

Marc B. Shapiro

## Maimonides' Thirteen Principles: The Last Word in Jewish Theology?

In the inaugural issue of the *Torah u-Madda Journal*, R. Yehuda Parnes argued that heresy is forbidden to be studied. This led him to condemn study in "areas that spark and arouse ideas which are antithetical to the tenets of our faith." Further developing his point, he left no doubt as to what he meant by "the tenets of our faith." "Torah u-Madda can only be viable if it imposes strict limits on freedom of inquiry in areas that may undermine the *yod gimel 'ikkarei emunah*." In other words, in his view, it is the "Thirteen Principles of Faith" of Maimonides that are determinative with regard to what constitutes heresy.<sup>1</sup>

At first glance this may not appear to be at all controversial. After all, who better than Maimonides would be qualified to set forth the dogmas of Judaism? The immediate reaction of many Orthodox Jews would probably be the same as R. Parnes' in identifying heresy with anything that opposed any of the well known Maimonidean principles. Indeed, a recent author has written: "It should be stressed that all Torah scholars agree on the validity and significance of the Principles."<sup>2</sup> Similarly, another one has written: "The fact is that Maimonides' Thirteen Principles are all derived from the Talmud and the classic Jewish tradition, and were never in dispute."<sup>3</sup> With reference to these statements, a comment by Gershom Scholem, made in an entirely different context, is relevant: "This seems to me an extraor-

dinary example of how a judgment proclaimed with conviction as certainly true may nevertheless be entirely wrong in every detail."<sup>4</sup> This is so, for even a cursory examination of Jewish literature shows that Maimonides' principles were never regarded as the last word in Jewish theology.<sup>5</sup> This despite the fact that Maimonides contended that anyone who even had a doubt about one his principles was a heretic worthy of death!<sup>6</sup>

Before even beginning to examine this matter, it is worthwhile to make a few comments on the place of dogma in Jewish thought in general. This would probably not be necessary if not for the fact that there are those who continue to put forth the view that Judaism has no dogmas. In their opinion, Judaism is merely a religion of law and one can basically believe what one wishes. In a recent article, Dr. Zvi Kurzweil argues for this position and writes that "while fundamentalism in Christianity includes dogmatic belief in certain basic tenets of faith, Judaism lacks such dogmas. There is more than a grain of truth in Leon Roth's reference to 'dogmalessness as the only dogma in Judaism.'"<sup>7</sup>

Kurzweil further supports his view regarding the lack of dogmas in Judaism by quoting Moses Mendelssohn, Isaac Breuer and Isaiah Leibowitz. Kurzweil is correct that Mendelssohn did express himself as believing that, in essence, Judaism has no absolute dogmas yet what Kurzweil neglects to mention is that Mendelssohn himself was unsure on this point and often did accept the existence of certain dogmatic principles, although these are not to be understood as dogmas in the Christian sense.<sup>8</sup>

Concerning Breuer, it is true that he had some interesting views regarding the nature of faith and Jewish law, but even if in his system he put individual faith in the background and acceptance of the law in the forefront, he never denied that Judaism required dogmas without which, he believed, the religion would be incomprehensible. For Breuer, it was the acceptance of the dogmas by the community which was crucial and it was only for the wavering individual that he emphasized the importance of law over dogma. That is, the dogmas of Judaism are important yet, *ex post facto*, an individual is not to be viewed as denying the religion totally because of his lack of belief.<sup>9</sup> Yet, what is crucial for our purposes is that Breuer did not view this favorably; he felt that the unbelieving are in error and we must strive to change their ways. He was *not* a relativist in matters of belief.

Only Leibowitz remains to support Kurzweil's contention. However, Leibowitz is the first one to admit that his views disregard vast portions of what has always been regarded as part and parcel of Jewish thought and values.<sup>10</sup> Thus, to give one example of literally

hundreds, Leibowitz does not believe that Israel is the "Holy Land," since, as he has explained on numerous occasions, the word "holy" can only be applied to "the disciplined and saintly conduct of human beings who master their desires and inclinations and serve the Lord by leading a life of Torah and mitzvo<sup>t</sup>."<sup>11</sup> It is such an attitude that has enabled Leibowitz to call for the demolition of the Western Wall which he considers to be an idol of stone. The fact that Leibowitz is probably the first observant Jew in history who does not view the Land of Israel or the Western Wall as holy is of no concern to him, yet we should keep it in mind whenever someone, such as Dr. Kurzweil, tries to quote Leibowitz as an illustration of traditional Jewish thought. We must conclude, therefore, all of Kurzweil's attempts to prove otherwise notwithstanding, that from talmudic times down to the present day "all authoritative exponents of Judaism are agreed as to the necessity of making spiritual truth the basis for material action."<sup>12</sup>

Before proceeding to the main thrust of this paper, a few more points must be noted. There were those who opposed the principles of Maimonides because they believed them to be mistaken. This is very different from the attitude of Abravanel,<sup>13</sup> R. David Ibn Zimra<sup>14</sup> and R. Samson Raphael Hirsch,<sup>15</sup> who, although they accepted Maimonides' dogmas, opposed his singling them out as being more significant aspects of the religion than others. According to them, no special dogmas can be set down because everything contained in the Torah is, in and of itself, a dogma of paramount importance, and one who denies *anything* found in the Torah is regarded as a heretic. One example of Abravanel's thought on this matter is as follows:

I, therefore, believe that it is not proper to postulate principles for the divine Torah, nor foundations in the matters of beliefs, for we are obliged to believe everything that is written in the Torah. We are not permitted to doubt even the smallest thing in it. . . . For he who denies or doubts a belief or narrative of the Torah, be it small or great, is a sectarian and *epikuros*. For, since the Torah is true, no belief or narrative in it has an advantage over any other.<sup>16</sup>

I will also not generally concern myself with those scholars who opposed Maimonides' thirteen principles and substituted their own. For these scholars did not, for the most part, deny that Maimonides' principles were correct and indeed obligatory upon Jews to believe. Both they and Maimonides believed that these beliefs were to be accepted as true. Their disagreement was to be found in determining which doctrines they viewed as *indispensable* to Judaism; that is, without which Judaism would be inconceivable.

This is most important, for people have often tried to show that,

because Joseph Albo only postulated three articles of faith, it meant that he did not think that the others were essential.<sup>17</sup> Yet, nothing could be further from the truth, as Albo's differences with Maimonides were only with regard to "classification and grading,"<sup>18</sup> not substance. Indeed, one who only accepted Albo's articles of faith would be viewed as a heretic by Albo himself. Thus, whereas Albo did not view belief in the Messiah as a "fundamental" principle—i. e. a principle without which Judaism would be inconceivable—one who denied the coming of the Messiah, knowing it was incumbent upon Jews to believe, was still to be viewed as a heretic with no share in the world to come.<sup>19</sup>

Having made these preliminary remarks we may proceed to analyze R. Parnes' point that heresy is defined by rejection of any one of Maimonides' thirteen principles. Presumably, R. Parnes does not mean to say that only the thirteen principles, and nothing else, are the determinants as to what constitutes heresy, for it is undeniable that no rabbinic figure has ever believed this. I say this for the simple reason that Maimonides' thirteen principles are not all-inclusive. Thus, they do not include the idea that the Jews are God's Chosen People. In addition, there are a number of dogmas which Maimonides discusses in other places but excludes from his thirteen principles. For example, there is no mention in the principles about the existence of only one God or of free will, despite their overriding importance in Maimonides' thought.<sup>20</sup> All this lends credence to Arthur Hyman's point, already anticipated in part by Abravanel,<sup>21</sup> that the thirteen principles were never intended to comprise, in their totality, the most important aspects of Judaism. Rather, they were merely formulated so as to correspond with the structure of the Mishnah in Tractate Sanhedrin upon which Maimonides was commenting. Because of this, not all of Maimonides' dogmas were included in his thirteen principles but this does not in any way imply that they are less important.<sup>22</sup>

We will now proceed to show, one by one, how Maimonides' thirteen principles met with great opposition.<sup>23</sup>

1. The first principle declares that God exists, that He is perfect in every way, that He is eternal, and that He is the cause of the existence of all things. The implication of this principle is that God is eternal. Needless to say, later Jewish thinkers all concurred with Maimonides that God exists and that He is perfect. Those thinkers who, as we shall see, limit God, nevertheless do not dispute the fact that He is omnipotent and without fault. According to them, the fact that God cannot do the impossible in no way limits Him and, in this, Maimonides agrees. The dispute between them and Maimonides is over

what constitutes the impossible. That God is eternal is also agreed by all. The notion that God is the cause of the existence of all things is not at all clear and will be discussed with regard to Maimonides' advocacy of creation *ex nihilo* in the fourth principle.<sup>24</sup>

2. The second principle teaches the absolute unity of God which is unlike the unity of anything else. Once again, no subsequent Jewish teachers disputed this. It is true that the opponents of Kabbalah viewed the doctrine of the *sefirot* in the same way as the Trinity, namely, as a violation of this principle. However, what is important for us is that the advocates of the doctrine of the *sefirot* never regarded their system as doing injury to God's absolute unity.

3. The third principle teaches God's incorporeality. Philosophically, this was a requirement for Maimonides to affirm since, for him, a corporeal God is a contradiction in terms. It is impossible for a corporeal God to have the defining characteristics set down in the first and second principles.<sup>25</sup> Indeed, Maimonides goes even further and states that one who believes in God's corporeality is worse than an idolator.<sup>26</sup> Arthur Hyman has pointed out that, in insisting that the masses be taught God's incorporeality, Maimonides is imparting metaphysical truths which have no political expediency.<sup>27</sup> According to Hyman, this stands as a refutation of Lawrence Berman's thesis that Maimonides' purpose in imparting these metaphysical truths was political in nature without any intrinsic value for the masses.<sup>28</sup>

Whether Maimonides' purpose in teaching the masses the doctrine of an incorporeal God was to instill the knowledge required for them to attain immortality,<sup>29</sup> was designed to make possible perfect halakhic observance,<sup>30</sup> or was meant to ensure the Jews' *dhimmi* status,<sup>31</sup> makes no difference when one is actually confronted with the anthropomorphist. According to all understandings of Maimonides, an anthropomorphist cannot attain immortality. This is an important point to which I will later return. However, for now I would just like to note that since the *dhimmi* status of the Jews in Islamic lands would have been endangered had they held to a corporeal conception of God, Hyman's refutation of Berman is not entirely convincing. In other words, contrary to Hyman's assertion, the principle of God's incorporeality certainly does have political expediency. In addition, I find Hyman's argument difficult to follow. Would Maimonides ever agree that the masses could attain immortality simply through an affirmation lacking any cognitive content, that is, without any actualization of the intellect?<sup>32</sup>

It is well known that despite Maimonides' forceful attacks against divine corporeality, he did not immediately succeed in uprooting it. Furthermore, prior to Maimonides there were many scholars who *did*

believe in it. This led Rahad to his famous defence of the anthropomorphists in which he insisted that some of them were "greater" than Maimonides.<sup>33</sup> Although we, unfortunately, do not have much in the way of written records from the anthropomorphists,<sup>34</sup> there are a number of texts which do enlighten us. The most significant is the *Ketav Tamim* of R. Moses b. Ḥasdai Taku, a Tosafist.<sup>35</sup> Although there is some dispute as to how extreme an anthropomorphist he was,<sup>36</sup> there is no doubt that he rejected Maimonides' third principle and viewed God as corporeal, or able to assume corporeal form. This does not detract from God's greatness as He can still be perfect in a corporeal sense. That is, he can be as perfect as a corporeal being can possibly be.

Harry A. Wolfson has claimed that, in the days of Maimonides, very few Jews had a corporeal conception of God.<sup>37</sup> This opinion was supported by J. L. Teicher who also asserted categorically that no scholars then held to anthropomorphic views.<sup>38</sup> However, even if we ignore evidence provided by opponents of the Rabbanites,<sup>39</sup> there are still many sources which indicate that anthropomorphic views were widespread among both masses and scholars, especially among Ashkenazic Jews.<sup>40</sup> Abraham Ibn Daud reports that masses of Jews believed God to be a material being.<sup>41</sup> Maimonides, who argues so forcefully against the corporealists, himself speaks of numerous people, including "the majority" of the ignorant, who held to anthropomorphic views. He also mentions meeting a talmudic scholar who was unsure if God had a body.<sup>42</sup> Yedaiah Bedershi writes how it is well known that the belief in God's corporeality was spread throughout virtually all Israel in "previous generations" (i. e. before Maimonides was able to reverse matters).<sup>43</sup> Other scholars who testify to anthropomorphic views being held by Jews include R. David Abudarham,<sup>44</sup> the anonymous author of *Ma'amar ha-Sekhel*,<sup>45</sup> R. Isaac ben Yedaiah,<sup>46</sup> R. Moses of Salerno,<sup>47</sup> and R. Shem Tov ben Joseph ibn Shem Tov, the well known commentator on the *Guide*.<sup>48</sup> In addition, R. Moses Nahmanides,<sup>49</sup> R. David Kimhi,<sup>50</sup> R. Abraham Maimonides,<sup>51</sup> R. Solomon ben Meshullam da Piera,<sup>52</sup> R. Samuel Sapurto,<sup>53</sup> R. Shem Tov Falaquera,<sup>54</sup> R. Isaac ben Latif,<sup>55</sup> and R. Moses Alashkar<sup>56</sup> all speak of anthropomorphism being accepted by scholars.<sup>57</sup>

Although it was difficult for post-medieval scholars to sympathize with the anthropomorphist position, this was not the case for R. Samuel David Luzzatto.<sup>58</sup> Although he obviously did not subscribe to this belief, he nevertheless defended it with all his vigor, for, in his opinion, it was all that the masses were able to grasp. Because of this, he maintained that it was proper for the Sages to ascribe corpo-

reality to God. However, sensitive to the implication of what he was saying, he added that this was not a base corporeality, but a perfected corporeality. "The early ones ascribed to God and the angels and the souls a very fine spiritual essence, more subtle than any body known to us but nevertheless characterized by form and build."<sup>59</sup> Rather than this being heresy, Luzzatto claimed that it is the doctrine of incorporeality which, through its association with philosophy, leads to heresy. He felt that it would be infinitely better if Jews were to return to the simple belief in a corporeal God.<sup>60</sup>

It is easy to understand why Maimonides would consider the anthropomorphists heretics. However, after having also seen how both scholars and masses of pious Jews held this opinion it is impossible, and according to Luzzatto just about forbidden,<sup>61</sup> for us to follow Maimonides' lead in regarding them as heretics or in forbidding their books.<sup>62</sup>

In concluding the principle, one more point must be noted with regard to Maimonides and anthropomorphism. There is no question, according to Maimonides, that the anthropomorphist has no share in the World to Come.<sup>63</sup> This is such an important principle that even "children, women, stupid ones, and those of a defective natural disposition" must be instructed in it.<sup>64</sup> One who believes that God is corporeal by definition denies God's unity and is much worse than an idolator. It is irrelevant whether or not this mistaken belief is unintentional.<sup>65</sup>

With this said, Maimonides must answer why the Torah used corporeal expressions to refer to God. And, indeed, his answer is striking. Since the masses needed to be instructed in the nature of God's existence,<sup>66</sup> and they could not conceive of the existence of an incorporeal God, it was necessary for them to be led to this belief in a progressive fashion. First they were taught of the existence of a corporeal God and only following this were they taught of his incorporeality. (Maimonides does not tell us if this process was accomplished quickly or took a number of generations.)<sup>67</sup> As Howard Kreisel has recently noted: "It follows from Maimonides' remarks that the Torah deliberately misleads the people in the matter of the corporeality of God. . . . The Torah has no choice but to compromise with reality in order to educate the people effectively."<sup>68</sup>

Here we are not dealing with a population that understood the Bible in an anthropomorphic sense rather than turning to the wise men for guidance. Rather, and this is what is so significant, it was the Torah which originally intended for the masses accept God's corporeality. In other words, it is not merely that the Torah "misleads the people," but rather, *the Torah taught them a heretical doctrine.*<sup>69</sup> Only

when they advanced beyond this stage would they be able to understand that, in truth, the anthropomorphic expressions are to be understood figuratively. Although one of the early Israelites who believed in God's corporeality would not have the legal status of a heretic—Maimonides would obviously grant this—if he died without having advanced beyond this stage he would suffer the true consequences of heresy, namely, denial of a share in the World to Come. Once again we must note that this is not to be viewed as a punishment but rather as the necessary outcome of the world's structure, for an incorporeal conception of God is a basic necessity for intellectual perfection *in all times and places*.<sup>70</sup>

4. The fourth principle affirms God's priority to other beings (not his eternity as has often been assumed)<sup>71</sup> and creation *ex nihilo*, i. e. creation after absolute non-existence.<sup>72</sup> There are no later Jewish scholars that question God's priority, however exactly it may be defined. This is not the case with regard to the doctrine of creation *ex nihilo* which never achieved unanimous acceptance. Thus, in describing creation, Ibn Ezra writes: "Most biblical commentators explain that the word *bara* indicates creation *ex nihilo* . . . [Ibn Ezra rejects this and concludes:] The meaning of *bara* is to cut or to set a boundary. The intelligent person will understand [to what I am alluding]."<sup>73</sup> The implication of this, and some other comments of Ibn Ezra, is that he believed that the world was created by giving form to eternal matter. Indeed, Ibn Ezra has been understood this way by R. Joseph Tov Elem<sup>74</sup> and R. David Arama.<sup>75</sup> Although there has been a great deal of discussion among later scholars regarding Ibn Ezra's view, it is fairly clear that he is denying creation *ex nihilo*.<sup>76</sup>

Somewhat later, Gersonides maintained that the world was created from eternal matter, and he describes his view at length in Book Six of his *Milhamot Hashem*. Samuel Ibn Tibbon is another of the medieval scholars who does not accept creation *ex nihilo*.<sup>77</sup> There is also the view advocated by, among others, R. Abraham Abulafia, that God continually creates the world.<sup>78</sup> Thus, creation and eternity are combined. However, this too is not creation after non-existence which Maimonides requires.<sup>79</sup>

Before taking leave of this principle, one more point must be noted. One need not be an esotericist to see that there are serious problems with Maimonides claiming that one who doubts creation *ex nihilo* is a heretic with no share in the World to Come. Without getting into the much discussed problem of Maimonides' true view of creation, it is clear from Maimonides' *exoteric* teaching in the *Guide* that even *he* did not regard creation *ex nihilo* as a fundamental religious doctrine.

Maimonides discusses the Platonic view which maintained that the world was created by God fashioning eternal matter and refers to a passage in rabbinic literature which he believes may reflect that position.<sup>60</sup> He is explicit in his statement that "this opinion would not destroy the foundations of the Law" and further adds that there are many passages in the Torah and other writings which could support this view.<sup>61</sup> In addition, he claims that there is no religious reason to reject this view. He would have no difficulty accepting it and interpreting Scripture in accordance with it if reason so dictated. Marvin Fox has correctly summarized Maimonides' opinion as follows:

[I]t seems evident that, even though he does not consider the Platonic view to be the preferred or the exclusively correct view, Maimonides does admit it, alongside the theory of creation out of nothing, as a legitimate and acceptable opinion on both philosophical and religious grounds. It can be shown to accord with one acceptable reading of Scripture and with the teachings of . . . canonical midrashim. From this evidence, we seemingly must conclude that Maimonides accepts the Platonic position as consistent with prophetic teaching, although it does not follow that he considers it to be the best interpretation of that teaching. . . . If someone finds it persuasive, there is no reason to object, since it does not contradict any principle of the Torah or of philosophy.<sup>62</sup>

It must also be emphasized that Fox is not describing any hidden views in Maimonides. As he put it, "this acceptance of the Platonic position should not be viewed as an esoteric position; it is perfectly open and direct."<sup>63</sup> Having thus seen that Maimonides was fully prepared to deny creation *ex nihilo*, there is simply no way one can take seriously his contention that one who even doubts this principle is a heretic.<sup>64</sup> As to his reasons for saying something he does not really believe, I will return to this in my discussion of the eighth principle.

5. The fifth principle teaches that only God is to be worshipped. In addition, other elements, such as the stars, planets, and angels, which have no free will,<sup>65</sup> must not be used as intermediaries to reach God.<sup>66</sup> There is no dispute among later authorities about the first part of this principle. However, with regard to Maimonides' comment regarding intermediaries, there is a great deal of debate. Already the Talmud discusses how angels bring man's prayers to God, and that, therefore, one is not to pray in Aramaic, as the angels do not understand this language.<sup>67</sup> The Talmud simply refers to prayers directed towards God which are then brought before Him by the angels. While there is no indication from this source that the one praying has the angels in mind, this is only a short step from actually asking the angels to intercede on one's behalf. Indeed, this activity is almost certainly found in talmudic literature, if not in these sources, then else-

where.<sup>88</sup> It is, therefore, no surprise that one of the Geonim defended the practice of using angels to intercede with God.<sup>89</sup> According to him, angels can carry out at least some of the wishes of people without having to obtain God's permission. Similar views regarding the power of angels can find support in a number of rabbinic texts.<sup>90</sup> Although Maimonides considers this belief heretical,<sup>91</sup> and would either reject or, more likely, interpret any objectionable rabbinic passages allegorically,<sup>92</sup> there is no reason to assume that it was not a well accepted opinion in Geonic times.

R. Zedekiah ben Abraham Anav defends the practice, and cites rabbinic sources which show that there is nothing forbidden about asking angels to intercede with God.<sup>93</sup> R. Samson Morpurgo also defends the practice of asking angels to intercede with God. According to him, since all power lies with God, there is no harm in asking the angels for assistance.<sup>94</sup> The numerous others who agree with this view include R. Israel Bruna,<sup>95</sup> R. Gedaliah b. Solomon,<sup>96</sup> R. Jacob Emden,<sup>97</sup> and R. Judah Aszod.<sup>98</sup> It is thus no surprise that a number of commonly recited *selihot* are directed towards the angels as is the third paragraph of *shalom alekhem*.<sup>99</sup> As for Maimonides' opinion, it has been suggested that his views in this matter were influenced by the Greeks and "we are not required to follow after and believe that which Maimonides said as a philosopher."<sup>100</sup>

Also parting company with Maimonides, although in a less extreme way, is R. Nissim Gerondi who puts forth the strange and original position that there is one particular angel in front of whom one is permitted to prostrate oneself.<sup>101</sup> Although noting that prostration is one of the four forms of worship singled out by the Talmud as always being forbidden,<sup>102</sup> R. Menahem Recanati nevertheless suggests that one is permitted to prostrate oneself before an angel if the angel assumes human form, just as one is permitted to do this in front of an actual human.<sup>103</sup> Albo offers a different perspective, claiming that one may prostrate oneself before an angel, but only in the latter's capacity as a messenger of God.<sup>104</sup>

6 and 7. These principles teach the existence of prophecy and that Moses was the greatest prophet who ever lived. In addition, they include the belief that there shall never again arise a prophet as great as Moses. "He reached a greater understanding of God than any man who ever existed or will ever exist be able to reach." There is no question that the Messiah is therefore regarded as not being Moses' prophetic equal, and, in another comment, Maimonides is explicit that the Messiah would approach, but not surpass, that level.<sup>105</sup> With the possible exception of some midrashic passages dealing with Halaam,<sup>106</sup> and Samuel,<sup>107</sup> nowhere in rabbinic literature is Moses' un-

equalled stature questioned *vis-à-vis* other prophets. However, with regard to the Messiah, things are not so clear. Thus, R. Abraham Abukafia, quoting a tradition, writes that the Messiah "shall be more exalted than Moses." Although one can quibble about the word "exalted," there seems to be no question that this is a rejection of Maimonides' principle, especially since Maimonides does say that Moses reached the most exalted state possible.<sup>108</sup> This is certainly the case with regard to Nahmanides who says that the Messiah will attain a more complete knowledge of God than Moses.<sup>109</sup> Furthermore, Gersonides writes that the Messiah will surpass Moses' level of prophecy<sup>110</sup> and R. Hayyim b. Attar leaves open the possibility that the Messiah will reach Moses' level.<sup>111</sup> Certain Kabbalistic views of R. Isaac Luria unquestionably contradict Maimonides' principle as they give Luria a greater prophetic grasp and understanding than Moses. Both R. Shneur Zalman of Lyady<sup>112</sup> and R. Zadok ha-Kohen of Lublin<sup>113</sup> elaborate on how Moses' abilities were inferior to those of Luria.

8. The eighth principle teaches that the Torah was revealed from Heaven and that the Torah found in our hands is the exact same Torah that Moses presented to the Children of Israel. In addition, there is no difference in holiness between any parts of the Pentateuch. The principle also declares that the Oral Law is likewise of divine origin.

As for the Written and Oral Laws being divinely inspired, there is no dispute, but the agreement ends at that. Rabbi J. David Bleich has correctly noted that "this principle is, in effect, an affirmation of the authenticity of the Masoretic text."<sup>114</sup> It is, however, also much more than that. The principle declares that the Masoretic text established by the Tiberians is, in its entirety, of Mosaic authorship.<sup>115</sup> Consequently, it suggests, there is no such thing as a history of the Pentateuchal text, i.e. of the development of the *textus receptus*. As with the other principles, one who denies this, or even expresses doubt with regard to it, is, according to Maimonides, a heretic without a share in the World to Come.

There are a number of points, based only upon traditional sources, which make this principle extremely problematic.<sup>116</sup> To begin with, strictly speaking, there is no such thing as *the* Masoretic text. One can only speak of the texts established by various Masoretic scholars, which differed in minor details.<sup>117</sup> It is thus only natural that Meiri, to mention one example of many, speaks of "Masoretic works," rather than a single Masoretic text.<sup>118</sup> In fact, he could not have spoken of *the* Masoretic text because this characterization is not part of traditional Jewish terminology but is rather a relatively recent invention of printers and editors.<sup>119</sup>

When we currently speak of the Masoretic text or the *textus receptus*, we refer to the edition of the Bible edited in 1525 by the future apostate Jacob ben Hayyim, including the corrections made upon it by the Masoretic scholars Menahem de Lonzano and Solomon Norzi.<sup>120</sup> Before this time, Pentateuchal texts, even though they can be termed Masoretic, were not united around a single text. In addition, already in talmudic times, it was understood that the Babylonian rabbis were no longer aware of the proper defective and plene spellings.<sup>121</sup> Similarly, it was long ago recognized that the biblical text, including the Pentateuch, found in the Talmud and Midrashim differed on a number of occasions with the accepted (Masoretic) text,<sup>122</sup> and, in a famous responsum, R. Solomon b. Adret discussed when we should correct our Torah scrolls in accordance with the Talmud's Pentateuchal text.<sup>123</sup>

It is well known that medieval authorities also had differing versions of the Pentateuch<sup>124</sup> and we often have manuscript evidence to support these readings. Even S. D. Luzzatto, who doubts that there were any differences in medieval Torah scrolls and attributes all variations to memory lapses, has to admit that this can only be said from the period of the Masoretes and on. But before this time, even he admits that variations did occur in the text.<sup>125</sup> R. Aryeh Loeb Guenzberg advances the startling view that, as far as biblical law is concerned, Jews are no longer required to fulfill the commandment of writing a Sefer Torah, since, due to doubts about defective and plene, it can no longer be carried out properly.<sup>126</sup> Although not going to such an extreme, R. Moses Sofer gives this uncertainty as the reason why no blessing is said before writing a Sefer Torah. Perhaps the Talmud's version is correct, which would mean that the Torah scroll being written will actually be invalid.<sup>127</sup>

Scholars have also called attention to variations in the Septuagint, Dead Sea Scrolls, Peshitta, and Targumim.<sup>128</sup> Even Maimonides' son, R. Abraham, agreed that there was no authoritative text and he was not willing to invalidate scrolls which differed from Maimonides' prescriptions.<sup>129</sup> For Maimonides to establish the legitimacy of the Tiberian Masoretic text as dogma means that the Sages of the Talmud and the Babylonian Masoretes, who also had a different text,<sup>130</sup> would not have been able to accept Maimonides' principle, thus making them heretics! Even today the Yemenites have a slightly different text than the rest of Jewry.<sup>131</sup> It is thus impossible to speak about the Torah "found in our hands today" without clarifying that there is not one such Torah text. Perhaps even more far reaching is the claim of Rabbi Ya'akov Kaminetsky that Maimonides' text of the Pentateuch differed with the one in use today!<sup>132</sup> If correct, this

would mean that were contemporary Jews to accept Maimonides' eighth principle with regard to their versions of the Pentateuch, they would stand condemned as heretics by Maimonides himself for refusing to accept his version as the proper one.<sup>133</sup>

Rabbinic sources speak of *tikkun soferim*, i.e. textual changes introduced by the scribes, some of which concern the Torah.<sup>134</sup> According to the *Tanhuma*<sup>135</sup> and *Yalkut ha-Makhiri*,<sup>136</sup> it was the *anshet kenesset ha-gedolah* who changed certain words in the Torah. The Masoretic work *Okhlah ve-Okhlah*,<sup>137</sup> and R. Joshua Lissner<sup>138</sup> credit Ezra with the textual changes. The 'Arukh,<sup>139</sup> Rashi,<sup>140</sup> R. David Kimhi,<sup>141</sup> *Yemenite Masorah*,<sup>142</sup> and *Shemot Rabbah* as explained by the standard Midrashic commentary *Mutanot Keburah*<sup>143</sup> (which is actually the clear meaning of the text), are also explicit that the biblical text was changed by the *Soferim*. Although lacking in our texts, there are some versions of *Shemot Rabbah* 13: 2 which also contain this explanation.<sup>144</sup> Whether this meaning of *tikkun soferim* is correct is not important for us to consider here, and it should be noted that it was subject to harsh criticism. Still, what is significant for this essay is that all these sources put forth interpretations that conflict with Maimonides' principle. Likewise, in a different context, Ibn Ezra asserts that the text has changed since Moses' day.<sup>145</sup> It should also be noted that a similar view is incorporated into an edition of the Pentateuch widely used today by Orthodox Jews.<sup>146</sup>

That there were differences in Pentateuchal texts in Temple days is indisputable. It was because of this that R. Akiva and R. Ami emphasized the importance of using a corrected text.<sup>147</sup> In addition, R. Meir seemed to have had a variant version of the Pentateuch.<sup>148</sup> According to Nahmanides, this was not the result of an error made by an ignorant scribe but, rather, it was R. Meir himself who was responsible for the incorrect variant.<sup>149</sup> A passage in *Beresbit Rabbati* lists a number of textual variations which were found in a version of the Torah which "came out of Jerusalem in captivity and went up to Rome and was stored in the synagogue of Severus."<sup>150</sup> These variations include additions and deletions of letters and even an occasional word.

Equally well known is a passage which appears with minor variants in the Jerusalem Talmud,<sup>151</sup> *Avot de-Rabbi Nathan*,<sup>152</sup> *Massekhet Soferim* (6: 4), and in a more abridged form in the *Sifre*:<sup>153</sup>

Three books they found in the Temple court, the book פסוקי, the book תעשוי, and the book ויהי. In the one they found written קדם אלהי קדם and in the two they found written פשע (Deut. 33: 27), and they upheld the two and set aside the one. In the one they found written וישלח את זמוריו בני ישראל and in the two they found written וישלח את זמוריו בני ישראל (Exodus 24: 5) and they upheld the two and set aside

the one. In the one they found written nine times  $\aleph\eta$ , and in the two they found written eleven times  $\aleph\eta$ , and they upheld the two and set aside the one.

Obviously there is no reason we must assume that the texts that were in the majority were correct. However, as with all halakhic decisions, objective "truth" is set aside, and the decision of the Sages, in this case based on the majority principle, is determinative. Indeed, R. David Kimhi,<sup>154</sup> Efodi,<sup>155</sup> Meiri<sup>156</sup> and R. Joseph Ibn Waqar<sup>157</sup> admit that there were occasions when the rabbis could not determine the proper text, and this is the reason why they instituted the *keri u-khetiv*. That, nevertheless, this did not achieve universal acceptance is seen in the fact that there are manuscripts whose *khetiv* is the same as the *keri* which is found in other manuscripts.

As can be imagined, despite the great efforts of the Sages, not all difficulties were cleared up. This explains another passage found in *Bamidbar Rabbah* (3: 14), *Avot de-Rabbi Nathan* (34: 5), as well as other sources, which discusses the placing of dots over certain words in the Torah:

Wherefore are the dots? Thus said Ezra: "If Elijah will come and say, why have you written these words? I shall say unto him: I have already put dots over them. And if he will say, thou has written well, I shall remove the dots over them."

As David Weiss Halivni has correctly observed, this passage "implies that Ezra had the right to delete a word if he was sure of its spuriousness." In these instances he was unsure of the reliability of the text, "but Elijah's question to Ezra, 'Why have you written these words?' implies that Ezra possessed the power of textual emendation."<sup>158</sup> R. Hayyim Hirschenson points out that it was not only Ezra who doubted whether certain words should be included in the Torah but R. Yose as well.<sup>159</sup>

Acceptance of Maimonides' principle means that the inverted *nuns* in Numbers 10 are also Mosaic. Yet, R. Solomon Luria claimed to have seen twelve different ways of writing them.<sup>160</sup> In addition, he goes even further by stating that the inverted *nuns* have no basis in the Talmud but rather are based on the Kabbalah. Furthermore, the way in which the inverted *nuns* are currently written, with the addition of two extra letters, actually invalidate the *Sefer Torah*! In other words, there is no question according to R. Luria that present day Torah scrolls are not identical with the Torah given to Moses.

Based on the above sources, and many others not cited here, one must conclude that acceptance of the Masoretic text as being entirely

of Mosaic authorship is neither compelling nor "Orthodox," and by definition excludes the Pentateuchal text of the Talmud as being entirely of Mosaic authorship.<sup>161</sup> Based on this, R. Hirschenson declares that it is not heresy to believe that the Pentateuchal text suffers from corruptions. Indeed, even one's doubts in this regard are considered Torah study.<sup>162</sup> This further leads R. Hirschenson to his view that there is no religious objection to Lower Biblical Criticism.<sup>163</sup> The question of which text is "correct" is thus viewed separately from the question of which text appears in our Torah scrolls. It is only the latter which has been sanctified by halakhah, and this halakhic decision follows its own rules which do not correspond to how a scholar will determine which text is original.<sup>164</sup>

Up until this point, we have only dealt with differences that either crept into or were purposely inserted into a text which was of Mosaic authorship. However, even Maimonides' assertion that the entire Torah was given by Moses has been disputed. There is an opinion in the Talmud, accepted by many post-talmudic authorities, that Joshua wrote the last eight verses in the Pentateuch.<sup>165</sup> R. Joseph ibn Migash, a figure whose influence on Maimonides was enormous,<sup>166</sup> stands out as one who accepts this opinion.<sup>167</sup> R. Zevi Hirsch Ashkenazi explains that, according to this view, and in total opposition to Maimonides' principle, the last eight verses' revelatory status is not equivalent to that of the rest of the Torah.<sup>168</sup>

Although Maimonides regards it as heretical, the view that Joshua had a hand in writing the Pentateuch is also affirmed by Ibn Ezra who claims that the last twelve verses of the Pentateuch were written by Joshua. He does not regard this opinion as radical in any way and feels comfortable in openly asserting it.<sup>169</sup> R. Meyuhas agreed with Ibn Ezra<sup>170</sup> and even R. Moses Sofer sympathized with this position.<sup>171</sup> Presumably, these authorities did not see anything radical in this notion since they were merely expanding upon the talmudic view.<sup>172</sup> This is different than suggesting post-Mosaic authorship for a portion of the Torah not discussed in the Talmud. Significantly, as R. Yarakov Hayyim Sofer has recently pointed out,<sup>173</sup> Nahmanides also had no difficulty in considering Joshua as having written part of the Pentateuch.<sup>174</sup>

The last twelve verses of the Pentateuch are not all that Ibn Ezra is concerned with in this regard. In his comment to Deuteronomy 1: 2 ("These are the words which Moses spoke unto all Israel beyond the Jordan"), Ibn Ezra writes: "If you know the secret of the twelve, and of 'And Moses wrote,' and of 'And the Canaanite was then in the land,' and of 'In the mount where the Lord is seen,' and of 'Behold his bedstead was a bedstead of iron,' you will discover the truth."

This passage has long been considered as meaning that Ibn Ezra considered all the verses referred to as being similar to the last twelve verses in Deuteronomy in that they are post-Mosaic.<sup>175</sup> Among traditional scholars, Ibn Ezra has been understood in this manner by an anonymous student of R. Solomon b. Adret (thirteenth century),<sup>176</sup> R. Samuel Motot (fourteenth century),<sup>177</sup> R. Joseph Bonfils (fourteenth century),<sup>178</sup> R. Shem Tov b. Joseph Shaprut (fourteenth century),<sup>179</sup> R. Eleazar Ashkenazi b. Nathan ha-Bavli (fourteenth century),<sup>180</sup> R. Moses b. Judah ben Moses Nearim (fourteenth century?),<sup>181</sup> R. Eleazar b. Mattathias (date unknown),<sup>182</sup> R. Azariah de Rossi (sixteenth century),<sup>183</sup> R. Eliezer Ashkenazi (sixteenth century),<sup>184</sup> R. Moses Almosnino (sixteenth century),<sup>185</sup> R. Aviad Sar Shalom Basilea (ca. 1680-1743),<sup>186</sup> R. Gad del Aquilla (eighteenth century),<sup>187</sup> R. Samuel David Luzzatto (nineteenth century),<sup>188</sup> R. Moses Ashkenazi (nineteenth century),<sup>189</sup> and R. Solomon Netter (nineteenth century).<sup>190</sup>

It is significant that Bonfils, R. Shem Tov b. Joseph Shaprut, R. Eleazar b. Mathathias, del Aquilla, and Netter all defend Ibn Ezra. According to Bonfils, one must make a distinction between the post-Mosaic addition of commandments or *entire* portions of narrative, which is objectionable, and other additions which are not. Of course, all additions were written through divine inspiration. This point is especially stressed by del Aquilla who points out that it is heresy to suggest that Moses (or someone else) added a verse to the Bible at his own discretion. However, if one assumes that all in the Torah is written through divine inspiration, post-Mosaic additions are not objectionable. It is only because of this that the tannaitic view which asserted that the last eight verses were written by Joshua is not heretical. R. Eleazar b. Mattathias goes even further. According to him, Ezra, who was responsible for once again bringing knowledge of the Torah to the populace, did not change any of the *mizvot* which were given to Moses. However, he did not hesitate to enlarge the narrative portion of the Torah and "possibly" did this at God's command. In one case, R. Eleazar says he even deleted a verse from the Torah. Netter explains that the statement "Moses wrote the Torah" is comparable to statements in I Kings 6:10 and 9:1 that Solomon built the Temple. In other words, Solomon need not have literally participated in the building for him to be credited with its construction. Similarly, a few post-Mosaic prophetic insertions do not alter the fact that Moses is to be regarded as the author of the Torah.<sup>191</sup>

Ibn Ezra is not unique in this regard among important *Rishonim*. A leading Ashkenazic sage, R. Avigdor Katz (thirteenth century), also maintains that there are post-Mosaic additions in the Torah inserted by the *anshei kenesset ha-gedolah*.<sup>192</sup> Indeed, R. Judah he-Hasid had

earlier expressed agreement with this position.<sup>193</sup> In addition, R. Judah he-Hasid makes another fascinating remark. Commenting on Numbers 21: 17 ("Then sang Israel this song"), he claims that what is actually referred to is the "Great Hallel," and that in a later generation King David removed it from the Pentateuch and placed it in the Book of Psalms.<sup>194</sup> This opinion is quoted without objection by the fifteenth century Kabbalist, R. Menahem Zioni.<sup>195</sup> In fact, R. Judah he-Hasid's view is not unique, as can be seen from the fact that R. Avigdor Katz, in his comment on this same verse, also claims to have heard that it refers to the "Great Hallel" which was removed from the Torah by David.<sup>196</sup> As with Zioni, R. Avigdor Katz quotes this view without a hint of objection. Apparently there was some tradition regarding this verse, the source and nature of which we are unaware. As for *Rishonim*, it is also worthy of note that R. Samuel ben Meir is reported to have believed that a portion of the Torah was added in the days of the Judges.<sup>197</sup>

Another view which may reflect a break with Maimonides' principle is advanced by R. Solomon Zevi Schick. While agreeing that Moses authored the entire Pentateuch, he maintains that the portion dealing with Balak and Balaam was inserted into the Torah by the elders and the prophets after the Children of Israel had already entered the Land of Israel.<sup>198</sup>

Based on all these sources, and, in particular, the discussion regarding the text of the Pentateuch, it is impossible to believe that Maimonides should be taken at his word when he writes that all are obligated to believe that our Torah scrolls are the same as the one given to Moses. Who better than Maimonides knew the problems involved with such a statement? He was perfectly aware of the textual differences in various scrolls, and it was he who went to such great lengths to establish a correct Pentateuchal text<sup>199</sup> that the legend even developed that he even traveled to France to examine the Scroll of Ezra which was kept there.<sup>200</sup> With this in mind, it should not strike one as surprising to read the comments of the contemporary Rosh Yeshiva of Yeshivat Ner Yisrael, R. Ya'akov Weinberg. After mentioning some of the points already made, R. Weinberg states:

Rambam knew very well that these variations existed when he defined his Principles. The words of Ani Ma'amin and the words of the Rambam, "the entire Torah in our possession today," must not be taken literally, implying that all the letters of the present Torah are the exact letters given to Moshe Rabbeinu. Rather, it should be understood in a general sense that the Torah we learn and live by is for all intents and purposes the same Torah that was given to Moshe Rabbeinu.<sup>201</sup>

R. Weinberg is specifically referring to Maimonides' claim that our Torah scrolls are exactly the same as that of Moses. However, what about the other assertion, namely that one must believe that the entire Torah was written by Moses? It is obvious that this too must be taken with a grain of salt. Not that Maimonides did not believe this.<sup>202</sup> He did, but holding something to be true is very different from establishing it as dogma. By doing the latter, Maimonides would have, in effect, rendered any other opinion heretical and I believe it is clear to all that Maimonides did not regard R. Joseph ibn Migash and Ibn Ezra as heretics.

That Maimonides could not have truly believed that all those who differed with this principle are heretics, is further seen from the fact that he declares in three places that one cannot decide which opinion is correct in matters of belief as one does in questions of halakhah.<sup>203</sup> This does not mean that one does not offer an opinion. Maimonides decides between different talmudic views in matters of belief on a number of occasions. What he means by saying that one cannot give a halakhic decision regarding philosophical views is that one cannot render another opinion invalid and therefore forbidden to be held. We must remember that this is no different from that which occurs in halakhic matters where the opposing opinion is also not rendered invalid. It is just that, for practical purposes, one opinion must be followed. Since, with regard to matters of belief, there is no element of praxis, one cannot compel belief in one opinion to the exclusion of another.<sup>204</sup>

As we have already noted, there is an opinion in the Talmud that the last eight verses of the Torah were written by Joshua. For Maimonides to declare a talmudic opinion as heretical appears extremely unlikely, especially when one bears in mind his previously mentioned view regarding freedom of thought in matters of faith. Still, one may protest that, as we have noted, Maimonides admits that there is a talmudic opinion which perhaps accepts the Platonic view of creation and nevertheless he regards creation *ex nihilo* as dogma. A number of answers to this difficulty are possible. To begin with, Maimonides does not suggest that the rabbinic opinion accepts the Platonic view, only that it *may* teach it. Also, we have already seen how Maimonides' position on creation in the thirteen principles is contradicted by what he writes in the *Guide* and cannot be taken as Maimonides' true belief. However, even if one chooses to disregard the *Guide* entirely, a distinction can be made between creation and the authorship of the Torah. The case could be made that Maimonides had to insist upon creation *ex nihilo* because this was a fundamental principle of Jewish theology. It wasn't as if he had to

decide between two philosophically acceptable opinions. Rather, one opinion was philosophically totally at odds with Jewish conceptions and, therefore, it was not a question of deciding between two opinions but rather of affirming the only correct one. The same could be said with regard to rabbinic passages that speak of angels as intermediaries. Since these passages are philosophically untenable, they are not regarded as valid opinions any more than a view which permits Sabbath desecration is a valid halakhic opinion. What we have here is simply one opinion which Maimonides records, not two opinions from which he chooses one. *Where issues of dogma are concerned, there is never more than one option.* This is not the case with regard to the last eight verses of the Pentateuch. Philosophically, it makes no difference if the last eight verses were written by Moses or by Joshua under divine inspiration. There is thus no reason why Maimonides should establish one rabbinic opinion as dogma and, by so doing, classify the other rabbinic opinion as heresy.<sup>215</sup>

It must be clear that this argument is presented only to satisfy those who do not wish to deal with what Maimonides writes in the *Guide*. However, for those who do wish to do so, and this is the only way to truly understand Maimonides, there is no question that Maimonides' assertions regarding creation *ex nihilo* and the text of the Torah are to be viewed in the same light. Both principles contain things Maimonides clearly could not have believed in and yet he wrote that all Jews must believe in them in their entirety. How can one explain this?

It is possible to answer this by comparing the Commentary on the Mishnah (where the principles appear) to the *Guide*. In the *Guide*, Maimonides adopts the "daring method of admitting right off to misspoken utterances (as we might call them today) and to half-truths. . . . His endorsement of these views is necessary for obvious political reasons, reasons which he obviously cannot divulge."<sup>216</sup> One may point to the same tendency with his principles. However, here we do not simply find Maimonides putting forth "misspoken utterances" but rather stating them as dogma. Thus, perhaps we are better served if we find an appropriate context in which to place these "half-truths."

In *Guide* III: 28, Maimonides discusses the differences between what he terms "true beliefs," and "necessary beliefs." "True beliefs" are those which teach, in a literal fashion, some truth about God, such as His existence, unity, eternity, and omnipotence. Their purpose is to enable one to attain intellectual perfection. "Necessary beliefs," the basis of which is tradition and not philosophy, are expressed in figurative form and fulfill a political function in that, by instilling obedience to the Torah, they regulate the social relations of

human beings. In addition, they enable people to acquire noble qualities. For example, Scripture teaches that God is angry with those who disobey Him. Although in truth God does not have the characteristic of anger, Scripture found it advantageous to use this term for the effect it would have. It is "necessary" for the masses to believe God is angry if they disobey Him in order for them to keep their behavior in line. In addition, it is "necessary" for the masses to believe that God responds instantly to the prayer of someone wronged or deceived. For them to believe otherwise, would damage their faith in prayer.

Arthur Hyman has pointed out that Maimonides' understanding of "necessary beliefs" is dialectical rather than sophistic, i.e. they are "propositions which are true in some respect though not in another."<sup>21</sup> Although Hyman uses this distinction to make a different point, it would appear that it also has relevance to the problem we are discussing. In formulating the eighth principle, Maimonides was aware that it is not entirely "true." It is true that the Torah is divine and was given to Moses. It is also true that the traditional interpretations are divine. However, certain other elements are not true, only "necessary." That is, it was necessary for the masses to believe that Moses had authored the entire Torah, from start to finish. It was also necessary for them to believe that the entire Torah in their hands was identical with the Torah of Moses. Being told that it is heresy to doubt this is the equivalent of telling one that God gets angry or that he responds immediately to prayer. All these have in common the fact that, through them, people are kept from straying from the proper path.<sup>22</sup> Needless to say, this same insight will also explain the other problem we noted, namely, why Maimonides lists creation *ex nihilo* as a dogma when he clearly did not view it as such.

Why Maimonides believed it important to insert these "necessary beliefs" into the eighth principle is clear. During his time, Muslims were strongly challenging the Jews, claiming that they had altered the text of the Torah. This accusation began with Muhammed who, as quoted in the Koran, had charged the Rabbis of falsifying and tampering with the original Torah. He proclaimed: "Do you then hope that they would believe in you; a party from among them indeed used to hear the word of God, then altered it after they had understood it, and they know [this]. . . . Woe then to those who write the Book with their hands and then say this is from God" (2: 75, 79). This charge was carried forward by later Islamic scholars, with the theologian Ibn Hazm (994-1064) taking a lead in publicizing the doctrine of Jewish falsification of Scripture (*tabrif*).<sup>23</sup>

With such an assault, it is obvious why Maimonides felt it was

important for the masses to believe that their text was the exact equivalent of Moses' text. The masses could not be expected to understand the problems relating to the biblical text. Exposing them to some of this knowledge could have undermined their unquestioned faith, especially in the face of Islamic polemics. It was thus necessary for the masses to affirm what, in reality, was not true, namely, that the text of the Torah in their hands was entirely free from any textual corruptions, even unto the last detail.

That this interpretation of Maimonides is correct is further illustrated by a passage in his "Letter to Yemen." Referring to the Muslim accusation that the Jews had altered the text of the Torah, Maimonides responds by saying that in both East and West "there exist no differences at all in the text, not even in the vocalization."<sup>210</sup> Maimonides is not simply saying that the Torah in *his* possession is identical to that of Moses' Torah, thus making it the only correct version. Rather, he is denying a fact which was obvious to anyone with even a perfunctory knowledge of the Pentateuch, namely, that there were differences in texts. As for denying differences in vocalization, this is the equivalent of denying that the Masoretes ever existed. An Islamic opponent would be excused had he charged Maimonides with a bald-faced lie. However, Maimonides' comments were not directed against such a person. They were directed towards the masses of Jews of simple faith who had never heard of Ben Naftali and may not have been able to deal with the fact that there were differences in biblical vocalization.<sup>211</sup>

In closing this section, it should be noted that this fear of Maimonides finds expression in later authorities. One of the reasons Bonfils gives for not making Ibn Ezra's hints known to the masses is the ammunition it will provide for the Muslims.<sup>212</sup> R. Hayyim ben Attar strongly assails the view that the end of the Torah was written by Joshua, because, as he clearly states, many Jews were confused by this assertion and were thus led to heresy. In addition, the very notion that Moses did not write the entire Torah gives support to the Islamic view that the Jews falsified the Torah after Moses' time.<sup>213</sup> R. David ibn Zimra also points to this reason in two responsa. In one he discusses *keri u-khetiv* as well as other Masoretic matters and in the other he mentions this reason in refusing to sanction the correction of Torah scrolls according to the Pentateuchal text found in the Zohar.<sup>214</sup>

9. The ninth principle teaches that the Torah will never be abrogated, in whole or part, and that God will never give another Torah. Assuming that Maimonides does not include Messianic days in this principle,<sup>215</sup> there is hardly any dispute as to its validity. I say

hardly because R. Joseph Albo did disagree with Maimonides.<sup>216</sup> Although he considers his position only theoretical, he admits that were a new prophet to arise whose mission could be verified in the same way Moses' mission was verified, it would be possible for the commandments of the Torah to be abolished. This is with the exception of the Ten Commandments which are of different status, having been proclaimed to the Israelites directly by God. According to Albo, the view that the commandments can, in fact, be abolished "belongs neither to the category of the necessary nor to that of the impossible."

10. The tenth principle is that God knows the actions of men. This would appear to be obvious for any religious person and Isaac Husik has correctly described any view which limits God's knowledge as "surely very bold as theology, we might almost say it is a theological monstrosity."<sup>217</sup> Yet, theological monstrosity or not, such a view is not lacking among Jewish philosophers. It is important to point out that Maimonides does not seem to be referring to God's knowledge of the contingent. He certainly did believe that God had complete foreknowledge but it does not appear to be included here as dogma.<sup>218</sup>

Among those that limit God's knowledge, Ibn Ezra should be mentioned, although his view is not entirely clear. In his comment to Genesis 18: 21, he writes: "The Whole [God] knows the individual in a general manner rather than in a detailed manner." Ibn Ezra adds that this view contains a "great secret." This appears to be a clear acceptance of the Islamic Aristotelian view that God only knows the particular in a general way, but not the particular as such, since the latter is constantly changing. This is how Ibn Ezra is understood by Nahmanides who refers to him pejoratively as "pleasing himself with foreign offspring [i. e. philosophy]."<sup>219</sup> Ibn Ezra is also understood in this manner by Gersonides,<sup>220</sup> Caspi,<sup>221</sup> Abravanel,<sup>222</sup> R. Shem Tov Falagucra,<sup>223</sup> R. Eleazar Ashkenazi ben Nathan ha-Bavli,<sup>224</sup> R. Aviad Sar Shalom Basilea,<sup>225</sup> and by later scholars such as L. Orschansky,<sup>226</sup> D. Rosin,<sup>227</sup> I. Husik,<sup>228</sup> J. Guttmann,<sup>229</sup> L. G. Lévy,<sup>230</sup> C. Sirat,<sup>231</sup> and J. Cohen.<sup>232</sup>

Although this may indeed be Ibn Ezra's view,<sup>233</sup> it must be noted that another reading is also possible. The implication of his comment, when taken together with the verse, appears to be that God can, if He wishes, attain knowledge of the particular. If this is so, we are not talking of a God who is constrained by forces beyond His will, but rather of a God who *chooses* not to be aware of particulars.<sup>234</sup> This would then be similar to R. Hayyim b. Attar's point that there are times when God chooses not to have knowledge of human actions.<sup>235</sup> Nevertheless, both Ibn Ezra, according to this understanding, and R. Hayyim ben Attar are probably contradicting Maimonides' principle.

It is Gersonides who develops the distinction between God's knowledge of the universal and the particular in Book 3 of his *Milhamot ha-Shem*. According to him, particulars, which are infinite and subject to change, fall outside of God's knowledge and He can do nothing to change this.

11. The eleventh principle is that of reward and punishment. Although there are great differences over the nature of this doctrine, with some thinkers, including Maimonides, adopting a naturalistic stance, there are none who deny it outright. One wonders whether any of the Orthodox spokesmen who have advocated acceptance of the Thirteen Principles are really aware of Maimonides' view of reward and punishment which goes against mainstream rabbinic tradition. Without going into any detail, let it simply be stated that according to Maimonides *there is no heavenly reward for the performance of mitzvot*. As Maimonides makes clear in *Guide* III: 27, and as his opponents were well aware,<sup>236</sup> immortality is entirely consequent upon intellectual attainment.<sup>237</sup> This radical view of Maimonides was also held by R. Abraham Ibn Ezra,<sup>238</sup> R. Samuel Ibn Tibbon,<sup>239</sup> Gersonides,<sup>240</sup> and apparently R. Netanel b. Isaiah.<sup>241</sup>

12. The twelfth principle is that of the Messiah. Maimonides also adds: "Included in this fundamental principle is that there will be no king of Israel except from David and from the seed of Solomon exclusively. Whosoever disputes the sovereignty of this dynasty denies God and the words of His prophets." Although a number of the prophets and a few *midrashtim* seem to disregard any notion of a personal Messiah, to my knowledge it is not disputed by any later Jewish thinkers who are also able to reinterpret any questionable texts.<sup>242</sup>

There is, however, one opinion in the Talmud which does not accept the messianic idea. The *Amora* R. Hillel is quoted as saying: "There shall be no Messiah for Israel, because they have already enjoyed him in the days of Hezekiah."<sup>243</sup> Upon hearing this heretical statement, R. Joseph responded, "May God forgive him [for saying so]." It is concerning this view of R. Hillel that Rabbi J. David Bleich makes a number of significant points. After pointing out that matters of belief are "inherently matters of *Halakhah*," he continues:

The concept of the Messiah is one example of a fundamental principle of belief concerning which, at one point in Jewish history, there existed a legitimate divergence of opinion, since resolved nonnatively. . . . Rav Hillel certainly denied that reestablishment of the monarchy and restoration of the Davidic dynasty are essential components of the process of redemption. Rabbi Moses Sofer quite cogently points out that were such views to be held by a contemporary Jew he would be

branded a heretic.<sup>264</sup> Yet, the advancement of this opinion by one of the sages of the Talmud carried with it no theological odium. The explanation is quite simple. Before the authoritative formulation of the *Halakhah* with regard to this belief, Rav Hillel's opinion could be entertained. Following the resolution of the conflict in a manner which negates this theory, normative *Halakhah* demands acceptance of the belief that the redemption will be effected through the agency of a mortal messiah.<sup>265</sup>

This passage is difficult for a number of reasons. To begin with, we have already seen that Maimonides is explicit that general matters of belief are not matters of halakhah which can be decided in the method described by R. Bleich. True principles of faith, on the other hand, are not, and have never been, subject to debate, and any one who even expresses a doubt about a principle, not to mention outright denial, is a heretic with no share in the World to Come. In fact, I am unaware of any *Rishonim* who hold the view Bleich describes.<sup>266</sup> I do not believe there are any *Rishonim*, and certainly not Maimonides, who believed that R. Hillel's opinion could ever be entertained. It was always regarded as being a mistaken, if not heretical, opinion and for that reason was rejected by R. Joseph. When Maimonides' lists as a principle the coming of the Messiah, he is not deciding between two contradictory opinions. He is merely giving the *only* opinion on the subject. A mistaken and heretical utterance by one of the *Amoraim* does not suffice to create a valid opinion which he must then consider in rendering his decision. If this were the case, the doctrine of the Messiah would probably not have been listed as a dogma (unless it was to be understood as a "necessary belief").

Since R. Bleich has put the principle in a halakhic context, I will use a halakhic example from his own writings to illustrate my point.<sup>267</sup> It is an unequivocal halakhah, perhaps even of biblical authority, that Jewishness is determined by the mother and, of course, this is how Maimonides records the law. Now, the fact that there is one opinion in the Talmud<sup>268</sup> that disagrees with this law does not mean that Maimonides, or the Talmud for that matter, ever "ruled" on the issue. Rather, the law was always clear and unambiguous. The errant statement by one who lived in Talmudic times did not change matters. *This was not a valid opinion which needed to be considered.* Indeed, it was not an opinion at all, as far as Jewish law is concerned. Rather, as the Talmud says, the originator of it was to be flogged. When Maimonides recorded the halakhah, he was simply recording the one, and only, opinion which had the stamp of truth. Similarly, the Talmud, and Maimonides, never *decided* that a personal

Messiah was dogma. They simply expressed what they believed to be the indisputable view of the Torah.

As for R. Bleich's contention that R. Hillel's view carried no theological odium, this is certainly most difficult to fathom. R. Joseph's reply "May God forgive him," certainly shows that Bleich is mistaken. As R. Abraham Ribago puts it, "They prayed to God so that he would forgive him for his heresy" (*הִפְסִיט וְחִנְּפִירָה*).<sup>249</sup> If R. Hillel did not retract his view he is certainly to be regarded as a heretic according to Maimonides. R. Joseph Albo<sup>250</sup> makes this perfectly clear and says nothing about any "legitimate divergence of opinion, since resolved normatively." Indeed, it should be noted that if this was a legitimate divergence of opinion, why would R. Hillel need God's forgiveness? As with Maimonides, Albo believes that there was only one opinion which was ever valid and R. Hillel's opinion is heretical. However, according to Albo, one who errs *unintentionally* regarding a basic principle is not to be regarded as a heretic, although he has sinned. In other words, R. Hillel's view was heretical, but this did not mean he was a heretic. Alternatively, Albo suggests that, although R. Hillel sinned by this belief, denial of the Messiah is not the equivalent of denying the entire Torah, and therefore he is not regarded as a heretic.<sup>251</sup>

Professor David Weiss Halivni has recently commented on the passage in *Sanhedrin* 99a and his words, exactly the opposite of R. Bleich's, also deserve to be quoted at length:

Issues of doctrine . . . cannot be definitively settled merely through the consensus suggested by a vote of the majority nor by the judgment rendered by the passage of history. . . . Quantitative superiority can play no role in the qualitative realm of speculation. Although matters of science, logic, and theology—of objective reality—can be debated, they cannot ultimately be settled in the chambers of the Sanhedrin. Additionally, a theological doctrine that was once considered legitimate cannot simply be branded heretical through the mere passing of time, for historical, and thus contingent, factors have no role to play in the resolution of purely intellectual matters. If an authoritative figure in the Jewish past maintained a certain speculative standpoint, the truth or falsity of such cannot be determined by tradition or consensus, and thus its legitimacy cannot be judged by the systemic principles which govern the halakhic process. Avenues of intellectual speculation once considered theologically sound cannot be thwarted merely because they are no longer popular.

With this I can have no dispute, and I believe the cogency of Weiss Halivni's words should be apparent to all. However, Weiss Halivni continues:

The famous passage in *b. Sanh.* 99a that discusses the dating of the messianic era illustrates the continued viability, despite unpopularity, of minority theological positions. . . . The fact that R. Hillel's opinion was recorded and transmitted in the Talmud despite its obvious unpopularity exhibits the multifariousness and license of rabbinic theology, and preserves this speculative viewpoint as a viable one within the spectrum of traditional Jewish thought.<sup>252</sup> One would have expected, not unreasonably, that such a controversial theological claim would be purposefully excluded from the purview of rabbinic literature.<sup>253</sup>

The problem with Weiss Halivni's point is his assumption that because the Talmud records the view of R. Hillel, this makes it a "viable" option in traditional Jewish thought. By the same token one could say that the view of Jacob of Naboraya was a viable halakhic alternative if it had not been overridden by the majority. We have already shown the untenability of this view. Were R. Hillel's view recorded in the name of a significant figure then I would agree with Weiss Halivni. However, as R. Abraham Bibago points out, R. Hillel does not classify as such for he was only a minor scholar.<sup>254</sup> For the same reason that I have refrained from quoting the views of Albalag, Narboni and Leibowitz, one should not quote R. Hillel when seeking to define *traditional* Jewish thought.

Professor Weiss Halivni anticipated this objection by claiming that the Talmud would not have recorded this passage if it did not see it as being viable. However, the same point could be made regarding passages in which the Talmud quotes the views of sectarians. Are we to say the opinions of sectarians are viable? As Weiss Halivni well knows, these passages are quoted in order to be refuted and R. Moses Sofer makes the very same point with regard to R. Hillel's view, i.e. it was only recorded in order to show its untenability.<sup>255</sup> Even if this were not the case with regard to R. Hillel's view, and Albo does specifically reject this approach,<sup>256</sup> I know of no traditional Jewish sources which agree that *every* rabbinic view mentioned in the Talmud or Midrash has validity and must be taken seriously.<sup>257</sup> Certainly no Jewish teacher has ever granted R. Hillel's view validity.

The other point worthy of notice is that Maimonides says that the Messiah is to be descended from Solomon. Apparently R. Kafih does not consider this section as part of the dogma, denial of which equals heresy. I say this because in his note to the passage, he explains this addition as being inserted in opposition to the Christians who trace Jesus' lineage to Nathan, another son of David.<sup>258</sup> Since R. Kafih explains this as being due to polemical considerations, he implies that, lacking these considerations, it would not be included in the principle. Still, R. Kafih's point is only speculative, and the fact remains that

Maimonides *does* include the Solomonic descent as part of the principle, denial of which is equated with heresy. Understood as such, one must conclude that even if there had never been a Christian religion, it would still be obligatory upon all to believe that the Messiah is of Solomonic descent.

Before examining the sources that dispute Maimonides, it is necessary to call attention to the comments of R. Meir Don Plozki. Plozki is aware that Maimonides also mentions Solomonic descent in the *Sefer ha-Mizvot*,<sup>259</sup> yet he points out that this does not appear in the *Mishneh Torah*. Based on this, Plozki claims that Maimonides changed his mind, and his final view on the subject excludes Solomonic descent from the Messianic doctrine.<sup>260</sup> It should, however, be noted that Plozki was unaware that Maimonides also mentions the necessity of Solomonic descent in his Letter to Yemen.<sup>261</sup>

In any event, later scholars did not feel bound by Maimonides' words. R. 'Azariah de Rossi,<sup>262</sup> R. Gedaliah Ibn Yahya<sup>263</sup> and R. Jehiel Heilprin<sup>264</sup> all quote without objection the view, falsely attributed to Philo,<sup>265</sup> that all of Solomon's descendants were wiped out and only Nathan's line survived. This opinion is also supported by the Zoharic statement that the Messiah is descended from Nathan's wife.<sup>266</sup> Although this passage does not explicitly say that the Messiah is also descended from Nathan, there is no doubt as to its implication, and a recent Zoharic commentator has elaborated on the Kabbalistic reasons behind the choice of Nathan, rather than Solomon, as the Messiah's forebear.<sup>267</sup>

13. The thirteenth principle is Resurrection.<sup>268</sup> Pines has written that many of the thirteen principles "run counter to philosophic truth."<sup>269</sup> This is nowhere more apparent than with the dogma of resurrection. Nevertheless, unless one wishes to posit a secret Maimonides, a path this essay has eschewed, there is no doubt that Maimonides did accept physical resurrection. Almost without exception,<sup>270</sup> no traditional Jewish thinkers have denied this dogma.<sup>271</sup>

### Conclusion

This goal of this essay was to examine the claim that Maimonides' principles were the last word in Jewish theology. Simply by looking at traditional Jewish sources, and many more could have been quoted, it has been shown clearly that both before Maimonides' time and after, many of his views were not been regarded as authoritative. The fact that Maimonides placed the stamp of apostasy<sup>272</sup> on anyone who disagreed with his principles<sup>273</sup> did not frighten numerous *Rishonim*

and *Aharonim* away from their search for truth. The lesson for moderns is clear.

I would like to thank Professor Menachem Kellner and Dr. Jacob J. Schacter for their helpful comments.

#### NOTES

1. "Torah u-Madda and Freedom of Inquiry," *The Torah U-Madda Journal* 1 (1989): 68-71.
2. Mordechai Blumenfeld in his Introduction to R. Ya'akov Weinberg, *Fundamentals and Faith* (Southfield, Michigan, 1991), 18.
3. Menachem Genack, "Ambiguity as Theology," *Tradition* 25:1 (Fall 1989): 73.
4. *Major Trends in Jewish Mysticism* (New York, 1974), 130.
5. Since R. Zevi Hirsch Chajes was well aware of this, one must regard his claim that all Jews are united around Maimonides' thirteen principles as merely a polemical assertion, not reflecting reality. Indeed, this claim appears in his *Minhat Kena'ot* which was directed against the Reform movement. In this sort of work it is of no surprise that historical accuracy takes second place to the higher goal of preserving the purity of religious commitment. See *Kol Kitvei Maharatz Hayyim* (Jerusalem, 1958), II: 979-80. (There are other examples of such distinguishousness in Chajes' writings. See, e.g., my "Islam and the Halakhah," *Judaism* [forthcoming], n. 35.)
6. It is significant that many of the early Maskilim and Reformers placed great emphasis upon the thirteen principles, reinterpreted, of course, in accordance with the prevailing *Zeitgeist*. See Mordechai Eliav, *ba-Hinnukh ba-Yebulit be-Germariyah Binei ba-Haskalah ve-ba-Emancipatsiyah* (Jerusalem, 1960), 73, 74, 244, 262; Jacob J. Petuchowski, "Manuals and Catechisms of the Jewish Religion in the Early Period of Emancipation," in Alexander Altmann, ed., *Studies in Nineteenth-Century Jewish Intellectual History* (Cambridge, 1964), 56ff.
7. R. Joseph Kafih, ed., *Mishnah 'im Perush Rabbeinu Moshe ben Maimon* (Jerusalem, 1963), *Nevikin*, 145 (all future references will be to this edition). See also *Mishneh Torah, Hil. Rozeah* 13: 14. R. Joseph Albo, *Sefer ha-Ikkarim* I: 1, understands Maimonides to be saying that one who does not consider his principles to be just that, namely basic principles of the faith, is also a heretic. In *Sefer ha-Ikkarim* I: 1-2, Albo proceeds to refute this position, although nevertheless concluding that such a person is still a sinner. (In truth, Maimonides says nothing of the kind attributed to him by Albo. What is important for Maimonides is whether or not one accepts his principles. In his view, one who accepts them but nevertheless says that they are not basic to Judaism is *not* to be regarded as either a heretic or a sinner.) As for unintentional heresy, see Menachem Kellner, *Dogma in Medieval Jewish Thought* (Oxford, 1986); *idem*, "What is Heresy?" *Studies in Jewish Philosophy* 3 (1983): 55-70; *idem*, "Kefirah be-Shogeg be-Hagut Yehudit Bhu'ei ha-Benayim: Ha-Rambam ve-Alravamel mul Rashbez ve-Rahak," *Jerusalem Studies in Jewish Thought* 3 (1984): 393-403; *idem*, "Heresy and the Nature of Faith in Medieval Jewish Philosophy," *Jewish Quarterly Review* 77 (1987): 299-318. Without going too far afield, let me further note that it is possible that Maimonides would require a *ger toshav* to accept his principles; see R. Hayyim David Regensburg, *Mishmeret Hayyim* (Jerusalem, 1966), 155.
8. "Fundamentalism and Judaism," *L'Eylab* 25 (April, 1988): 9.
9. See e. g. Alfred Jospe, ed. and trans., "*Jerusalem*" and other Jewish Writings (New York, 1960), 154, where Mendelssohn writes that Judaism has three principles: God, providence, and legislation. See also *ibid.*, 137-38, and Eva Jospe ed. and

- trans., *Moses Mendelssohn: Selections from his Writings* (New York, 1975), 121, for his letter to Elkan Herz where he clarifies his opinion: "We have no dogmas that go *beyond or against reason*" (emphasis mine). One hundred years ago, Solomon Schechter called attention to this common distortion of Mendelssohn's views. See his essay "The Dogmas in Judaism," *Jewish Quarterly Review*, Old Series 1 (1889): 48-49. See also Michael Friedlaender, *The Jewish Religion* (London, 1891), 16-18, and Alexander Altmann's note in his and Allan Arkush's edition of *Jerusalem* (Hanover, New Hampshire, 1983), 217.
9. Not surprisingly, this view encountered opposition. See I. Breuer, *Concepts of Judaism*, ed. Jacob S. Levinger (Jerusalem, 1974), 3-4, and Mordechai Breuer, "Tenu'at ha-'Emdat ha-Yahadut ha-Ortodoksit be-Gemanyah Kelapei ha-Tenu'at ha-Le'omit Bimei Milhemet ha-'Olam ha-Rishonah," in *Proceedings of the Seventh World Congress of Jewish Studies: History of the Jews in Europe* (Jerusalem, 1981), 174, n. 38. Yerahmiel Yisrael Yizhak Domb, in his recently published critique of the entire ethos of German Orthodoxy, refers specifically to this view of Breuer's; see his *Harakot* (Jerusalem, 1990), 275.
  10. See the numerous refutations of Leibowitz' various positions in H. Ben Yehiam and H. A. Kolitz, eds., *She'ilat li-Shemah* (Jerusalem, 1983).
  11. Zvi Kurzwel, *The Modern Impulse of Traditional Judaism* (Hoboken, N. J., 1985), 51. See most recently Leibowitz' *Judaism, Human Values and the Jewish State* (Cambridge, 1992), index, s. v. holiness.
  12. Salis Daiches, "Dogma in Judaism," *The Jewish Library*, ed. Leo Jung (New York, 1930), 249.
  13. See M. Kellner, *Dogma in Medieval Jewish Thought*, 184ff. for an important analysis of Abravanel's position.
  14. *Sefer u-Teshuvot ha-Nadavuz* (New York, no date), \* 344.
  15. See Mordechai Breuer, *Jüdische Orthodoxie im Deutschen Reich 1871-1918* (Frankfurt, 1986), 65-66.
  16. Menachem Kellner, trans., *Principles of Faith* (Rutherford, N. J., 1982), 195-96.
  17. I have seen a number of writers who misrepresent Albo's position, despite that fact that, throughout Book 1 of his *Sefer ha'Ikkarim*, Albo leaves no room for doubt. For example, Heinrich Graetz, *The Structure of Jewish History*, trans. by Ismar Schorsch (New York, 1975), 167, A. Taenzler, *Die Religionsphilosophie Joseph Albo's* (Frankfurt, 1896), 56, and Isidore Epstein, *The Faith of Judaism* (London, 1980), 321, n. 13, commit this blunder. Moses Mendelssohn also seems to err in this regard; see A. Altmann and A. Arkush's edition of *Jerusalem*, 102.
  18. Isaac Husik, *A History of Medieval Jewish Philosophy* (New York, 1969), 416.
  19. See S. Schechter, *op. cit.*, 120; Louis Jacobs, *Principles of the Jewish Faith* (New York, 1964), 392-93; and n. 252 of this article.

Incidentally, I should just note that the formulating of new Jewish dogmas has not disappeared. The most recent attempt is by Pinchas H. Peli, "An Attempt at Formulating Contemporary Principles of Faith," in Abraham J. Karpp, *et al.*, eds., *Threescore and Ten* (Hoboken, N. J., 1991), 235-45. However, Peli does not reject any of the Maimonidean dogmas; he only wishes to add some more. Nevertheless, some recent formulations are very problematic. For example, R. Abraham Isaiah Karelitz, *Kovez Iggerot Hazon Ish* (Bnei Brak, 1990), I, 42-43, regards as dogma the belief that *all* aggadot in the Talmud have their origin in the sages' prophetic power. As with every dogma, one who denies this is a heretic. However, numerous Geonim and *Rishonim* do not share R. Karelitz' embrace of all aggadot. See Marc Saperstein, *Decoding the Rabbis* (Cambridge, 1980), chapter 1.

20. See M. Kellner, *Dogma in Medieval Jewish Thought*, 53ff. Arthur Hymnan, "Maimonides' 'Thirteen Principles,'" in Alexander Altmann, ed., *Jewish Medieval and Renaissance Studies* (Cambridge, 1967), 139, writes: "Even more striking is Maimonides' omission of the World to Come from the 'thirteen principles.'" A Hymnan, *ibid.*, n. 105, contrasts this to *Hil. Teshuvah* where "the World to Come

foms a part of the discussion of reward and punishment." I do not understand Hyman's point, for Maimonides does include the World to Come as part of the eleventh principle. Hyman's assertion that Maimonides does not mention creation of the world in the principles has, with the publication of the Kafih edition, also been shown to be inaccurate. For an attempt to explain the omission of free will, see S. Goldman, "The Halachic Foundation of Maimonides' Thirteen Principles," in H. J. Zimmels, et al. eds., *Essays Presented to Chief Rabbi Israel Brodie on the Occasion of his Seventieth Birthday* (London, 1967), 117-18. Goldman concludes that "free-will was not for him a decisive dogma to be compared with Revelation or Resurrection." However, in *Hil. Tesbu'ah* 5: 3, Maimonides writes that free will "is a fundamental concept and a pillar [on which rests the totality] of the Torah and *mizvot*." In *Guide* III: 17, Maimonides terms free will "a fundamental principle of the Law of Moses our Master." It is true that Shlomo Pines and Alexander Almann have identified Maimonides as a determinist and regard this view as his esoteric doctrine. In fact, their point was even anticipated by Abner of Burgos. See Shoshanna Gershenon, "The View of Maimonides as a Determinist in *Sefer Mishbat Qemaot* by Abner of Burgos," *Proceedings of the Ninth World Congress of Jewish Studies* (Jerusalem, 1986), III, 95-100; S. Pines, "Studies in Abul-Barakat al-Baghdadi's Poetics and Metaphysics," *Scripta Hierosolymitana* 6 (1960): 195-98; A. Almann, *Essays in Jewish Intellectual History* (Hanover, New Hampshire, 1981), 47-59. Still, even if correct, this would have nothing to do with the omission of free will in the principles since there is no question that the thirteen principles represent the *exoteric* teachings of Maimonides. Thus, A. Almann, *op. cit.*, 54, writes: "There can be no doubt that in the *Mishna Commentary* and kindred texts of a theological character Maimonides subscribes to the theory that, no matter how strong the impact of circumstances and motivations, man is able to overrule them by his free choice." (Cf. the short comment of Warren Zev Harvey, "Penush ha-Rambam li-Bereshit 3: 22," *Da'at* 12 (1984): 18, which does not make any distinction between the *Guide* and the more popular texts.)

21. M. Kellner, *Principles of Faith*, 84.

22. See A. Hyman, *op. cit.*, 131, n. 73, 138-39. See also the recent comments of Charles Ruffel, "Maimonides' Fundamental Principles *Redivivus*," in Jacob Neusner, et al., eds., *From Ancient Israel to Modern Judaism* (Atlanta, 1989), III, 77-88. R. Simeon ben Zemaḥ Duran, *Ohev Mishpat* (Venice, 1590), 13b, quotes a view that regards Maimonides' choice of thirteen as parallel to God's thirteen attributes. This forced him to omit principles which, by all rights, should have been included. R. Isaiah Horowitz, *Shenet Lubot ha-Berit* (Jerusalem, 1960), I, 96a, also relates the thirteen principles to God's attributes. Although any connection between the two is dubious, the point, noted by Duran, about other principles being equally valid, further reinforces Hyman's assertion. Thus M. Kellner, "Heresy and the Nature of Faith," 309, is not correct when he says that Maimonides would not regard as a heretic one "who inadvertently denies some teaching not included in the principles." It obviously depends upon which teaching he is denying. As for the number thirteen, J. David Bleich writes: "The notion that the creedal principles of faith are thirteen in number may well be an ancient tradition. R. Avraham ha-Levi [sic] Horowitz . . . cites a certain prayer ascribed to Rav Tavyomi, one of the Talmudic sages, which contains a reference to thirteen principles." See his *With Perfect Faith* (New York, 1985), 13, n. 2. Actually R. Bleich's point was earlier made by R. Moses Sofer, *She'elot u-Teshuvot Hatam Sofer* (Jerusalem, 1991), *Yoreh De'ah*, #356. However, both are mistaken. R. Isaiah Horowitz, *op. cit.*, 97a, never refers to Rav Tavyomi. He simply mentions a prayer composed by a certain Tavyomi, and there is no reason to assume the prayer is not medieval. Tavyomi is simply another way of writing the name Yom Tov. See *Keram Hama'ad* 9 (1856): 78. In an earlier responsum, *She'elot u-Teshuvot Hatam Sofer*, *Even ha-Ezer* II, #148, Sofer himself realizes that Tavyomi's prayer

has nothing to do with Maimonides' thirteen principles. Why he changed his mind remains a mystery.

23. Since I am essentially concerned with the opposition to Maimonides' principles rather than their origin and nature, I will generally refrain from citations to the large scholarly literature relevant to these issues. The interested reader should turn to M. Kellner's works which contain the relevant bibliography. I will also not concern myself with the *ani ma'amin* or *yigdal* formulations of the principles of faith. Each of them differs in a number of ways from what Maimonides actually says. See the discussions in R. Hayyim Hirschenson, *Malki ha-Kodesh* (Hoboken, 1921), II, 238-42; R. Eleazar Meir Preil, *Ha-Ma'or* (Jerusalem, 1929), 13-15; Meyer Waxman, "Maimonides as Dogmatist," *CCAR Yearbook* 45 (1935): 402-03; Shlomo Pines, *Toledot ha-Filosofiyah ha-Yehudit me-ha-Rambam 'ad Spinoza* (Jerusalem, 1964), 16-20; *idem*, "The Philosophic Purport of Maimonides' Halachic Works and the Purport of the *Guide of the Perplexed*" in S. Pines and Yirmiyahu Yovel, eds., *Maimonides and Philosophy* (Dordrecht, 1986), 3; R. Shlomo Goren, *Torot ha-Shabbat ve-ha-Mo'ed* (Jerusalem, 1982), 572; R. David Yizhaki's comment in *Zefunot* 5 (Tishrei, 5750): 107; Itamar Warhaftig, "He'arot be-Yod Gimmel Yesodot ha-Emunah shel ha-Rambam," *Ha-Ma'ayan* 30 (Tishrei, 5750): 18; Yochanan Katan, "Ani Ma'amin be-Emunah Shelema," *ibid.* (Teva, 5750): 41-44; Adriel Cosman, "Yod Gimmel ha-Ikkarim la-Rambam be-Ferush ha-Mishnah," be-'Yigdal,' u-ve-'Ani Ma'amin," in Itamar Warhaftig, ed., *Minhag le Ish* (Jerusalem, 1991), 337-48. It should be noted that in addition to the *ani ma'amin* and *yigdal*, there were numerous other such dogma-type compositions. See Alexander Marx, "A List of Poems on the Articles of the Creed," *Jewish Quarterly Review* 9 (1919): 305-36. In fact, strictly speaking, one cannot speak of *the ani ma'amin*, for in addition to the Ashkenazic version there are at least two Sephardic versions. Regarding one of the latter, see M. D. Gaon, "Kerit'at Yod Gimmel ha-Ikkarim," *Yeda Ami* 3 (1955): 39-41.
24. I should call attention to a significant philosophical and halakhic point which appears to have gone unnoticed. The Vilna Gaon apparently believes that the first and second principles are the only true principles in Judaism. According to him, anyone who believes in God's unity, despite his other sins, is regarded as a Jew in good standing and he is thus able to be included in a minyan. None of the numerous discussions regarding whether a Sabbath violator may be included in a minyan seem to have taken note of the Gaon's comment which is found in his commentary to *Tikkunei Zohar* (Vilna, 1867), 42a.
25. In *Hil. Yesodei ha-Yorsh* 1: 7 and *Guide* I: 35, Maimonides points out that the perfection of God (first principle) and the unity of God (second principle) are only applicable with an incorporeal God.
26. *Guide* I: 36.
27. "Maimonides' Thirteen Principles," 137-38, 141.
28. See L. Berman, "Ibn Bajjal ve ha-Rambam" (unpublished doctoral dissertation: Hebrew University, 1959), 137-38. Berman suggests three separate reasons underlying Maimonides' stratagem. See also S. Pines, *Toledot ha-Filosofiyah ha-Yehudit me-ha-Rambam 'ad Spinoza*, 14, who agrees with Berman and is satisfied with merely saying that correct opinions among the masses make for a better society. He does not explain how stability is negatively affected if the masses hold to anthropomorphic views.
29. See Julius Guttmann, *Philosophies of Judaism* (New York, 1966), 201-03; A. Hyman, *loc. cit.*
30. See M. Kellner, *Dogma in Medieval Jewish Thought*, 37ff. Kellner also offers two other reasons, but this appears to be his main point.
31. See e.g. the formulation in Daniel Jeremy Silver, *Maimonidean Criticism and the Maimonidean Controversy* (Leiden, 1965), 162. Silver, however does not exclude the presence of other motivations.
32. See Abraham Nuriel, "Remarks on Maimonides' Epistemology," in Pines and

Yovel, *op. cit.*, 49-50.

33. *Hil. Teshuvah* 3: 7. This is the correct version of the gloss; see David Kaufmann, *Geschichte der Attributenlehre in der jüdischen Religionsphilosophie des Mittelalters* (Gotha, 1877), 487-88. See also Isadore Twersky, *Rabad of Posquières* (Cambridge, 1962), 282ff.; Jerome Gellman, "The Philosophical *Haqqot* of Rabad on Maimonides' *Mishneh Torah*," *The New Scholasticism* 58 (1984): 153ff.; Warren Zev Harvey, "She'elot i-Gashmi'ut la-El Ezeq ha-Rambam, la-Ra'avad, u-Spinoza," in Sara O. Heller Wilensky and Moshe Idel, eds., *Mohkarta be-Hagut Yebudit* (Jerusalem, 1989), 69-74. I do not grasp Gellman's distinction when he writes (p. 155): "Rabad probably wanted to support the permissibility of the belief in corporeality and not just its not being culpable in certain cases." Rabad is certainly not defending one who knowingly advocates a mistaken belief. What then is the difference between permissibility and non-culpability?
34. I have purposely chosen not to discuss *Shtetl Kama*, due to the uncertainty surrounding this work. See, most recently, Byron I. Sherwin, "The Human Body and the Image of God," in Dan Cohn-Shorok, ed., *A Traditional Quest* (Sheffield, 1991), 78, n. 2. On the basis of his comment to Genesis 48: 8, Martin I. Lockshin claims that R. Samuel ben Meir believed in a corporeal God; a very important point if Lockshin is correct. See his *Rabbi Samuel Ben Meir's Commentary on Genesis* (Lewiston, N. Y., 1989), *ad loc.*: *idem*, "Tradition or Context: Two Exegetes Struggle with Peshat," in *From Ancient Israel to Modern Judaism* (Atlanta, 1989), II, 181. However, Rashbam's comment to Genesis 1: 27 would appear to create some difficulties for Lockshin's interpretation.
35. It was published by Raphael Kirchheim in *Ozar Nehmad* 3 (1860): 54-59. There were those who referred to it as *Sefer* 4 (1928): 338. Before Kirchheim published *Kitav Tamim*, R. David Sinzheim saw the manuscript and discussed it in a letter; see his *Mithat Anit* (Jerusalem, 1971), I, 110 (the editor's note is incorrect). Regarding Taku, see Ephraim E. Urbach, *Arugat ba-Bosem* (Jerusalem, 1963), IV, 78ff., *idem*, *Be'alei ha-Tosafot* (Jerusalem, 1980), 425ff.; Joseph Dan, ed., *Kitav Tamim* (Jerusalem, 1984), 7-27.
36. See Haim Hillel Ben-Sasson's review of the first edition of E. Urbach's *Be'alei ha-Tosafot* in *Be'hamot* 9 (1956): 51-52; E. Urbach, *Be'alei ha-Tosafot*, 423, n. \*74; Joseph Maurice Davis, "R. Yom Tov Lipman Heller, Joseph b. Isaac ha-Levi, and Rationalism and Ashkenazic Jewish Culture 1550-1650," (unpublished doctoral dissertation; Harvard University, 1990), 51, n. 49.
37. *The Philosophy of the Kalam* (Cambridge, 1976), 100ff.
38. "Zlyyuf Sifrut: Ma'amar Tehiyat ha-Metim," *Me'lel* 1 (1944): 85.
39. See e. g. Leon Nemoy, "Al-Kirkisani's Account of the Jewish Sects and Christianity," *Hebrew Union College Annual* 7 (1930): 331.
40. Bernard Septimus, *Hispano Jewish Culture in Transition* (Cambridge, 1982), 79 writes: "... it seems likely that the views of Moses b. Hasdai do approximate a significant body of Franco-German opinion." See also D. Kaufmann, *op. cit.*, 480ff.; Isaiah Some, "A Scrutiny of the Charges of Forgery against Maimonides' 'Letter on Resurrection,'" *Proceedings of the American Academy for Jewish Research* 21 (1952): 110-16.
41. *Ha-Eminah ha-Rambam* (Frankfurt, 1853), 47, 91
42. *Gutde I*: I: A. Lichtenberg, *Kovez Teshuvot ha-Rambam ve-Iggerotav* (Leipzig, 1859), II, 8a, 8c; Yizhak Shailat, *Iggerot ha-Rambam* (Ma'aleh Adumim, 1987), I, 320, 322 (Arabic), 341, 346 (Hebrew).
43. *She'elot u-Teshuvot ha-Rashba* (Lvov, 1811), #418 (p. 47b). Cf. R. Yom Tov Ishbili, *Sefer ha-Zikkaron*, ed. Kalman Kahana (Jerusalem, 1959), 59. See also R. Elijah Delmedigo, *Behinat ha-Dat* (Vienna, 1833), 25, who, entirely ignoring R. Sa'adah Gaon, gives Maimonides all the credit for discrediting the anthropomorphists.
44. *Abudarham ha-Shalem*, ed. S. A. Wertheimer (Jerusalem, 1957), 362.
45. (Vienna, 1816), 14a.

46. See M. Saperstein, *op. cit.*, 185-86. R. Isaac refers to "faithless 'Sadducees' who say that God is [composed of] a matter which is finer, purer, and more transparent than the matter of any shining star."
47. See J. L. Teicher, *op. cit.*, 84-85.
48. See his commentary to Maimonides' Introduction to the *Guide* (p. 10a in the standard edition).
49. A. Lichtenberg, *op. cit.*, III, 9c; *Kittvei Ramban*, ed. Chavel (Jerusalem, 1963), I, 345.
50. Lichtenberg, *ibid.*, III, 3c.
51. *Ibid.*, 16ff.
52. See the poems published by Hayyim Brody, *Yedi'ot ba-Makbun le-Heber ha-Shirah ha-Turit 4* (1938): 102:
- אל תאנן באפרים גשפות ואם / לאל זמנות האטש ציד האפרים כבוד  
וזחשבים זמנות / דעת חלוקים הם ולא כבוד / כמה חכמים אפרו שער זמם /  
חשבדים צורם ופני לא פור
- Ibid.*, 34:
- ובכור גשפות / אם הוא ברפות / לרעת זאת אין לך רשיון / אך זמאן /  
ואפרו אכן כי יש פתגם חסד חכיון.
- See also *ibid.*, 91, for another defense of the anthropomorphism and *Ozar Nebmad 2* (1857): 85.
53. See *Keren Hemed 5* (1841): 12. He is apparently the author of this letter directed to the French rabbis, in which he writes: "הוש כובלי הוים פגשפים כנס." See also Saputo's letter published in *Gurze Nistarot 4* (1878): 44ff. (Halberstamm, who edited this letter, does not believe that the letter published in *Keren Hemed* was authored by Saputo; see *ibid.*, 37.)
54. See his letter in A. Lichtenberg, *op. cit.*, III, 23ff. (It also is found in R. Abba Mari Astruc, *Minhat Kana'ot* [Pressburg, 1838], 183ff.) The letter is anonymous but there is reason to assume that Falaquera is the author; see Heinrich Graetz, *Geschichte der Juden* (Leipzig, 1863), VII, 174. In reference to Rabad's assertion that there were people "greater and superior" to Maimonides who believed in God's corporeality, Falaquera responds sarcastically: "ויתכן שהיו גדולים פגשט" (23b). *Beqofetam u-Kofei Parah u-Traia Ged*.
55. See *He-Itahaz 7* (1865): 91-92.
56. *She'elot u-Teshuvot Maharam Alashkar* (Jerusalem, 1988), #117 (p. 312). Alashkar singles out the French sages. In his words, they were guilty of *פגשפים בפרהסיא*, a phrase which actually appears in Bedershi's apology. Alashkar further notes that it was due to Maimonides' works that this widespread anthropomorphism was uprooted.
57. I have deliberately avoided mention of evidence that appears in non-Jewish sources. As is well known, Jewish anthropomorphism was also a common accusation of Muslim polemicists.
58. See Monford Harris, "The Theologico-Historical Thinking of Samuel David Luzzatto," *Jewish Quarterly Review 52* (1962): 317ff.
59. *Peninet Shadal* (Przemysl, 1888), 274. See also R. Judah Aryeh Modena, *Magen te-Herev*, ed. Shlomo Simonsohn (Jerusalem, 1960), 40.
60. *Iggeret Shadal* (Czarcow, 1891), 1195-97.
61. *Mehkeret ha-Yabadud* (Warsaw, 1915), II, 19.
62. The Maggid of Koznitz is quoted as saying that after Maimonides proclaimed anthropomorphists heretics, the souls of many pious Jews who held to this view were chased out of Heaven. Only after Rabad defended them were they allowed to return. The Maggid continues by pointing out that it was only Maimonides' ignorance of Kabbalah that led him to this view. He thus did not know that the *הקציות* סתלבש בתוך השלמות והשלמות הם שיטת דעות קופה כפי"ש נגשה אינם בעלפית סדופותיט. See R. Jehiel Moses of Komarovka, *Nifla'ot Hadashot* (Petrokov, 1897), 49x.
- D. Sinzheim, *op. cit.*, 111, quotes R. Moshe Cordovero in his *Pardes*

*Rimonim* as saying that although anthropomorphism for medieval Jews was not considered heresy, since in later generations all Jews rejected this belief, it then became heretical to assert it. Sinzheim does not say where in *Pardes Rimonim* he is quoting from but there is no doubt that he has in mind *Sha'ar* 1, chapter 9. Still, Sinzheim's summary is not exact for whereas Cordovero does elaborate on the justification of Rabad's defence of the anthropomorphists, he never quite says that later generations cannot also be defended on the basis of Rabad's formulation. This would only be so if it could be shown that there were no people who truly accepted God's corporeality as the Torah's view. According to Cordovero, the only ones to be regarded as heretics are those who, knowing the teaching of the Torah, nevertheless continue to accept the anthropomorphic position. Cordovero sees this as parallel to his view that denial of the *sefirot* is only counted as heresy if one *knows* that the doctrine is part and parcel of the Torah and nevertheless refuses to accept it.

R. Zevi Elienelekh of Dnrov finds Maimonides' opinion so difficult to accept that he claims that Maimonides agrees with Rabad! According to him, Maimonides' comment is only directed against one who obstinately insists on his heresy, but not one who arrives at it accidentally. See his commentary *Ma'ayan ha-Ganim* in R. Joseph Jabez, *Or ha-Hayyim* (Lublin, 1912), end of chapter 5. The same opinion is independently put forth by R. David ben Barukh Shirio, *Mishneh Kesef* (Salonika, 1817), to *Hil. Yesha'ub* 3: 7. Obviously they never saw *Guide* I: 36. Nor for that matter did R. Abraham Karela, *Hazon Ish. Yoreh De'ah* (Bnei Brak, 1962), 96a, who also suggests, somewhat tentatively, R. Zevi Elienelekh's explanation.

In general, I find it surprising that defenders of the anthropomorphists did not generally cite Bahya's justification in *Howat ha-Levivot* I: 10: "For man is accountable for his thoughts and deed only according to his powers of apprehension and comprehension, physical strength and material means. Only if a man is able to acquire wisdom and foolishly neglects to do so, will he be called to account and punished for his failure to learn."

63. Harry Wolfson has argued that Maimonides only regarded the anthropomorphist as a heretic if he *said* God had a body. However, merely believing in God's corporeality is not enough to condemn one. See his "Maimonides on the Unity and Incorporality of God," *Jewish Quarterly Review* 56 (1965): 122ff. Presumably, if Wolfson is correct, there should be no difference between this principle and the rest. Indeed, Wolfson claims that one who merely believes in the existence of other gods, without verbally acknowledging them, is not a heretic.

However, it would appear to me that Wolfson is entirely in error. To begin with, his view is directly contradicted by Maimonides' words at the end of *Guide* I: 36: "I do not consider as an infidel one who cannot demonstrate that the corporeality of God should be negated. But I do consider as an infidel on who does not believe in its negation." Furthermore, Wolfson's entire argument is based on the confusion of two separate issues. True, as far as an earthly court is concerned, one is not considered a heretic, and thus subject to all the penalties that go along with it, unless one's heresy is evident. It is only with regard to this that Wolfson's argument is relevant. However, there is no question that one who believes in a corporeal God, even without saying so, is a heretic as far as God is concerned. Such a one does not face any penalties in this life but he is certainly denied a share in the World to Come. We must not forget that Maimonides is explicit (*Sefer ha-Mizvot, shovesh* 9), that the commandments of the Torah concern both thought and speech; thought is an independent category.

To continue with Wolfson's point, I think it is obvious according to Maimonides that one who says God has a body but does not truly believe this, although he has sinned, is not denied thereby a share in the World to Come. See *Guide* I: 50: "Belief is not the notion that is uttered, but the notion that is represented in the soul when it has been averred of it that it is in fact just as it has

been represented." See the commentaries of Narboni, Elodi, and Abravanel *ad. loc.* See also H. A. Wolfson, "The Aristotelian Predicables and Maimonides' Division of Attributes," in Israel Davidson, ed., *Essays and Studies in Memory of Linda R. Miller* (New York, 1938), 203-04.

64. *Guide* I: 35.

65. *Guide* I: 36. It is interesting that Maimonides feels the need to justify the punishment of the anthropomorphist who did not know any better or who was led to his belief from what he saw in Scripture. "There is no excuse for one who does not accept the authority of men who inquire into the truth and are engaged in speculation if he himself is incapable of engaging in such speculation . . . and this particularly in view of the existence of the interpretations of Onkelos and of Jonathan ben Uzziel, may peace be on both of them, who cause their readers to keep away as far as possible from the belief in the corporeality of God." There is no question that this justification is directed at those who do not grasp Maimonides' true beliefs. The philosophers are aware that the attaining of immortality is not related to any questions of fairness and God does not need to be justified for withholding this "reward." As we have seen, for Maimonides, the attainment of immortality, by means of intellectual perfection, is a natural process and not a reward. Thus, there is no difference between the case given by Maimonides and one who grows up on a desert island and therefore has no wise men to turn to for instruction in God's nature. Since neither of them have achieved the minimum measure of intellectual perfection, their intellect cannot live on.

66. See *Guide* I: 46: ". . . that He is an existent who is living, possessed of knowledge and of power, active, and having all the other characteristics that ought to be believed in with reference to His existence."

67. *Guide* I: 26, 46. Cf. also *Hil. Yesodei ba-Torah* 1: 9; Bahya, *Iyyot ha-Isra'el* 1: 10, and Simon Rawidowicz, *Iyyunim be-Mahshevet Yisrael* (Jerusalem, 1969), 1, 182-83. Since the prophets use corporeal expressions, it apparently was a lengthy process. It is only when there is general acceptance of the nature of God's existence that children, women, etc. are also to be instructed in His incorporeality. Thus, there is no contradiction between *Guide* I: 26, 46 and I: 35-36.

In his commentary to *Guide* I: 26, Caspi puts forth a similar interpretation but includes a number of points which are totally at odds with Maimonides' opinion. Thus, he writes that the method described in *Guide* I: 26, 46: ידבר עם כל חזקת ועיד ידבר עם שצריך לנהוג עם, whereas Maimonides' assertions that one must entirely cleanse the nation of anthropomorphism: עם חזקת ועיד ועם עם ראשון ראשון. Thus, Caspi believes that, with some exceptions, the masses are never to be initiated into the secret of God's incorporeality. However, Caspi's understanding is directly contradicted, not merely by what Maimonides writes in his Commentary to the Mishnah and the *Mishneh Torah*, but also by his words in *Guide* I: 35-36. In these chapters Maimonides is adamant that the time has come when the masses must be told of God's incorporeality and even in *Guide* I: 46 he is clear that already by the time of the Sages there was no excuse for anyone to hold anthropomorphic opinions.

68. "Intellectual Perfection and the Role of the Law in the Philosophy of Maimonides," *From Ancient Israel to Modern Judaism*, III, 34. See also Leo Strauss' Introductory Essay to S. Pines' translation of the *The Guide of the Perplexed* (Chicago, 1963), "How to Begin to Study the Guide of the Perplexed," xlii. When Maimonides writes that the the Torah and Prophets "explicitly" set forth that God is not a body (*Hil. Yesodei ba-Torah* 1: 8), he means only that the meaning is explicit to the philosophers and wise men.

69. Similarly, Maimonides explains (*Guide* I: 59) that both the Torah and the Sages use positive attributes with reference to God since the masses are unable to achieve a representation of Him otherwise. Now, although "the Torah speaks in the language of men," the fact remains that one who continues to regard God as having positive attributes "has abolished his belief in the existence of the deity

without being aware of it" (*Guide* I: 64; see also his harsh words in *Guide* I: 50). The far reaching nature of this is understood when one remembers that, according to Maimonides, not only is one not supposed to instruct the masses regarding God's attributes (*Guide* I: 35), but the Torah even regards it as necessary for the masses to believe in positive attributes, such as the notion that God becomes angry (*Guide* III: 28). Thus, although the Torah intends for the masses to hold these beliefs in order to create a stable society, the result is that they, in effect, deny the existence of God. Of course, the Torah is not responsible for these people losing their share in the World to Come. Anyone who will believe in positive attributes is, in any event, unable to achieve the intellectual perfection required for immortality.

70. It must also be reiterated out that for this Israelite to believe in God's corporeality is actually an *improvement* over his earlier state.
71. That God is eternal is found in the first principle. This was recognized by R. Nissim of Marseilles; see Barry Mesch, "Nissim of Marseilles' Approach to the 'Iqqarim,'" *Proceedings of the Ninth World Congress of Jewish Studies*, 86.
72. This is explicit in the later addition Maimonides made and is only found in the J. Kafih edition, p. 142. In Maimonides' letter to the scholars of Marseilles, he also expresses this opinion; see A. Lichtenberg, *op. cit.*, II, 25a; and Y. Shilat, *op. cit.*, II, 483. The overwhelming majority of scholars believe creation *ex nihilo* to have been implicit in Maimonides' first formulation. See M. Kellner, *Dogma in Medieval Jewish Thought*, 57. Kellner, *ibid.*, 55-56, attempts to refute this position and argues that the original formulation only places God ontologically, but not temporally, prior to the universe. In other words, "without God the universe could not exist; but God and the world may have coexisted eternally" (p. 241, n. 218). However, the notion that the world is dependent upon God for its existence was already stated explicitly in the first principle. Nevertheless, it is still possible to see the original version as not having taught creation *ex nihilo* and interpreting God's priority in a different sense. See M. Waxman, *op. cit.*, 407-409.
73. Commentary to Genesis I: 1.
74. *Zafnat Pane'ah*, ed. David Herzog (Heidelberg, 1911), 28-30, 41.
75. *Perush 'al ha-Rambam* (Amsterdam, 1706), 9a. R. Judah Moscato, *Kol Yehudah* to *Kuzari* I: 67, is suspicious of Ibn Ezra but does not come to any definitive conclusion.
76. See David Rosin, "Die Religionsphilosophie Abraham Ibn Esra's," *Monatsschrift für Geschichte und Wissenschaft des Judentums* 42 (1898): 66ff.; L. Orschansky, *Abraham Ibn Esra als Philosoph* (Breslau, 1900), 12ff.; David Neumark, *Toledot ha-Filosofiyah be-Yisrael* (Philadelphia, 1929), II, 280ff.; L. G. Lévy, "La Philosophie d'Abraham ibn Ezra," *Revue des études juives* 89 (1930): 172. I. Husik, *op. cit.*, 190; J. Guttman, *op. cit.*, 135-36; Hermann Greive, *Studien zum jüdischen Neuplatonismus: Die Religionsphilosophie des Abraham Ibn Ezra* (Berlin, 1973), 57; Colette Sirat, *A History of Jewish Philosophy in the Middle Ages* (Cambridge, 1985), 106; Joseph Cohen, "Mishnato ha-Filosofit-Datit shel R. Avraham Ibn Ezra" (unpublished doctoral dissertation, Bar Ilan University, 1983), 88ff. A strong case can certainly be made that Ibn Ezra is entirely excluding the elements and the spheres from creation, *ex nihilo* or otherwise. Still, there are differences between the authors, such as whether Ibn Ezra's doctrine is weighed in the direction of eternal emanation, the endowment of eternal matter with form, or simply the creation of appropriate conditions for the emergence of the vegetable and animal kingdoms. In any event, we are not dealing with creation *ex nihilo*, which Maimonides requires.

Of course, having said this, I do not mean to imply that all scholars read Ibn Ezra in this way. For example, R. Nahman Krochmal's interpretation of Ibn Ezra does not seem to be in opposition to Maimonides' principle. See *Moreh Nevukhei ha-Zeman*, ed. Simeon Rawidowicz (Berlin, 1923), 306, and the discussion in Jay Harris, *Nachman Krochmal: Guiding the Perplexed of the Modern Age* (New York,

- 1991), 67-68. Some scholars also understood Ibn Ezra as affirming unequivocally creation *ex nihilo*. See Abraham Lipshitz, *Pirkei Iyyun be-Mishnat Rabht Avraham Ibn Ezra* (Jerusalem, 1982), 151ff. See also most recently Leo Pries, *Avraham Ibn Ezra li-Bereshit 1-3* (London, 1989), 40-41, 80.
77. See Georges Vajda, "An Analysis of the *Ma'amar yuqqanu ba-Mayim* by Samuel b. Judah Ibn Tibbon," *Journal of Jewish Studies* 10 (1959): 147-49; Ephraim Rivlin, "Shmuel Ibn Tibbon" (unpublished master's dissertation; Tel Aviv University, 1969), 43ff.; Michael Zevi Nehorai, "R. Shlomo ben Rav Judah ha-Nasi u-Ferusho le-Moreh Nevuklim" (unpublished doctoral dissertation; Hebrew University, 1978), 133ff.; Aviezer Ravitzky, "Samuel Ibn Tibbon and the Esoteric Character of the Guide of the Perplexed," *AJS Review* 6 (1981): 119; C. Sirat, *op. cit.*, 219-20. As Ravitzky has noted, R. Abraham Maimonides quotes his father as saying that Ibn Tibbon completely understood the secrets of the *Guide* (A. Lichtenberg, *op. cit.*, II, 15c). See A. Ravitzky, *op. cit.*, 91, and his more recent study, "The Secrets of the Guide to the Perplexed: Between the Thirteenth and the Twentieth Centuries," in Isadore Twersky, ed., *Studies in Maimonides* (Cambridge, 1990), 205-06.
78. See Warren Zev Harvey, "A Third Approach to Maimonides' Cosmogony-Prophology Puzzle," *Harvard Theological Review* 74 (1981): 293-94.
79. Being that the purpose of this paper is to show how scholars generally "accepted" in the Orthodox world differed with Maimonides' principles, I have deliberately refrained from mentioning the views of Narboni, Caspi, Albalag et al. This was done in order to forestall the objection that these authors were anyway never regarded as representing traditional Jewish thought. (It is quite remarkable that Caspi has been given an entry in Artscroll's *The Risbanim* [Brooklyn, 1986], 178-79.)
80. *Guide* II: 26. See also *ibid.*, II: 30 for a passage which implies to the eternity of time; S. Duran, *Obeiv Mishpat*, 14b 15a; Albo, *Sefer ha-Itbarim* I: 2.
81. *Guide* II: 25. This would also seem to be the view of Judah Halevi, *Kuzari* I: 67, who writes (according to the Hirschfeld translation): "If a believer in the Torah finds himself obliged to acknowledge and admit pre-existent matter and the existence of many worlds prior to this one, this would not impair his belief that this world was created at some particular time." It should be noted, however, there is some dispute about the proper translation and interpretation of this passage. See Kaufmann, *op. cit.*, 138, n. 56; *idem*, "Jeluda Halevi und die Lehre von der Ewigkeit der Welt," *Monatsschrift für Geschichte und Wissenschaft des Judentums* 33 (1884): 208-14 (and Hartwig Hirschfeld's comments *ibid.*, 374-78); Neumark, *op. cit.*, 304ff.; M. Waxman, *Ketavim Nupharim* (New York, 1943), I, 77, n. 36.
82. *Interpreting Maimonides* (Chicago, 1990), 291, 295.
83. *Ibid.*, 291.
84. The apparent contradiction between *Guide* II: 13 and *Guide* II: 25 has been dealt with by a number of authors. See most recently M. Fox, *ibid.*, 290-96. Although a number of studies have appeared since Herbert Davidson wrote his "Maimonides Secret Position on Creation," in Isadore Twersky, ed., *Studies in Medieval Jewish History and Literature* (Cambridge, 1979), 16-40, it still remains one of the finest discussions of the topic. Davidson makes it very clear that if one takes Maimonides at his word that all contradictions in the *Guide* are deliberate, one is led to the conclusion that Maimonides accepted the Platonic view. However, Davidson's position has been questioned by a number of authors, perhaps the most interesting being William Dunphy, "Maimonides' Not-So-Secret Position on Creation," in Eric L. Ormsby, ed., *Moses Maimonides and His Time* (Washington, 1989), 151-72. Dunphy puts forth the striking argument that there are no contradictions, or even ambivalence, in Maimonides' views with regard to creation. Since Maimonides makes a point of defining the heretic as one who even doubts one of the thirteen principles, it is worthwhile to note that Sara Klein-Braslavy

has devoted great efforts to showing that Maimonides himself was unsure as to the truth of creation, *ex nihilo* or otherwise. See, most recently, her article, "The Creation of the World and Maimonides' Interpretation of Gen. I-V," in S. Pines and Y. Yovel *op. cit.*, 65-78. It is worth noting that some have pointed to the *Mishneh Torah* as actually teaching eternity of the world. This is in contradiction to Maimonides' exoteric view (*Guide* I: 71), that his method of demonstration, based on eternity, does not represent his true view. See Isaac Albalag, *Tikkun ha-De'ot*, ed. G. Vajda (Jerusalem, 1973), 50-51; S. Pines, "The Philosophic Purport of Maimonides' Halachic Works and the Purport of the *Guide of the Perplexed*," 5. W. Harvey, "A Third Approach to Maimonides' Cosmogony-Prophology Puzzle," 295, writes: "An examination of Maimonides' statements in his great Code, the *Mishneh Torah*, reveals that the Aristotelian premise of eternity is indeed required for the fulfillment of the divine commandments to know God and to know that he is one, and that Abraham our father had in fact come to know God on the basis of the Aristotelian premise of eternity." However, Harvey understands eternity to mean eternal creation, that is "the continuous ontic dependance of creation on Creator, or if you will, the continuous information of matter by the Form of the world." See *ibid.*, 296. See also Harvey, "She'elat i-Gashmi'ut ha-El Ezel ha-Rambam, ha-Ra'avad, u-Spinoza," 63-69.

85. See *Guide* II: 7, where this point is clarified.

86. Aside from the philosophical reasons for this prohibition, Maimonides would also have been able to point to *Jer. Berakhot* 9: 1. No doubt, Maimonides also includes in this category asking the dead to intercede, despite the fact that such a view is apparently found in a few rabbinic sources; see R. Hayyim Eleazar Shapira, *Minhat Eleazar* (Brooklyn, 1991), I, #68, who also quotes Kabbalistic sources (this edition contains a number of additional notes). See also the sources cited in *Enzyklopedia Yaldudii* (Jerusalem, 1956), VII, 247-48, and R. Yehiel Mikhel Tukatzinsky, *Gesher ha-Hayyim* (Jerusalem, 1960), II, chapter 26. Such prayers are doubly forbidden at a cemetery, for, as R. Joseph Kafih has pointed out, Maimonides (*Hil. Avel* 13: 9; see also *Avel* 4: 4) forbids reciting any prayers or Psalms at a cemetery; see J. Kafih, *Katanin* (Jerusalem, 1969), II, 624-25. R. Kafih further notes that the comment of *Kesef Mishneh*, *ad loc.*, is merely a justification for the prevailing practice rather than an explanation of Maimonides' view.

Whether Maimonides' attitude was in any way influenced by Karaite polemics also needs to be investigated. See Salo Wittmayer Baron, *A Social and Religious History of the Jews* (New York, 1957), V, 258. Of course, the general practice is not to follow Maimonides in this regard.

87. *Shabbat* 12b, *Sotah* 33a. Not willing to countenance any intermediaries between God and man, Maimonides' omitted this from the *Mishneh Torah*. However, it is regarded as halakhah by numerous other authorities including *Shulhan Arukh, Orach Hayyim* 101: 4.

88. See, e. g., *Sarbedrin* 42b and Rashi s. v. *le-b'lam* and *Rashash, ad loc.* See also *Berakhot* 60b for a prayer directed towards the angels *Tanhumta Va'ethananu*, no. 6, has Moses asking the stars, mountains, sea and angels to intercede with God on his behalf. Numerous similar sources are found in the writings of those that permit the practice. See especially R. Hayyim Hezekiah Medini, *Sedet Hemod* (1964), IX, 26d-27c (*ma'avokbet Rosb ha-Shanah* 1: 2). See also Leopold Zonz, *Die synagogale Poesie des Mittelalters* (Hildesheim, 1967), 148-51.

89. B. M. Lewin, *Ozar ha-Geonim* (Haifa, 1930), *Shabbat*, 4-6.

90. See Leo Jung, *Fallen Angels in Jewish Christian and Mohammedan Literature* (Philadelphia, 1926); A. Ahmann, *Essays in Jewish Intellectual and Mohammedan Literature*, chapter 1.

91. Maimonides is explicit that the angels are not able to make independent decisions in the same way humans do (see also *Guide* II: 7). Nevertheless, there is one place where Maimonides seems to contradict this. In his Letter on Martyrdom he speaks of God punishing the ministering angels after they had criticized the Jewish people. See A. Lichtenberg, *op. cit.*, II, 12c; Y. Shailat, *op. cit.*, I, 36. Of

- course, since angels do not act on their own, they cannot truly be punished. However, in this text, Maimonides was more concerned with getting his point across, rather than writing a philosophically rigorous treatise. All this lends further support to Haym Soloveitchik's assertion that the Letter on Martyrdom is a work of rhetoric. See his "Maimonides' *Iggeret Ha-Shemad*: Law and Rhetoric," in Leo Landman, ed., *Rabbi Joseph H. Lookstein Memorial Volume* (New York, 1980), 306: "[The Letter on Martyrdom] as a pamphlet aimed not at truth but at suasion, at moving people by all means at hand toward a given course of action."
92. He would do the same for all the examples assembled by V. Aptowitz in his "The Rewarding and Punishing of Animals and Inanimate Objects," *Hebrew Union College Annual* 3 (1926): 117-55.
93. *Shibbolei ha-Leket* (Vilna, 1887), #282.
94. *Shemesh Zedakah* (Venice, 1743), *Orah Hayyim*, #23-24.
95. *She'elot u-Teshuvot Mabbari Bruva* (Jerusalem, 1960), #275. Bruva objects to the term "intermediary" but, in essence, his position is no different than that of Morpurgo.
96. See his commentary to R. Joseph Albo's *Sefer ha-Tikarton* II: 28.
97. *Mor u-Kezi'ab* (New York, 1953), #3.
98. *Yebudah Yur'aleh* (Lemberg, 1873), *Orah Hayyim*, #21.
99. Jeffrey Korbman called this last point to my attention.
100. See R. Isaac Lampronte, *Pahad Yizhak* (Lyck, 1874), VII. 3/b and 3/b (s. v. *zarah-khan*). The discussion of this issue in *Pahad Yizhak* extends to fifty pages.
101. *Derashot ha-Ran*, ed. Leon A. Feldman (Jerusalem, 1973), 57-58.
102. *Sanbedrin* 60b. See Maimonides, *Hil. Avodat Zarah* 2: 1, 3: 3. According to Maimonides, one is guilty simply by bowing one's face to the ground, even without spreading one's hands and feet. See *ibid.*, 6: 8.
103. *Perush 'al ha-Torah* (Jerusalem, 1961), to Exodus 20: 3. See also the similar justification of R. Abraham ben Eliezer Halevi, *Keren Hemod* 9 (1856): 144, and the discussion in Ira Robinson, "Abraham ben Eliezer Halevi: Kabbalist and Messianic Visionary of the Early Sixteenth Century," (unpublished doctoral dissertation: Harvard University, 1980), 208ff.
104. *Sefer ha-Tikarton* II: 28. R. Abraham ben Eliezer Halevi, *op. cit.*, 148, also suggests this but does not accept it for, if correct, one should then be able to offer sacrifices, libations, or incense to angels under the same pretext, which is certainly an absurd proposition. (Sacrifices, incense, libations, and prostration are the four methods of worship which are forbidden, even if certain deities are not normally worshipped in this way.) Worthy of note is the prayer which appeared in *Kefar Habad* (Rosh Hashanah, 5748), 15. Using words which are directed towards God in the Torah (Deuteronomy 26: 15), this prayer is directed to one of the previous rabbis: **רַב הַיְיָב הַסְקִיפָה עִמָּעוֹן קִרְשׁוֹן בֶּן הַשֵּׁמִים וְגַר אֶת חַיִּי יִשְׂרָאֵל**.

I have purposely not discussed Kabbalistic beliefs *vis-a-vis* the *Sefrot*. Professor Moshe Idel has pointed out to me that, although Maimonides would almost certainly have regarded them as heretical, the Kabbalists themselves did not believe they were using intermediaries in their prayers. Since they would not have viewed themselves as violating Maimonides' principle, they do not fall within the framework of this paper.

Before leaving this principle I should call attention to a difficult passage in the *Mishneh Torah* which appears to stand in contradiction to the fifth principle. *Berakhot* 60b states:

On entering a privy, one should say: "Be honored, holy honorable ones, servants of the Most High. Give honor to the God of Israel. Wait for me until I enter and do my needs, and return to you." Abaye said: "A man should not speak thus, lest they should leave him and go. What he should say is 'Guard me, guard me, help me, help me, support me, support me, wait for me, wait for me, until I enter and come out, as this is the way of humans.'"



(London, 1938). lxii.

I have deliberately refrained from commenting on the differences between the script in contemporary Torah scrolls (*ketav ashuri*) and ancient Hebrew script. Although Maimonides insists that current Torahs are exactly the same as the original one in Moses' day, it is difficult to believe that the issue of script is included in this principle, nor, for that matter, would the issue of the enlarged or reduced letters or other textual peculiarities be included, regarding which there is no uniformity in biblical manuscripts and Masoretic lists. (See *Sbenot Kodesh ve-Hol*, ed. Rausaby [Bnei Brak, 1977], 25-26, that the unusual letters are of rabbinic origin. However, it is doubtful whether Maimonides is truly the author of this work.) Elsewhere, Maimonides himself admits that in his day there was no uniformity with regard to the *tagim* even though they are of Mosaic origin. See *Yeshivot ha-Rambam*, ed. Blau (Jerusalem, 1989), #154. (Maimonides did believe that Moses' Torah was written in *ketav ashuri* [see his commentary to *Yadayim* 4: 5]. However, this does not mean that he included this as part of the eighth principle.) Similarly, I do not believe that Maimonides can be referring to questions of open and closed sections, although this is less certain since here more significant halakhic considerations enter the equation; see e. g. *III. Sefer Torah* 7: 11, 8: 3, and the important comments of Moshe Goshen-Gottstein, "Keter Avram Zovah ve-Hilkhot Sefer Torah le-ha-Rambam," in R. Shaul Yisraeli, et al., eds., *Sefer Yorei U-Khovot Morenu ha-Gaon Rabbi Yosef Caro ha-Levi Solovevitchik* (Jerusalem, 1984), II, 880ff. (Regarding the contradiction in Maimonides with regard to open and closed sections, see Jordan S. Penkower, "Maimonides and the Aleppo Codex," *Textus* 9 [1981], 39ff.). I understand him to mean that the *words* that appear now in the Torah are identical with those that appeared in Moses' Torah.

117. I use the words "strictly speaking" advisedly, for there is no question that it is not improper, at least for purposes of simplicity, to continue to refer to "the Masoretic text." The minor variations simply reinforce the fact that there is an overwhelming measure of agreement. As Moshe Goshen-Gottstein has noted, "the *receptus* tradition emerges clearly from the vast majority of the codices." See his "The Rise of the Tiberian Bible Text," in Alexander Altmann, ed., *Biblical and Other Studies* (Cambridge, MA., 1963), 117, n. 122. See also his introduction to the Jerusalem, 1972 reprint of the *Biblia Rabbinica*, paragraph 19 (hereafter "Introduction"); Menahem Cohen, "Mahu 'Nosah ha-Masorah," u-Mah Hekef Alizato be-Toledot ha-Mesirah shel Yemot ha-Benayim," in Uriel Simon, ed., *Lyayno Mikra u-Furshanut* (Ramat Gan, 1986), II, 229-56, and the recent formulation by James Barr in his 1986 Schweich Lectures, *The Variable Spellings of the Hebrew Bible* (Oxford, 1989), 5-6. Mordechai Breuer's more extreme conclusions in his *Keter Avram Zovah ve-ha-Nosah ha-Mekubal shel ha-Mikra* (Jerusalem, 1976) are based on a serious methodological error as has been shown by Yizhak [Jordan] S. Penkower, "Ya'akov ben Hayyim u-Zemilat Mahadurat ha-Mikraot ha-Gedolot" (unpublished doctoral dissertation; Hebrew University, 1982), 437-38 (hereafter "Ya'akov ben Hayyim"), and Menahem Cohen, ed. *Mikraot Gedolot ha-Keter: Yehoshua-Shofetim* (Ramat Gan, 1992), Appendix, 54-55. My thanks to Dr. Penkower for a lengthy and detailed letter in which he clarified a number of points relevant to this discussion.
118. *Bet ha-Behirub*, ed. Abraham Sofer (Jerusalem, 1963), *Kiddushin* 30a.
119. See Goshen-Gottstein, "Introduction," paragraphs 13, 17.
120. *Ibid.*, par. 21; *idem*, "Editions of the Hebrew Bible—Past and Future," in Michael Fishbane and Emanuel Tov, eds., *Shu'arei Talmon* (Winona Lake, Indiana, 1992), 226, 227. Of course, this does not mean that Jacob ben Hayyim created a new text. Rather, he viewed his job as merely correcting any errors, and his role is limited to choosing between one of the given variants, making his text very similar to earlier ones. Having said this, one should view Jacob ben Hayyim's activities as merely a continuation of the work of earlier Masoretes. However, it must be pointed out that his method was eclectic, and does not appear to be based on

any system. See J. Penkower, "Ya'akov ben H'ayyim," 51-52, 134. It is therefore impossible, even with regard to the consonantal text, to regard his edition as the final word in establishing "the" Masoretic text, although, as noted, use of this term is not improper. To give a few examples: in Genesis 19: 13, the text he gives us is **אֵל חֲקִיקָם** although the Spanish manuscript which he normally used read **אֵל חֲקִיקָם**. In Exodus 19: 4, his text is **לְפָעֵרִים**. This, despite the fact that he noted that there was another reading, **בְּפָעֵרִים**, and he did not have any Masoretic notes to guide him. He decided on his own which version should be recorded. In Genesis 16: 12, he gives us **בְּרֵאשִׁית** even though he tells us that according to the Masorah it should be **עַל בְּרֵאשִׁית**. For these examples see J. Penkower, "Ya'akov ben H'ayyim," 127, 135.

As for the apostasy of Jacob ben H'ayyim, earlier scholars were often unaware of this and thus referred to him in glowing terms. See e. g. R. Aviad Sar Shalom Basilea, *Emunat Hakhamim* (Warsaw, 1885), chapter 22, p. 41b. See also J. Penkower, "Ya'akov ben H'ayyim," 412-14. Communications not being what they are today, this is not so surprising. However today, when anyone can open an encyclopedia and learn this information, it is truly remarkable that an edition of the Masorah could be published, in Bnei Brak no less, which describes Jacob ben H'ayyim as one of the great scholars of Israel. I refer to R. Moshe Zuriel's *Masoret Seyaḡ la-Torah* (Bnei Brak, 1990), I, 9, 94ff.

121. *Kiddushim* 30a.
122. Among *Rishonim* see e. g. *Tosafot to Shabbat* 55b s. v. *maravritim*, and *Niddah* 33a s. v. *ve-ht-naseb*; Meiri to *Kiddushim* 30a; *idem*, *Kiryat Sefer* (Jerusalem, 1956), 57-58; R. Moses Halavch, *Teshuvot Maharam Halavch* (Jerusalem, 1987), 171; R. Nissim to *Nedarim* 37b s. v. *at*; R. Isaac bar Sheshet, *She'etot u-Teshuvot ha-Rinash* (Jerusalem, 1975), #284. In general see Victor Aptowitzer, *Das Schrifttum in der rabbinischen Literatur* (New York, 1970).
123. *She'etot u-Teshuvot ha-Rashba ha-Meyuhavat le-Ramban* (Warsaw, 1885), #232. For comments on the textual aspects of this responsum, which appears here in a mutilated form, see J. Penkower, "Maimonides and the Aleppo Codex," 40, n. 3. Ibn Adret contended that when the Talmud derived halakhot from words, these words should then appear in our Torah scrolls as they do in the Talmud (see also Meiri to *Kiddushim* 30a, *Kiryat Sefer*, 57-58, and *She'etot u-Teshuvot ha-Radbaz*, #1020). Nevertheless, this opinion has not been accepted. See H. Hirschenson, *Malkei ha-Kodesh*, II, 227.
124. Once again it must be emphasized that most of these are very minor differences. For example, our texts read **אֵל לִי אֵלֶיךָ אֵלֶיךָ** in Exodus 25: 22. However, Ibn Ezra and some versions of Rashi have **אֵלֶיךָ**. Although much has been written on textual variations in talmudic literature, we still await a comprehensive study of this phenomenon with regard to the medieval writers, texts by whom are constantly being published. Aptowitzer's volume provides the initial spadework. The further research will have to be undertaken by biblical scholars who will be able to establish when we are confronting scribal errors and lapses of memory and when we are confronting a different textual tradition. A step in this direction has been taken by Shaul Esh in his "Variant Readings in Mediaeval Hebrew Commentaries: R. Samuel Ben Meir (Rashbam)," *Textus* 5 (1966), 84-92. See also the extremely important studies of Menahem Cohen, "Kavei Yesod li-Demuto ha-'Izurit shel ha-Text be-Kitvei Yad Mikra'im Mimei ha-Benayim," in Uriel Simon and Moshe Goshen-Gottstein, eds., *Iyunei Mikra u-Farshanut* (Ramat Gan, 1980), 123-82; "Li-Demutan la-Konsanentit shel Defusei ha-Mikra ha-Rishonim," *Har Ilan* 18-19 (1981): 47-67.
125. *Pentinet Shadal*, 338.
126. *She'agat Aryeh* (Brooklyn, 1989), #36.
127. *She'etot u-Teshuvot Hatam Sofer, Orach Hayyim*, #52.
128. An interesting phenomenon which has not been studied is the attitude of some in the Orthodox community who refuse to accept the notion that the Talmud,

Targum and other ancient writings had textual variations. (As far as I can tell, such a position is not found before the nineteenth century.) What makes this approach so interesting is that its adherents are not content with accepting a view which was supported by numerous rabbinic authorities, and it is this curious trait which needs to be understood. (Cf. Noah H. Rosenbloom, *Ha-Malbin* [Jerusalem, 1988], 104ff.) Leading this very conservative school of thought, and the only one of its members who has any knowledge of modern biblical scholarship, is R. Hayyim Heller (1878-1960). The basis of all his investigations is that the text accepted by Jews (the Masoretic text) is the original and authentic text of the Pentateuch. All variants found in ancient translations are, in actuality, elaborations of the translator. Any medieval manuscripts which contain variants are due to careless copyists. Heller does not explain why the accepted Masoretic text may not also contain errors, i.e. copyists' errors from the original text. For him, it is simply a matter of faith that the Masoretic text is the same text that Moses had, and that all variations have to be explained away in favor of the Masoretic text. In other words, the work of the Masoretes did not consist of *establishing* a proper text but, rather, in ensuring that the correct text was popularized. (Incidentally, it should be noted that there is a basic problem evident in Heller's works, although he didn't appear to notice it himself. As has just been said, throughout his works he attempts to show how all the translations which appear in ancient texts and translations and which appear to be at variance with the Masoretic text are in actuality due to the translators' desires to elaborate and explain. He writes that this is so because "the work of the translators on the whole is similar to that of the commentators and interpreters." See his *The Samaritan Pentateuch, an Adaptation of the Masoretic Text* [Berlin, 1923], viii. Yet, when confronted with variants in Hebrew Bible manuscripts, such as those collected by Kennicott and De Rossi, he claims that they are the result of copyists' errors. The obvious question is how can Heller discount the possibility that the ancient translators were using Hebrew manuscripts that too had been corrupted? Indeed, why should Heller even care to discount this possibility? Of course, everything Heller wrote was before the discovery of the Dead Sea Scrolls, and as far as I know, he never explained how his fantastic theory could deal with the existence of the Scrolls.)

The famous Orientalist, Paul Kahle, in his book, *The Cairo Geniza* (London, 1947), 181, devotes one footnote to R. Heller. Concerning R. Heller's publication of the Peshitta in Hebrew letters, Kahle writes that it "cannot be taken seriously. The author is not informed about the real problems; like the other books published by Heller this also is dictated by apologetical tendencies." In a letter to Kahle, R. Jehiel Jacob Weinberg wrote he had been too mild with this statement. It was not just that Heller's writing was apologetically tendentious, rather, it was simply "homiletic;" in other words, pseudo-scholarship. The relevant passage in R. Weinberg's letter reads as follows:

Sie haben ganz Recht, dass die Werke von Heller nicht ernst zu nehmen sind. Ihr Ausdruck, dass sie apologetisch tendenziös sind, ist eher zu milde. Ich halte sie vielmehr fuer homiletisch. . . . (ellipsis in original) Das es zur Zeit des Tempels auch andere von der Massora abweichende Texte gegeben hat, geht aus der Tatsache hervor, dass—wie ich es in meinem Buche nachweise—zur Zeit des Tempels Korrekturen gegeben hat, die aus den Tempelgeldern bezahlt wurden. Wären keine sogenannten Volksbibeln im Umlauf gewesen, so wären die Korrektoren überflüssig. Auch Rabbi Akiba in seinem Testament sprach die Warnung an seine Kinder aus, nicht unkorrigierte Bibeltexte zu verwenden.

I hope to soon publish the Weinberg-Kahle correspondence in which the complete letter will appear. (After finishing this paper I noticed that R. Hayyim Brecher, in his comments at the end of volume 1 of Yehosh's Yiddish translation of the Bible [New York, 1941], claims that according to R. Heller, Sa'adiah also read *met* in Exodus 25: 22 [see above n. 124]. If true, this would be significant as

- it would undermine much of Heller's book, *Nusha'ot ha-Targumim la-Torah* [Berlin, 1924], which is based on Sa'adiah having a text identical with the Masoretic text. I thus have great doubts as to the accuracy of this report.)
129. *Teshuvot Rabbenu Avraham ben ha-Rambam*, eds. A. H. Freimann and S. D. Goitein (Jerusalem, 1937), # 91. The responsum is concerned with where sections begin and end which I suggested (above n. 116), somewhat tentatively, was never actually included in Maimonides' principle. However, I do not see why questions of defective and plene would not also be included by R. Abraham.
  130. E. g. in Numbers 11: 21 the Tiberian Masoretes read **בָּרַב** while the Babylonians read **בָּרַבִּי**. See Christian D. Ginsburg, *Introduction to the Massoretic Critical Edition of the Hebrew Bible* (New York, 1906), 189.
  131. For the differences, see R. Auram Koral, *Se'arat Yeman* (Jerusalem, 1954), 103-04. For the halakhic ramifications, see R. Ovadiah Yosef, *Yehaveh Da'at* (Jerusalem, 1984), VI, #56.
  132. *Emet le-Ya'akov* (New York, 1991), 388. To support his view he cites information obtained from the critical apparatus of Christian D. Ginsburg's edition of the Pentateuch (London, 1908).
  133. I have quoted R. Kaminetsky's view simply to show that a leader of the right-wing yeshiva world had no difficulty rendering the Masonic aspect of the principle non-binding. This should not be meant to imply that there is any validity to his claim that, in the instance he discussed, Maimonides had a different text of the Pentateuch. In truth, the textual difference can be explained adequately as due to Maimonides citing by memory, and some of the other examples cited by R. Kaminetsky are simply manuscript or printing errors, which do not appear in the most recent critical editions of Maimonides' works. (Simon A. Newhauser, *Torah Or le-ha-Rambam* [Baltimore, 1941], the only comprehensive study of biblical passages in Maimonides, is severely flawed, primarily because it relies on faulty texts). Still, the readiness to posit a different Pentateuchal text in order to answer a difficulty, if used carefully, is an essential tool in the search for the *pesbat*. As I was finishing this article, I came across a good example of this in a recent note by R. Shmuel Ashkenazi, *Or Torah* (Nisan, 5752), 567. Leviticus 19: 33 reads: **אִתְּךָ גֵר בְּאֶרֶץְךָ**. R. Hayyim b. Attar, *Or ha-Hayyim*, *ad loc.*, seeks to explain why the verse begins with the singular and ends with the plural. Of course, any number of imaginative answers can be given for this difficulty. However, when one is attempting to understand the *pesbat*, it is important to realize that the reading **אִתְּךָ** is found in biblical manuscripts, Samaritan Pentateuch, Babylonian and Jerusalem Talmuds, and is the basis for the translations found in Onkelos, Pseudo-Jonathan, Neofiti, Septuagint, Vulgate, Peshitta, and Sa'adiah. Thus, almost certainly the answer to *Or ha-Hayyim's* question, which in turn reveals the *pesbat* of our verse, is that the Masoretic text preserves an inauthentic reading.
  134. For all his radical ideas, it is actually Ibn Ezra who rejected the idea of *tiklun sofrim*. See his Introduction to the Pentateuch (end); commentary to Numbers 11: 15, 12: 12, and especially *Zahot* (Fuert, 1827), 74a, where he claims that the notion of *tiklun sofrim* was merely a solitary opinion, not accepted by the Sages. Still, he has no doubt that, according to this opinion, *tiklun sofrim* meant exactly that, namely, corrections in the biblical text.
  135. *Beshalah* #16.
  136. *Yalkut ha-Makbiri* to Zechariah (London, 1909), 30-32.
  137. Ed. S. Frensdorff (New York, 1972), 113.
  138. *Brityan Yehoshua* to *Avot de-Rabbi Natban*, 34: 5 (found in the Vilna Shas). Although Lisser quotes R. Meir Eisenstadt, the latter's comments are not quite the same as Lisser's interpretation.
  139. *Arukh ha-Shalem*, ed. Alexander Kohut (Vienna, 1926), IV, 181, s. v. **בָּרַב**.
  140. To Genesis 18: 22. The relevant section does not appear in a number of manuscripts; see Abraham Berliner in his edition of *Rashi 'al ha-Torah* (Frankfurt,

- 1905), xiv-xv. Those who denied the authenticity of this comment seemed to have overlooked Rashi's comment to Job 32: 3, where he reiterates this view. See however, W. E. Barnes, "Ancient Corrections in the Text of the Old Testament (*Tikkun Sopherim*)," *Journal of Theological Studies* 1 (1900): 403, 405, who gives a radically new interpretation of Rashi's comment to Genesis 18: 22. Nevertheless, there is no way one can read into Rashi that *rabbotenu* or *soferim* are identical with "the original writers or redactors of books of Scripture." Rashi's comments on Numbers 11: 15 and Job 32: 3 make clear what is implied elsewhere (e. g. in his comments to Habakuk 1: 12, Malachi 1: 3 and Job 7: 20), namely, that for him, there is no distinction between corrections of the Scribes and what is known as *לפע ולתקן*.
141. See his commentary to Habakuk 1: 12. When this is taken together with what he writes in his commentary to Ezekiel 8: 18 and I Samuel 3: 13, it is obvious that, as with Rashi, he understands *לפע ולתקן* to mean a correction of the Scribes. Bearing in mind both this and what Hayyim Zalman Dimitrovsky has recently written (ed. *Teshuvot ha-Rasba* [Jerusalem, 1990], I, 177-79), one can confidently reject Uriel Simon's interpretation in his "R. Avraham Ibn Ezra ve-Rav David Kimhi—Shetei Gishot li-She'elat Mehevanut Nosal ha Mikra," *Bar Ilan* 6 (1968): 228-29. In addition, Kimhi usually refrains from mentioning the *Hekun soferim* in his explanations of the text, which probably points to the fact that he did not accept them.
142. See G. D. Ginsburg, *Introduction to the Massoretico-Critical Edition of the Hebrew Bible*, 350. See also *ibid.*, and *idem*, *The Masorah* (New York, 1975), II, 710, that according to the opinion of some schools it was actually Ezra who is responsible for the changes. This is in agreement with *Okblab ve-Okblab* and Lissei. In *Introduction*, 351, Ginsburg also quotes a Masoretic note that attributes the changes to Ezra and Nehemiah. A Genizah fragment (Taylor-Schechter Collection, Joba) refers to a "Tikkun of Ezra and the scribes." Another fragment (Taylor-Schechter Collection, Jobb) refers to a "Tikkun of Ezra and Nehemiah and Zechariah and Haggai and Baruch." See Barnes, *op. cit.*, 403. For other examples see Carmel McCarthy, *The Tikkun Sopherim* (Freiburg, 1981), 42-52.
143. *Shemot Rabbah* 30: 15.
144. See Saul Lieberman, *Hellenism in Jewish Palestine* (New York, 1950), 28; Avigdor Shinar, ed., *Midrash Shemot Rabbah: Parashot 1-14* (Jerusalem, 1984), 256.
145. *Safab Berurab* (Fuerth, 1839), 7a-7b. See also his commentary to Exodus 18: 21, 20: 1, 25: 31. Ibn Ezra says that whether a word was written defective or plene was left to the whim of the scribe. It is the sense of the word that is important, not its textual form. R. Samuel Sarsa further explains that, according to Ibn Ezra, God dictated the Torah and Moses wrote it down without paying any regard to defective or plene (*לא דקרק פעה בין פלא לחט*); see his *Mekor Hayyim* (Manua, 1559), to Exodus 20: 1. This is so very different from the halakbic view that it is precisely the uncertainty regarding defective and plene letters that makes the *kashrut* of our Torah scrolls questionable! See Rama, *Shulhan Arukh, Orach Hayyim*, 143: 4, and R. Moshe Feinstein, *Iggerot Moshe* (Brooklyn, 1982), *Yoreb De'ab* III, #114, (p. 358), who explains: אין בשות דת שלט בתרה כל ק. Halakically, a scribe is not permitted independently to decide between plene and defective, for a wrong decision makes the scroll *pasul*. See *Menahot* 29b-30a, 32b; Maimonides, *Hil. Sefer Torah* 7: 11, 13; 10: 1; *Shulhan Arukh, Yoreb De'ab*, 275: 6, 279: 4. Regarding Maimonides' understanding of *Menahot*, see Moshe Goshen-Gottstein, "Keter Aram Zoval ve Hilkhoh Sefer Torah le-ha-Rambam," 875, n. 12, and 881, n. 28.
146. J. H. Hertz, ed. *The Pentateuch and Haplorabs* (London, 1960), to Leviticus 1: 1. Although S. D. Luzzatto is quoted, his view actually differs significantly from that of Hertz. Luzzatto does not agree that the Scribes inserted a letter which was not in the original text. See *Perush Shadal* (Tel Aviv, 1969), to Genesis 26: 46.
147. See *Pesahim* 112a, *Ketuvot* 19b.

148. *Beresbit Rabbab* 9: 5; 20: 12; 94: 7; *Beresbit Rabbati*, ed. Hanokh Albeck (Jerusalem, 1967), 209.
149. *Kittvei Ramban*, I, 184. See also S. Lieberman, *Hellenism in Jewish Palestine*, 25. It probably is not imprecise to use the word "incorrect" for this early period; see Moshe Goshen-Gottstein, "Hebrew Biblical Manuscripts: Their History and Their Place in the HUBP Edition," *Journal of Biblical Literature* 48 (1967): 288-89.
150. *Op. cit.*, 209-12. This passage is actually both abridged and corrupted. See D. S. Loewinger, "Sefer Torah she-Hayah Gamuz be-Yeit Keneset Severus be-Roma... Yahaso el Megillot Yishayahu mi-Midhar Yehudah ve-El 'Torato shel Rabbi Meir,'" *Beit Mikra* 42 (1970): 237-63. See also Jonathan Paul Siegel, *The Severus Scroll and IQJS\** (Missoula, Montana, 1975).
151. *Ya'anit* 4: 2. This passage will be quoted below.
152. Ed. S. Schechter, (Vienna, 1887), Recension B, chapter 46, p. 65a.
153. *Piska* 356.
154. Introduction to his commentary on the Prophets and his commentary to 2 Samuel 15: 21.
155. *Ma'aseh Eford* (Vienna, 1865), 40.
156. *Kiryat Sefer*, ed. Moshe Hershler (Jerusalem, 1956). Introduction, Abraham Liss, ed., *Beit ha-Debirah* (Jerusalem, 1965), to *Nedarim* 37b.
157. See Moritz Steinschneider, *Jewish Literature from the Eighth to the Eighteenth Century* (London, 1857), 270, n. 15. He refers to the *keri u-kbetiv* as **ספחות**.
158. *Peshat and Derash* (Oxford, 1991), 141. See *ibid.*, and p. 218 for the rejection of R. Moshe Feinstein's assertion that this passage is a heretical interpolation (*Iggerot Moshe, Yoreh De'ah* III, #114, p. 358). For our purposes it is not important whether or not R. Feinstein is correct, but rather what is significant is the fact that numerous authorities did regard this passage as authentic and explained it in the sense which R. Feinstein views as heretical. A glance at the commentaries on the Midrash and *Avot de-Rabbi Nathan*, as well as other sources that cite this passage, shows this clearly. (See D. Halivni, *op. cit.*, 218. In addition to the medieval sources cited by him, add Hizkuni to Genesis 16: 5: **ל תובת נקודת שבתות**; R. Jacob di Illiescu, *Imrei No'am* (Jerusalem, 1970), 197, and R. Hayyim Joseph David Azulai, *Penei David* (Jerusalem, 1965), 174a, quoting the Tosafists). R. Feinstein's rejection of the authenticity of this passage should be viewed as part of his pattern of discarding sources that do not fit in with his understanding. See e. g. *Iggerot Moshe* (New York, 1961), *Even ha-Ezer*; #63, 64 (pp. 161, 163); *ibid.* (New York, 1973), *Yoreh De'ah* II, #7; *ibid.*, *Yoreh De'ah* III, #114-115; and *ibid.* (Bnei Brak, 1985), *Hushen Mishpat* II, #69 (pp. 295, 297). Often, R. Feinstein rejects a source which is neither contradicted by other writings of the authors involved nor by other versions of the text in question. See R. Eliezer Waldenberg, *Ziv Eliezer* (Jerusalem, 1985), XIV, #100 (p. 183), who disputes with R. Feinstein in this regard:
- ונתן עם כל חכמות, לא אומני, לא זו חזקת, וזוים את עניני אומני חזרות  
ונתנה סודות כל אומני ואומני לפי דרכם לבאר ולהעמיד סוגת דברי חזקת  
... ולשיבתם ופי אומני פתחם לא עלה על דעת חזקת הקלה והפשוטה  
ביותר לומר שיש ט"ס בדברי חזקת ובמקום פתח צריך להשת אומני.
159. *Malki ba-Kodesh*, II, 218.
160. *Sederot u-Teshuvot Maharshal* (Fuerth, 1768), #73.
161. It is also important to note that the intricate system of "codes" which has been discovered in the Masoretic text must therefore lose the lustre and appeal it has for certain individuals.
162. *Op. cit.*, 219.
163. *Ibid.*, 229, 247. See also Menahem Cohen, "Ha-Idi'ah bi-Dvar Kedushtat ha-Nosah le-Otiyotav u-Yikoret ha-Tekva," in Uriel Simon, ed., *Ha-Mikra ve-Anafanu* (Ramat Gan, 1988), 67-69. Cohen's entire article is worth careful study. He discusses how, why and when the Masoretic text came to be viewed as the only valid text and why modern Orthodox Jews are reluctant to engage in textual criticism of



the Koran: All of its verses have equal "excellence and greatness," however some are preeminent with regard to recitation or content. See A. J. Wensinck, *The Muslim Creed: Its Genesis and Historical Development* (London, 1965), 196.) I believe that Maimonides' comments in *Teshuvot ba-Rambam*, #263, should also be read in this fashion. It is Abravanel and others who see no layers or levels in the Torah, and that is why they do not believe one can single out any particular principles. With regard to this, see R. Goren, *op. cit.*, 570, who claims that when Maimonides wrote the *Mishneh Torah* he retreated from his thirteen principles in favor of the conception of Judaism which was later to be advocated by Abravanel. I am not at all convinced that there is the slightest truth in R. Goren's assertion.

169. See his commentary to Deuteronomy 34: 1. See also Jacob Reifman's note, *Iyyunim be-Mishnat ba-Rav Abraham Ibn Ezra* (Jerusalem, 1962), 40.
170. *Perush 'al Sefer Devarim*, ed. Yehiel Mikhel Katz (Jerusalem, 1968), to Deuteronomy 34: 1.
171. *Torat Musbe* (New York, 1967), to Deuteronomy 34: 1.
172. See Tosafot, *Megillah* 21b, s. v. *tanna*. The catchword "eight verses" is used here to refer to the entire last chapter of Deuteronomy. See A. J. Heschel, *op. cit.*, 392-93.
173. *Yehi Yosef* (Jerusalem, 1991), 194.
174. See his commentary to Deuteronomy 31: 19. This view brought forth Abravanel's wrath in his comment on this verse: ואין חסונה שישגחם יתום אותה על ספר חרות. Still, Nahmanides' is not entirely clear since, in this same comment, he also seems to deny that Joshua wrote any part of the Torah (cf. A. J. Heschel, *op. cit.*, 399-400, n. 26). In his Introduction to the Torah, he is explicit in asserting that Moses wrote the entire Torah. However, elsewhere Abravanel is just as explicit in saying that Nahmanides believed there were non-Mosaic elements in the Pentateuch. See his commentary to Numbers 21: 1 (although there is hardly any doubt that Abravanel is mistaken regarding the later example). It is also perhaps significant that Nahmanides, who is always so quick to criticize Ibn Ezra, has no comment on Ibn Ezra's view that Joshua wrote the last chapter of the Pentateuch.
175. As I have already noted, Ibn Ezra is explicit as to the post-Mosaic authorship of the last twelve verses. Thus, the "secret of the twelve" must mean that the principle of post-Mosaic authorship, stated explicitly regarding these twelve, is also applicable to other verses. It is this notion which is the "secret."
176. See Michael Friedlaender, *Essays on the Writings of Ibn Ezra* (London, 1877), 235, quoting from the manuscript.
177. Commentary on Ibn Ezra (Venice, 1554), Deuteronomy 1: 2. The version of Motot's commentary that appears in Yekutiel Lazi, *Margaliyot Torah* [sic] (Amsterdam, 1722) is not merely censored, as is Bondil's, but is actually an example of forgery. The passage that appears in *Margaliyot Torah* understands Ibn Ezra to mean that Moses wrote all these passages prophetically. However, this does not appear in Motot's commentary. In any case, what then would the "secret" be? To say that Moses wrote these passages prophetically is the traditional view and does not need to be hidden. Since Lazi says, in his introduction, that Motot's commentary was hardly accessible, this was probably what led him to believe he could get away with this forgery.
178. *Op. cit.*, to Genesis 12: 6, 22: 14, 36: 31, Deuteronomy 1: 2.
179. M. Friedlaender, *op. cit.*, 223.
180. *Zafnat Pane'ah*, ed. Solomon Rappaport (Johannesburg, 1965), 46.
181. M. Friedlaender, *op. cit.*, 239.
182. See the text published by Naftali ben Menahem, *Me-Ginze Yisrael ba-Vatican* (Jerusalem, 1954), 128ff.
183. *Me'or Einayim* (Jerusalem, 1970), chapter 39, (p. 324).
184. *Ma'asei Hashem* (Jerusalem, 1987), 79d.



Maimonides certainly wants others to adopt his opinion but this is anything but a *pesak halakhah*. As R. Herzog was well aware of this, I think it best to assume that the word *pesak* is not meant to be taken literally. However, this is not so with regard to other writers, and R. Herzog would obviously never have agreed with the following statement made by Elyahu Touger in his translation of *Hil. Yesodei ha-Torah* (Jerusalem, 1990), 180-81: "In contrast to his other works, he mentions metaphysical and ethical concepts in the *Mishneh Torah* only if he considers them to be halachot, immutable Torah law. Surely it is reasonable to assume that he viewed the scientific principles he included in the same manner." (See also Isaac Hirsch Weiss, "Toledot ha-Rambam," *Beit Yalmud* 1 [1881]: 228, and R. Menahem Mendel Schneerson, *Likutei Sifot* [Brooklyn, 1984], XXIII, 35-36.) It is difficult to follow the logic of this position. How can a metaphysical or a scientific principle be a halakhah? I guess Touger would object to the title of Isadore Twersky's classic article, "Some Non-Halakhic Aspects of the *Mishneh Torah*." See also I. Twersky, *Ma'ase le-Mishneh Torah le-Rambam*, translated by M. B. Lerner (Jerusalem, 1991), 399. Touger uses this bizarre attitude to explain how the medieval science (Ptolemaic astronomy, four elements, etc.) recorded in *Hil. Yesodei ha-Torah*, chapters 3-4, is really part and parcel of Jewish law and belief. (Fortunately, he spares us an elaboration of Maimonides' "halakhic decision" that the stars and spheres possess a soul, knowledge, and intellect.) Knowing that this type of "logic" is prevalent in certain circles, R. Joseph Kafili feels constrained to show how misguided it is. See his edition of *Sefer ha-Madda* (Jerusalem, 1984), 194, n. 1.

Regarding R. Herzog's attitude to issues such as this, see Dov I. Frimer, "Jewish Law and Science in the Writing of R. Isaac Halevy Herzog," in B. S. Jackson, ed., *The Halakhic Thought of R. Isaac Herzog* (Atlanta, 1991), 33-47, esp. 42-43. (After this article was completed, Prof. Kellner graciously sent me a copy of his most recent publication, "On the Status of the Astronomy and Physics in Maimonides' *Mishneh Torah* and *Guide of the Perplexed*: A Chapter in the History of Science," *British Journal for the History of Science* 24 [1991]: 453-63.)

205. R. Ya'akov Havyivin Sofer, *Yehi Yosef*, 191ff., attempts to understand Maimonides by placing the issue in a halakhic context, yet this strikes me as far off the mark. A halakhic decision would not leave the rejected opinion in the category of heresy. Even stranger is that R. Sofer takes note of the passage in the Commentary to *Sanhedrin* regarding halakhic decisions in matters of beliefs. However, he understands this to mean only that normal procedures of halakhic decision-making are suspended (כללי החלטה לא נאסרו כהנה"ג חז"ל). In my opinion, R. Sofer's interpretation is completely unfounded and is typical of those scholars who choose to view everything Maimonides wrote from a halakhic perspective.
206. Alfred L. Ivry, "Islamic and Greek Influences on Maimonides' Philosophy," in S. Pines and Y. Yovel, *op. cit.*, 141-42.
207. "Spinoza's Dogmas of Universal Faith in the Light of their Medieval Jewish Background," in Alexander Altmann, ed. *Biblical and Other Studies* (Cambridge, 1963), 189.
208. The points I have made regarding the eighth principle and "necessary beliefs" are also applicable if one were to accept the esoteric interpretation of Maimonides' view of revelation and the giving of the Torah. According to this reading, and contrary to what Maimonides says in the eighth principle, the Torah was not dictated to Moses by God. Supporters of this view include Alvin Reines, "Maimonides' Concept of Mosaic Prophecy," *Hebrew Union College Annual* 40-41 (1969-1970): 325-61; Kalman Bland, "Moses and the Law According to Maimonides," in Jehuda Reinharz and Daniel Swetschinski, eds., *Mystics, Philosophers and Politicians: Essays in Jewish Intellectual History in Honor of Alexander Altmann* (Durham, N. C., 1982), 49-66; Lawrence Kaplan, "'I Sleep, But My Heart Waketh': Maimonides' Conception of Human Perfection," in Ira Robinson, et. al., *The Thought of Moses Maimonides* (Lewiston, N. Y., 1990), 131.

- 69.
209. See M. Perlmann, "Eleventh-Century Andalusian Authors on the Jews of Granada," *Proceedings of the American Academy for Jewish Research* 28 (1948-1949): 271-77. See also S. W. Baron, *op. cit.*, V, 88ff., and the sources cited on p. 330, nn. 8 and 9, Hava Lazarus-Yafeh, "Extra—Uzayr: Gijgulo shel Motiv Pulumsi Kadum Islami Derekh ha-Islam el Reshit Bikoret ha-Mikra," *Tarbiz* 55 (1986): 359-77; *idem.*, *Intertwined Worlds: Medieval Islam and Bible Criticism* (Princeton, 1992); Norman Roth, "Forgery and Abrogation of the Torah: A Theme in Muslim and Christian Polemic in Spain," *Proceedings of the American Academy of Jewish Research* 54 (1987): 203-10; and the sources cited in Edward Breuer, "In Defense of Tradition: The Masoretic Text and its Rabbinic Interpretation in the Early German Haskalah" (unpublished doctoral dissertation; Harvard University, 1990), 32, n. 8.
210. A. Lieflenberg, *op. cit.*, II, 3d; Y. Shailat, *op. cit.*, I, 93 (Arabic), 131-32 (Hebrew). A similar, though not as extreme formulation, was also given by Abraham Ibn Daud, *Ha-Emunah ha-Ramah*, 80. As with Maimonides, Ibn Daud was well aware of the facts, but he too had a polemical battle to wage. The same is true for Alko who, in *Sefer ha-Yikharim*, III: 22, follows Maimonides and writes: "The Torah is exactly the same today without any change among all Israel who are scattered all over the world from the extreme east to the farthest west." See also Moses Mendelssohn, *Gesammelte Schriften* (Breslau, 1938), XIV, 213, and Edward Breuer, *op. cit.*, 146ff. regarding Mendelssohn's motivations.
211. Seeing the extremes to which Maimonides was willing to go here, perhaps my judgment in n. 116 is mistaken. Assuming that the eighth principle intends to teach "necessary beliefs," there is no reason why Maimonides could not have drawn his net as wide as possible, thus including in the dogma the issues of script, exceptional letters and anything else found in the text of the Torah. This appears even more likely when one remembers that Maimonides made similar peculiar, and apparently untrue, assertions. For example, his claim that there are no arguments with regard to *halakhot le-Moshe mi-Sinai* is virtually impossible to justify. Jacob Levinger, *Darkhei ha-Mahashavah ha-Hilkhatit shel ha-Rambam* (Tel Aviv, 1965), 63ff., cites this as another example of Maimonides responding to the needs of the masses by presenting them with an understanding of Judaism which would best be able to withstand the onslaught of Islamic polemics (or possibly Karaite assaults; see Y. Shailat, *op. cit.*, II, 342, and S. W. Baron, *op. cit.*, V, 22). With such a goal, namely the creation of a religious myth, absolute truth is not important.
212. *Zefnat Pane'ah* to Genesis 12: 6.
213. *Or ha-Hayyim* to Deuteronomy 34: 6.
214. *Sbe'otot u-Tesbuot ha-Radbaz*, #1020, 1172.
215. To be sure, Maimonides believed that the biblical *mitzot* would never be abrogated, not even in Messianic days (see Commentary to *Sabbethu* 10: 1 [p. 139 in the Kafih edition], *Hil. Yesodei ha-Torah* 9: 1; *Hil. Megillah* 2: 18; *Hil. Melakhim* 11: 1, 3). However, whether this belief is included as part of the principle is not clear. In *Hil. Tesbuot* 3: 8, he defines a heretic as one who says God has already abrogated the Torah. There is no mention of one who asserts there will be an abrogation in the future, e. g. in Messianic days.

I tend to view Maimonides as excluding Messianic days from the principle for two reasons. First, it is easier to assume that the principles agree with his formulation in the *Mishneh Torah* than not. Second, were Maimonides to be including Messianic days, he would be disregarding a number of rabbinic sources which speak of the commandments being abrogated at that time. As we have seen, Maimonides is very reluctant to establish a principle when there is rabbinic dispute concerning it. Jacob Levinger, *Ha-Rambam ha-Filosof u-kho-Poetik* (Jerusalem, 1989), 62, takes note of this last point and resolves it in a different fashion. According to him, the ninth principle *does* include Messianic days. The fact that



237. As Caspi, *ad loc.*, points out, Maimonides' view follows Aristotle: see *Nicomachean Ethics* X: 7. See also the similar comments in Commentary to *Sanhedrin*, p. 138 (quoting "the first philosophy," i.e. Aristotle), *Hil. Yesodei ha-Torah* 4: 9; *Hil. Tesbuvoth* 8: 2-3; *Guide* III: 54 (fourth perfection), and the complete discussion in Alexander Altmann, *Von der mittelalterlichen zur modernen Aufklärung* (Tübingen, 1987), 60-91. Presumably, statements which present a different approach, e.g. Commentary to *Makkot* 4: 17, do not represent Maimonides' true belief, or can, in some way, be harmonized with the view expressed in the *Guide*. See e.g. W. Harvey, "Hasdai Crescas's Critique of the Theory of the Acquired Intellect," 114-15.
238. See M. Friedlander, *Essays on the Writings of Ibn Ezra*, 2All., J. Cohen, "Mishnato ha-Filosofit-Datit shel R. Avraham Ibn Ezra," 219ff.
239. See A. Ravitzky, "Samuel Ibn Tibbon and the Esoteric Character of the Guide of the Perplexed," 102ff.
240. *Milhamot ha-Shem*, Book One.
241. *Ma'or ha-Afelah*, ed. J. Kafih (Jerusalem, 1957), 26.
242. See L. Jacobs, *Principles of the Jewish Faith*, 373; R. Menahem Kasher, *Ha-Tekufah ha-Gedolah* (Jerusalem, no date), chapter 8.
243. *Sanhedrin* 99a. In identifying R. Hillel as an *Amora* I am relying upon Ephraim E. Urbach, *Hazal* (Jerusalem, 1969), 612. According to Rashi, R. Hillel only denies a personal Messiah, not that there will be Messianic days. As R. Isaac Herzog, *Pesakim u-Khetavim*, II, 533, explains, according to Rashi's understanding, R. Hillel's view accentuates, rather than limits, the miraculous nature of the ultimate redemption. See also Solomon Schechter, *Aspects of Rabbinic Theology* (New York, 1961), 346, and M. Kasher, *op. cit.*, chapter 8. Forced reinterpretation of R. Hillel's view came about, and this is often stated explicitly, simply because many viewed it as impossible that an *amora* would deny something so basic to Judaism. This explains Abravanel's explanation that all R. Hillel meant was that "the Messiah would not come by virtue of Israel's meriting him." See M. Kellner, *Principles of Faith*, 135-39.
244. *She'vat u-Tesbuvoth Hatam Sofer. Yoreh De'ah*, #556.
245. *With Perfect Faith*, 4.
246. It is, however, the view of R. Sofer R. Kook, *Ma'amarei ha-Re'iyah* (Jerusalem, 1984), 105, also sees the majority principle as valid in matters of belief, even if it means rejecting the view of Maimonides (see, however, *ibid.*, 56, where R. Kook says the exact opposite). I don't know the earliest example of deciding philosophical questions in a halakhic manner. In his dispute concerning eternal punishment, R. Saul Mortera uses the principle established by R. Joseph Caro, namely, that a decision by Alfasi, Maimonides, and R. Asher ben Yehiel had to be accepted as halakhah. However, this is probably not a good example for Mortera does not see himself as deciding between two options found in the tradition. Rather, as he is at pains to point out, the position he is opposing has no support at all in Jewish sources and is explicitly opposed by both the Talmud and the Kabbalists. In his view, any later Kabbalist who denied eternal punishment was simply inventing a new doctrine. He was not a true Kabbalist but rather a "*maskil*" who claimed to be proficient in the science of Kabbalah. It is, however, most unlikely that Mortera would have argued in this fashion had he been discussing a dispute of long standing or one between outstanding *rsthorim*. The relevant texts have been published in Alexander Altmann, "Eternality of Punishment: A Theological Controversy within the Amsterdam Rabbinate in the Thirties of the Seventeenth Century," *Proceedings of the American Academy for Jewish Research* 40 (1972): 1-88. For Mortera's citation of Alfasi, Maimonides and R. Asher, see p. 44. For his reference to *maskilim* claiming to be proficient in Kabbalah, see p. 41. (Incidentally, Altmann was unaware that some of the texts he published had earlier appeared in *Ha-Ma'or* [Tishrei Kislev, 5696]: 9-18.)
247. *Contemporary Halakhic Problems* (New York, 1989), III, 96-102.

248. *Jer. Kiddushin* 3: 12 and parallels. I refer to a certain Jacob of Naburaya. R. Bleich calls him a "talmudic Sage." Whoever he was, he certainly was no sage. A sage would not have been ignorant of such an obvious law. In *Beresbit Rabbab* 7: 2 and parallels, we find another opinion of Jacob of Naburaya which is equally outrageous. Either in total ignorance of, or rebellion against, the halakhah, he claimed that one needed to ritually slaughter fish. In *Kobelet Rabbati* 7: 47, he is referred to as a "sinner," and put in the same category as Elisha (ben Avuyah?) and other heretics.
249. *Derekh Eimunab* (Constantinople, 1522), 102b. According to Rashi's reinterpretation, R. Hillel's view was merely mistaken, but apparently not heretical. This is seen from how he explains R. Joseph's reply: *יְהוֹמֵל לֵאמֹר הַקְבִּיז שְׂאֵר רִבְרִים אִשֵּׁר* לֹא. But even from this we see that Rashi does not hold to R. Bleich's view. According to Rashi, R. Hillel never had the right to advance this view. It was always regarded as being in error and he thus needs God's forgiveness.
250. *Sefer ha-'Ikkarim* I: 1.
251. *Ibid.*, I: 1-2. Albo's comment regarding unintentional heresy, as with much else in his work, was taken over from Duran who also refers specifically to R. Hillel. See *Ohev Mishpat*, 14b-15a. See also M. Kellner's important essay, "R. Shimon ben Zemar Duran on the Principles of Judaism," *Proceedings of the American Academy for Jewish Research* 48 (1981): 231-65. As already noted by M. Kellner, *Dogma in Medieval Jewish Thought*, 151ff., Albo appears to contradict himself in *Sefer ha-'Ikkarim* I: 1 and I: 2. I should note further that in I: 23 Albo states that even though the doctrine of the Messiah is not fundamental, nevertheless one who denies it is a heretic. Thus, according to I: 23, the reason R. Hillel was not classed as a heretic is due to the position expressed in I: 2, namely, that one is not culpable for unintentional heresy. There is thus no question that I: 1 stands in contradiction to the position expressed in I: 2 and I: 23. Incidentally, in addition to all the sources noted by Kellner in his articles on unintentional heresy, one should also call attention to R. David ibn Zimra, *She'elot u-Teshuvot ha Radbaz*, #1258, who mentions the case of R. Hillel, and also exonerates him because his was an honest mistake. See also the similar formulation of R. Elhanan Wasserman, *Kovez Ma'amaram* (Jerusalem, 1965), 19.
252. In a note, Weiss Halivni cites Albo, *Sefer ha-'Ikkarim* I: 1. However, as I have already pointed out a number of times, Albo did not think denial of the Messiah was an acceptable option (see also above n. 17). In this chapter, Albo states that denial of the Messiah is a sin and elsewhere he says it is heresy! Here are Albo's exact words in I: 1: "R. Hillel was guilty of a sin for not believing in the coming of the redeemer, but he was not a heretic." As Albo points out in I: 2, this is called "sinning through error," and such a sin requires atonement. Towards the end of the book, Albo repeats himself again. In IV: 42 he writes, "Every adherent of the law of Moses is obliged to believe in the coming of the Messiah."
- After having seen what Albo's true view of the Messiah was, it is instructive to compare this to what H. Graetz wrote (*The Structure of Jewish History*, 167), for the number of errors in one sentence is staggering. Albo's opinion, according to Graetz, is that "messianic belief was definitely not a basic article or dogma of Judaism, that it was merely a tradition [!], and that a disbelief in the coming of the Messiah could never [!] be labeled heresy since even some [!] talmudic teachers had repudiated it." Graetz continues by saying that, because of Albo's view, Abravanel accused him of heresy. However, he provides no source for this comment, which is not surprising since Abravanel never makes such an accusation. Similarly unfounded is Steven Schwarzschild's assertion: "In effect, Albo proclaimed not only that a Jew need not necessarily believe in the Messiah but actually, by implication, recommended against such belief [!]." See *The Pursuit of the Ideal*, ed. Menachem Kellner (Albany, 1990), 20.
253. *Pesbat and Derash*, 94-96.
254. *Loc. cit.* He also claims that R. Hillel was one of the last *Amoraim* but this may

not be correct. Bibago continues by making a significant point: Just because Solomon worshipped idols does not mean idolatry is permissible. However, it would appear to me that Bibago has erred with this analogy. It is one thing to say that a great man such as Solomon can sin like all others. However, in the realm of ideas matters are different. If a great scholar, say Rabbi Akiva, Sa'adiah Gaon, or any other distinguished personality, had put forth R. Hillel's view, Weiss Halivni's point would be valid. One would have no choice but to regard this view as an authentic, and therefore acceptable, Jewish belief.

255. This is what R. Sofer means when he writes: *וזא דוקא נכסר עריות לטעם גיטת דברי*. R. Sofer directs the reader to look at *'Eduyot* 1: 6 and *not* 1: 5.
256. *Sefer ha-Ikkarim* 1: 1.
257. I am well aware of the fact that there are numerous sources which pay lip service to this notion. However, after they have explained the "objectionable" passages, we are left with something that bears little resemblance to what the original meaning of the text is. Here is a perfect example whereby the outside observer's judgment cannot be reconciled with the commentator's understanding. Where the outside observer sees forced reconstruction and reconicalation, the commentator sees authentic authorial intent being brought to light.
258. This is not entirely correct. It is true that Luke 3: 31 gives Nathan as the ancestor of Jesus. However, Matthew 1: 6 has Solomon as Jesus' forefather.
259. Negative Commandment, #362.
260. *Hemdut Yisrael* (Petrokov, 1927), 1, 14b (final numbering).
261. A. Lichtenberg, *op. cit.*, II, 6a; Y. Shaifit, *op. cit.*, 1, 104 (Arabic), 151 (Hebrew).
262. *Me'or 'Enayim*, chapter 32.
263. *Shalshelet ha-Kabbalah* (Jerusalem, 1962), 38. In his usual fashion, Ibn Yaliya copied the information from de Rossi without acknowledgment. See Solo W. Baron, *History and Jewish Historians* (Philadelphia, 1964), 315 for M. Steinschneider's comment regarding Ibn Yaliya's plagiarism.
264. *Seder ha-Dorot* (Warsaw, 1878), 58a.
265. See Joanna Weinberg, "Azaria de' Rossi and the Forgeries of Annus of Viterbo," in David Ruderman, ed., *Essential Papers on Jewish Culture in Renaissance and Baroque Italy* (New York, 1992), 252-79.
266. *Zohar: Parashat shelah* (ed. Margaliyot), 173b. Cf. V. Aptowitz, *Parteilichkeit der Hasmonäerzeit im Rabbinischen und Pseudepigraphischen Schrifttum* (Vienna, 1927), 113ff.
267. R. Daniel Price, *Matok mi-Denash* (Jerusalem, 1989), *ad. loc.* Plozki *loc. cit.*, mentions that there were those who called attention to the conflict between Maimonides and the Zohar in order to find fault with the latter. See regarding this, Samson Bloch in *Ozar Nehmad* 1 (1856): 44-45. R. Jacob Emden refers to this passage in his criticism of the Zohar and expresses his surprise that Nathan's wife could be regarded as the Messiah's mother. See *Mitpachat Sefarim* (Lvov, 1870), 30. R. Moses Kunitz, in his polemic against R. Emden, *Ben Yohai* (Vienna, 1815), 89, responds to some of R. Emden's criticisms of this passage but does not mention anything regarding Solomonic descent. R. Reuven Kapoport, in his response to R. Emden entitled *'Ittur Sofetim* (contained in the previously cited edition of *Mitpachat Sefarim*), defends the Zohar's position and cites in support of it the passage of "Philo" mentioned by de Rossi.
268. Unlike our versions of Mishnah *Sanbedrin* 10: 1, Maimonides does not require one to believe that resurrection is revealed in the Torah. He probably did not have this addition in his text of the Mishnah (see *Dikduke Sefarim, ad. loc.*), or if he did, ignored it in light of Toselta *Sanbedrin* 13: 1, where this condition is lacking. It is also possible that, despite what the Mishnah says, he believed it was too extreme to regard one who accepted the belief as a heretic, merely because he denied its Pentateuchal origin.
269. Translator's Introduction to his translation of *The Guide of the Perplexed*, cxviii

270. The one exception I know of is R. Joseph Seliger, *Kitse ha-Rav: Dr. Yusef Seliger* (Jerusalem, 1930), 71-96. See, however, R. Kook's response in his *baskamah* to this work.
271. Although some scholars, e.g. Sheshet Benveniste, claiming to base themselves on the authority of Maimonides, did deny bodily resurrection, one must assume that they retracted after Maimonides pulled the rug out from under them with his Letter on Resurrection. See B. Septimus, *Hispano-Jewish Culture in Transition*, chapter 3.
272. See, most recently, Menachem Kellner, *Maimonides on Judaism and the Jewish People* (Albany, 1991), chapter 7.
273. And not only his principles; see *Hil. Mezuzah* 5: 4, where he regards one who writes names of angels, holy names, etc., in a *mezuzah* as a heretic. Yet, this was a common practice advocated by many leading rabbis in Ashkenazic lands. See most recently Daniel Sperber, *Minhagot Yisrael* (Jerusalem, 1991), II, 103ff. See also *Hil. Issurei Bi'ab* 11: 15, and D. Sperber, *op. cit.*, 76ff.