

Some Notes about the Ultimate Punishment: Gehenna in Medieval Jewish Philosophy

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The purpose of this paper is to discuss the meaning of Gehenna (Hell) as an ultimate punishment that manifests itself in the sinner's suffering after death. The various traditions present the torments of Gehenna as unbearable and continuous; they may be temporary, of short duration, or permanent, lasting forever. These time estimates are based on the homiletic interpretations of the sages, such as the following:

The sentence of the wicked in Gehenna will endure for twelve months... R. Yoḥanan b. Nuri says: It lasts from Passover till *Aṣeret* (Pentecost). (*m. 'Ed. 2:10*)

After twelve months, the sinners of Israel... who transgressed the Torah and its commandments, their soul is burnt and their body is consumed... and the wind scatters their ashes under the soles of the feet of the righteous... But those who abandoned the ways of the community... and those who spread their terror in the land of the living and denied the resurrection of the dead and those who say there is no Torah from heaven and those who scoff at the words of the Sages... they will be punished there for all generations... Gehenna will be consumed but they will not be consumed. (*S. 'Olam Rab. III*)¹

- 1 Chaim Milikowsky, "Which Gehenna? Retribution and Eschatology in the Synoptic Gospels and in Early Jewish Texts," *NTS* 34 (1988): 238–49. As it turns out, the duration of the torments of Hell is perceived either as *fixed in time* ("The sentence of the wicked in Gehenna will endure for twelve months...") or as *everlasting in its impact* ("After the twelve months... But as for... these will go down to Gehenna and be punished there for all generations... Gehenna will

These excerpts suggest that the initial torment in Gehenna lasts up to a year. Afterwards those punished in Hell are split into two groups. The ordinary transgressors shall be ashes under the soles of the righteous, while the rebellious sinners shall continue to be tortured in hell forever.

Usually portrayed as the opposite of *Gan Eden* (Paradise or Heaven), the Gehenna owes its justification to human discomfort with the dubiously moral nature of this world. This discontent may assume either or both of the following states of mind:

1. This world is full of suffering and does not offer us a gratifying life. It is therefore expected that after leaving this wretched, miserable world, the good and omnipotent God (assuming that indeed, He exists) shall provide us with compensation in a different kind of world, a world to come that is “wholly good” and “wholly long.” From this perspective, the notion of Gehenna in the afterlife is unnecessary: its torments cannot solve the problem of suffering in *this* world.

2. In this world there is no justice. Not only is it full of suffering (which cannot be explained only as punishment) but it allows the wicked to live happily. Saddened by this state of affairs, the prophet Jeremiah famously posed the question: “Wherefore doth the way of the wicked prosper?” (Jer 12:1). The God of justice, who is omnipotent, is supposed to solve this problem. The hereafter is supposed to function as just retribution, offering bliss as a reward to the righteous and inflicting suffering on the wicked as a punishment for their sins.

Hence the world to come as a whole is supposed to function either (1) as a compensation for the suffering in this world; or (2) as a retribution. Only in the second case will it include Gehenna.

To clarify the difference between these two objectives (compensation and retribution), let me present a chart that specifies the four theoretical possibilities of the nature of the next world in relation to the righteous and the wicked:

be consumed but they will not be consumed...”). See also Dan Cohn-Sherbok, “The Jewish Doctrine of Hell,” *Religion* 8 (1978): 196–209.

	For the Righteous	For the Wicked	Characterization
1.	Bad	Good	<i>a world of injustice</i>
2.	Bad	Bad	<i>a world that is wholly evil</i>
3.	Good	Good	<i>a world that is wholly good</i>
4.	Good	Bad	<i>a world of justice</i>

The first two worlds, (1) “a world of injustice” and (2) “a world that is wholly evil,” do not meet our expectations, so we need not assume their existence in the hereafter. The last two worlds, (3) “a world that is wholly good” and (4) “a world of justice,” are the competing candidates for the ideal world. “A world that is wholly good” is supposed to compensate for the suffering in this world, whereas “a world of justice” is supposed to distribute reward and punishment, thereby making up for the injustice that is prevalent in this world.

For the purpose of the discussion I will first review, with much simplification, the purposes and justifications given for punishment in general, insofar as they are relevant to the notion of Gehenna. Punishment of this sort consists of making wrongdoers suffer. Yet in itself, causing suffering is improper and morally wrong. So inevitably the question arises: how do we justify the very act of punishing? The conventional justifications of punishment are represented by two separate schools of thought, each subscribing to a different major value.

For the utilitarian-consequentialist school what is proper is what is likely to result in benefit. Accordingly, the suffering involved in punishment is justified as a contribution to future life, whether of the sinner or of society as a whole. This school stresses deterrence as an important factor. When punishment becomes known to the public, it is supposed to benefit the entire society: “And all the people shall hear, and fear, and do no more presumptuously” (Deut 17:13). In itself, deterrence is educational for the wrongdoers. The threat of further suffering, should they repeat their evil doings, is a helpful measure of restraint. When this school of thought metaphorically associates sin with spots and filth, it conceives of punishment as a beneficial and effective act of cleansing.

For the other, deontological school of thought, the “proper act” signifies a purposeful value that is absolutely binding and incontestable. Thus, for instance, one should treat others justly or keep one’s promises and threats even when such acts involve no benefit whatsoever. As far as punishment is concerned, the deontological school characterizes it as retribution. Accordingly,

punishing is viewed as a fair and necessary course of action that serves as an integral component of retributive justice. Just as the righteous are supposed to be rewarded for their good deeds, so the evil-doers are supposed to be punished for their misdeeds.

In principle, Gehenna as punishment in the afterlife fits the general approach of the deontological school, according to which the Almighty is mainly the God of justice. Side by side with Paradise, which provides appropriate reward for the good deeds of the righteous, there must be Hell, where the wicked who have prospered on earth are duly punished. Since the Supreme Judge is omnipotent as well, He must not allow the righteous and the wicked to enjoy their life to the same extent, regardless of the quality of their respective conduct, without eventually holding them accountable for their actions. In contrast, the utilitarian-consequentialist school of thought, which presents God as the incarnation of goodness—God who is good and does good to all—may find it difficult to justify the divine condemnation of sinners to Hell if this is not beneficial to anyone on earth.

To summarize the points I have made so far: Hell functions as a punishment after death and the very assumption of its existence signifies dissatisfaction with the various punishments meted out in this world – whether by human hands or from Heaven. Since punishment on earth is only partial, letting the sinner get away with some of the consequences of his wrongdoings, Hell is supposed to resolve the problem of justice categorically, in conjunction with Paradise, which provides *full* compensation for the righteous for their good deeds on earth. For in *this* world, reward is as partial as punishment.

Although it is tempting to talk about the fascinating, graphic accounts of Hell, this is beyond the scope of this paper. My goal is to discuss the moral issue of Hell along with the problems it entails, in reference to the two above-mentioned schools of thought. To this end, I will present two opposing approaches to the Gehenna phenomenon in Jewish thought: on the one hand, a deontological approach, which places the notion of justice at its center, thereby sanctioning utmost suffering in eternal hell, and, on the other hand, a utilitarian approach, for which the notion of hell is inconceivable as it produces no benefit.

A salient representative of the deontological school may be R. Saadia Gaon, a halakhist, exegete, leader, and philosopher, who lived in Egypt and Babylonia in the 9th century C.E. Saadia's famous book in Jewish philosophy was originally

composed in Judeo-Arabic and was entitled *Kitab al-Amanat wal-I'tikadat (Beliefs and Opinions)*.² Historically, Saadia has been associated with a philosophical group that flourished in the culture of the Muslim environment. The members of this group, which was called *Mutazilah* (those who “withdraw” [from worldly pleasures, evil, certain other groups]), defined themselves as “People of Divine Unity and Justice” (*Ahl al-Tawhid wal-'Adl*).³ For our purposes, this group is important not because of its emphasis on monotheism (divine unity) but on account of its doctrine of retribution and justice, which served as the central value of this group. In Saadia’s system, retribution appears as an act of returning good for good “which reason prescribes” and as the ruling that what is given to someone in exchange for his effort is incomparable to what is given to someone who has done nothing to deserve it. Thus he argued that when God wanted to grant humans the world to come, which is wholly long and wholly good, He preferred to do so with the view of rewarding the righteous for their good deeds rather than gratuitously, as a free gift. This, then, is why God gave man (Jews) His commandments (*Beliefs and Opinions*, III, Int.). In addition to stressing the “reward” aspect of retribution, Saadia also lays emphasis on the justification of punishment. Already, in the introduction to his *Beliefs and Opinions*, he indicates that one of the purposes of the work is to provide a compelling answer to the individual “who sees evil doers who are not punished.”

A separate chapter (IX) “On Reward and Punishment in the Future World,” is devoted to matters of Hell, alongside those of Heaven. In Saadia’s system, the world to come, which is the world of justice, will contain the

- 2 Subsequent citations of this work are taken partly from Alexander Altmann’s translation, selections of which are incorporated in Hans Lewy, Alexander Altmann, and Isaak Heinemann, eds., *Three Jewish Philosophers* (Harper & Row, New York 1960). Citations from chapters excluded from that book are taken from Saadia Gaon, *The Book of Beliefs and Opinions*, trans. Samuel Rosenblatt (New Haven: Yale University Press, 1948). The Arabic words are based on Rabbi Yosef Kafih’s Arabic-Hebrew edition of this work (Jerusalem: Mossad ha-Rav Kook, 1970).
- 3 The *Mutazilah* was part of the Kalām; see Sarah Stroumsa, “Saadya and Jewish ‘Kalam,’” in *The Cambridge Companion to Medieval Jewish Philosophy*, ed. Daniel Frank and Oliver Leaman (Cambridge: Cambridge University Press, 2003), 71–90; Binyamin Abrahamov, “The Creation and Duration of Paradise and Hell in Islamic Theology,” *Der Islam* 79 (2002): 87–102.

torment of punishment as well as the delight of the reward, both of them lasting forever.

At first, this chapter lists all the reasons why it is necessary to have a wholly good world to come which balances human suffering in this world. From what follows, however, it seems that compensating the suffering individual is not enough; it is necessary to bring to justice the person who has caused the suffering. Here Saadia moves away from describing the next world as compensation or reward to draw attention to Gehenna as a punishment meted out by “the God of justice.” The complaint that in this world the abusers and their victims sometimes share the same fate (“we find that people treat their fellow-men wrongfully, and the wrong-doer as well as the wronged may live either in happiness or in misery, then both die”) is accompanied by the acknowledgement that sometimes the believers, of all people, are those who suffer most in this world while the heretics prosper. Although apparently such injustices may be remedied by court sentencing, Saadia clarifies that this is not sufficient to fulfill all the requirements of justice because capital punishment—the most extreme form of punishment—is meted out to the killer of one person as well as to a serial killer. Justice then requires a further form of punishment and the future Gehenna is supposed to encompass numerous degrees of punishment and be potentially infinite in order to accommodate the wide spectrum of human evil.⁴ Indeed, later on Saadia adds another explanation why Hell is everlasting.⁵ In a discussion devoted to “the necessary assumption of the perpetuity of the reward in hereafter of the righteous and of the punishment of the sinful” he introduces a possible fundamental question about Hell:

Now someone might perhaps remark, “I consider such a policy quite proper in the case of the reward of the righteous, since that consists of well-being and bliss and bestowal of favors [which are compatible with the nature of God]. However,

4 On this point Saadia shared the view of the *Mutazilah* and disagreed with Orthodox Islam; see Israel Efros, *Medieval Jewish Philosophy: Systems and Problems* (Tel Aviv: Dvir, 1965), 174 (Hebrew). Since infinity is the essence of Heaven and Hell according to Saadia’s system, the questions of why hell is necessary and why it is necessary to have infinite punishment are sometimes identical. Compare Dror Ehrlich, “The Justification of Punishment in Saadia Gaon’s Discussion of Hell,” *Tarbiz* 79 (2010): 249–62.

5 Chapter IX, 7.

when it comes to punishment and condemnation of perpetual hell-fire, I see therein a mercilessness and cruelty which do not tally with God's nature."

In this context, Saadia expresses awareness of the asymmetrical relations between reward and punishment in divine retribution. This glaring disproportionality is challenged on theological grounds: the Almighty is not only a prudent God of justice but also a benevolent God, who mitigates judgment with mercy. Saadia resolves this apparent paradox by saying that if Hell was not an exceedingly intimidating punishment, the wicked would excuse their misconduct by arguing correctly that the threat and promise of the afterlife was not sufficiently convincing to deter them:

This is why God made the torment of the hereafter limitless, employing the strongest possible deterrent that leaves no loophole for anyone. And once He has thus employed the most forcible means of intimidation and they still do not heed the warning, it would not be proper for Him to go back on His threats against them and belie His own word. On the contrary, in order to prove the truth of His word and His statement, it is necessary for Him to subject them to perpetual torment, for which they have only themselves to blame, on account of their rebellion against God and their denial of Him. This threat is, on the other hand, an act of kindness on the part of God, since His aim in warning them against everlasting punishment is to put them in the proper state of mind for serving Him... Next let me assert that Scripture, too, confirms the view [that the retribution in the hereafter] is everlasting. This is evident, first of all, from its statement: "Some to everlasting life, and some to reproaches and everlasting abhorrence" (Dan 12:2).

In contradistinction to the accusation that through His severe punishment God causes evil (suffering), Saadia shifts the responsibility for limitless suffering to the sinner alone, for it is he who has brought the suffering on himself in the first place. He then goes on to say that the sinner's punishment is analogous to various nuisances that are simply the natural outcome of careless conduct: "If a person goes out at night and falls into a well, or eats food at the wrong time or uses as medicine something that is harmful, or the like [he has only himself to blame for it]."

This analogy raises a certain difficulty. It assumes that one should not challenge the fairness of divine judgment just as one should not challenge the morality of natural causality. It seems, however, that his analogy might actually expand the need to justify the good God for it implicitly raises the question whether there is a moral justification for the pain or suffering that follow naturally from the mere failure to exercise caution and be on the alert.

Saadia justifies the existence of Gehenna not only within a strictly theological context but also in another context, where he describes characteristics that seem to raise doubts about his anthropocentric approach. These characteristics are of man's weaknesses: his limited dimensions, the brevity of his life, his frailness and physical weakness, his diseases, his vulnerability, his harmful lusts, and finally the Torah-ordained sentencing of capital punishment for certain iniquities and the divine retribution of Hell. The rationale for these diverse shortcomings is that eventually they are all meant *le-tov lo*, to do him (the human being) good. Thus, capital punishment falls under the category of "this is for his own good," whereby the benefit applies not to the punished individual but to humankind. Similarly, Saadia justifies future suffering in Hell on the following grounds:

I wondered, moreover, how it came that God had prepared for man painful torment and perpetual sojourn in hell-fire. But I noted that that contrasted with the promise of perennial delight and reward. Also were it not for these two alternatives, there would have been nothing to imbue man with ether aspiration or fear, as Scripture says: "Some to everlasting life, and some to reproaches and everlasting abhorrence" (Dan. 12:2). [IV, 2]

Thus, Saadia's justification consists of two parts. He first softens the difficulty by showing how perpetual torment is balanced by perpetual delight and then makes the point that the anticipation of a world to come lasting forever is necessary for imbuing man with aspiration and fear.

It seems, however, that before reaching any conclusion about Saadia's approach, we must cautiously ascertain whether his above-mentioned justification of the torments of Hell is sufficient to confirm that in this context he actually turns away from the deontological school in favor of the approach cultivated by the utilitarian-consequentialist school.⁶ For this purpose we must bear in mind the following points:

6 Cf. Ehrlich, "Justification of Punishment."

(1) *The context.* As already suggested, Saadia argues for the necessity of envisioning Hell as the incarnation of infinite punishment by insisting that divine retribution must fit the entire spectrum of sinful behavior (IX, 1). The contexts where he associates Hell with deterrence (IV; IX, 7) are different. In the first one, Saadia argues that since man is the center of the universe, it is reasonable to assume that in the providential course of events every occurrence is meant for his own good. In the second, Saadia posits a theological difficulty. How can we possibly assume that the good God exercises extreme punitive measures that doom the sinners to infinite suffering? The explanation offered here is consistent with the statement that God is kind and merciful. Hence the deterrence argument clarifies that perpetual punishment in Hell is likely to benefit humans.

(2) *The fairness inherent in the deterrence.* Saadia adds that deterrence rules out the possibility that the sinners would find excuses for their behavior. In another context he says similar things to justify addressing and chastising heretics, even though it is obvious all along that these appeals would be of no avail:

If God had not sent any mission to the unbelievers... that would have furnished them with a good alibi. For they might have said: "If a prophet had come to us, we would have believed him." (IV, 5)

This approach to deterrence is compatible with the deontological view and its insistence that retributive justice is fair.

(3) *The duty to carry out the threat.* One of the important components of the deontological outlook is the duty to keep one's word and to carry out promises or threats at any cost, even if doing so involves more harm than good. In the given case, the benefit of Hell-oriented deterrence arguably lies in the threat itself. Those warned of the torments of Hell have no way of knowing whether Hell actually exists, so that the threat of Hell can be treated as nothing more than an educational myth. Yet Saadia adds a typically deontological justification of the punishment of Hell: "It would not be proper for Him to go back on His threats against them and belie His own word. On the contrary, in order to prove the truth of His word and His statement, it is necessary for Him to subject them to perpetual torment..." (IX, 7). Keeping

promises or threats is therefore a value in and of itself, and it is inconceivable that God would violate it by being unfaithful to His own words.⁷

Thus it seems that although Saadia recognizes the deterrent benefit of Hell, the justifications he offers for the punishment of Hell are in line with the deontological doctrine of retributive justice.

Let us now turn to the punitive approach adopted by the Aristotelian utilitarian-consequentialist school of thought. An outstanding representative of this school is Maimonides, who was challenged by the incorporation of the concept of Hell in the Jewish religious heritage. I would like to preface my clarification of his own approach to the question of Hell with the following interrelated remarks:

1. Maimonides associated the good with existence and, conversely, privation or nonbeing with evil. Accordingly, he maintained that evil and suffering are but privations. Poverty is a lack of possessions, sickness is a privation of health, and so forth. By the same token, eternal existence is the ultimate good, whereas the absence of existence is the greatest evil.

2. Maimonides' conception of punishment is clearly utilitarian.⁸ In his opinion, the punishment meted out by the ideal leader must be guided by a sense of "the great benefit that many people will derive" from it (*Guide I*, 54). Just as a deontological approach requires the fulfillment of some value (in our case, justice), even if this does not bring any benefit, so a utilitarian like Maimonides may suggest performing a useful deed even if it is liable to violate justice. A good example of this principle is the justification of collective punishment on the grounds that it produces deterrence. Maimonides invokes this principle in reference to two biblical accounts: punishing the iniquity of the fathers upon the children in the case of *'ir ha-niddahat*, an "idolatrous city" (*I*, 54), and the annihilation of Amalek as a collective punishment that will prevent tribal loyalty to a wicked man (*III*, 41). On the other hand, a prescription to cause harm or suffering strictly for the sake of retribution,

7 Significantly, Saadia's fidelity to the principle that God keeps his word is also manifested in a polemical context where, by relying on the very same principle, he refutes the argument that the Old Testament was annulled and Moses replaced by Muhammad.

8 Jacob Bazak, *Punishment Principles and Application in Israel and in Jewish Law* (Jerusalem: Dvir, 1981) (Hebrew).

without deriving any benefit from such acts, seems to be incongruent with his teaching.

Let us now turn to the concept of Gehenna in Maimonides' teaching. While Saadia viewed the world to come as an eschatological period of retribution for the righteous and the wicked alike, in Maimonides' system, the world to come (1) has a biographical meaning: it follows immediately after one's death rather than marking the historical End of Days; and (2) has only a positive meaning. For Maimonides the most severe punishment to be inflicted on the sinner is withholding his share in the world to come, that is, denying him eternal existence in the afterlife:

The reward that is prepared for the righteous in the life of the world to come is life without death, and good without evil.... The punishment (*pera'on*, lit. payment) of the wicked is that they do not merit this life.... The worst punishment (*neqamah*, lit. revenge) possible for the soul is to be cut off, not meriting life in the world to come. This refers to the destruction of the soul which was described by the prophets in figurative terms as *be'er shahat*, "the Pit of Destruction," *avadon*, "Destruction," *tofteh*, "the Fire Pit" or "the Hearth," and *alukah*, "the Leech." All the terms used to portray destruction and obliteration are applied to the cutting off of the soul, for it is the final destruction. After this, there is no renewal and the loss is irretrievable, never to be restored. (*Hil. Teshuvah* [Laws of Repentance], VIII, 1–5)

Maimonides uses the terms *neqamah* and *pera'on*, to signify negative retribution, namely punishment. The "worst punishment possible" is denying the wicked their share of the world to come and as a result totally cutting off (*Karet*) their soul from its source of immortality. In fact, the mortality of the sinner's soul is a natural consequence of his failure to attain the true knowledge of God in this world. Such blatant absence of mental/spiritual achievement entails an absence of reward. Man cannot merit eternal life, which is manifested in the actual survival and flourishing of his intellect in actu after life, if he has not attained significant spiritual enlightenment in this world.

The term "Gehenna" is not mentioned in the above-quoted text since in his view it does not have the meaning of the "destruction of the soul" which was "described by the prophets in figurative terms" such as *be'er shahat*, "the Pit of Destruction," *avadon*, "Destruction," *tofteh* "the Fire Pit" or "the Hearth," and *alukah*, "the Leech." In Maimonides' commentary on

the Mishnah (introduction to *Perek Heleq*), he presents two conceptions of Gehenna, one that he rejects and the other that is found in the Talmud:

The Rejected View	The Talmudic View (according to Maimonides)
<p>Misery is “Gehenna,” a place of raging fire in which bodies are burned and agonies of all sorts are inflicted upon men. Their descriptions of these afflictions are told at great length.</p> <p>This group adduces proof for their opinions from the words of our sages and from passages in Scripture whose literal meaning seems either wholly or largely compatible with what they say.</p>	<p>“Gehenna” is a name for the pain and the punishment which will come upon the wicked.</p> <p>No specific description of this punishment is contained in the Talmud.</p> <p>[1] One teacher says that the sun will come so close to the wicked that it will burn them. He finds support for this belief in the verse: “For behold, the day comes, it burns as a furnace.” (Mal 3:19)</p> <p>[2] Others say that a strange heat will be produced within their own bodies to incinerate them. They find support for this position in the verse: “Your own spirit is a fire which will consume you.” (Isa 33:11)</p>

While in the rejected description, Gehenna is interpreted as a miraculous place, according to Maimonides’ interpretation of the talmudic view, Gehenna is but a reference to the pain of punishment. Maimonides characterizes the component of burning in Hell by drawing on two rabbinical texts that do not present a mythological “place of raging fire.” Both texts open with a denial of the independent existence of Gehenna in a particular place or time:

- 1) “There is no Gehenna in the world to come” (*b. Ned.* 8b) or
 “There is no Gehenna in the future world” (*b. ‘Avod. Zar.* 3b).
- 2) “There will be neither a day nor a Gehenna” (*Gen. Rab.* XXVI, 5).

According to these sources, the bodies of the wicked are burned either because the sun comes very close to them or because a strange heat is produced within their own bodies. Maimonides thus chose to apply to the traditional term a

naturalistic interpretation that would not require the existence of an unusual place or time. It seems, however, that even this restrictive interpretation does not sit well with Maimonides' thought. The notion that the sun comes closer to earth by deviating from its regular course is incompatible with Maimonides' thinking that the heavenly spheres persist in their astronomical courses.⁹ Nor is the reaction of the dead body to the inner heat burning inside it compatible with the assumption that the deceased sinner is "an insensate corpse" (*Hil. De'ot* [Laws concerning Ethical Dispositions] I, 4). Possibly, in his system the traditional belief about the existence of the fire of Gehenna plays the role of an educational myth so that its status corresponds to that of the pragmatic belief that "He, may he be exalted, is violently angry with those who disobey Him and that it is therefore necessary to fear Him and to dread Him and to take care not to disobey" (*Guide*, III, 28).¹⁰ It seems that there is no particular reason to ascribe to Maimonides the view that Gehenna signifies the suffering inflicted on man after death. Rather, according to his system, what remains forever after death is only man's Acquired Intellect and its very absence is what constitutes the absence of delight. The notion that in Maimonides' system the sinner is not punished after death is implicit in what Nahmanides (Ramban) wrote about Maimonides in the 13th century:

It appears, however, from the words of the Rabbi [Moshe ben Maimon] of blessed memory that he found no difficulty with the question of the wicked man who prospers. That is part of the kindness of the Holy One blessed be He and blessed be His name... Blessed be he who knows [the ways of] the True Judge and Righteous Ruler.

According to the approach ascribed to Maimonides, the Almighty in His kindness is merciful and does good to the righteous and the wicked alike. In contrast, Nahmanides' concluding words, which join together "True

9 See, e.g., his interpretation to "Sun, stand still upon Gibeon" (Josh 10:12) in *Guide*, II, 29.

10 Perhaps it is not superfluous to note that, while according to the rejected position Gehenna is where "people" are tortured (although presumably it is not the place of the best of them), Maimonides himself stresses (in Hebrew) that Gehenna is meant for the *resha'im*, the "wicked."

Judge” and “Righteous Ruler,” suggest that the wicked deserve the kind of punishment that would torment them.¹¹

One of the moral questions that might arise from Maimonides’ approach concerns the status of the wicked person who has attained the enlightenment, and therefore apparently his soul is worthy of enjoying immortality. For if reward in the world to come follows strictly from attaining enlightenment, regardless of one’s actual conduct, then the connection between such attainment and moral behavior is quite problematic. For it is difficult to deny that in reality, side by side with the kind-hearted who are enlightened, the kind-hearted who are ignorant, and the wicked who are ignorant there are also enlightened individuals who are wicked. Maimonides’ conception treats fairly only the kind-hearted who are enlightened and the wicked who are ignorant. As already stated, the moral problem of the wicked person who prospers does not particularly bother Maimonides. Maimonides’ young contemporary, R. Joseph Ibn Akin, ¹² met this difficulty by responding as follows:

So is the soul of the wicked – because of its wisdom and knowledge of God the Creator, it shall ascend upwards and because of its wrongdoing it will descend downwards. And it has no rest, because while aspiring to the heights above, it keeps regretting the wrong doing, mourning in grief. Now the wise soul, that of the righteous person and the wicked person alike, does not perish even though they differ from each other. The difference between the two kinds of souls is that the one associated with the righteous person lives in pleasantness and joy while the one associated with the wicked person is doomed to punishment and rage forever and ever.

According to R. Joseph Ibn Akin, the wicked person who has acquired true knowledge of God attains the immortality of the intellect thanks to his wisdom, thereby coming close to the high level of divinity. But because of

11 Among the critics of this view the Maharal, who speaks of the importance of believing in future punishment in the afterlife, stands out: “The blessed God pays the wicked for his deed not in this world but after death... Unlike those men who do not believe in Gehenna at all and all they believe is that the soul conjoined the intellects, in which case Gehenna will not be here at all” (*The Book of Divine Power*, 47).

12 Cited in Hirsch Edelman, *Divrey Hephetz* (London: n.p., 1853), 26–27.

his wrongdoings, he is supposed to be punished and suffer, thus descending to the lowest Hell. Thus his soul is in the grips of the constant pain of restlessness due to the frustrating discrepancy between its dreadful resting place and its lofty aspirations. From the perspective of Maimonides' system, however, it is hardly conceivable that an actual, immortal intellect is found in such a miserable state of emotional receptivity. In fact, greater fidelity to Maimonides' system is shown by one of his thirteenth-century followers, R. Jacob Anatoli. In his homiletic work entitled *Malmad ha-Talmidim* (a Goad to the Students), Anatoli states: "*Gehenna* is the opposite of everlasting life, which means that it is its absence" (section *Va-Yetze*).¹³

As a utilitarian par excellence, Maimonides must have rejected the traditional notion of Gehenna. There were, however, some Jewish thinkers who sought to incorporate the requirement of suffering after death into the utilitarian doctrine. A systematic analysis of the rationalization of Gehenna according to this view was introduced by R. Nissim Gerondi (the RaN) of the beginning of the 14th century in his *Derashot* and by his disciple, Hasdai Crescas (1340–ca. 1410), who added some of his own expansions in his work entitled *Or Hashem*. The RaN discusses divine punishment as follows:

As Scripture says, "Just as a man chastises his son, so does the Lord, your God, chastise you" (Deut 8:5). This analogy means that whenever God chastises us, He follows two rules. One of them is that the father's punishment of his son is never equal to the sin committed by the son; rather, it is invariably less severe than the transgression itself. The other is that the punishment is imposed on the son not for its own sake but rather to straighten the son... The first rule is that God never punishes humans in equal measure to their sins... The second rule is that the punishment meted out by God is just a means aimed to straighten up the sinner -- or to protect others, so that they do not emulate the wrongdoings of their fellow-mates. (*Derashot* 10).¹⁴

In this context, the punishing God is presented through the image of a father who punishes his son leniently, making sure that the punishment is less

13 Jacob Anatoli, *Malmad Hatalmidim* (Lyck: Mekizei Nirdamim, 1866), 28a.

14 Nissim Gerondi, *Derashot ha-RaN* (Bnei Brak: Mishor, 1996), 225–26.

severe than the sin and administered only for the son's own good. By using the image of the benevolent father – rather than the conventional image of the judge – the RaN conveys that punishment is neither justice for its own sake nor measure for measure. And yet the punishing God is somewhat different from the father: God punishes the sinners not only for their own benefit but also in order to teach others a lesson. As the analogy between father and God seems to suggest, all the members of society are God's children. R. Hasdai Crescas adds the following to his teacher's words:

“Just as a man chastises his son, so does the Lord, your God, chastise you” (Deut 8:5). For it is known that a father chastises his son neither for the purpose of taking revenge nor for the sake of doing justice, but rather for his son's benefit. Similarly, when God chastises man, He does so neither out of the intention to take revenge of man nor for the purpose of administering justice, which is appropriate only if man acts totally on his volition, without being forced by any external constraints. Rather, His intention is to do good to the nation as a whole and it is this principle that guides Him. (*Or Hashem* II, 5, 3).¹⁵

Following the RaN, Crescas denies that divine punishment is motivated by revenge and ascribes to the father the wish to “benefit” his son. He also accounts for divine punishment by offering a utilitarian rationale: “to do good to the nation as a whole.” He proposes, however, another argument, which probably derives from his own particular outlook of the world: Just as it is inconceivable that a father would punish his son “for the sole purpose of doing justice,” so it is inconceivable that God punishes man for the sole purpose of doing justice. The rationale proposed by Crescas originates in his deterministic conviction. He believes that punishment as an instrument of justice is justifiable only provided that “man acts totally on his volition, without being forced by any external constraints.” R. Nissim Gerondi insists that

whenever God punishes man in this world, He does so with the view of achieving one of two things:

- (1) to straighten the sinner himself, so that he will turn back from his evil ways;

- (2) If the sinner does not clean up his act, to straighten others so that they will not be as bad as he is (*Derashot* 10).

Note that all these things apply only in *this world*. In the world to come after death things are different:

But the punishments in the world to come cannot be like this:

- (1) The soul is not subject to further straightening in the afterlife but will remain forever as it was when it separated from the body;
- (2) Furthermore, the purpose of such punishment cannot possibly be to straighten others because is totally hidden from the sensory and mental perception of the inhabitants of this world.

It follows that we cannot justify the punishment after death in the same way that we justify the punishment in this world. Punishment in the world-to-come does not benefit the deceased individual because it will not improve his conduct. Nor does a punishment of this sort deter any of the inhabitants of this world. The claim that for justice to be effective it must be seen and not only done has no bearing in this context. Therefore R. Nissim felt the need to justify the traditional punishment in Hell on other grounds. First he offers an explanation for why eternal punishment is necessary:

If so, since in the eyes of God, punishment is neither a good thing in itself nor is it self-oriented, something performed for its own sake, we shall have to say that it is a natural matter... resulting from the faults it has accumulated in this world. For just as it is impossible for a person to cut off one of the nerves in his body without feeling pain, so it is impossible for any of us to rebel against God and die while clinging to our rebelliousness without being inflicted by this punishment. And this is what is visible in the eternal punishments in the world to come. (*Derashot* 10)

If punishment after death is everlasting, then it is also presented as an inevitable outcome that impacts the sinner's soul: just as there are natural consequences to the nervous system if one of the nerves is injured, so there are natural consequences to the rebellion against God. Damage to the nervous system results in physical pain. Similarly, rebellion against God results in painful and restless death. As I have mentioned earlier, Saadia compared

punishment to a natural consequence of carelessness, such as falling into a hole in the ground on a dark night.

Crescas, who did not believe that humans have free choice, justified punishment in general in a similar way:

If retribution and punishment were to follow from the deeds and transgressions as the effects follow from the causes, they would not be viewed as injustice. Similarly, it is not a matter of injustice when someone comes too close to fire, whether deliberately or involuntarily, and gets burned (*Or Hashem* II, 5, 3).¹⁶

For the *temporary* punishments in Gehenna the RaN offers further justification:

... This grief will lead the soul toward a good purpose so that it may enjoy the radiance of the Divine Presence. But precisely by what process the cleansing and purifying take place is beyond our grasp both visually and mentally. And if we open our mouth and suggest anything by virtue of reasoning and inferring from our sages' words, we will be like dreamers. Therefore it is better for us to keep silent. I am only making this point because the matter at hand has led me to it by way of association. (*Derashot* 10)

In other words, according to the RaN punishment is beneficial—in some mystical way—to the entity that remains of the sinner, namely the soul. After the punishment, the soul is purified and ready to enjoy the splendor of the divine presence. While the RaN admits that he does not know how this is done, his disciple, Hasdai Crescas, goes one step further to explore the problematics of this process. If, as Maimonides suggested, all that remains of the deceased at the end of the process is the intellect in actu or the intellectual cognition, then, Crescas asks, “How can cleansing or decay be conceived in the spiritual substance?” (*Or Hashem* III, 1, 3, 3).¹⁷ He answers by speculating that the immortal soul’s capability of experiencing supernal delight requires us to assume that “The soul is substance besides the enlightenment.” The

16 For the conception of Gehenna in Crescas’ teaching along with a discussion of its relationship to Nahmanides’ conception, see Sara Klein-Braslavy, “Gan-Eden et Gehinnom dans le système de Hasdai Crescas,” in *Hommage à Georges Vajda: études d’histoire et de pensée juives*, ed. Gérard Nahon and Charles Touati (Louvain: Peeters, 1980), 262–78.

17 P. 335.

soul that remains after one's death also consists of a potential receptive power capable of experiencing sensory perceptions. Gehenna, cleansing and decay, are all processes that take place in the receptive power when it fails to perform what is required of it. Following Maimonides, who associated Gehenna with the pain inflicted on the wicked (when they experience the absence of Paradise), Crescas clarifies that Gehenna signifies the intensity of the pain inflicted on the wicked by the fire of Hell:

So the soul of the rebellious transgressor, once it separates from the body, will reach intense pain... It was compared to the pain of burning and was designated ¹⁸"אור הגיהנום" (*b. 'Eruvin* 19a and more), it being the most subtle doers perceived in the senses (III, 1, 3, 1).

When pain intensifies, the receptive power is damaged to such an extent "that the last decay is the loss of preparation, which is innate to the substance of the receptive power, as if what remains is a naked spirit without preparation" (III. 1, 3, 3). This state of mind is captured by the sages metaphorically, furthering the metaphor of the fire of Gehenna: "And this is what is designated ashes, namely the leftovers of the burnt thing that was consumed in the fire." This is the absolute absence of the human being in its totality of body and soul: "their souls perish and their body perishes and they turn into ashes" (*S. 'Olam Rab. 3*)

Sometimes, however, the process does not end with total destruction, and this marks the merciful possibility of the soul's cleansing and purification:

But when he is not in the last stage of decay, he may be subject to temporary cleansing, as He in His wisdom shall decree, after which cleansing the soul shall stay at this stage. And this is due to the mercy of God may He be blessed and may His name be exalted forever (III. 1, 3, 3).

Thus, the RaN and Crescas introduce both a utilitarian approach to punishment, whereby God is characterized as a benevolent father who is gracious and abundant in loving kindness, and an attempt to justify the existence of Gehenna after death as beneficial to the condemned person himself by providing a soul-transforming cleansing process. Both thinkers entertain the possibility of punishment in Hell that is limited in time, after

18 אור can be vocalized as either *or*, "light," or *ur*, "fire."

which the souls of the wicked will be purified and will enjoy the radiance of the divine presence (RaN) or will not be totally wiped out (Crescas).

Finally, the discussion above has been restricted to present only some arguments made by a few medieval Jewish thinkers. They justified the need for an endless punishment after death according to their philosophical schools and their respective worldviews. But it turns out that their arguments may have more than a historical contribution: even now, in the twenty-first century, one can still find not a few fascinating philosophical discussions devoted to the subject of "The problem of Hell."¹⁹

19 See, for example, Joel Buenting, ed., *The Problem of Hell: A Philosophical Anthology* (Surrey: Ashgate, 2009).