In her book on the divine courtroom, Meira Z. Kensky shows that in ancient Hebrew, Greek, and Roman literature, stories about the divine courtroom often served explicitly or implicitly to call God's justice into question, to try God. God is Judge in his own courtroom, but is also judged. The divine courtroom was thus a place of skepticism regarding absolutes. God's decisions are not taken for granted as true or just, but are doubted and challenged. "Shall not the Judge of the whole earth do justice?!" (Gen 18:25), cried Abraham, presuming, it would seem, that the Judge of the whole earth was indeed capable of not doing justice.

In addition to this existential or Berdichevian use of the divine courtroom, there is also a philosophic or epistemological use. Presuming that no human being can ever know objective ontological truth, one is sometimes led to speak theoretically or figuratively about an omniscient God who does know it. God's judgment thus represents objective ontological truth and absolute justice. Famous examples of such a usage are found in Maimonides and Kant.

Defining "repentance" in his Mishneh Torah, Hilkhot Teshuvah 2:2, Maimonides writes as follows. “What is repentance? It is when the sinner truly forsakes his sin... and He Who Knows the Secret Things [yodea' ta'alamot] testifies concerning him that he will never repeat that sin again.” There is a clear criterion for repentance and it is the forsaking of the sin. However, how can a human judge know for sure that a guilty individual has forsaken his or her sin? There is, according to Maimonides, an objective truth about whether one has forsaken one's sin, but it is inaccessible to other human beings and indeed even the one who has sinned cannot always be certain about it. Thus, in referring to
that hidden objective truth, Maimonides has recourse to God, the Knower of Secret Things.\(^3\)

Similarly, Kant, in his *Metaphysics of Morals*, Doctrine of Virtue, I, 2, 1, 13, discusses the importance of the conscience in judging the morality of one's acts. The work of the conscience, according to him, is “like adjudicating a case before a court.” However, since the conscience is itself part of the accused, it cannot fairly be thought of as the judge in this court. Thus, one must conceive of an external Other as the judge. “This other may be an actual person or . . . an ideal person.” If an ideal person, it should best be conceived as “a Scrutinizer of Hearts” (*ein Herzenstundiger*), that is, God. God, or more precisely, the Idea of God, is the “just Judge.”\(^4\)

In these texts of Maimonides and Kant, God or the Idea of God is introduced as the omniscient Knower of Secrets, and thus the absolute Judge of one's true intentions. Both philosophers presume that there is an objective answer regarding the question of one’s true intentions, even though this answer is difficult to ascertain.

Although a Maimonidean positivist in his legal theory, Rabbi Nissim ben Reuben of Girona (c. 1310–76), known by the acronym Ran, believed, like Judah Halevi and Naḥmanides, that the law concerns itself with objective ontological truth.\(^5\) He believed, that is, that there is always an objectively true or just verdict, although he also held that that verdict as such has no legal validity. What is legally binding is the ruling of the judges in accordance with their own fallible understanding, whether or not their ruling corresponds to ontological truth. Thus, the question whether a particular food is kosher or not has a definite ontological answer, but that answer is irrelevant to the law; for what

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3 Needless to say, God’s testimony is valid only in the sphere of personal morality and not in the earthly courtroom. Thus, in his *Commentary on the Mishnah, Sanhedrin* 3:3 (Arabic text and Hebrew trans., Rabbi Joseph Qafih; Jerusalem: Mosad ha-Rav Kook, 1968), p. 160, Maimonides rules that transgressors who had been disqualified to give testimony, e.g., dice players, usurers, pigeon-flyers, or traffickers in *sheviʿit*, are considered qualified to give testimony if they repent and “witnesses testify” that they had the opportunity to repeat their past transgressions “but did not do so because of repentance.” Obviously, these witnesses, who, unlike God, have no knowledge of “secret things,” cannot be certain that the transgressors have truly repented in their souls, but their testimony regarding their penitential behavior is sufficient for the earthly courtroom.
