular, and spurred the development of a new philosophy of Jewish law. Confronted with equally convincing philosophical arguments for abrogation that contradicted their own argumentation, Jewish thinkers eventually also invoked arguments from the Torah. When Seʿadyah Gaon refuted the arguments of the supporters of abrogation who proclaimed that they had found evidence of several commandments being abrogated in the Torah, he resorted to historical instead of philosophical argumentation. Just as he compared the time of existence of the Jewish nation to the duration of heaven and earth (as mentioned in Jeremiah 31:31–36),

123 Maimonides, *Epistles*, 108.
124 Baron, *Social and Religious History of Jews*, V, 125.

so too does Maimonides demonstrate the eternal unchangingness of the Torah using Isaiah 66:22 (Guide of the Perplexed II.29).

Even later, the question of the abrogation of Mosaic Law remained an important subject of the Jewish polemic with Islam, although various authors devoted varying levels of attention to the subject. Some examples include the works mentioned in the introduction – Shlomoh ibn Adret's Maʾamar ʿal Yishmaʿel and Shimʿon ben Ṣemaḥ Duran's Ḳeshet u-Magen. However, unlike their arguments regarding *taḥrīf*, the miraculous inimitability of the Qurʾān, and Muḥammad's prophethood, these authors' arguments against abrogation were based only to a limited degree on the works of Seʿadyah Gaon, al-Qirqisānī and Maimonides. Although Ibn Adret does not name any of these authors, in Maʾamar ʿal Yishmaʿel he responds to Ibn Ḥazm's examples of the abrogation of Mosaic Law in the Hebrew Bible, and so he touches on numerous passages previously addressed by Seʿadyah Gaon and al-Qirqisānī that Ibn Ḥazm had included in his Kitāb al-Fiṣal. Similarly, Shimʿon ben Ṣemaḥ Duran does not expressly give the source of his polemic arguments either.[125] Although he declares that he found no work in Jewish literature other than Yehuda ha-Levi's Kuzari that polemicized with Islam, his labeling of Islam as an inconsistent imitation of Judaism shows that he sought enlightenment in the Epistle to Yemen, where Maimonides says that all religions are willful and imperfect imitations of the outer structure of the "true religion" (*dīn al-ḥaqq*) – i.e., of the commandments and prohibitions of Judaism – and that they "contain matters that have no inner meaning, only imitations, simulations, and copies."[126] Duran sees Islam's imitation of Judaism in the areas of prayer, the Sabbath, dietary prescriptions, circumcision, pilgrimage and more.[127] Although Duran barely addresses the question of abrogation directly, his entire polemic with Islam aims to show that the mutually contradictory teaching of Islam and the "muddled" Qurʾān[128] cannot abrogate the consummate Torah.

125 Eleazar Gutwirth has shown that in his polemics against Christianity in *Ḳeshet u-Magen* Duran drew from Profiat Duran's *Kelimat ha-Goyim*. See Eleazar Gutwirth, History and Apologetics in XVth Century Hispano-Jewish Thought, *Helmantica* 107, 1984, 231–242, especially 239.

126 Maimonides, *Epistles*, 100. The same argument is found in *Kuzari* III:8–9.

127 Shimʿon ben Ṣemaḥ Duran, *Ḳeshet u-Magen*, ed. Murciano, 82–83.

128 He drew this argument from the Mozarabs' polemics against the Qurʾān, see Thomas E. Burman, *Religious Polemic and Intellectual History of the Mozarabs, c. 1050–1200*, Leiden 1994, 126–127.