

‘YOU SHALL NOT MURDER’ IN THE WRITINGS OF MAIMONIDES:
ETHICS VS. POLITICS

by Eliezer Haddad

Maimonides implicitly described the prohibition against killing human beings as stemming from the understanding of natural providence delineated in *The Guide of the Perplexed*. He distinguished between individual providence, which governs human beings, and that pertaining to entire species, which governs other living things: unlike human beings, whose intellect and discretion serve the purpose of preserving individual life, animals act from natural energies, whose purpose is the preservation of species. Since the purposes of nature reflect the divine will, the natural purpose of preserving the life of individual human beings establishes an ethical norm that bars the killing of people. Conversely, since the natural order seeks to preserve animals only on the level of species, one is not barred from killing individual animals.

Analysis of Maimonides’ comments shows that the prohibition of murder, as presented in *The Guide of the Perplexed* and *Mishneh Torah*, is predicated not on an understanding of providence, but on the purpose of perpetuation of the state. Nevertheless, Maimonides’ understanding of providence is reflected in the ethical prohibition against killing a resident stranger, as expressed explicitly in his statement that the soul of a murder victim is ‘property of the holy One, blessed be He’. Therefore murder is unforgiveable. Neither in *The Guide of the Perplexed* nor in the *Mishneh Torah* does the prohibition stem from political purpose: killing a resident stranger or accepting a ransom in lieu of capital punishment does no violence to the stability of the state. Thus although man is political by nature, his life also has value inasmuch as it serves a purpose beyond the political domain.