

# Maimonides: His life, times and teachings

## Contents

### 1-Life and times

Messiah  
 Christianity  
 Idolatry  
 Temple  
 Sacrifices  
 Repentance  
 Yom Kippur  
 Belief  
 Afterlife

### 2-Controversy

### 3-Spiritual teachings

13 principles of faith  
 Views of God

Ranking the commandments  
 Speculation  
 Evil

### 4-Practical teachings

8 levels of tzedakah  
 Working for a living

Happiness  
 Converts  
 Community  
 Music  
 Sex  
 Slavery  
 Death penalty  
 War  
 Egypt  
 The Karaites

Science  
 Health  
 Astrology  
 Superstition  
 Free will  
 Coveting  
 Surrogate-motherhood  
 Laws of Torah study



# Life and Times of Maimonides

## Introduction

Always glad to talk about Maimonides:

- He was Sephardic (of Spanish origin) and so am I
- He lived and worked in Egypt, and that's where I was born and grew up
- His Hebrew name was Moshe (Moses) and so is mine
- He was a rationalist, and so am I
- He was a scientist of sorts, and so am I
- He had very strong opinions, and so do I
- And, oh yes: He was a Jew, and so am I.

I wish I could tell you that there is a story in my family that he was our ancestor, but unfortunately there is no such story.

-Rabbi, Torah scholar, philosopher, physician:

Maimonides was the most illustrious figure in Judaism in the post-talmudic era, and one of the greatest of all time... His influence on the future development of Judaism is incalculable. No spiritual leader of the Jewish people in the post-talmudic period has exercised such an influence both in his own and subsequent generations. [Encyclopedia Judaica]

-Born: Córdoba, Muslim Spain, 1135. (Spain was Muslim ~709-1492.)

-Died: Fostat, Egypt, 1204 (at 69).

-Name: Rabbi Mosheh ben Maimon (רבי משה בן מימון), (acronym "Rambam" (רמב"ם)).

Arabic name: Abu 'Omran Musa ebn Maimun ebn 'Obaidallah al-Qurtobi (Musa ebn Maimun for short).

-Meaning of name: In Hebrew: *yamin* = right;

In Arabic, Turkish, Bulgarian, Bosnian, *maimun* means "fortunate" or "happy". (Yemen was known in Latin as Arabia Felix, or Happy Arabia; Maimuna was a wife of Muhammad.)

-BUT, in Arabic, *maimun* also means "ape"! (Originally a euphemism since apes were considered like devils). In formal Arabic, Monkey is "qerd" قرد.

-Spoke Arabic his entire life. No evidence he knew other languages. He says:

It seems to me that there does not remain in the world any work on this subject that I have not read, if it has been translated into Arabic from other languages.

[Letter on Astrology]

Wrote in Judeo-Arabic (Arabic written with Hebrew letters) or Hebrew.

-Son of Torah scholar (Maimon). Early interest in exact sciences and philosophy. Rationalist, not mystic. Disliked poetry. Had turbulent life. Head of Jews of Egypt.

-Acclaimed worldwide, very controversial at first, during and after his lifetime. Blunt-spoken, forceful, did not mince words, did not suffer fools.  
-Best-known for Mishneh Torah (halachic) and Guide for the Perplexed (non-halachic).

-Born under the relatively tolerant Almoravids in Cordoba, Spain (*el Murabetun* – those who tie [the tribes together?])

-Conquered by the Almohads (*el Muwahedun* – the unifiers [*wahed* – one -- monotheists?]), when he was 13. Gave choice of conversion to Islam or death. Made converts must wear identifying clothing.

-Family probably converted. His rabbi was tortured to death for practicing Judaism in secret (1165). Arrested under same charge but saved by a friend who vouched for him. Later, a rival in Egypt denounced him and wanted him put to death for apostasy (1187), but friendly Muslim judge (and patient) ruled his conversion legally invalid because coerced. He allowed Jews to convert to save their lives, strongly refuting the prevalent view of his time:

Thus says Moses, the son of Maimon, the Judge, the Sephardi: A contemporary of ours addressed a question concerning the tragic problem of apostasy to a pseudo-scholar, who lived [comfortably and in freedom] in a community [that] was spared the affliction of apostasy... It involved some Jews who, under compulsion, had to confess the authenticity of Mohammed as God's messenger and as a true prophet. They were given one of two choices: Either to accept the Muslim confession and spare their children from falling into the hands of their oppressors or refuse to pronounce the Islamic formula and suffer martyrdom -- a fate presumably prescribed by the laws of Moses...

The consultant responded in a most derisive and distasteful manner, stylistically and contextually. The arguments projected by him were without foundation even for the unenlightened... Clearly, because we are grounded in this matter and find it hard to tolerate the ignorance of this man... and his arrogance, [we are responding]... He proceeded, in a doctrinaire fashion, to dispatch his responsum through a messenger to every city and country plunging the hearts of our co-religionists into darkness... I shall proceed now to explain the grievous error committed by this fanatic doctrinaire, who failed to realize the consequences of his own actions. One wonders how he could possibly conceive that he was doing the right thing when the result of his actions was so disastrous!.. He produced many illustrations that were incongruous to the central theme [and] his language was verbose, mechanically following the so-called dictates of the "pen" (rather than the mind). I shall now proceed to point out further the errors of this man's utter confusion...

The apostasy we are experiencing consists of no overt acts of commission but of a simple uttering of a formula of faith which even our adversaries are convinced we do not believe... [If] one has yielded to [such] coercion instead of undergoing martyrdom, he acted badly, yet no punishment can be imposed upon him and no Jewish court can intervene against him. To rule otherwise, as this fanatic zealot had done is a gross misrepresentation of Judaism... for he does not distinguish between those who transgress under compulsion and those who do so from sheer wickedness. Hence if a man asks me "Shall I be slain or utter the formula of Islam?" I answer, "Utter the formula and live!" [Iggeret HaShmad, Letter on Apostasy]

He advocates exile whenever feasible. Adds: Even if one worships idols under duress, his soul will not be cut off.

-Fled with family, moved through southern Spain, then settled in Fez, Morocco, the very capital of the Almohads. Moved to Eretz Yisrael for one year, could not make it, moved to Alexandria, then Fostat, Egypt, near Cairo (1168). Became known and respected by gathering ransom to redeem Jews captured by Crusaders in Eretz.

He accepted no money for Torah work. His brother David, a merchant, supported him, but died at sea (1169), so, despondent for a year, Maimonides practiced medicine. He writes:

The greatest misfortune that has befallen me during my entire life—worse than anything else—was the death of my righteous brother, may his memory be blessed, who drowned in the Indian sea, carrying much money belonging to me, to him, and to others, and left with me a little daughter and a widow. On the day I received that terrible news I fell ill and remained in bed for about a year, suffering from a sore boil, fever, and depression, and was almost given up. About eight years have passed, but I am still mourning and unable to accept consolation. And how should I console myself? He grew up on my knees, he was my brother, he was my student. [Letter found in Cairo Geniza]

-Appointed Nagid of the Egyptian Jewish community in 1171 (at 36).

-Appointed court physician to the Grand Vizier Al Qadi al Fadil, then to Sultan Saladin (friend of his, same age), after whose death he remained a physician to the royal family. Daily routine:

I live in Fostat, and the sultan lives in Cairo [about a mile-and-a-half away].... My duties to the sultan are very heavy. I have to visit him every day, early in the morning, and when he or any of his children or any of the women of his harem are indisposed, I dare not quit Cairo, but must stay during the greater part of the day in the palace. It also frequently happens that one of the two royal officers fall sick, and I must attend to their healing. Hence, as a rule, I leave for Cairo very early in the day, and even if nothing unusual happens, I do not return to Fostat

until the afternoon. Then I am almost dying with hunger... I find the antechamber filled with people, both Jews and gentiles, nobles and common people, judges and bailiffs, friends and foes – a mixed multitude awaiting my return.

I dismount from my animal, wash my hands, go forth to my patients and entreat them to bear with me while I partake of some slight refreshment, the only meal I take in the twenty-four hours. Then I attend to my patients, and write prescriptions and directions for their various ailments. Patients go in and out until nightfall, and sometimes even, I solemnly assure you, until two hours or more in the night. I converse with and prescribe for them while lying down from sheer fatigue; and when night falls I am so exhausted that I can scarcely speak.

In consequence of this, no Jew can have any private interview with me, except on Shabbat. On that day the whole congregation, or at least the majority of the members, come to me after the morning service, when I instruct them as to their proceedings during the whole week; we study together a little until noon, when they depart. Some of them return, and read with me after the afternoon service until evening prayers. In this manner I spend that day.

- Excellent physician, emphasized proper living rather than drugs or surgery. His many treatises trained generations of physicians. Did not blindly accept authority, but used his own observation and experience. Most of his time was caring for others.

- Refused Richard the Lion-Hearted's invitation to become his personal physician because did not want to live under Christianity.

- Wrote massive treatises on medical and scientific matters, Jewish law and Jewish philosophy.

- Replied to every letter personally. First Jew whose correspondence has been largely preserved. In his letters, he displays emotion not found in his books.

- Died at 69 on 13 December 1204. Buried in Egypt; then Tiberias, Israel. (Some believe still buried in Egypt.) Universal expressions of grief. Public mourning ordained in Fostat for 3 days. In Jerusalem, public fast and Bible readings, concluding with:

- The glory is departed from Israel, for the Ark of the Lord is taken. [1Sam. 4:22]
- His grave attracts pilgrims.

- Only one son, Abraham, survived: A great scholar who succeeded him as Nagid and as court physician at 18. Defended his father against all critics.

Office of Nagid held by the Maimonides family for 4 generations until end of 14<sup>th</sup> century.

## His work

-Mishneh Torah (*Sefer Yad ha-Chazaka*), or “Repetition of the Law”. Codifies Jewish law. Logical, concise and clear. Gathers all laws from Talmud, including rulings of later Geonim. No personal opinions. Forerunner of Yosef Karo’s Shulchan Aruch. Adapted Greek philosophy to Judaism. He describes it thus:

I, Moses the son of Maimon the Sephardi, bestirred myself, and relying on the help of God, blessed be He, intently studied all these works, with the view of putting together the results obtained from them ... all in plain language and terse style, so that thus the entire Oral Law might become systematically known to all without citing difficulties and solutions of differences of view ... [Intro to Yad]

14 volumes (Yad=14!):

- 1-Sefer HaMadda' (Knowledge): Principles, Torah study, repentance, no idolatry
- 2- Sefer Ahavah (Love): Prayer, tefillin
- 3- Sefer Zemanim (Times): Shabbat and holidays
- 4- Sefer Nashim (Women): Marriage, divorce, sotah
- 5- Sefer Kedushah (Holiness): Kashrut, shechitah, sex laws
- 6- Sefer Hafla'ah (Separation): Vows and oaths
- 7- Sefer Zera'im (Seeds): Agriculture
- 8- Sefer Avodah (Divine Service): Laws of Temple
- 9- Sefer Korbanot (Offerings): Sacrifices
- 10- Sefer Taharah (Cleanness): Mikvah, family purity
- 11- Sefer Nezikin (Injuries): Criminal and tort law
- 12- Sefer Qinyan (Acquisition): Marketplace law
- 13- Sefer Mishpatim (Rights): Civil law
- 14- Sefer Sho'tim (Judges): Tribunals, Sanhedrin, judges, king

-Sefer Hamitzvot (The Book of Commandments), listing all 613 mitzvot, with commentary on each.

-The Guide for the Perplexed (*Dalalat al-Ha'erin; Moreh Nevukhim*). Non-halachic. Bridges Jewish and Greek thought.

-Letters and responsa.

## Criticism

Attacked by many. Some reasons:

-He doesn't cite sources and they can't always be traced. The Ravad, a sharp critic, says:

There are matters on which the Sages [*geonim*] disagree and the author has selected the opinion of one.... Why should I rely on his choice? [Abraham ben David of Posquières, *Hassagot* to introduction of *Mishneh Torah*].

-He appears to downplay direct Talmud study

-He believes in spiritual, not bodily, resurrection, saying:

All men must die equally, their bodies becoming dissolved into their constituent matter. [Rambam, Introduction to Sanhedrin 10]

The Ravad counters:

The words of this man seem to me to be very near to those who say there is no resurrection of the body, but only of the soul. By my life, this is not the view of the Sages. [Rabbi Avraham ben David of Posquières on Yad, Teshuvah 8:2]

-He was devoted to Greek philosophy, anathema to many.

-Secondary issue of credit. Many quotes attributed to Rambam, but are not his. Best-known examples:

1. Rabbi Hanina said: I have learnt much from my teachers, and from my colleagues more than from my teachers, but from my students more than from them all. [Ta'anit 7a]

-Rabbi said: Much Torah have I learnt from my Masters, more from my fellow students and from my own students most of all! [Makkot 10a]

2. Maimonides' "eight levels of tzedakah" are all in Talmud.

Yet rabbis must be very careful to assign credit for their pronouncements.

The Talmud says twice:

He who reports a saying in the name of its author brings deliverance to the world. [Megillah 15a, Chullin 104b]

-Shulchan Aruch supplanted Mishneh Torah 3.5 centuries later. Its author, Rabbi Yosef Karo, based his opus on:

- (1) Rabbi Isaac Alfasi (the Rif – 11th-century Morocco),
- (2) Maimonides (the Rambam – 12th-century Egypt), and
- (3) Asher ben Jehiel (the Rosh – 13th-century Germany).

When two agreed, he listed their common opinion as "the" law

-Except when most ancient authorities disagreed, or when there already was a different accepted custom.

Karo sometimes disagreed with Rambam, but wrote:

Who would dare to force communities who follow the Rambam to follow any other authority, early or late? ... The Rambam is the greatest of all Torah authorities, and all the communities of the Land of Israel and the Arab lands and the West practice according to his word, and accepted him as their rabbi.

Whoever practices according to him, with his leniencies and his stringencies, why

coerce them to budge from him? And all the more so if also their fathers and forefathers practiced accordingly: for their children are not to turn to the right or to the left from the Rambam of blessed memory. And even if communities that practice according to the Rosh or other authorities like him became the majority, they cannot coerce the minority of congregations practicing according to the Rambam of blessed memory, to practice like they do.

## Legacy

- One of the most widely studied and debated Jewish thinkers.

  - One of the very few with influence in the non-Jewish world.

- Loved by his many followers. Graetz writes:

  - It required all of Maimonides' moral force not to be overpowered by the incense burned before him.

- Popular medieval saying (and epitaph): From Mosheh (of the Torah) to Mosheh (Maimonides) there was none like Mosheh.

- Generally, Maimonides was vindicated, but it took centuries. He anticipated this outcome:

  - [As for] those who won't accept [the *Mishneh Torah*], that is uniquely in my generation. In future generations, when jealousy and the lust for power will disappear, all of Israel will subsist on it alone, and will abandon everything else besides it without a doubt, except for those who seek something to be involved with all their lives, even though it doesn't achieve a purpose [Talmud study?].

  - [Letter to his student Rabbi Yosef ben ha-Rav Yehudah]

- Today, Chabad has annual study cycles of *Mishneh Torah*, innovated by the Lubavitcher Rebbe in 1984, and a daily study of the *Sefer Hamitzvot*, the Rambam's listing and commentary on the 613 commandments.



# Maimonidean controversy

## Three climaxes

- 1- ~1180, in the Muslim World, when Maimonides was alive
- 2- ~1230–32, in Europe (centering in Provence), involving David Kimhi, Solomon ben Abraham of Montpellier, Nahmanides, and others
- 3- ~1300–06, in Europe (centering in Christian Spain and Provence), involving Abba Mari ben Moshe Astruc, Solomon ben Abraham Adret, Asher ben Yehiel, Yedaiah ben Abraham Bedersi (ha-Penini), and Menahem ben Solomon Meiri

-Enlightenment (Haskalah) of the 18th century gave Maimonides' camp a secularized and radical expression by Moses Mendelssohn and his followers, striving for a synthesis of Jewish faith and "general culture".

## In the Muslim World

Rambam sharply opposed many claims of the *geonim* in Babylonia. He criticized sharply their claim that Jews must financially help people study Torah (but eventually lost that battle):

All this is wrong. There is not a single word, either in the Torah or in the sayings of the [Talmudic] sages, to lend credence to it... for as we look into the sayings of the Talmudic sages, we do not find that they ask people for money, nor did they collect money for the honorable and cherished academies [Commentary to Avot 4:5]

Maimonides had great contempt for the office of the *geonim*. He thought the gaonate was corrupt and its academic program weak. Clashed with the *Gaon* at Baghdad, Shmuel bar Ali HaLevi, who strongly attacked the *Mishneh Torah*. Maimonides replied indirectly in a letter to a student:

Why, my son, should you take offense that a man [bar Ali] whom people accustom from his youth to believe that there is none like him in his generation; when age, high office, aristocratic descent, the lack of people of discernment in this town, and his relationship with individuals, all have combined to produce this execrable consequence that each and every individual hangs expectantly on each word pronounced from the academy in anticipation of an honorific title from there...—why do you wonder that he has acquired such [evil] traits? How, my son, could you imagine that he should love truth enough to acknowledge his weakness?... This is a thing that a man like him will never do, as it was not done

by better men who preceded him. [Letter to Yosef ben Yehudah in D. H. Baneth, ed., *Iggeret ha-Rambam*, 1946, 54ff].

But, truth be told, Maimonides' *Mishneh Torah* claimed explicitly (in the introduction) that it superseded the Talmud and replaced its deliberations by a systematic code:

I called this work *Mishneh Torah* (Repetition of the Torah), because all a man has to do is first read the written law, the Torah, then follow it up by reading this work, and he will know the entire Oral Law, without the need to read any other work between them.

But Talmudic discussions are the very core of yeshiva study. It is not surprising that Shmuel bar Ali, his son-in-law Zechariah, and Daniel ben Saadiah ha-Bavli, all sought and found halakhic flaws in his code. Bar Ali maintained a lavish lifestyle, but greatly increased the prestige of the Baghdad school.

## In Europe, I

*Mishneh Torah* was fought by Abraham ben David of Posquieres and Moses ha-Kohen, among others. The Christian Reconquest was ongoing in Spain. Jews were suffering and dying from the Crusades. Mysticism and Kabbalah flourished in Provence and Spain. Maimonides' synthesis between Judaism and Greek philosophy horrified many. The old issue of "Athens versus Jerusalem" (*hokhmah yevanit*) [BK 82b–83a; Meg. 9a–b]), resurfaced: Revealed faith vs intellectual philosophy.

Yehudah Halevi had warned:

Turn aside from mines and pitfalls. Let not Greek wisdom tempt you, for it bears flowers only and no fruit... Listen to the confused words of her sages built on the void... Why should I search for bypaths, and complicated ones at that, and leave the main road? [Yehudah Halevi, from his poem *Devarekha be-Mor Over Rekuhim*].

Meir ben Todros ha-Levi Abulafia was shocked that Maimonides did not affirm the resurrection of the body. A judge refused to judge according to Maimonides, saying:

He does not give proof from the sayings of the talmudic sages for his decisions. So who is going to follow his opinion? It is far better to study Talmud. We will have nothing to do with his books and his writings.

(But some say that until *Mishneh Torah* the law was so confused that most Jews, ignorant of the Talmud, had to obey their judges, whereas now people had before them a clear code and did not have to depend on judges alone.).

A physician, Judah ibn Alfakhar, attacked the very attempt to rationalize miracles and wondrous tales. Logical proofs were not so important. Rambam was accused of explaining away as no more than symbols certain practical commandments, to be fulfilled only by simple men, but not by educated people. His camp accused his detractors of being ignorant, simple-minded, and under Christian influence.

The sages of northern France pronounced a *herem* on Maimonides' philosophical works, some say also on parts of his halakhic code. Against him in Provence and Spain were Solomon ben Abraham of Montpellier, Yonah ben Abraham Gerondi, the poet Meshullam da Piera, and, above all, Nahmanides.

Nahmanides wanted to heal the rift by adopting a moderate stand. Writing to the northern French rabbis, he expresses his devotion and admiration, but he humbly submits that they "are nourished in the bosom of [true] faith, planted in the courts of tradition," but had to understand Maimonides in his own surroundings:

They have filled their belly with the foolishness of the Greeks... they... make fun... of the trusting souls... They did not enter profoundly into the ways of our Torah; the ways of alien children suffice for them. If it wasn't for the words of [Maimonides], and the fact that they live out of the mouth of his works... they would have slipped away almost entirely.

God save and guard us, my teachers, from such a fate. Look about and see: is there a pain like our pain? For the sons have been exiled from their fathers' tables; they have defiled themselves with the food of gentiles and the wine of their feasts. They have mixed with them and become used to their deeds... courtiers have been permitted to study Greek wisdom, to become acquainted with medicine, to learn mathematics and geometry, other knowledge and tricks, so that they make a living in royal courts and palaces.

He paints Maimonides as a great Talmudic sage who would have written and lived as the northern French rabbis did, if he lived among them:

Did he trouble himself for your sake, you geniuses of the Talmud? He saw himself compelled and constrained to structure a work which would offer refuge from the Greek philosophers... Have you ever listened to their words, have you ever been misled by their proofs?

He explains that extremism would split Judaism, that it is better to educate gradually this misled society and bring it back to the right way of northern France, to issue partial prohibitions only.

Nahmanides' commentary on the Torah was a mystical work against Maimonides and Abraham ibn Ezra. To him, the very concept of laws of

nature ordained by God, to be admired by man through his reason, was heresy. The workings of nature are to be conceived of only as “hidden miracles.”

*Herems* were exchanged between Northern France and Provence/Spain. Emissaries traveled to rally supporters. Letters and counter-letters, sermons and counter-sermons, commentaries and counter-commentaries poured out. Maimonides' books were burned by the Dominicans in 1232. It is not known whether they did this on their own initiative, to stamp out heresy, or Jews put them up to it, as contemporary supporters of Maimonides believed.

In Egypt, Maimonides' son, Abraham ben Moses ben Maimon, was outraged at what had happened:

[These] overseas [scholars] are mistaken. They cling to the literal sense of biblical verses, Midrashim, and *aggadot*. This pains our heart... How could such an impurity, so like the impurity of idol worship, come to be in Israel? They worship idols, deny God's teaching, and worship other gods beside Him... They are guilty of pagan-like anthropomorphism... Their faith is like that of the Christians.

He prefers Islamic surroundings, “conducive to a rational and monotheistic faith”, rather than Christian surroundings, with their anti-rationalism and anthropomorphism. God differentiated men from animals by giving them reason, wisdom, and understanding.

In the 1240s the Disputation of Paris led to the burning of the Talmud, and the shock set the quarrel aside for many decades.

## **In Europe, II**

The controversy flared up again in late 13th and early 14th century. Solomon ben Abraham Adret of Barcelona issued a *herem* in 1305, against “any member of the [Barcelona] community who, being under the age of 25 years, shall study the works of the Greeks on natural science or metaphysics, whether in the original language or in translation.” Works by Jewish philosophers were excepted, as was the study of medicine. The ban was intended to prevent young men from turning away

...from the Torah of Israel which is above these sciences. How can any man dare to judge between human wisdom based on analogy, proof, and thought, and the wisdom of God, between whom and us there is no relation nor similarity? Will man, who is embodied in a vessel of clay, judge God his creator to say, God

forbid, what is possible and what he cannot do? Truly this, sometimes leads to utter heresy. [Resp. Rashba pt. 1, no. 415].

A ban was also pronounced against all who

...say about Abraham and Sarah that in reality they symbolize matter and form; that the 12 tribes of Israel are [an allegory] for the 12 planets... [and] that the Urim and Thummim are to be understood as the astrolabe instrument... Some of them [even] say that everything in the Torah, from *Bereshit* to the giving of the law, is entirely allegorical. [Resp. Rashba pt. 1, no. 416].

Menahem ben Solomon Meiri issued a counter-*herem*, rejecting the claim that philosophy causes heresy, pointing to talmudic scholars who were students of philosophy, stressing that sciences and mathematics were necessary for understanding many passages in the Talmud. He regarded the prohibition against certain types of study as self-defeating:

Each individual [nature] will search for what suits him according to his natural inclination.

Jedaiah ben Abraham Bedersi (ha-Penini) wrote:

My rabbis, please look into the mighty pattern of the benefits of philosophy to all of us, even to those who despise it. For it is extremely well-known that in ancient times anthropomorphism was widespread, one may say almost in the entire Diaspora of Israel... but in every generation there arose *geonim* and sages—in Spain, in Babylonia and in the cities of Andalusia—who, thanks to their familiarity with the Arabic language, had the great opportunity to smell the perfume of the sciences, some much, some a little, for they are translated into this language. It is thanks to this that they began to elaborate and clarify many of their opinions on the Torah, above all as to the unity of God and the abolition of anthropomorphism, especially by the philosophical proofs taken from scientific works.

Relinquish your *herem* for the heart of this people will not turn away from philosophy and its books as long as there is breath in their frame and soul in their bodies, especially as together with it [i.e., with devotion to philosophy], they are true to Torah and commandments. Even if they had heard it from the mouth of Joshua bin Nun they would never have accepted it, for they intend to do battle for the honor of the great teacher [i.e., Maimonides] and his works; and for the holiness of his teaching they will sacrifice fortune, family, and soul as long as there is a breath in their bodies. And thus they will teach and command their children in generations to come.

## Aftermath of the Controversy

Among many beleaguered Jews of 15th-century Christian Spain, Maimonides' rationalism was seen as the cause of the misfortunes and the reason for apostasy. On the other hand, Abraham Bibago (*Derekh*

*Emunah*), defended rationalism as being the very essence of Judaism. Calling himself “a pupil of Maimonides,” he believed that the Jewish people is the bearer of reason, weak in this world against unreasonable passions. This was acceptable among 16th-century Ashkenazim (*Sefer ha-Miknah* by Joseph ben Gershom of Rosheim is a synopsis of Bibago's *Derekh Emunah*). Yet in Renaissance Italy, Yehiel ben Shmuel of Pisa wrote *Minhat Kena'ot*, against rationalism. Tension continued in 17<sup>th</sup> century (dispute between Moses Isserles and Solomon ben Jehiel Luria). The old hierarchical basis of Jewish leadership, despised by Maimonides, had disappeared, but the leadership of the individual scholar retained hierarchical elements. The *Mishneh Torah* did not supersede the Talmud, Maimonides' opposition to monetary support for Torah study failed completely. So strong was his personality, however, that most of his opponents said that they did not oppose Maimonides himself, but some misguided interpretation of his work.

# Spiritual teachings of Maimonides

## The 13 Principles of Faith

Maimonides had a rational and analytical mind, and so felt the need to champion a creed for Judaism, as other religions did. He introduced the following 13 principles of faith (*'ikkarim* in Hebrew) [Commentary on Sanhedrin 10]:

1. God exists and created everything,
2. God is One,
3. God has no body,
4. God is eternal,
5. God alone should be worshipped,
6. God revealed Himself through the prophets,
7. Moses was the greatest of prophets,
8. The Torah we have today is the very same one God gave us on Mount Sinai,
9. The Torah will never change,
10. God knows all our actions,
11. God rewards good and punishes evil,
12. The Messiah will come; and
13. The dead will be resurrected.

-The first five lay the groundwork: There is a single God, who created everything, has no body and is eternal, and nothing else must be worshipped.

-The 6th reminds us to listen to His prophets, who gave us necessary warnings at appropriate times.

-The 7<sup>th</sup> is that Moses was the greatest prophet. Why was there a need to make that a separate principle? The Rambam sees four reasons:

- First, God did not speak to the other prophets face to face.
- Second, God spoke to them in their sleep or when they were in a trance, not in broad daylight.
- Third, when God would speak to them they would lose their faculties because of the intense experience [Dan. 10:8ff, 10:16].
- Fourth, they could not communicate with God whenever they wanted to.

None of these obstacles applied to Moses. His legacy, accepting the revelation of the Written and Oral laws and explaining them to the people, was orders of magnitude above that of the other prophets, and deserves separate mention.

This explanation is not entirely satisfactory. Perhaps his real reason is to prevent later persons (Jesus, Muhammad, modern religious leaders) from claiming they supersede Moses.

-The 8<sup>th</sup> principle, that the Torah we have today is the same as the Torah God gave us on Mount Sinai, is necessary to prevent people from claiming: “I am sure an error in transmission has crept in, because this passage does not make any sense, or contradicts this other passage”, etc. Once such claims are entertained, the entire Torah becomes suspicious and loses its authority.

-The 9<sup>th</sup> principle, that the Torah will never change and no “updates” to it are to be expected, is necessary to reject the claims of later religions, who said, “Yes, the Torah is holy and everything in it is true, but God has given us his latest update,” through Jesus, or Muhammad, or some other latter-day religious leader. This principle guards against this form of co-option.

-The last four principles are necessary to remind us that God did not abandon us after having given us His laws, but keeps watch over us constantly, takes appropriate action, and keeps our hopes up. They are that God knows all our actions, rewards good and punishes evil, will send a Messiah, and will resurrect the dead,.

These 13 principles were controversial when proposed. Luminaries such as Hasdai Crescas and Yosef Albo asked: Is the rest of Judaism any less important? All agreed that these principles are at the core of Judaism, but many were uncomfortable with the idea of a formal creed, that would separate “real” Jews from heretics, and could be used as a litmus test to determine who is a “good” Jew. More importantly, Judaism stresses action, that is commandments, not belief. Belief is not central, or even particularly required, in Judaism. Your thoughts are your own, and you are not accountable for them.

So disagreement with the Rambam was not on whether his principles are correct, but on whether their rejection brands one a heretic, which has serious implications in Jewish law.



So Jews ignored the 13 principles for many centuries. However, traditional Jews today recite them regularly. The popular Orthodox siddur, the Artscroll, introduced in 1984, writes:

Historically Judaism never separated belief from performance... However, philosophical speculation and dogmas of faith became prevalent among other religions and, in time, began to influence a number of Jews. To counteract this trend, medieval rabbinic authorities felt the need to define the principles of Judaism... [The Rambam's version] has achieved virtually universal acceptance. It is commendable to recite these principles every day after Shacharit. [Artscroll siddur, p 242]

The siddur reflects this compromise. The 13 principles are included, not as a central, canonical prayer, but in poetic form:

-First, the *Yigdal*, a poem written by Daniel ben Yehudah in 1404, is recited at the beginning of morning prayers and frequently sung at the end of formal services. In Egypt, where I grew up, the *Yigdal* was sung at the end of every service, perhaps because Egypt is where the Rambam lived.

-Second, *Ani maamin*, is read following morning services among some Ashkenazim. It recalls the 12th principle, the one about the coming of the Messiah:

*-Ani maamin be-emunah shlema beviat Ha-Mashiach, ve-af 'al pi sheyit-mahmeha, 'im kol zeh achakeh lo bechol yom sheyavo.*

-I believe with perfect faith in the coming of the Messiah, and even though he may delay, I await him every day, with all that, certain that he will come.

A popular tune for it was composed by Reb Azriel David, a Modzitzer Hasid, on the way to Treblinka, the Nazi extermination camp.

To gain acceptance, the Rambam does not shy from issuing veiled “threats”. He writes:

When a man believes all of these principles, then he enters into the community of Israel... Even if he sins greatly... he is punished according to his sins but he still has a share in the World to Come, and he is considered a sinning Jew. [But] if a man rejects [even] one of these principles, then he has left the nation... [and] is called a heretic.

However, there is no such thing as a Jew being “expelled” from Judaism. The Talmud lays down the principle that a Jew remains a Jew no matter what he does:

Rabbi Abba ben Zabda said: Even though [the people] have sinned, they are still 'Israel'. [Sanhedrin 44a]

The Midrash even says that God Himself does not hold belief to be essential:

Rabbi Huna and Rabbi Jeremiah said in the name of Rabbi Hiyya bar Abba: It is written [in the Book of Jeremiah], ‘They have forsaken Me and have not kept My law’ [Jer. 16:11]. [This means that God said:] I wish they had forsaken Me but still

kept My law, because by occupying themselves with it, the light which it contains would have led them back to the right path. [Lamentations Rabbah, Prologue II]

For many, Judaism is a package deal. The Mishna says:

Be as scrupulous in observing a minor commandment as a major commandment, because you do not know the value of each commandment. [Pirkei Avot 2:1]

## View of God

-In a sense, Maimonides' view of God is a blank sheet. He espoused a "negative theology": You can't talk about what God "is" (no words exist for that), but only of what He "is not": He is not me, not you, not this table, not the earth, not the sky. We cannot know anything of the essence of God. God is not non-existent, not ignorant, not many. When people give God anthropomorphic qualities they do not explain anything.

-When Moses, at the burning bush, asked God: "Who are you?", God said:

*Ehyeh asher ehyeh* -- I am what I am [Ex. 3:14].

The only thing you can say about me, about my essence, is that I am.

-In describing Himself in the Torah, God does not say "I am the Lord your God, who is omniscient, omnipotent, omnipresent, eternal, etc.", but rather "I am the Lord your God who took you out of the land of Egypt" [Exodus 20:2].

So you CAN talk about what God DOES. Maimonides extracted his 13 principles of faith from the 13 attributes of God in the Torah:

*Hashem, Hashem, Kel rachum v'chanun, erech appayim v'rav chesed ve-emet; notzer chesed la-alafim, nose 'avon vafesha' v'chatta-ah v'nakkeh lo y'nakkeh.*

[Exodus 34:6-7]

Translation:

1. The Lord [God is merciful before man has sinned and repented]
2. The Lord [God is merciful after man has sinned and repented]
3. God [He is ruler]
4. Compassionate
5. Gracious
6. Slow to anger
7. Abounding in kindness
8. Truth
9. Extending kindness to the thousandth generation
10. Forgiving iniquity
11. transgression, and
12. sin
13. Yet does not remit all punishment

## On the Messiah

Torah:

There shall shoot forth a star out of Jacob... [Numbers 24:17]

Rambam:

The Melech HaMoshiach ("anointed king") is destined to arise and restore the kingdom of David to its glory of old, to its original sovereignty. He will build the Holy Temple and gather the dispersed of Israel. In his times, all the laws of the Torah will be reinstated as before; the sacrifices will be offered, the Sabbatical year and the Jubilee year instituted as outlined in the Torah.

Whoever does not believe in him or does not anticipate his coming, denies not only the other prophets but also the Torah and Moses. For the Torah testifies about him:

God shall return your captivity... He will return and gather you from all the nations amongst whom the Lord your God has scattered you... If your outcasts shall be at the ends of the heavens, from there will the Lord your God gather you, from there He will take you... God will bring you to the Land... [Deuteronomy 30:3-5].

These explicit words of the Torah encapsulate all that has been said [concerning Mashiach] by the prophets.

Also in the story of Balaam is it spoken of, and there it is prophesied on the two "anointed ones": the first Mashiach, which is David, who saved Israel from its enemies; and the last Mashiach, who shall be of his descendants, who will save Israel in the end [of the Exile]. There he says: "I see him, but not now"--this is David; "I behold him, but he is not near"--this is the King Mashiach; "There shall shoot forth a star out of Jacob"--this is David; "And a scepter shall rise out of Israel"--this is the King Mashiach; "And shall smite the corners of Moab"--this is David, as it is written [2Samuel 8:2] "And he smote Moab, and he measured them with a line"; "And rule over all the children of Seth"--this is the King Moshiach, as it is written [Zachariah 9:10], "And his dominion shall be from sea to sea"...

As for the books of the prophets, one need not cite references [to Mashiach], for all the books are full of this...

If there arises a king from the house of David, who studies the Torah and fulfills its precepts... who will prevail upon all of Israel to follow it and repair its breaches, and will wage the battle of God -- he is presumed to be Mashiach. If he did so and was successful, and he built the Holy Temple on its site and gathered the dispersed of Israel - he is certainly Mashiach. He will correct the entire world to serve God together, as is written:

For then I shall turn to the nations a pure tongue, that all shall call upon the name of God to serve Him as one. [Zephaniah 3:9]

The sages and the prophets did not crave the era of Mashiach in order to rule over the world... or to eat, drink and rejoice; but only so that they be free for Torah and its wisdom and be rid of any oppressor and disrupter... And at that time there will be no hunger or war, no jealousy or rivalry. For the good will be plentiful, and all delicacies available as dust. The entire occupation of the world will be only to know God... Israel will be of great wisdom; they will perceive the esoteric truths and comprehend their Creator's wisdom as is the capacity of man. As it is written [Isaiah 11:9]: For the earth shall be filled with the knowledge of God, as the waters cover the sea..." [Mishneh Torah, Laws of Kings 11-12]

## On Christianity

-The Rambam considered Christianity to be idolatry, along with most other Orthodox authorities: the Rashba, the Ritba, the Rosh, as well as contemporary figures, such as Rabbis Moshe Feinstein, Ovadia Yosef, Soloveitchik and Eliezer Waldenberg.

-But some do not. For example, the Meiri, 13<sup>th</sup>-century Catalan rabbi, said that a religion that has a system of law and ethics (*mugdar b'nimussim*) is not idolatry [Beit HaBechira on Bava Kamma 113a,b]. The Maharal of Prague [ShoT 24], the Tiferet Yisrael [on Avot 3:14], and the Noda Biyehuda [Intro to Hitnatzlut HaMechaber] said that a religion that accepts the idea of divine revelation is not idolatry. The Talmud itself says:

The Gentiles outside the Land of Israel are not idolaters. They merely continue the customs of their ancestors [without understanding what they are doing]. [Chullin 13b]

## On idolatry

The idolaters have composed many books about the principles and rites of their religions. God has commanded us not to read these books nor to reflect upon anything contained in them. [On Idolatry 2:2]

## On the Temple

Rebuilding the Temple is a commandment in the Torah: The Rambam's number 20 of 613: Build and maintain a Temple in Jerusalem. Out of 613

commandments in the Torah, 202, or about a third, require the Temple to be standing to be fulfilled.

The Talmud says:

The [third] Holy Temple will be rebuilt before the establishment of the Kingdom of David. [Y Ma'aser Sheni 29]

Some rabbis interpret this as meaning that the Temple will be rebuilt only when the Messiah comes. Maimonides agrees in his halachic writings:

The Messiah... will build the Holy Temple and gather the dispersed of Israel... All the laws of the Torah will be reinstated as before; the sacrifices will be offered, the Sabbatical year and the Jubilee instituted as outlined in the Torah. [Mishneh Torah, Laws of Kings 11-12]

but insists, in non-halachic writings, that we must not wait for the Messiah to perform mitzvot:

Those who convince themselves that [they cannot perform all commandments] until the... Messiah arrives, and then they will all go to Jerusalem, are not only fooling themselves, but they are causing others to sin as well, because there is no fixed set time for the... Messiah to arrive. The obligation of ... the commandments is not dependent on the arrival of the... Messiah. Rather, it is our duty to be occupied with Torah and commandments, doing our best to fulfill them. After we have seen to our obligations, if God finds us worthy to see the Messiah, well and good. But if not, we have lost nothing, and we have fulfilled our obligation. [Letter on Religious Persecution -- Iggeret Hashmad]

## On sacrifices

In his *Guide for the Perplexed*, Maimonides downplays sacrifices: They were a necessary transitional step between the human sacrifices of the pagans and the kind of worship God really wanted, which is prayer. If God had asked only for prayer back then, the people would not have followed.

They were not ready to confine their worship to something so abstract:

The custom in those days among all men...consisted in sacrificing animals. God did not command us to give up these services; for this would have been contrary to the nature of man, who generally cleaves to that to which he is used.

Sacrifices [however] are not the primary object [of the commandments about sacrifice], prayers are. [To wit,] we were not commanded to sacrifice in every place, and in every time, or to build a Temple in every place, or to allow anybody to become a priest and sacrifice. Only one Temple has been appointed, and only, [as the Torah says,] "in the place which the Lord shall choose" (Deut. 12:26). In no other place are we allowed to sacrifice. [The Torah says,] "Be careful not to give your burnt-offerings in every place that you see" (Deut. 12:13); and only the members of a particular family were allowed to officiate as priests. All these restrictions served to limit this kind of worship. But prayer and supplication can be offered everywhere and by every person. Because of this, the Prophets

rebuke people for being over-zealous in bringing sacrifices. [Moreh Nevuchim (Guide for the Perplexed) 3:32]

The Midrash says that in the messianic age, all sacrifices will be discontinued, except for the thanksgiving offering. [Vayikra Rabbah 9:7]

The Ramban (Nachmanides) disagreed. He said that sacrifices had intrinsic value. The transgressors had to watch what happened to the animals being sacrificed. This made them realize the seriousness of their transgressions, and helped them undergo teshuva, or repentance, to correct their mistakes. [Ramban on Vayikra 1:9]

## On repentance

Even if a man has sinned his whole life and repents on the day of his death, all his sins are forgiven him. [Yad, Teshuvah 2:1]

## On Yom Kippur

Torah:

[Yom Kippur] is a Sabbath of complete rest for you; and you shall afflict yourselves; an eternal decree" [Lev. 16:31]

Talmud explains:

"Afflict" refers only to food and drink. [Yoma 74b]

Ibn Ezra:

Whenever Tanach associates "nefesh" (self) with "affliction", it refers to fasting. Rambam put positive spin: No affliction of fasting, but emphasis on rest: Yom Kippur is "rest" from eating, drinking, bathing, wearing shoes, engaging in sexual intercourse. It is a POSITIVE commandment, so can concentrate on praying. [Hil. Shevisas Asor 1:4-5]

[Talmud says there are 613 commandments, but does not list. Lists vary, but Rambam's is most authoritative.]

## On belief

Two types: Beliefs that are "true" (e.g., about God) and beliefs that are "necessary" (for social order):

God does not actually become angry but it is important to believe He does, to desist from sinning. [Guide, 3:28]

## On the afterlife

Maimonides totally rejects the idea of physical rebirth: Afterlife happiness will be through the intellect, through the contemplation of God. After death we become perfect, like angels. Life becomes purely spiritual and takes on a very different form. We cannot conceive of it and cannot appreciate it from where we are today:

There are no bodies... in the World to Come... There is no eating or drinking there, nor anything which the human body needs in this world. Nor any of the bodily events in this world, such as sitting, standing, sleep, death, distress, laughter, and so forth... There is no eating or drinking or procreation.. There is no way for us in this world to know or comprehend the great goodness which the soul experiences in the World to Come, for in this world we know only of material pleasures, and it is these we desire. [Berakhot 17a; Rambam, Yad, Teshuvah 8]

## On ranking commandments

Are the commandments prioritized? Are some more important than others? The Torah itself does not say. Many people think the Ten Commandments are the most important. But nowhere does it say that. In fact, Judaism does not officially rank the commandments. The Mishna is very explicit on that point:

Rabbi [Yehudah haNasi] said: Be as scrupulous in observing a minor commandment as a major commandment, because you do not know the value of each commandment. [Pirkei Avot 2:1]

Note that this quote says that there IS a value to each mitzvah. We just don't know what it is. We do not know enough to rank mitzvot. A specific mitzvah may be worth dozens of other mitzvot. The Rambam writes:

Only the Master of Opinions [that is, God] knows how to compare sins and merits. [Rambam, Mishneh Torah, Hilchot Teshuvah 3:1-2]

## On speculation

Can we speculate on possible reasons for the commandments? For example, kashrut is a *chok* (commandment whose rationale is not obvious). The reason for it is: Because God said so. Rambam:

Nevertheless, tradition allows us to speculate on possible reasons for commandments, as long as we continue to observe them no matter what conclusions we reach. [Mishneh Torah, Korbanot, Temurah 4:13]

Rabbi Akiva tells us in the Talmud that it is even a mitzvah to look for these reasons. [Eruvin 54b]

## **On evil**

-Creating something by causing its opposite not to exist is not the same as creating something that exists. Evil is merely the absence of good, so God didn't create a thing called evil. [Rather, God created good, and evil exists where good is absent.] [Guide 3:10]

-[There are three evils:] Evil caused by nature, evil that people bring upon others and evil that people bring upon themselves. The first is necessary for the survival of the species and for needed change, the other two we can do something about [by restraining our urges]. [Guide 3:12]



# Practical teachings of Maimonides

## The eight levels of tzedakah

From low to high: [Treatise on Tzedakah]

1. Give a little with a frown
2. Give a little with a smile
3. Give what is needed when you are asked
4. Give what is needed without being asked
5. Give without knowing who you give to, but the person you help knows you
6. You know who you give to, but he doesn't know you
7. You don't know who you give to, and the person you help doesn't know you
8. Help people help themselves (jobs, loans, tuition to learn trade, partnership, advice, etc.)

All are in Talmud. Examples:

-Rabbi Yonah said: It says in Psalms:

Happy is he who considers the poor. [Ps. 41:2]

It is not written 'Happy is he who gives to the poor,' but "Happy is he who considers the poor", that is, he who ponders how to [best] fulfill the commandment to help the poor. [Pe'ah Y 8:9, 21b].

-Rabbi Abba said: One who lends money to the poor is greater than one who just gives it. And one who forms a partnership is the greatest of all. [Shabbat 63a]

-Rabbi Yanai once saw a man give money to a poor man publicly. He said, "It would have been better for you not to have given him anything rather than giving to him as you did, causing him embarrassment." [Chagiga 5a]

-Also: [Bava Batra 10b, Avodah Zarah 17b, Ketubot 67b]

Maimonides gives examples of the ideal ways of giving tzedakah. Giving to the poor is a holy act, and God's presence is in the face of the poor receiving tzedakah. One should avoid being dependent on the community, but at the same time not refuse the community's help when needed.

## On working for a living

The Talmud says:

Any study of Torah that is not accompanied by a trade must fail in the end, and become the cause of sin. [Avot 2:2]

Maimonides felt very strongly that one should earn a living by practicing a trade, and not be dependent on the community to study Torah all the time:

Anyone... who makes up his mind to study Torah and not work, but live on charity, profanes the name of God, disgraces the Torah, obscures the light of religion, causes harm to himself, and deprives himself of life in the future world; for it is forbidden to derive temporal advantage from the words of the Torah. The

sages said: "Whoever makes selfish use of the teachings of the Torah takes his own life." They further told us: "Do not make of them a crown with which to magnify yourself, nor a spade with which to dig." They urged us strongly moreover: "Love work, and hate arrogance." "All Torah study which is not combined with some work must at length fail and occasion sin" (Pirkei Avot 2:2). The end of such a person will be that he will rob his fellow man.

Anyone who maintains himself by the work of his hands possesses a great virtue, a virtue of the early saints, whereby he will attain all the glory and happiness of both this and the future world, as it is written [by the psalmist]: "When you eat the fruit of the labor of your hands, you shall be happy and it shall be well with you" (Psalms 128:2). "You shall be happy" in this world, "and it shall be well with you" in the future world, which will be altogether good. [Mishneh Torah, Sefer Ha-mada (Book of Knowledge) 10-11]

He adds:

It is better to earn a drachma as a weaver, or a tailor, or a carpenter than to [accept a paid position as a rabbi.] [Letter to Yosef ibn Sham'un, 1191]

-All rabbis of old had professions. Examples:

#### **In Talmudic days:**

Hillel: woodchopper and well-digger  
 Shammai: builder  
 Rabbi Yochanan ben Zakkai: businessman  
 Rabbi Yehoshua ben Chananiah: blacksmith  
 Rabbis Meir and Chananel: scribes  
 Rabbi Chanina: Bees' honey dealer  
 Rabbis Chiyya the Elder, Shimon ben Rabbi and Shimon ben Gamliel: silk traders [Gen. R. 77:2]  
 Rabbi Yochanan HaSandlar: shoemaker  
 Rabbi Yehuda the Baker: guess what  
 Rabbi Yosi ben Chalafta: tanner

Rabbi Yehuda ben Isaiah: perfume-maker  
 Rabbi Yehoshua: Grit-Dealer  
 Rabbi Shimon P'kuli: cotton dealer  
 Rabbi Shmuel ben Shilas: schoolteacher  
 Rabbis Safra and Dimi of Nehardea: merchants  
 Rabbi Abba ben Zavina: tailor  
 Rabbis Yosef ben Chiya and Yannai: vintners  
 Rabbi Huna: farmer/rancher  
 Rabbis Chisda and Papa: beer brewers  
 Abba Chilkiyah: field laborer  
 Abba Shaul: gravedigger  
 Abba Hoshiya: launderer  
 Rabbi Chiyya the Elder: olive stomper  
 Karna: wine smeller (determined how long wine could last before going bad)

Rabbi Chiya ben Yosef: salt dealer  
 Rabbis Eleazar ben Rabbi Zadoq and Shaul ben Botnit: storekeepers in Jerusalem  
 Rabbi Eleazar ben Azariah: oil and wine dealer  
 Abba Bar Abba: silk merchant  
 Mar Shmuel: physician  
 Many were in the textile industry  
 Some had inherited wealth

#### **In post-Talmudic days:**

Rashi: vintner  
 Rambam and Ramban: physicians  
 Rabbi Hayyim Douek (Chief Rabbi of Egypt when I was growing up): businessman with non-Jewish partners

-Tension in Israel today about too many Jews with no profession studying all the time and depending on state subsidies. Joke:

A scantily-clad young woman goes on a bus in Jerusalem and makes it a point to sit next to an ultra-Orthodox man. Without looking at her, he hands her an apple. She asks: "What is the apple for?" He says: "It's only after Eve ate the apple that she realized she was naked." She goes home and thinks about it. The next day she dresses very conservatively, goes on the same bus, and makes it a point to sit next to the same ultra-Orthodox man. This time SHE hands

HIM an apple. He asks: "What is the apple for?" She says: "It's only after Adam ate the apple that he realized he had to work for a living!"

## On happiness

Be neither frivolous nor sad. Be consistently in a happy mood with a pleasant facial expression. [Hilchot Deot 1:4, 2:7]

## On converts

Rambam allowed a convert to say "God of our fathers" in prayers, which a convert was, up to that point, not allowed to say, because his "fathers" were not Jewish. Indeed, the Mishna in Bikkurim does not allow it. [The Babylonian Talmud (the Bavli) has no Gemara in Bikkurim, and hence accepts the Mishna]:

The convert brings [first fruits] but does not recite [the relevant declaration in Deuteronomy] because he cannot say "the land which God has sworn to our fathers to give us." [Deuteronomy 26:3]. But if his mother was of Israel, he may [both] bring [first fruits] and recite [the declaration]. And when he prays by himself, he says, "God of the fathers of Israel". And when he is in synagogue [with the community], he says, "God of YOUR fathers." But if his mother was of Israel, he says, "God of our fathers." [B. Bikkurim 1:4]

But the Jerusalem Talmud (the Yerushalmi) allows it!

A... convert brings [first fruits] AND recites [the declaration in Deuteronomy]. Why? [Because God said to Abraham]: "For I have made you the father of a multitude of nations" [Genesis 17:5]. In the past you were a father to Aram [only], but now, henceforth, you are a father to all the nations. [J. Bikkurim 1:4, 64a]

Normally, when the two Talmuds differ the Bavli wins. But Maimonides ruled in favor of the Yerushalmi. In his letter to a convert named Obadiah, he says:

You ask me if you, too, are allowed to say... "Our God and God of our fathers", "who has sanctified us through His commandments", "who has separated us", "who has chosen us", "who has given to our fathers to inherit [a pleasant, good and spacious land]", "who has brought us out of the Land of Egypt", "who has worked miracles to our fathers", and more of this kind. Yes, you may say all this in the prescribed order and not change it in the least...

And he concludes:

Toward father and mother we are commanded to honor and revere them, toward the prophets to obey them, but toward converts we are commanded to have great love in our inmost hearts.... God, in His glory, loves a convert --... [because he is] a man who left his father and birthplace and the realm of his people at a time when they are powerful, who understood with his insight, and who attached

himself to this nation which today is a despised people, the slave of rulers, and recognized and knew that their religion is true and righteous... and pursued God... and entered beneath the wings of the Divine Presence... [Letter to Obadiah the Convert]

The debate continued. It took four centuries for the Rambam's position to be universally accepted.

## On the community

One who separates himself from the community, even if he does not commit a transgression, but only holds himself aloof from the congregation of Israel, does not fulfill the religious precepts in common with his people... but goes his own way... has no share in the World to Come. [Teshuvah 3]

## On music

Strangely, the Rambam was strongly opposed to songs and music, whether in Arabic or in Hebrew:

Song and music are all forbidden, even if unaccompanied by words ... there is no difference between listening to songs, or string music, or melodies without words. Everything which conduces to the rejoicing of the soul and emotion is forbidden. A person who listens to foolish songs with musical accompaniment is guilty of three transgressions: Listening to folly, listening to song, and listening to instrumental music. If the songs are sung with accompaniment of drinking, there is a fourth transgression. If the singer is a woman, there is a fifth. [Guide 3:8; Yad, Ta'anit, 5:14].

He was even opposed to the insertion of *piyyutim* in the prayers:

If the ignorant insist on them and their ways prevail, they should be said before the Shema, the beginning of the essential service. [Responsa 207]

## On sex

The Rambam, following Talmud, allows all forms of sex between spouses: normal, oral, anal, etc., as long as they are consensual and at a permissible time. No sex while thinking of somebody else, while drunk, while fighting, while asleep, or after having decided in one's heart to get a divorce. [Law of Forbidden Relations 21:9]

## On slavery

Rambam deemed slavery “an accursed institution”. But he was unable to abolish it. He could only preach compassionate treatment of slaves:

The way of the pious and the wise is to be compassionate and to pursue justice, not to overburden or oppress a slave, and to provide them from every dish and every drink. The Sages would give their slaves from every dish on their table.

They would feed their servants before sitting to their own meals... Slaves may not be mistreated or offended. [Their lot is] service, not humiliation. Do not shout at them or be angry with them, but hear them out. [Yad, Avadim 9:8]

## On the death penalty

Rambam argued that executing a defendant on anything less than absolute certainty would lead to a slippery slope of decreasing burdens of proof, until we would be convicting merely according to the judge's caprice:

It is better... to acquit a thousand guilty persons than to put a single innocent person to death. [Sefer Hamitzvot, negative commandment 290]

## On war

Unfortunately, war is rarely a matter of choice, and Jews have been forced to engage in it. Rambam lists three types of war: [Rambam, Laws of Kings 5:1]

1-*Milchemet chovah*: A holy or obligatory war, directed by God in Tanach. For example, the war against Amalek [Deut.25:17] and against the seven nations of Canaan [Deut. 20:16]. Not applicable today because we can no longer identify these people. The Talmud says:

But Sennacherib, King of Assyria, had come up already and confused all the lands as it is said in Isaiah, “I have removed the bounds of the peoples,” [Isaiah 10:13] So the rabbis decreed that the seven nations of Canaan no longer exist because the Assyrians [and not the Israelites] wiped them out. [Yoma 54a]

19th-century rabbi Hayim Palaggi said that we also lost the tradition of how to distinguish Amalekites from others, so we should not presume to be able to recognize them to fulfill the commandment to wipe them out. [Eynei Kol Hai 73, on Sanhedrin 96b]

2-*Milchemet mitzvah*: A commanded war, in self-defense, waged after being attacked.

3-*Milchemet reshut*: A discretionary war, such as:

- A war of conquest, exemplified by King David's expansions; or a
- A pre-emptive war, such as the Six-Day War, to prevent Israel from being annihilated by the Arabs; or

-A war to help an oppressed people overthrow a tyrant, such as the US in Iraq.

Requires permission of the Sanhedrin: The king alone cannot initiate it. Today there is no Sanhedrin.

He added details on permissible behavior in war, such as:

To besiege a city, surround it on only three sides to allow people to escape. [Laws of Kings 6:11]

## On Egypt

Torah enjoins Jews to stay away from Egypt! The 601st of the 613 commandments states:

You will never again dwell permanently in the land of Egypt. [Deut. 17:16; Deut. 28:68; Ex. 14:13]

Yet Maimonides emigrated to Egypt as a youth in 1168, and did his most significant work there. Some say he signed some letters “Moshe ben Maimon, who violates the commandment not to dwell in Egypt every day”, although this is probably an apocryphal story.

The Radbaz wrote that the Rambam was forced to stay in Egypt by the government, because he was so useful to them, and in that case it would be allowed to save his life. (The Rambam was Sultan Saladin’s personal physician, around the year 1170.)

## On the Karaites

Karaite Judaism: Karaites [“those who have read”] recognize only Tanakh, not Oral Torah or Talmud. Adhere to plain meaning of text as they believe would have been understood by the ancient Israelites. Every individual Jew must study Torah and decide its meaning for themselves. Talmud is just another viewpoint. They believe they are the original Jews, and Rabbinic Judaism changed things. Some believe they have unbroken chain to the Sadducees (to wit, some Karaites do not believe in the afterlife). Practices:

-They still calculate holidays based on moon, not calendar.

-Attend synagogues on Shabbat, prayerbooks mostly Tanach quotes, prostrate in full during prayers.

-No lighting candles before Shabbat, no sex, some extinguish all fires before Shabbat.

-Kosher laws. Torah says: A kid may not be boiled in its mother's milk. Hebrew for milk (chalav) is same as word for fat (chelev) if no vowels. (There is no

vowelization in Torah; Masoretes added it.) So is the violation in mixing meat with milk or with fat? Oral tradition says milk. Karaites differ.

- No tefillin or mezuzot.

- Follow patrilineal descent, but moot point because they do not marry out of their group.

Some believe Karaites were already living in Egypt in early 7th century (641 CE document from Amr Ibn al-'As, first Islamic governor of Egypt, orders Rabbanites not to interfere in the way of life of the Karaites). Many prominent Masoretes were Karaite! They were 40% of Jews in their heyday (900-1100); now only 50,000 (including 40,000 in Israel) [Salo Wittmayer Baron]

### History:

- Anan Ben David (c. 715–800) considered major founder. Was passed up for exilarch in Babylon, schism occurred, went to Israel, built synagogue in Jerusalem, diffused sect in Syria, Egypt, Southeast Europe. His Sefer HaMitzvot was published in 770.

- Their golden age was 900–1100 CE. They established own institutions, got high social positions in Egypt, debated Rabbanites.

- Notable opposition from Rabbi Saadia Gaon, then Maimonides, led to permanent split.

- In late 19th century, Russian Karaites (Census: 12,894) were freed from anti-Semitic laws. Heavy presence in Spain, in 10-11th centuries; and Egypt.

- Today: 4,000 in US, ~500 in Istanbul, 40,000 in Israel. In Israel, accepted for aliyah in 1950s, accepted back in fold without reconversion, can marry Jews.

I grew up around them in Egypt. They had their own, parallel institutions and synagogues. Intermarriage with them was forbidden, but not socialization.

The Rambam fought hard their influence on mainline Jews. He said:

People who deny Oral Torah are heretics.

However, most who claim to deny oral teachings are not accountable because they are led into error by their parents (*tinok shenishbah* - a captive baby or one who was forced). [Hilkhos Mamrim 3:3]

Maimonides emphatically maintained they are Jews, so might be visited, their dead buried, their children circumcised, their wine permitted; but they don't count in a minyan. Their view that an ordinary bath can replace the mikvah was adopted by Rabbanites, but Maimonides restored halachic practice (threatened wives to annul their ketubah if they skip mikvah).

Moshe Marzouk, an Egyptian Jew executed in Egypt in 1954 for Zionist activities in the Lavon affair, was a Karaite.

## On science

Maimonides believed that the Torah is not intended to be history or science, but ethical teachings:

Those passages in the Bible, which, in their literal sense, contain statements that can be refuted by proof, can and must be interpreted otherwise. [Rambam, Guide to the Perplexed, 2:25]

Nahmanides disagreed: The idea of laws of nature, ordained by God and discovered through reason, was heresy. The workings of nature are only “hidden miracles.”

## On health

In his medicine books, Rambam spelled out his rules for healthy living:

- Eat only when you are hungry and drink only when you are thirsty. Do not delay urination or defecation even one minute.

- Do not eat until you check yourself well that you don't need the bathroom.

- Do not walk, ride, exert yourself, shake or agitate your body, or stroll, until all food is consumed.

- Semen is the strength of a person's body, his life, and the light of his eyes.

Whenever too much of it goes out, his body withers, his strength wanes and his life expires... Anyone who is obsessed with sex will age rapidly, his strength will weaken, his eyes will dim, a bad smell will emanate from his mouth and underarms, the hair of his head, eyebrows and eyelashes will fall out, the hair of his beard, underarms and his legs will increase, his teeth will fall out, and many ailments besides these will afflict him.

- Any city which does not have the following ten things a Torah scholar should not dwell in. They are: a doctor, a bloodletter, a bathhouse, a sheltered outhouse, a ready supply of water such as a river or stream, a synagogue, a teacher of children, a scribe, a custodian of the charity collections (“gabbai tzedaka”), and a court which both administers corporal punishment and jails. [Mishneh Torah 4, Laws]

## On astrology

Before Maimonides



- Bible: No explicit mention of astrology. Two passages dealing with the diviner (*menaḥesh*) and the soothsayer (*me'onen*) [Lev. 19:26; Deut. 18:10] were later understood as referring to astrology [Sanh. 65b–66a; Yad, Avodah Zarah 11:8–9].
- Prophets: Scoffed at practices of “star-gazers” (*ḥoverei ha-shamayim*) [Isa. 47:13; Jer. 10:2]. In Daniel, Babylonian astrologers are called *kasdim* (Chaldeans), and in Aramaic *kasda'ei* [Daniel 2:2, 4, 5, 10; 4:14; 5:7, 11].
- The Book of Jubilees [12:16–18] (Jewish, ~1<sup>st</sup> cent.) has Abraham overcome the beliefs of the astrologers.
- The first Book of Enoch [8:3] (Jewish, ~3<sup>rd</sup> cent. BCE) includes astrology among the sins spread among mortals by the primeval giants (*nefilim*).
- The Sibylline Oracles* (Greek, ~3<sup>rd</sup> cent.) praise Jews for refraining from astrology, which it considers a delusion.
- Josephus: Astrology was common among Jews. Jewish interpretation of celestial signs partly responsible for revolt against Rome. [Jos., Wars, 6:288ff]
- Most Talmudic sages believed celestial bodies played a decisive role in human affairs. Abraham and his descendants were elevated so they were not subjected to the stars [Gen. R. 44:12; Yal., Jer. 285], yet the blessing bestowed on him in Genesis 24:1 is interpreted as the gift of astrology [Tosef., Kid. 5:17].
- The rabbis were divided as to whether the power of the stars extends to Israel:
  - Rabbi Akiva, Rabbi Yochanan, Mar Shmuel, Rav Naḥman ben Yitzḥaq believed it did not. “Rabbi Yochanan said: There is no star (mazzal) for Israel” [Shabbat 156a; cf. Rabbi Shmuel in Shabbat 156b; also Sukkah 29a].
  - Rabbi Ḥanina ben Ḥama believed it did: “The stars make one wise, the stars make one rich, and there are stars for Israel”. [Shabbat 156a]
- The rabbis were divided as to whether virtue could change what the stars decree:
  - Mar Shmuel said it could: “Righteousness delivers from death” [Prov. 10:2] as it is ordained by the stars [Shabbat 129b]. He formulated rules of health and agriculture based on astrology [Shabbat 129b; Eruvin 56a].
  - Rava said it could not: “Life, children and sustenance do not depend on merit, but on the stars.” [Moed Katan 28a]
- Talmud:
  - Every man has a celestial body (mazzal), his patron since his conception [Shabbat 53b; Bava Kamma 2b].
  - It perceives things unknown to him [Meg. 3a; Sanh. 94a].
  - Two people born under the same star have a bodily and spiritual kinship [Ned. 39b; Bava Metzia 30b].
- Not only human beings, but
  - There is not a blade of grass that does not have its star in the heavens to strike it and say to it: Grow!

Stars in certain constellations (the Pleiades, Orion, Ursa Major) were connected with the growth and ripening of fruits [Gen. R. 10:6].

**-Zohar:**

-All the stars and constellations in the heavens were appointed to be rulers and commandants over the world... there is not a single blade of grass in the entire world over which a star or a planet does not preside, and over that star one [angel] is appointed who serves in the presence of the Holy One Blessed Be He, each according to his merit [2:171d].

-Astrological reasons for the commandments (mitzvot) are given [3:251a–b, Raya Meheimna].

**-Midrash:**

In the days of Jeremiah the Israelites wished to entertain this belief [in astrology], but the Holy One, blessed be He, would not permit them. Thus it is written,

“Thus says the Lord: Do not learn the way of the nations, and do not be dismayed at the signs of heaven”, etc. [Jer. 10:2].

Your ancestor Abraham [also] wished to entertain this belief long ago, but I would not permit him. [Genesis Rabbah 44:12]

## Maimonides's view on astrology

Maimonides very strongly opposed belief in astrology, going against the tide of his time and later:

Astrology is a disease, not a science... It is a tree under the shadow of which all sorts of superstitions thrive. ... Only fools and charlatans lend value to it.  
[Responsa 2, 25b]

An astrologer added: There is a special irony in this statement, considering how clearly astrological cycles map some of the most important happenings of his life.

## After Maimonides

-Despite Maimonides' great prestige, his criticism of astrology had practically no influence on subsequent Jewish writers.

-On joyful occasions in individual and family life, Jews everywhere congratulate each other by saying *mazal tov* (“Good luck”, but literally: “A good constellation”).

-Even the rationalistic Levi ben Gershom said that all life is predestined by the positions and movements of the stars. The astrologers fail because of insufficient knowledge about the position and movement of the stars and because “the intellect and [free] will carry us beyond the limitations of the stars.” [Milḥamot Adonai 2:2]

## Excerpts from Rambam's Letter on Astrology

Know, my masters, that it is not proper for a man to accept as trustworthy anything other than one of these three things:

1-Reason: Something one derives from reasoning.

2-Sense-perception: Something one perceives through the senses.

3-Tradition: Something one receives from the prophets or the righteous.

Anyone who accepts as trustworthy anything that is not from these three, of him it is said: "The simple believes everything" (Prov. 14:15)...

Fools have composed thousands of books of nothingness and emptiness... Men, great in years but not in wisdom, wasted all their days in studying these books and imagined that these follies are science. They came to think of themselves as wise because they knew that science... All the things that man finds written in books, he presumes to think of as true—and all the more so if the books are old. And since many individuals have busied themselves with those books and have engaged in discussions concerning them, the rash fellow's mind at once leaps to the conclusion that these are words of wisdom... This is why our kingdom was lost and our Temple was destroyed and why we were brought to this; for our fathers sinned and are no more because they found many books dealing with these themes of the stargazers, these things being the root of idolatry... They erred and were drawn after them, imagining them to be glorious science and to be of great utility.

Know, my masters, that I myself have investigated... astrology: [The notion that...] the constellation under which one is born will draw him on, so that he will be of such and such a kind, and so that something will happen to him one way and not another. All those assertions are far from being scientific; they are stupidity... The wise men of Greece and Persia, i.e. the philosophers who wrote on science... mock and scorn and ridicule them...

The science of the stars that is genuine science is knowledge of the form of the spheres, their number, their measure, the course they follow, each one's period of revolution, their declination to the north or to the south, their revolving to the east or to the west, and the orbit of every star and what its course is... This is an exceedingly glorious science. By means of it the onset of the eclipses of luminaries may be known and when they will be eclipsed at any given place; by means of it there may be known the cause for the moon's appearing just like a bow, then waxing great until it is full, and then gradually waning; by means of it there may be known when the moon will or will not be seen; and the reason why one day will be long and another day short; and the reason why two stars will rise as one, but not set together; and the reason why a given day at a given place is thirteen hours long and in another place fifteen or sixteen or twenty hours long, yet being a single day. (In one place the day and the night will be of equal duration; in another place the day will be like a month or two months or three—so

that a place may be found where the entire year is a single day, six months daytime and six months nighttime.) How many amazing conditions are made intelligible by this science!.. [The Talmud says:]

He who is able to [learn from Gentiles to] calculate the cycles and planetary courses but does not, one may hold no conversation with him... It is written, "You shall not learn to do [after the abomination of those nations]", [Deut. 18:9] [implying], but you may learn [what is not an abomination] in order to understand and instruct! [Shabbat 75a]

But as for these assertions of the stupid astrologers, they are nothing...

Imagine this situation. Here is Reuben, a tanner. He is poor and his children have died in his own lifetime. And here is Simon, a perfumer. He is rich, and his children stand before him.

(1 ) [Some] will maintain that this is due to chance.

(2) [The astrologers...] maintain that it... was so determined by the power of the sphere at the time of his birth.

[Both are...] falsehoods... for of what utility would the Torah and the commandments and the Talmud be to a particular individual?

(3) [I maintain that...] the situation may... be reversed... by the will of "Him who spoke, and (the world) came into being." (Ps. 33:9) We do not know [why God...] required that it should be this way, "for His ways are not like our ways, neither are His thoughts like our thoughts" (Is. 55:8).

I know that you may... find sayings of... sages in the Talmud and Midrashim whose words appear to maintain that at the moment of a man's birth, the stars will cause such and such to happen to him. Do not regard this as a difficulty... Possibly the matter was hidden from them. Or there may be an allusion in those words. Or they may have been said with a view to the times and the business before him. (You surely know how many of the verses of the Torah are not to be taken literally...)

A man should never cast his reason behind him, for the eyes are set in front, not in back...

## On superstition

Rambam hated every form of superstition with a passion, but nevertheless made allowance to set people's minds at ease:

A person bitten by a scorpion or serpent may whisper a charm over the wound even on the Sabbath, in order to settle his mind and to strengthen his heart. The thing is of no avail whatsoever, but, since he is in danger, he is permitted to do it, so he won't feel troubled. Those who whisper upon a wound a charm, consisting of verses from the Torah, or who read such verses over a child to save it from fear, or who place beside an infant a Torah scroll or tefillin to make him sleep, are not only guilty of superstition, but are amongst those who deny the Torah.

They treat the words of the Torah as mere bodily medicine, whereas they are spiritual medicine. [On Idolatry, 2:11-12].

Talmud: If a woman's first two husbands die, she must not marry again because it would bring bad luck to the third husband [Yevamot 64b].

Maimonides states this law, but adds that if the woman has married again anyway, [the marriage is valid and] her third husband need not divorce her. [On Prohibited Marriage, 21:30]

A mezuzah must contain only the Shema, which the Torah says must be inscribed “on the doorposts of your house” [Deuteronomy 6:9]:

Those who write upon the mezuzah the names of angels have no share in the World to Come. Not only do these fools fail to carry out a divine precept, but they treat the religious duty of proclaiming the Unity of God and acknowledging the love and service due to him, as though it provided them with an amulet for their own profit. [On Tefillin, 5:4]

Ironically, his own synagogue in Egypt, the 10<sup>th</sup>-century Maimonides synagogue and yeshiva:

كنيس ابن ميمون, *Beit Knesset ha-Rambam*, בית כנסת הרמב"ם  
has traditionally been considered to have miraculous healing powers! Ailing local Jews slept in a special underground room, hoping they would dream of Maimonides and get better.

-Not in my family, but parallel story of sugar lumps between the sifrei Torah to cure my brother Ben.

## On free will

We have free will (*bechirah chofshit*). Torah says: “Choose life!”

The Rambam emphasized that we can freely choose among our options:

Freedom of choice has been granted to every man. If he desires to turn toward a good path and be righteous, the ability to do so is in his hands; and if he desires to turn toward an evil path and be wicked, the ability to do so is in his hands...

For if God were to decree that a person be righteous or wicked..., how could God command us... “do this” and “do not do this”...? What place would the entire Torah have? And by what measure of justice would God punish the wicked and reward the righteous...? [Rambam, Mishneh Torah, Laws of Repentance 5:1-3]

Every person is fit to be as righteous as Moses or as wicked as Jeroboam, wise or foolish, kind or cruel,... and may tend, of his own free will, to whichever side he pleases. [Rambam, Mishneh Torah, Laws of Repentance 5:2]

## On coveting

Torah says: “Do not covet”:

- Exodus forbids “coveting” your neighbor's house, then his wife, then other things.
- Deuteronomy forbids “coveting” your neighbor's wife first, then “desiring” his house and other things.

A different verb is used, so there must be a difference. What is that difference? Talmud: “coveting” is a longing that leads to wrongdoing, whereas “desiring” is a matter of the heart only. [Bava Metzia 5b; also Zohar on

Devarim, 3, p 261a; and Rambam, Sefer ha-Mitzvot]. The Rambam writes:

When you desire a neighbor's object and pressure him heavily until he gives it to you, even if your pressure was friendly and even if you pay handsomely for it, you have violated the prohibition. [Rambam, Mishneh Torah, Hilkhos Gezeilah v'Aveidah]

So, in the Rambam's view, even pressure to sell is reprehensible.

Examples:

- You must not tell your neighbor, who did not put his house on the market, “I want your house so badly I will pay you twice its market value for it.”
- You must not tell a poverty-stricken husband, “Divorce your wife so I can marry her. I'll give you a million dollars and she will live like a queen.”

The Rambam also writes:

Desire leads to coveting, and coveting leads to stealing. For if the owner (of the coveted object) does not wish to sell, even though he is offered a good price and is entreated to accept, the person (who covets the object) will come to steal it, as it is written [in the Book of Micah]: “They covet fields and [then] steal them.” [Micah 2:2]

And if the owner approaches him with a view to reclaiming his money or preventing the theft, then he will come to murder. [Mishneh Torah, Hilkhos Gezeilah v'Avedah 1:11]

So the Rambam views “Do not covet” as a protective fence that avoids a cascade of infractions. For example:

- Coveting your neighbor's wife might lead to murder of her husband, as in the case of David and Bathsheba, where Uriah is sent to the frontline on a probable suicide mission.
- If the adultery is not known and leads to a child, the father is misidentified, and the child does not get to inherit from his real father, which is a form of theft.
- The child does not get to honor his real father, which breaks another commandment.
- If the matter is known, the child is tagged as a bastard, and may marry only another bastard, which restricts his choices severely.
- If he can't find one, he cannot marry, cannot fulfill the commandment to procreate, which means fewer Jews to observe commandments.

## On surrogate motherhood

The Talmud asks: If one takes a fetus from the womb of one animal, and places it in the womb of another animal, who is the mother? (Apparently they could do that with animals back then. They discussed this because there are special laws for first-born animals.) The Sages answer: “*Teku*”, which is equivalent to “We do not know”. [Chullin 70a].

But Maimonides rules that the first animal is the mother if the transfer occurs after forty days from conception, implying that conception, not birth, defines the mother, at least after the first forty days. [Mishneh Torah, Sefer Korbanot, Hilchot Bechorot 4:18]

## Laws of Torah study

Maimonides collected the laws of Torah study in the *Mishneh Torah, Sefer Ha-madda’ (Book of Knowledge)*:

First, a man has a duty to teach his son, and even his grandson, as the Torah says:

Make [the commandments] known to your children and to your children's children. [Deut. 4:9]

Moreover, every Torah scholar must teach all those who want to learn from him.

Parents should teach children the written Torah as soon as they begin to talk, but starting at the age of six or seven it is best to take the child to a teacher. If the teacher wants to be paid, the parents should pay him. It is forbidden, however, to charge a fee for teaching the Oral Law, because the Torah states:

[Moses said to Israel:] Behold, I have taught you laws and rules as the Lord my God has commanded me. [Deut. 4:5]

In other words, Moses said: “Just as I received instruction from God freely, you have received instruction from me freely. And you, too when teaching future generations, give instruction freely, as you have learned from me.”

If, however, the teacher insists on getting paid anyway, the parents must pay him, as the Book of Proverbs says:

Buy truth. [Proverbs 23:23]

When the student becomes himself a teacher, is he then allowed to charge others, on the grounds that he himself was charged? No, because the Proverb continues:

Buy truth, but do not sell it. [Proverbs 23:23]

Every Jew is required to study Torah, whether he is poor or rich, ill or healthy, old or young, busy or free. The Book of Joshua says:

You shall study [the Torah] day and night. [Joshua 1:8]

In fact, the greatest sages of the Talmud had ordinary professions, such as wood-cutting or water carrying or baking; and some were blind or otherwise handicapped. It did not prevent them from teaching without remuneration.

If a town does not have teachers for their young children, it must be placed under a ban, because the Talmud says:

The world is maintained only by the breath of school-children. [Shabbat 119b]

Each teacher should have no more than 25 students. If he has 40, an assistant should help him. If more than 40, a second teacher must be appointed.

Anyone who studies Torah all the time and does not work, preferring to live on charity, profanes the name of God, disgraces the Torah, obscures the light of religion, causes harm to himself, and deprives himself of life in the World to Come. As Rabban Gamliel says in Pirkei Avot:

Any study of Torah that is not accompanied by a trade must fail in the end, and become the cause of sin. [Avot 2:2]

Anyone who supports himself by the work of his hands is virtuous, and will be happy in both this world and the next, as the Psalmist said:

When you eat the fruit of the labor of your hands, you shall be happy and it shall be well with you. [Psalms 128:2].

“You shall be happy” means “in this world”, and “it shall be well with you” means “in the World to Come”.

If the students don't understand, the teacher must not be angry with them, but should review the lesson with them until they understand it. A student must not say “I understand” when he does not, but should keep on asking questions.

You must honor and revere your teacher even more than your parents, because your parents have secured for you life in this world, while the teacher secures for you life in the World to Come. Thus, the Talmud says:

The reverence for your teacher should be like the reverence for Heaven. [Avot 4:15]

This works both ways. The Talmud also says:

Much have I have learned from my teachers, and more from my colleagues, but most of all from my students. [Ta'anit 7a, Makkot 10a]

Let us conclude with the popular medieval saying, and the epitaph on the Rambam's grave in Tiberias:

**From Moshe (of the Torah) to Moshe (Maimonides),  
there was none like Moshe.**