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## PROVIDENCE AND INTERNATIONAL COMMERCE: TWO HALAKHIC VIEWS

Is international commerce built into the plan of Creation? Has Divine Providence willed that people from different corners of the world trade with one another? That is the “providentialist view of trade,”<sup>1</sup> also called the doctrine of “universal economy.”<sup>2</sup> The classic articulation of this theory belongs to Libanius, a fourth-century pagan rhetorician in Antioch, whose statement (*Oratio* LIX, delivered in 344 C.E.) was quoted by Hugo Grotius in his monumental treatise on international law, beginning with the 1631 revised second edition:

God did not bestow all products upon all parts of the earth, but distributed His gifts over different regions, to the end that men might cultivate a social relationship because one would have need of the help of another. And so He called commerce into being, that all men might be able to have common enjoyment of the fruits of earth, no matter where produced.<sup>3</sup>

Jacob Viner noted that this view “has claims to be the oldest and longest-lived economic doctrine we know of,”<sup>4</sup> tracing its development from Libanius through his students, who included several Church

<sup>1</sup> Andrea Maneschi, *Comparative Advantage in International Trade: A Historical Perspective* (Edward Elgar, 1998), 28.

<sup>2</sup> See Douglas A. Irwin, *Against the Tide: An Intellectual History of Free Trade* (Princeton University Press, 1996), 15–25; Joost Hengstmengel, *Divine Providence in Early Modern Economic Thought* (Routledge, 2019), 55–93.

<sup>3</sup> Hugo Grotius, *De Jure Belli Ac Pacis*, Book II, ch. II, XIII.5 (Clarendon Press, 1925), 199–200. The English above is a translation of Grotius’ Latin rendering, not Libanius’ Greek. For an English version of the original Greek, see the translation of M. H. Dodgeon, M. Vermes & S. Lieu in *From Constantine to Julian: Pagan and Byzantine Views: A Source History* (Routledge, 1996), 204.

<sup>4</sup> Jacob Viner, *Essays on the Intellectual History of Economics* (Princeton University Press, 1991), 42.

Fathers, and up to various modern authors.<sup>5</sup> Unexpectedly, I have found a near-verbatim quotation of Libanius' providentialist theory in a halakhic responsum by Rabbi Yair Hayyim Bacharach (d. 1702, Germany), published in his classic *Havvot Yair*.<sup>6</sup> I have also found what appears to be a flat rejection of the providentialist view of commerce in the writings of Maimonides.<sup>7</sup> Because, to my knowledge, no studies of Jewish views on the question of commerce and Divine Providence have been published—nor has anyone noted the specific comments of *Havvot Yair* or Maimonides on the subject—this article is an initial treatment of the providential theory of commerce in light of classical Jewish sources.

### *Providential Commerce in Havvot Yair*

Rabbi Yair Hayyim Bacharach first published his responsa *Havvot Yair* in Frankfurt in 1699, when he was already frail and near death.<sup>8</sup> In one section (no. 224), R. Bacharach comments upon a responsum of Rabbi David Oppenheim, who had been R. Bacharach's student and then become a very successful rabbi—unlike R. Bacharach himself, whose professional rabbinic career flopped despite his enduring scholarly influence.<sup>9</sup> Neither text is dated, but both were written between 1690 and 1699.<sup>10</sup>

<sup>5</sup> Viner, *ibid.*, 41–44; Jacob Viner, *The Role of Providence in the Social Order: An Essay in Intellectual History* (Princeton University Press, 1976), 36–54; Irwin, 15–25; Hengstmengel, 55–93.

<sup>6</sup> Yair Hayyim Bacharach, *Havvot Yair* (Johannes Wust, 1699), no. 224, p. 212b.

<sup>7</sup> *Guide of the Perplexed*, III:12.

<sup>8</sup> On R. Bacharach's life and scholarship, see David Kaufmann, "Jair Chayim Bacharach: A Biographical Sketch," *Jewish Quarterly Review*, 3:2–3 (1891) [hereinafter: Kaufmann, "Biographical Sketch"], 292–313, 485–536; David Kaufmann, *R. Jair Chajjim Bacharach (1638–1702) und seine Abnen* (1894); Isadore Twersky, "Law and Spirituality in the Seventeenth Century: A Case Study in R. Yair Hayyim Bacharach," in *Jewish Thought in the Seventeenth Century*, eds. Isadore Twersky & Bernard Septimus (Harvard University Press, 1987), 447–467; Jay R. Berkovitz, "The Persona of a Poseq: Law and Self-Fashioning in Seventeenth Century Ashkenaz," *Modern Judaism* 32:3 (2012), 251–269; Chaim (Jay R.) Berkovitz, "*Deyukno ha-Atzmi Shel Posek ha-Halakha be-Me'ah ha-17 Bein Biyographia le-Autobiographia*" in *Yosef Da'at: Studies in Modern Jewish History in Honor of Yosef Salmon* [Hebrew], ed. Yossi Goldstein (Ben Gurion University Press, 2010), 33–66.

<sup>9</sup> On R. Bacharach's career in contrast to R. Oppenheim's, see Kaufmann, "Biographical Sketch," 309–313, 495–496, 517; on R. Oppenheim and his relationship to R. Bacharach, see Joshua Teplitsky, *Prince of the Press* (Yale University Press, 2019), 27.

<sup>10</sup> This dating is possible because R. Oppenheim refers to himself as the rabbi of Nikolsburg, a post he achieved "around 1690" (Teplitsky, 60), while *Havvot Yair* was published in 1699. R. Bacharach's comments in Responsum no. 224 were probably written close to 1699, since they are published toward the end of *Havvot Yair* and R. Oppenheim responded in writing only in the spring of 1700. See David Oppenheim,

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The question in Rabbi Oppenheim's responsum was whether someone who traveled on a business venture could deduct the expenses of the voyage from the value of his income when calculating his tithe obligations under Jewish law. R. Oppenheim permitted these deductions, in part by analogizing to a Talmudic discussion regarding agricultural produce.<sup>11</sup> R. Bacharach agreed with R. Oppenheim's conclusion, but found fault with his reasoning. First, he wondered why there was any question in the first place:

I am very surprised that anyone could consider that a person should not be allowed to deduct expenses. For if so, how could one find Jewish people who travel by sea in ships to distant islands, who sail to bring gold from Ophir and Havilah, and precious stones from eastern lands, from Great Tartary; or to India, China, Mongolia, or Prester John to bring ivory and ebony, monkeys and peacocks, myrrh, aloes, calamus, cassia and cinnamon, amber, and very precious luxuries, and are involved in expenses running into thousands and tens of thousands; likewise those who bring *etruggim* from distant lands... If a king of Israel would try to undertake this he would undoubtedly be involved in expenses of tens of thousands. If any of those mentioned above would tithe the difference between cost and selling price without deduction of expenses they would not earn anything.<sup>12</sup>

This is an intriguing practical argument adorned with provocative imagery, and I will have a word to say on this passage below. But in the next lines, R. Bacharach adds a principled case for why expenses on commerce should not be tithed. He argues that agricultural products are essentially miracles, since the seed ostensibly rots in the soil and the subsequent growth of crops is therefore "*ex nihilo*"—accordingly, every agricultural crop is a new creation and any expenses on planting no longer count. Not so with commerce:

However, commerce is a practice among people of the world with no reference to anything miraculous; at the beginning of creation the Almighty

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*She'elot u-Teshuvot Nish'al David* (Makhon Hatam Sofer, 1982), *Yoreh De'ah*, no. 24, pp. 113–116.

<sup>11</sup> *Havvot Yair*, no. 224; *Menahot* 69b–70a.

<sup>12</sup> *Havvot Yair*, no. 224. This translation is from *Maaser Kesafim* (ed. Cyril Domb, 4th rev. ed.; Feldheim Publishers, 1999), 58–59, though I have translated *masa u-mattan* in the ensuing passage as "commerce" instead of "business dealing." The editors explain, citing Prof. A. Rosenfeld, that Prester John refers to the mythical ruler of a Christian kingdom somewhere in the East. It should be noted that the book mistakenly attributes this passage to R. Oppenheim.

divided the beneficial resources which are needed by mankind among various countries, and therefore they need one another and supply one another. This is the source of all commerce, and the world follows its normal routine...

This is R. Bacharach's explanation for why commercial expenses may be deducted from the tithes: Income from commerce follows naturally from the initial investment, whereas agricultural products grow supernaturally from their seeds. This is surely a contestable, even counterintuitive, idea. Yet here I wish to call attention to the concluding lines, which are a near-perfect replica of the providentialist theory articulated by Libanius. The close linguistic resemblance leaves little doubt that R. Bacharach was paraphrasing, perhaps subconsciously, the speech of Libanius. It is not every day that the words of a pagan from antiquity migrate into the legal writings of a halakhic master. In all likelihood, more than three centuries of Torah scholars have studied this passage of *Havvot Yair* without a clue as to its roots.

Where did R. Bacharach encounter the providentialist theory? We know that he had an extraordinarily curious mind and read Latin.<sup>13</sup> He might have encountered this theory in Grotius, or perhaps in the work of Pufendorf, the great German lawyer, who also quoted the passage from Libanius in his 1672 *magnum opus*, *On the Law of Nature and Nations*.<sup>14</sup> Jacob Viner has noted that, popularized by Jean Bodin and Grotius, the doctrine "became somewhat of a stereotype, constantly repeated in the discussions of commerce by theological and lay writers alike."<sup>15</sup> I suspect that R. Bacharach discovered the providential theory of commerce in the work of Jacques Savary, a merchant and advisor to Colbert, the famed Minister of Finance under Louis XIV.

In 1675, Savary published *Le Parfait Négociant* (*The Perfect Merchant*), whose opening lines echo Libanius' formulation of the providentialist theory of commerce. Savary's book was very popular. It was translated into German and Dutch and printed 33 times by 1800.<sup>16</sup> The

<sup>13</sup> See Kaufmann, "Biographical Sketch," 503–519.

<sup>14</sup> Samuel Pufendorf, *De Jure Naturae et Gentium*, trans. C.H. Oldfather & W.A. Oldfather (Clarendon Press, 1934), vol. 2, III:3, p. 369.

<sup>15</sup> Jacob Viner, *Religious Thought and Economic Society: Four Chapters of an Unfinished Work by Jacob Viner*, eds. Jacques Melitz & David Winch (Duke University Press, 1978), 38.

<sup>16</sup> Jacques Savary, *Le parfait négociant, ou Instruction générale pour ce qui regarde le commerce de toute sorte de marchandises tant de France que des pays étrangers* (Louis Billaine, 1675), 1. For an English translation of the relevant passage, see Hengstmengel, 57. On Savary's *Le parfait négociant*, see D'Maris Coffman, "Economic Theory and

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German translation, published in Geneva in 1676,<sup>17</sup> could have easily landed in R. Bacharach's hands by 1699 and he would have found a clear Libanius-inspired formulation. The popularity of Savary's work, its proximity to *Havvot Yair*, the availability of a German translation, and the placement of the providentialist argument in the very first lines of the book all lead me to conclude that Savary was the most likely conduit of Libanius' teaching into the pages of *Havvot Yair*.

If I am correct that R. Bacharach was closely paraphrasing Savary, it is unusually coincidental to find these same words from Savary quoted by a prominent contemporary rabbi, Rabbi Jonathan Sacks. In his 2002 book, *The Dignity of Difference: How to Avoid the Clash of Civilizations*, written in the wake of the September 11<sup>th</sup> attacks and responding to globalization's "discontents," R. Sacks set forth his vision of Judaism as celebrating human diversity.<sup>18</sup> In his chapter on markets, R. Sacks finds that "the Jewish approach to the market economy" prizes limited government and recognizes the power of markets to alleviate poverty. He then adds "one more argument" on behalf of markets "that is central to the theme of this book"—namely, that "diversity... is the divine blessing at the core of our sociality" (100–101). To support this point, R. Sacks cites a passage from Johannes Althusius' 1603 work, *Politica* (I, §26), and in a footnote he further cites Savary's rendition of Libanius' theory to demonstrate that trade among diverse people is crucial to the Divine plan (fn. 44).

It appears that a single, now-obscure French mercantilist smuggled the theology of a pagan from antiquity into Orthodox Jewish thought, and did so via two independent rabbinic avenues separated by three hundred years. This presents an intriguing case study in the osmosis of Gentile ideas in Orthodox Jewish theology. Despite the fact that each borrows from Savary, however, there is an important difference between the treatment of the providentialist theory in the two rabbinic works: Whereas R. Sacks embraces the providential view on a philosophical level, and in a book whose target audience is largely non-Jewish, R. Bacharach actually integrated it into his legal reasoning in a classic halakhic work.

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State Practice in the Atlantic World: The 'Phénomène Savary' in Context," in *The Atlantic World*, eds. D. Coffman, A. Leonard & W. O'Reilly (Routledge, 2015), 618–632.

<sup>17</sup> Jacob (Jacques) Savary, *Der vollkommene Kauff- und Handelsmann* (Joh. Hermann Widerhold, 1676).

<sup>18</sup> Jonathan Sacks, *The Dignity of Difference: How to Avoid the Clash of Civilizations*, 2nd rev. ed. (Continuum International Publishing Group, 2002).

*Maimonides on Providence and International Commerce*

Having traced the development of the providentialist view of commerce from Libanius to *Havvot Yair* and R. Sacks, we are now in a position to approach Maimonides—who lived at almost the exact chronological midpoint between Libanius and R. Sacks. Maimonides not only completely rejects the providentialist view of commerce, but actually espouses an opposite providential theory. On top of that, Maimonides (like R. Bacharach) has little trouble translating this theological belief into legal reasoning. The following discussion of Maimonides' view will be divided in two, first dealing with his philosophical writings and then with his legal work.

In his *Guide of the Perplexed*, Maimonides defends the goodness of the world and of God despite the abundance of agonies and torments. In the course of his discussion, Maimonides asserts that most of the troubles that happen to people result from their own poor choices, chiefly because of excessive “eating, drinking, and copulation” and chasing after limitless greed or base desires.<sup>19</sup> The fool who is so beholden to his desires, Maimonides explains, often “exposes himself to great dangers, such as arise in sea voyages and the service of kings; his aim therein being to obtain these unnecessary luxuries.”<sup>20</sup> These comments sound a mournful personal note, since Maimonides' younger brother David was a traveling merchant who drowned in a shipwreck in the Indian Ocean—although Maimonides certainly did not consider him a fool.<sup>21</sup>

“On the other hand,” Maimonides continued:

men of excellence and knowledge [who] have grasped and understood the wisdom manifested in that which exists, as David has set forth, saying: “All the paths of the Lord are mercy and truth unto such as keep His covenant and His testimonies” [Psalms 25;10]. By this he says that those

<sup>19</sup> Moses Maimonides, *Guide of the Perplexed*, III:12, trans. Shlomo Pines (University of Chicago Press, 1963), vol. 2, 445 [hereinafter *Guide*].

<sup>20</sup> *Guide*, 445–446.

<sup>21</sup> There is some evidence that Maimonides was a jewel trader when he first arrived in Egypt and it is possible that he was engaged in a kind of business partnership with his brother. See Mark R. Cohen, *Maimonides and the Merchants: Jewish Law and Society in the Medieval Islamic World* (University of Pennsylvania Press, 2017), 18–19, 94–95. Losing David was an absolute catastrophe for Maimonides, because he loved his brother dearly and David had financially supported the older brother's scholarly endeavors. In a touching letter written eight years after the tragedy, Maimonides describes his depression upon learning of David's death, which left him “in bed for about a year.” See S. D. Goitein, *Letters of Medieval Jewish Traders* (Princeton University Press, 1973), 207.

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who keep to the nature of that which exists, keep the commandments of the Law, and know the ends of both, apprehend clearly the excellency and the true reality of the whole... If one restricts oneself to what is necessary, this is the easiest of things and may be obtained with a very small effort... You ought to consider our state in existence.<sup>22</sup> For the more a thing is necessary for a living being, the more often it may be found and the cheaper it is. On the other hand, the less necessary it is, the less often it is found and it is very expensive. Thus, for instance, the necessary for man is air, water, and food. But air is the most necessary... Accordingly, air is indubitably easier to find and cheaper than water. Water is more necessary than food... Accordingly, in every city you find water more frequently and at a cheaper price than food... Regarding musk, amber, rubies, and emeralds, I do not think anyone of sound intellect can believe that man has strong need for them unless it be for medical treatment; and even in such cases, they and other similar things can be replaced by numerous herbs and earths.<sup>23</sup>

This reads like a point-for-point refutation of Libanius, in which Maimonides turns the providential theory on its head: Maimonides reasons that necessary goods are *not* dispersed around the world, but rather are readily available everywhere, and therefore the providential design (“the nature of that which exists”) indicates that generally people should *not* travel to different regions for commerce. This passage is primarily concerned with explaining evil, not economics; Maimonides does not systematically lay out his economic theory. Nevertheless, his comments here undercut the theological basis of international trade. Libanius (and R. Bacharach) would likely agree with Maimonides that the truly necessary items are abundant everywhere. The crux of their disagreement appears to be about luxuries: Maimonides condemned the pursuit of exotic luxuries, while Libanius thought that people should enjoy the variety of God’s earthly blessings. By rejecting

<sup>22</sup> Pines (446) awkwardly renders the phrase *אחואלנא פי אלגוד* as “the circumstances in which we are placed with regard to its being found,” but notes that “the expression ‘being found’ also means ‘existence.’” I have replaced Pines’ phrase with the simpler and more literal “our state in existence,” following the Hebrew translations of Ibn Tibbon (“*inyanenu ba-metziut*”) and Kafih (“*matzavenu ba-metziut*”). Yet the choice of translation does not change the passage’s meaning, which is clear from the context. See Salomon Munk, *Le Guide des Égarés* (1866), vol. 3, 78 and n. 1. Friedländer’s looser translation captures the meaning: “Observe how Nature proves the correctness of this assertion.”

<sup>23</sup> *Guide* III:12, 446–447. For an explication of this chapter in context, see Moshe Halbertal, *Maimonides: Life and Thought* (Princeton University Press, 2014), 329–335.

that premise, Maimonides drew the antithetical conclusion: International trade, as a general rule, is contrary to the Divine plan expressed in nature.

Maimonides likely found inspiration in earlier authorities.<sup>24</sup> His approach owes a partial debt to Aristotle, who distinguished between bartering for household needs and moneymaking. The former is limited and natural while the latter is unlimited, unnatural, and unnecessary.<sup>25</sup> Though neither Aristotle nor Maimonides condemned trade entirely, Aristotle's notion of limitless desire for wealth leading to extravagant commercial endeavors contrary to nature is seemingly present in this passage of the *Guide*.<sup>26</sup> But certain statements of the Talmudic Sages also lend support to the Maimonidean view. For example, in his *Laws of Torah Study* (3:8), Maimonides synthesized two Talmudic sources (*Avot* 2:4 and *Eruvin* 55a) in admonishing that overseas commercial ventures are likely to distract from one's studies.

A more important source for Maimonides' view is found in the Sages' discussion of the messianic era. In the *Sifrei* we find:

“The Lord alone shall lead him” (Deuteronomy 32:12): Said the Holy One, blessed be He, to them: “Just as you dwelt alone in this world, receiving no benefit from the nations, so I shall set you apart in the future, and the nations will not benefit from you in the least.”<sup>27</sup>

This is a somewhat cryptic statement, but whatever the precise meaning of “as you dwelt alone,” it almost certainly includes some concept of economic isolation. This reading is reinforced by the end of this section, which contains a vision of total economic self-sufficiency:

<sup>24</sup> In a similar passage, R. Bahya Ibn Pequda (*Hovot Ha-Levavot* [*Duties of the Heart*], II:5) had already observed that God, in His mercy, has made items of greater necessity proportionately easier to find. Unlike Maimonides, though, R. Bahya did not take the next inferential step to conclude that overseas commerce runs counter to the natural design.

<sup>25</sup> See Aristotle, *Politics*, Book I, I.8–10 (1256a–1258b) in *The Politics of Aristotle* (Clarendon Press, 1885), 12–19. On Aristotle's view of trade, see M. I. Finley, “Aristotle and Economic Analysis,” *Past & Present* 47 (May 1970), 15–18.

<sup>26</sup> But see *Maimonides' Treatise on Logic* (*Millot ha-Higayon*) (American Academy for Jewish Research, 1938), 63–64, in which a teenage Maimonides mentions Aristotle's discussion of “political science,” including “the government of the household,” but concludes that the works of the philosophers on this topic are no longer necessary “for divine laws govern human conduct.” See also Salo W. Baron, “The Economic Views of Maimonides,” in *Essays on Maimonides: An Octocentennial Volume* (Columbia University Press, 1941), 126–132.

<sup>27</sup> *Sifrei: A Tannaitic Commentary on the Book of Deuteronomy*, trans. Reuven Hammer (Yale University Press, 1986), *Piska* 315, p. 321.

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“The Lord alone shall lead him”—in the future I will set you amidst pleasure in the world—“and there shall be no strange god with Him”—there will be none among you engaged in commerce whatsoever, as it is said, “May he be as a rich cornfield [*pissat bar*] in the land” (Psalms 72:16), meaning that the wheat will yield handfuls [*pissah*] of cakes, “May his fruit rustle like Lebanon” (Psalms 72:16), [meaning] that the stalks of wheat will rustle one against the other, so that fine flour will be sifted down upon the ground, and you will come and take handfuls of it, sufficient to sustain yourself.<sup>28</sup>

This passage, which appears with some alteration in several places in the Talmud (*Shabbat* 30b; *Ketubot* 111b), imagines a messianic world in which the Land of Israel becomes so productive as to render all commerce obsolete. To the extent that the messianic picture here represents an ideal world, it is understandable why Maimonides might reject the notion that Providence favors international commerce. Radak channels the Maimonidean view in his reading of the verses in Isaiah 61:6–7 describing Israel’s economic prosperity after the eventual redemption, commenting: “And they will not be required to leave their land for commerce in order to earn money, for in their land they will inherit from the good of the earth.”

Of course, the world depicted here does not exactly resemble our own. What relevance does a messianic prophecy have to commerce in the pre-messianic era? Maimonides answers this question by embracing a “naturalistic” messianism, in contrast to “apocalyptic messianism,” as Dov Schwartz succinctly explains: “the naturalistic approach holds that the messianic era will occur within history and not in its collapse. The world will continue on its course and natural laws will remain in place.”<sup>29</sup> Whereas Sa’adya Gaon and others propounded the apocalyptic view that the Messiah would usher in a new world, Maimonides resolutely affirmed a naturalistic messianism. He stated this plainly in the final chapter of the *Mishne Torah*:

Let no one think that in the days of the Messiah any of the laws of nature will be set aside, or any innovation be introduced into creation. The world will follow its normal course (*Laws of Kings and Their Wars* 12:1).<sup>30</sup>

<sup>28</sup> *Sifrei* Deuteronomy, *Piska* 315 (Hammer trans., p. 322, though I have rendered *be-prakmatia shel klum* as “commerce whatsoever” instead of Hammer’s mistaken “fruitless endeavors”).

<sup>29</sup> Dov Schwartz, *Messianism in Medieval Jewish Thought* (Academic Studies Press, 2017), 3.

<sup>30</sup> Translations of *Mishne Torah* in this article are taken from *The Code of Maimonides*, Yale Judaica Series: *The Book of Judges*, trans. Abraham M. Hershman (Yale University Press, 1949) and *The Book of Acquisition*, trans. Isaac Klein (Yale University Press, 1951). Translations of passages from *Laws of Idolatry* are my own.

At the conclusion of that chapter, and of the *Mishne Torah* as a whole, Maimonides specifically comments on the economic aspect of the messianic times:

In that era there will be neither famine nor war, neither jealousy nor strife. Blessings will be abundant, comforts within the reach of all. The one preoccupation of the whole world will be to know the Lord (*Laws of Kings and Their Wars* 12:5).

It is clear that his reference to “comforts within the reach of all” (literally: “and all delicacies will be available like soil”) is based on the *midrash* in the *Sifrei* and Talmud cited above. But Maimonides means this to be a completely natural, non-miraculous state of affairs, as he explained in greater detail in his earlier *Commentary on the Mishna* (Introduction to *Sanhedrin* 10). Of course, a world without famine or war and in which delicacies are as common as dust conjures a classic utopian vision. But for Maimonides the key point is that the utopian world conforms to the current natural order of things—it is still our world, only better.

It turns out, therefore, that Maimonides’ perspective on the messianic era and his rejection of the providential theory of commerce are consistent, even mutually reinforcing: Because Maimonides believed that the messianic era must obey natural law, the Sages’ utopian description of a land automatically producing the necessities of life may serve as a model of an ideal, economically self-sufficient society, even in our pre-messianic world. In turn, because he believed that the necessities of life—air, water, and basic food, as Maimonides explained in the *Guide*—are already easily attainable, the Sages’ messianic vision can be reconciled with the natural order without resorting to miracles.

Having determined that Maimonides soundly rejected the providentialist view of international commerce of Libanius and R. Bacharach, it remains for us to demonstrate that this philosophical commitment informed Maimonides’ halakhic decisions. To substantiate this claim, I will analyze two topics: economic protectionism and trading with Gentiles.<sup>31</sup>

<sup>31</sup> Professor Mark R. Cohen, in his erudite recent book *Maimonides and the Merchants: Jewish Law and Society in the Medieval Islamic World* (University of Pennsylvania Press, 2017), argues “that Maimonides made adaptations in his Code of Jewish Law, the *Mishne Torah*, to bring the limited business law of the agrarian-based Talmud up to date with the commercially advanced civilization of the Islamic world” (140). Cohen finds examples of Maimonides “updating the Halakha” (37–54) and even “actually expanding the Halakha to fit the custom of the merchants” (36; see also 90–104). At first blush, this might seem to challenge my thesis that Maimonides was opposed to international commerce. But there is no contradiction. Even on Cohen’s

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The question of economic protectionism afforded Maimonides an opportunity to project his hostility to international commerce onto his legal canvas. The Talmud (*Bava Batra* 21b) is clear that a resident of one city may prevent a non-resident from setting up a competitive business in the city, unless the non-resident pays city taxes. No rationale is offered, but it appears to be grounded ultimately in considerations of fairness. Rif decided in accordance with the Talmudic rule (*Bava Batra* 11a) and it is not surprising that Maimonides did as well. But the language of Maimonides (*Laws of Neighbors* 6:8) deserves special attention:

A stranger from another land, however, who comes to open a shop (or a bathhouse) adjoining the extant shop, or the bathhouse, can be prevented from doing so. However, if he contributed with the other residents to pay the royal tax they cannot prevent him.

In contrast to the Talmud and Rif, which described the non-resident as simply “of another city” (*bar mata abrita*), Maimonides calls him “a stranger [or immigrant] from another land” (*ger mi-medina aberet*). This textual deviation stresses the traveling businessman’s foreignness.<sup>32</sup> It is possible that Maimonides chose this language to rhetorically signal his negative view of traveling merchants, particularly those who journey too far. Instead of a simple regulation about opening a competitive business in another city, Maimonides’ wording seems like an attack on international commercial ventures.

More significant than the rhetoric, though, is that Maimonides appears to have weighed in on two important debates. Rif’s star pupil, R. Joseph Ibn Migash of Lucena (Ri Migash), added a massive qualification to the Talmudic rule. In his commentary on the Talmud (*Bava Batra* 21b), Ri Migash asserted that the Talmudic approval of protectionism applies only when the outside seller’s merchandise is the same price as that of the resident merchants, but if a non-resident wishes to sell his goods for cheaper

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account, Maimonides was not motivated by “pro-merchant” sympathies; rather, he wanted to keep Jewish litigants out of Islamic courts, or he sought to solve problems in contract law (94). More fundamentally, there is a difference between accommodating an existing commercial economy and embracing it as normatively good, let alone as a manifestation of Providence. Cohen does not discuss the passages in the *Guide* and *Mishne Torah* at the core of this article.

<sup>32</sup> The meaning of the term *medina* as used by Maimonides is difficult to pin down, especially when not found in the Talmudic sources. Compare, e.g., *Laws of Idolatry* 4:8, 10; *Laws of Shabbat* 27:1; see also his Introduction to *Mishne Torah*. Perhaps the term is best rendered here as “political entity.” Whatever the precise translation in this context, the phrase *ger mi-medina aberet* communicates a more pronounced sense of alienation and non-belonging than emerges from the Talmudic *bar mata abrita*.

than the going rate in the city, the local merchants have no right to drive out competition that would be beneficial to local consumers. This is a significant exception that threatens to swallow the rule, as later commentators noted, because each foreign merchant may reduce the price slightly to get in the door and then the increase in sellers will itself drive the prices down.<sup>33</sup> Ri Migash's view was accepted by Maimonides' younger, Spanish contemporary, Ramah (R. Meir Halevi Abulafia).<sup>34</sup>

But Maimonides silently dismissed this opinion of Ri Migash. This is striking, considering that Maimonides thought himself Ri Migash's student, effusively praised Ri Migash's learning, and wrote in a responsum that he disagreed with Rif in "about thirty places or more" mostly because of Ri Migash's writings, mentioning especially his commentary on *Bava Batra*.<sup>35</sup> Rejecting Ri Migash's limitation of economic protectionism was an intentional and meaningful choice by Maimonides. Perhaps he was motivated solely by fidelity to the Talmudic text, which does not mention Ri Migash's qualification. But in disregarding the opinion of Ri Migash, Maimonides might also have desired to preserve a robust limit on international commerce, in keeping with his philosophical view expressed later in the *Guide*.

There is another inference to be made in Maimonides' words that bears upon our discussion, though it is less certain that this reflects his conscious decision. Rabbenu Tam ruled that if the outsider does not yet pay local taxes but wishes to do so, the residents of a town may not prevent him from opening a competitive business.<sup>36</sup> R. Isaac Or Zarua agreed with this ruling, but noted that from Rashi's commentary on the Talmud (*Bava Batra* 21b) it appears that the outsider must *already* be paying local taxes in order to open a competitive business over the residents' objections—thus the residents may reject an outside competitor's offer to

<sup>33</sup> R. Joseph Ibn Habib raised this problem in his *Nimmukei Yosef* on Rif, *Bava Batra* 11a, and therefore limited Ri Migash's exception to cases where the foreign merchant's wares are dramatically cheaper. See also R. Moses Isserles, *Responso of Rema*, no. 73.

<sup>34</sup> *Yad Ramah*, *Bava Batra* 21b. Ri Migash's view was also accepted by later Spanish authorities such as R. Asher ben Yehiel (Rosh, *Bava Batra* 2:13) and his son, R. Jacob (*Tur*, *Hoshen Mishpat*, 156), but notably not by Nahmanides (commentary to *Bava Batra* 21b).

<sup>35</sup> *Teshuvot ha-Rambam*, vol. 2, no. 251 (Mekizei Nirdamim, 1960), 459. On Maimonides' relationship to Ri Migash, see Isadore Twersky, *Introduction to the Code of Maimonides (Mishne Torah)* (Yale University Press, 1980), 7–9, 111; Halbertal, 15–18. Of course, Maimonides' devotion to Ri Migash was not automatic. For another case in which Maimonides ignored Ri Migash's halakhic innovation, compare Ri Migash on *Bava Batra* (7b) with Maimonides' *Laws of Neighbors* (6:4).

<sup>36</sup> Cited by Ravva in his lost book *Aviasaf*, the relevant passage of which appears in *She'elot u-Teshuvot Maharam Bar Barukh*, no. 77 (Lvov, 1860), 3a-b. Compare Mordechai, *Bava Batra* 2:517.

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pay local taxes if he is not yet doing so.<sup>37</sup> In other words, according to Rabbenu Tam the residents ultimately lack the power to legally prevent an outside competitor from doing business in the city, since they cannot reject his offer to pay local taxes.

This is a critical question because, like Ri Migash's exception to the protectionist rule, Rabbenu Tam's view could thwart the city's protectionist policy. Maharik was much disturbed by this opinion of Rabbenu Tam, and forcefully argued against it in an influential responsum (no. 191) addressing a protectionist dispute in Mantua. He found support for his defense of strong protectionism in the words of Maimonides, that if the stranger "was paying the tax of the king together with them [they] cannot prevent him." Maharik inferred from Maimonides' use of the past tense (*haya notein*) that a prospective willingness to pay the tax cannot overcome the residents' protectionist policy; the outsider must have been paying *before* he seeks to compete for business in the city. If Maharik's reading of Maimonides is correct, and it is certainly plausible, then this is another instance of Maimonides reinforcing the Talmud's protectionism in line with his generally unfavorable view of international commerce.

Another area in which Maimonides' views on commerce may have influenced his legal opinions relates to trade with idolaters, where he adopted two extremely restrictive halakhic positions. In his *Laws of Idolatry* (10:6), after elaborating the permissible commercial interactions with idolaters, Maimonides states:

The above matters apply only in a time when Israel is in exile among the nations or in a time when the Gentiles are in power. When, however, Israel is in power over the nations of the world it is forbidden for us to leave an idolatrous Gentile among us. Even a temporary resident or one who travels from place to place for commerce should not pass through our land until he accepts the seven laws commanded to the descendants of Noah, as it is written: "They shall not dwell in your land" (Exodus 23:33)—even temporarily.

This is a very surprising ruling. Can it really be that no Gentile may enter the Land of Israel under Jewish control, even for business, unless he accepts the seven Noahide commandments? Not only is this a radical

<sup>37</sup> This passage is missing from the standard edition of the *Or Zarua* and for centuries was known solely through the terse citation of *Hagabot Asheri* on Rosh, *Bava Batra* 2:12. Recently, Professor Simcha Emanuel has published this passage of the *Or Zarua* from manuscript in *Responsa of Rabbi Meir of Rothenburg and His Colleagues* [Hebrew] (World Union of Jewish Studies, 2012), vol. 2, no. 444, pp. 854–855.

position on practical grounds, but it apparently lacks grounding in the sources. Rabad of Posquières, in his glosses on the *Mishne Torah*, comments: “We have not found this nor ever heard of this... And even according to his [Maimonides’] account, the verse speaks of dwelling, not passing through.” The contemporary authority R. Chaim Kanievsky points to several possible sources for Maimonides’ ruling,<sup>38</sup> but all refer to dwelling and none gives the faintest clue that even a traveling merchant may not enter the Land of Israel.<sup>39</sup> Maimonides’ source, if he had one, remains a mystery.<sup>40</sup>

To complicate matters, Maimonides ruled that the biblical prohibition of returning to Egypt (Exodus 14:13; Deuteronomy 17:16, 28:68) does not apply when going there “for business” (*li-sehora ve-lifrakmatya*).<sup>41</sup> This time Maimonides had a direct source from the Talmud Yerushalmi (*Sanhedrin* 10:8), quoted by Rif at the conclusion of his digest on *Sanhedrin* (20a), so the ruling itself is not mysterious. But why couldn’t the same logic apply to permit an idolater to enter Israel for commercial purposes? In fact, Maimonides extended this logic to another context later in the same chapter, by permitting a Jew to leave the Land of Israel “on business.”<sup>42</sup> There is no direct Talmudic ruling for that, so it appears (as *Migdal Oz* notes) that Maimonides reached this conclusion by analogy to the prohibition of returning to Egypt. We are left wondering why similar reasoning could not support a commercial loophole for idolaters who wish to do business in Israel.

Two explanations suggest themselves. The first focuses on the distinction between the *Laws of Idolatry*, where Maimonides bars an idolater from entering Israel at all, and the *Laws of Kings*, where Maimonides permits a Jew to do business in Egypt and to leave Israel for commercial reasons. It is possible that Maimonides was so concerned that the idolater’s dangerous ideology would infect the Jewish community in its homeland that he could not admit any exceptions on the entry ban, whereas the concern in the *Laws of Kings* is less ideological than political—not to abandon the Land of Israel or to subject oneself to the rule of an especially corrupt society. A temporary commercial venture would not subvert these political ends.

<sup>38</sup> Chaim Kanievsky, *Kiryat Melekh* (6th rev. ed.; Bnei Brak, 1976), 37.

<sup>39</sup> See, e.g., *Mekhilta de-Rabbi Shimon Bar Yohai*, Exodus 23:33.

<sup>40</sup> R. Joseph Karo (*Kesef Mishne, ad loc.*) argues that Maimonides independently derived this ruling from the reason given in Exodus 23:33: “They shall not dwell in your land lest they make you sin against Me.”

<sup>41</sup> *Laws of Kings and Their Wars* 5:8.

<sup>42</sup> *Laws of Kings and Their Wars* 5:9.

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This theory may be correct, but it does not fully explain why Maimonides felt comfortable creating a blanket prohibition on the idolater's entry in the absence of Talmudic support, when the identical terminology ("dwelling") yielded commercial exceptions in other contexts. Moreover, Maimonides' ruling actually contradicts a well-known *midrash* in *Sifrei* (cited in Rashi's commentary on Deuteronomy 33:19) about the maritime tribe of Zebulun:

"They shall call peoples unto the mountain" (33:19): Hence you conclude that the nations and kingdoms would gather together and come to see the goods available in the Land of Israel, and would say, "Since we have taken the trouble to come here, let us see what kind of goods the Jews have to offer." They would then go up to Jerusalem and observe the people of Israel worshipping only one God and eating only one kind of food, whereas among the nations, the god of one is not the god of another, and the food of one is not the food of another. So they would say, "There is no better nation for us to cling to than this." (Hence, "They shall call peoples unto the mountain.") And whence do you learn that the nations would not budge from there until they became proselytes and offered sacrifices and burnt offerings? From what the verse goes on to say, "There shall they offer sacrifices of righteousness" (33:19).<sup>43</sup>

This *midrash* is perhaps the most favorable comment on international commerce in all of rabbinic literature. It is hard to reconcile this source with Maimonides' view that idolaters are forbidden from entering the Land of Israel for commercial reasons. The entire thrust of the text is that the arrival of Gentiles—who in this context are pagans, the dominant group of the time—in Israel for commerce presents an opportunity, not a threat. Maimonides, a zealous guardian of Israel's theological rectitude, was unmoved by this rosy view of Gentile commercial tourism. He plainly saw a threat. But his method of dealing with that threat—no entry, no exceptions—is disproportionate and unjustified by prior sources. At the very least, we would expect him to carve out a license for Gentiles to enter temporarily on business. Maimonides' refusal to do so suggests that he assigned little value to international commerce. In stark contrast with R. Bacharach, Maimonides was perfectly at ease with halakhic impediments to foreign trade and even created a severe anti-trade regulation not found in earlier sources. This position is consistent with his general view

<sup>43</sup> *Sifrei Deuteronomy, Piska 354* (Hammer trans., 370–371, with some alteration to reflect a more accurate interpretation).

of nature and trade, as expressed in the *Guide* and in his messianic vision.

Maimonides set forth another highly restrictive ruling in the parallel context of a Jew entering a city containing an idol: “One may walk on the outskirts of a city containing an idol [*avoda zara*], but it is forbidden to enter within. If the idol is located outside the city, it is permitted to walk within it.”<sup>44</sup> This is also quite a startling ruling. Although Maimonides seems to be paraphrasing the Mishna (*Avoda Zara* 1:4), virtually every other authority (following the Tosefta, *Avoda Zara* 1:5) interpreted the phrase “a city in which *avoda zara* is located” as referring to an idolatrous festival happening on a particular day inside the city.<sup>45</sup> Maimonides, on the other hand, read this as an across-the-board ban on entering any city with an idol in it on any day of the year. He was fully aware of the sweeping nature of his interpretation; in fact, he seemed to revel in it, as is evident from his *Commentary on the Mishna* (*Avoda Zara* 1:4) in which he emphasized that “it is absolutely prohibited to enter a city containing an idol, all the more so to live there, and certainly to trade there” and that this ban covers any city with a Christian church!

The various prohibitions espoused by Maimonides on traveling to a city containing an idol and allowing an idolater to enter the Land of Israel combine to severely curtail international trade under Jewish law.<sup>46</sup> It is as if Maimonides, fully cognizant of the extent of Jewish involvement in the Islamic commercial economy, sought to limit such trade to the Islamic world and keep Jewish merchants from expanding into Christian Europe.<sup>47</sup> Maimonides was surely motivated primarily by his bottomless animus toward idolatry and his desire to sever contacts between Jews and idolaters. This attitude alone largely explains these harsh rulings. But his adamant refusal to carve out limited exceptions for commercial activities—even when he had to read against the grain of the sources—is consistent with his general aversion to international trade. Had Maimonides bought into Libanius’ providentialist view, or at least remained neutral on the question, he could hardly have allowed his general disdain for idolaters to

<sup>44</sup> *Laws of Idolatry* 9:9.

<sup>45</sup> See, e.g., Rabad, *ad loc.*; Rashi, *Avoda Zara* 11b.

<sup>46</sup> Clearly, the *primary purpose* of these halakhot is to separate Jews from idolatry. But multiple factors influenced these laws, one of which is Maimonides’ view on international commerce. I do not believe he could have banned Jews from Christian cities and all non-Noahide Gentiles from the Land of Israel had he adopted Libanius’ view, as did R. Bacharach.

<sup>47</sup> Cf. *Laws of Idolatry* 9:4, in which Maimonides repeats his view that Christians are idolaters.

stamp out legitimate Jewish participation in the world market. Maimonides' intuitions about Providence and natural resources, later expressed in the *Guide*, created the space he needed for his commercially restrictive legal interpretations in the *Mishne Torah*.

*Commerce, Unity, and Knowledge*

I have argued that R. Bacharach and R. Sacks propound a providentialist view of international commerce while Maimonides' embraces an opposing theory. But this presentation is perhaps too superficial. Behind each thinker's view of Providence and commerce lies a perceived goal: the intent of the providential design. Looking to the underlying aim—the impulse that drives each scholar to adopt this or that theory—reveals nuances of both commonality and divergence among these various Jewish approaches to a providential economy.

For R. Sacks, the attraction of the providential theory of commerce is undoubtedly its vision of a unified humanity and the potential of trade to reduce conflict. The leitmotif of his book is embracing the positive elements of globalization and softening its edges. In R. Sacks' telling, as for Libanius and many of the early modern proponents of the universal economy doctrine, the core appeal of the providentialist theory is the promise of unity and harmony among diverse peoples.

But this emphasis is absent in *Havvot Yair*'s discussion. Although R. Bacharach does repeat the line from Libanius and Savary that the various regions of the world will “supply one another,” that is hardly his dominant theme. What are we to make of his elaborate descriptions of exotic goods from around the globe as a justification for his halakhic ruling? Is it so implausible that Jews might be prevented from efficiently importing “ivory and ebony, monkeys and peacocks, myrrh, aloes, calamus, cassia and cinnamon, amber, and very precious luxuries” from India, China, Mongolia, and Prester John? The key to understanding R. Bacharach's point, I believe, is his allusion to King Solomon's trading network. As described in I Kings (5:26), Solomon entered into a treaty with Hiram, King of Tyre—the Phoenician commercial powerhouse to Israel's north—through which Solomon imported cedars of Lebanon to build the Temple. Chapters 9 and 10 detail the elaborate commercial fleet and network that Solomon and Hiram established through a port on the Red Sea, near Eilat, that allowed Solomon to import many of the luxuries named in *Havvot Yair*.

R. Bacharach surely had King Solomon in mind when arguing that travel expenses must be deducted from revenue subject to the tithe.

Indeed, he expressly referred to the impact such an obligation would have on a future Jewish king's commercial prospects.<sup>48</sup> To the extent that R. Bacharach was invoking Solomon as historical precedent, it is far from clear that Jewish tradition looked favorably on Solomon's commercial enterprises with Tyre. While taking pride in Solomon's "wisdom" and impressive empire, the biblical text also seems to regard his commercial activity as part of his excessive entanglements with foreigners that led him astray. The text (I Kings 11:1, 5) names "Phoenicians" among the many "foreign women" that Solomon loved and states that "Solomon followed Ashtoreth the goddess of the Phoenicians." This foreshadows the wicked King Ahab, whose infamous wife Jezebel was the daughter of a Tyrian king. Solomon's commercial partnership with Tyre seems a dubious precedent from which to justify a sweeping pro-trade halakhic policy. And the spirited denunciations of Tyre's commercial empire in Ezekiel 26–29 and Isaiah 23 further dampen the enthusiasm for emulating Tyre's trading ways.

But I suspect that the inspiration from Solomon in *Havvot Yair* has little to do with a biblical precedent for the pursuit of exotic luxuries. R. Bacharach was more likely drawn to the example of Solomon's *wisdom* and its link to his extensive contacts abroad. This hypothesis emerges from the intellectual portrait of R. Bacharach strikingly depicted in his lost work, *Etz ha-Hayyim*. R. Bacharach was unable to publish that book, though he did manage to publish its introduction at the end of his *Havvot Yair*.<sup>49</sup> *Etz ha-Hayyim* was then lost to history. But an autograph manuscript containing an index to the many volumes of his notebooks, which would have been the heart of *Etz ha-Hayyim*, has survived. This index, which he called *Yair Netiv*, offers a tantalizing peek into a truly astounding book, the product of a singular halakhic mind.<sup>50</sup>

<sup>48</sup> *Havvot Yair*, 224.

<sup>49</sup> *Havvot Yair*, 230a.

<sup>50</sup> The manuscript, acquired by the National Library of Israel in 1970, Ms. Heb. 38°5220 [hereinafter *Yair Netiv* ms.], is available online at web.nli.org.il [direct link: <https://bit.ly/2X8bhju>]. The manuscript begins at 10a, indicating a lacuna of nine folio pages of the index (covering 74 folio pages of R. Bacharach's first notebook). Selections of *Yair Netiv*, including from the now-missing pages, were published by A. Jellenik in "Tziyunim ve-Likkutim me-Sefer Yair Netiv," *Beit ha-Midrash* 1 (1865), 88–92 [hereinafter: Jellenik, "*Yair Netiv*"]. For a description of the manuscript and additional quotations from *Yair Netiv*, see Kaufmann, "Biographical Sketch," 504–527, as well as Kaufmann's 1894 German biography (cited above), 84–108. It should be noted that the citations to *Yair Netiv* in Prof. Twersky's article "Law and Spirituality" (cited above) actually refer to a different unpublished work of R. Bacharach, *Mateh Aharon*, which appears at the end of the same autograph manuscript. What Twersky cites as *Yair Netiv* is in truth the introduction to *Mateh Aharon* published in A. Jellenik, "*Korot Seder ha-Limmud*," *Bikkurim* 1 (1864), 4–20. I thank Dr. Ezra

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These notebooks were astonishingly rich. R. Bacharach's lost notes held insights on everything that stimulated his curiosity, which turned out to be nearly everything he came across. For present purposes, I note only that R. Bacharach seemed unusually intrigued by the cultures, histories, and even geographies of other lands. One entry discusses "white elephants in distant countries."<sup>51</sup> On another page he contemplates how a Jew would keep time-bound commandments in diverse regions, including near "the North Pole where daylight lasts six straight months," as well as how the French kings converted to Christianity and their contemporary anointing practices.<sup>52</sup> Elsewhere he gathers historical and geographical facts regarding various countries derived "from the books of the Gentiles,"<sup>53</sup> ponders where the Romani (or Gypsies) actually live,<sup>54</sup> which was the first city ever built,<sup>55</sup> and why a Russian ruler is called Czar while in central Asia it is Khan.<sup>56</sup> He also grappled with the discovery of the Americas, inquiring how life reached the "New World" after the great Flood<sup>57</sup> and "whether the new part of the world was revealed to King Solomon."<sup>58</sup>

We have only the bare headings for these discussions; the actual content is painfully lost. It is impossible to know what R. Bacharach really had to say about these matters. But there is significance in the mere fact that he thought of such things, put them on a page next to classic halakhic and other Torah writings, and—as indicated in his introduction to *Etz ha-Hayyim*, published as an appendix to his *Havvot Yair*—apparently intended to publish them in a single book. These inquiries reveal a halakhic persona who knew that the world was very large and believed it was worth his attention. R. Bacharach evinced a deep and basic curiosity about distant peoples and lands, and their study was religiously meaningful. It was Torah, or close enough to it to belong in the same grand treatise.

With this background, we are now in a position to understand the motives at work in *Havvot Yair*, no. 224. For R. Bacharach, I suggest,

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Chwat of the National Library of Israel for his helpful replies to my inquiries regarding the manuscript.

<sup>51</sup> *Yair Netiv* ms., 101b.

<sup>52</sup> *Ibid.*, 94b.

<sup>53</sup> *Ibid.*, 19a; see Jellenik, "Yair Netiv," 89.

<sup>54</sup> *Yair Netiv* ms., 55b; see also Jellenik, "Yair Netiv," 90.

<sup>55</sup> *Yair Netiv* ms., 55a.

<sup>56</sup> *Ibid.*, 18b, 82b, 83b; see also Jellenik, "Yair Netiv," 89.

<sup>57</sup> *Yair Netiv* ms., 92a; see Kaufmann, "Biographical Sketch," 516.

<sup>58</sup> *Yair Netiv* ms., fol. 9, missing from manuscript but published in Jellenik, "Yair Netiv," 88. In another cryptic but poignant comment in *Yair Netiv* (14b), R. Bacharach voices a theory of general balance in the world, wherein "anything that is difficult for one is beneficial for another, with respect to human beings and also the world."

international trade is valuable because it is a critical method of learning about the world. It was intolerable to him that the halakha would segregate the Jews from the rest of the earth, choking off their knowledge of the globe and all its creatures.<sup>59</sup> In all likelihood, this was the model he saw in King Solomon and his commercial empire. Not for his fame or riches, and not even for the peaceful relations among peoples: The vision of Solomon is one of boundless *wisdom*, exemplified by his knowledge of the world's diverse resources, creatures, and peoples.<sup>60</sup> In R. Bacharach's mind, I believe, Solomon's knowledge of the world was linked to his commercial endeavors. That knowledge is precisely what R. Bacharach could not imagine denying to a future King of Israel, as well as to ordinary Jews, because of a legal rule that would frustrate commerce.

The upshot is that international commerce fosters world knowledge for R. Bacharach, while for R. Sacks—following the classic providentialist theory—it brings about a union of humanity. But what about Maimonides? It appears that Maimonides opposes extensive international trade *because* he wishes to promote both knowledge and peace among people. This is, in essence, his view of the messianic era, in which knowledge and peace revolve in a virtuous cycle. In the chapter of the *Guide* immediately before the one we have been discussing, Maimonides notes that human conflict and oppression are due to ignorance:

For through cognition of the truth, enmity and hatred are removed and the inflicting of harm by people on one another is abolished. It holds out this promise, saying: "And the wolf shall dwell with the lamb, and the leopard shall lie down with the kid," and so on... Then it gives the reason for this, saying that the cause of the abolition of these enmities, these discords, and these tyrannies, will be the knowledge that men will then have concerning the true reality of the deity. For it says: "They shall not hurt nor destroy in all My holy mountain; for the earth shall be full of the knowledge of the Lord, as the waters cover the sea."<sup>61</sup>

<sup>59</sup> Like the medieval Hebraicists, R. Bacharach (*Yair Netiv* ms., 93b) was bothered by "the Holy Tongue's lack of names of thousands of animals, plants, materials, utensils, and garments." Compare with R. Judah Halevi's *Kuzari* (II:66) and R. Abraham Ibn Ezra's introduction to his *Keli ha-Nehoshet*, quoted and translated in Shlomo Sela, *Ibn Ezra and the Rise of Medieval Hebrew Science* (Brill, 2003), 339.

<sup>60</sup> Compare Maimonides, *Commentary on the Mishnah*, Introduction, in *Mishna Im Perush Rabbenu Mosheh Ben Maimon*, trans. [Hebrew] Yosef Kafih (Mossad Harav Kook, 1963), vol. 1, p. 21–22, describing Solomon's wisdom as reflected in his perfect understanding of nature. This is based on the biblical account in I Kings 5:13–14.

<sup>61</sup> *Guide*, III:11, p. 441 (citing Isaiah 11:6–9).

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In turn, the absence of oppression facilitates knowledge of God, as Maimonides explains in the climax of his *Mishne Torah*, which we have already quoted above: “Blessings will be abundant, comforts within the reach of all. The one preoccupation of the whole world will be to know the Lord”<sup>62</sup> Thus knowledge breeds peace, which itself breeds knowledge.

Of course, there is a crucial distinction between knowledge *of God* discussed by Maimonides and knowledge *of the world* implicit in R. Bacharach’s approach.<sup>63</sup> This may have contributed to their larger split on the question of commerce and Providence. But there is overlap, too. Presented side by side, these two halakhic views on the providential design relating to commerce are mirror reflections. The parts and orientations are exactly reversed, but each displays the image of a world built from the start for expanding knowledge and peace.

<sup>62</sup> *Laws of Kings and Their Wars* 12:5.

<sup>63</sup> It is worth noting that for Maimonides, as stated in the final chapter of the *Guide* (III:54, p. 638), knowledge of God should include “know[ing] His Providence extending over His creatures as manifested in the act of bringing them into being and in their governance as it is.” Some measure of knowledge of worldly affairs is thus contemplated in addition to purely theological speculation.