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## TODAY'S PERPLEXED: BETWEEN MAIMONIDEAN PROMISE AND PERIL

Once had dinner in the home of a beloved relative from America whose husband was then studying in a Haredi yeshiva in Jerusalem. Over dinner, the husband recounted a story he had heard that day in his yeshiva about a Catholic priest who was instrumental in returning a young, “off the *derekh*” Jew to Orthodoxy. My relative exclaimed: “That priest certainly has a share in the world to come!” After thinking about it for a moment, she then said, in considerable distress, “But what will he do there all alone?”<sup>1</sup>

This anecdote introduces one important aspect of the problematic of this essay: the widespread view among Orthodox Jews that Jews are in some intrinsic sense different from and superior to non-Jews and the view that access to the world to come is possible for only a tiny sliver of humanity. Rambam rejects the first view, and affirms the second.

In this essay, I will illustrate Rambam’s impact on all of Judaism and argue that for many Jews in general, and for many Modern Orthodox Jews in particular, Rambam’s example is crucial; show how for these same readers many of Rambam’s positions are deeply problematic; and, finally, propose a solution to that problem—a solution that works for me, and I hope others, but which will surely not work for all readers of this essay.

### *Rambam’s Impact*

Let us begin with a thought experiment. What would Judaism look like today had Rambam not lived?

<sup>1</sup> Apparently, my relative had never been taught (at school or at home) that *hasidei umot ha-olam* are guaranteed a share in the world to come (Tosefta *Sanhedrin* 13:20). This position is codified by Rambam, Laws of Kings 8:11, Repentance 3:5, et al. For a detailed discussion of the first of these passages, with references to earlier studies, see Menachem Kellner, *Maimonides’ Confrontation with Mysticism* (Littman Library, 2006), 238–249 (henceforth: *Confrontation*).

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It is likely that we would have no *Shulhan Arukh*. Had Rambam not created the first systematic and comprehensive code of Jewish law (*Mishneh Torah*) would his successors in that project, R. Jacob ben Asher (1269–1343), author of the *Arba'a Turim*, and R. Joseph Karo (1488–1575), author of the *Shulhan Arukh*, have had the vision and the courage to embark on the untrodden path of what would have been, if not for Rambam, a revolutionary innovation?<sup>2</sup>

Had Rambam not placed Judaism on a firm dogmatic footing (with his “Thirteen Principles”),<sup>3</sup> would it be possible to speak of Jewish *orthodoxy* (*orthos* + *doxos* = straight/correct doctrines) in any technical sense of the term? Rambam threw the massive weight of his rabbinic authority behind the claims that (a) Judaism had a category of commandments addressed to the intellect (Bahya ibn Pakuda had earlier made the claim in his *Duties of the Heart*, but Rambam formulated it more forcefully, more absolutely, and with much greater authority), and that (b) some of these commandments had the status of dogmas, in the strictest sense of the term.<sup>4</sup> This second claim was unprecedented in Judaism and changed the face of the religion.<sup>5</sup>

Had not Rambam invested his considerable authority behind the project of integrating science and “secular” studies with Judaism, how much room would the Jewish world have made for rationally-oriented Jews in the Middle Ages and today? For Rambam, God, as it were, “wrote” two books: Torah and Cosmos.<sup>6</sup> The truly devout Jew realizes that he or she must study both books, or only have access to half of God’s works.<sup>7</sup>

<sup>2</sup> The *Mishneh Torah* is revolutionary in at least three ways: it was comprehensive, covering every aspect of Jewish law, including vast areas of Jewish practice that, in Rambam’s day (and ours), were simply inapplicable; it was systematic, almost geometrical in its approach; and it was an apodictic code, presenting the law in absolute terms, not Rambam’s opinion about what the law should be. Moreover, the *Mishneh Torah* subtly presents a philosophical view of Judaism, especially in its first four chapters (“Laws of the Foundations of the Torah,” chapters 1–4) and in the closing paragraphs of each of its fourteen volumes. This is the subject of Menachem Kellner and David Gillis, *Maimonides the Universalist: The Ethical Horizons of Mishneh Torah* (Littman Library, 2020).

<sup>3</sup> See Menachem Kellner, *Dogma in Medieval Jewish Thought* (Oxford University Press, 1986).

<sup>4</sup> Rambam presents his thirteen principles as doctrines sanctioned by the Torah (citing verses for all but the last), acceptance of which is both a necessary and sufficient condition for being included in *kehal Yisrael* and for achieving a share in the world to come.

<sup>5</sup> See David Berger’s critique of this claim in his review of Kellner, *Must a Jew Believe Anything?* in *TRADITION* 33:4 (1999), 81–89, and my reply in the second edition of the book (2006), 127–147.

<sup>6</sup> This point is implied by Ralbag in his commentary on Exodus 32:32.

<sup>7</sup> Rambam opened his magisterial law code, *Mishneh Torah*, with the following statement (here translated loosely):

Moreover, in the history of Judaism very few figures were as consistently and emphatically universalist as Rambam.<sup>8</sup> The Torah is true, he held, and is certainly the most effective route to human perfection, but it is not the only route—there are other ways of achieving human perfection.<sup>9</sup> It is the most effective route for the following reason. One cannot achieve perfection as a human being (i.e., deep understanding of the world created by God, and hence of God, to the extent that such understanding is possible) without first achieving a very high level of moral perfection. God, as our Creator, knows us best and knows what is best for us, and thus God’s Torah is certainly the best way to achieve that perfection. However, it is not the only way.

It is obviously the case that Rambam’s views were strongly criticized, when it was admitted that he actually held them. Over the centuries, those rabbis who were willing to admit that what Rambam wrote is what

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The most important principle of all the principles of the Torah, and the fundamental axiom of all the sciences is the same, to wit, to know that there exists a First Existent; that It gives existence to all that exists, and that all existent beings, from the heaven to the earth and what is between them, exist only due to the truth of Its existence.

*Knowing* this, Rambam goes on to say, is a positive commandment—indeed the first positive commandment in his *Book of Commandments*, not to mention the first of the “Thirteen Principles.” In making these claims Rambam imports science (termed *ma’ase bereshit*, Greek physics, and *ma’ase merkava*, Greek metaphysics) into the very heart of Torah. Indeed the twentieth century’s leading Maimonidean, R. Josef Kafih, went so far as to deny the possibility of secular studies (*limmudei hol*) for Rambam: if a discipline yields truth, it is not secular. See his “Secular Studies in the Rambam,” *Crossroads: Halachah and the Modern World* (Zomet Institute, 1987), 109–116. Moreover, to know something, for Rambam (following Aristotle), is to know it through or with its causes. The first commandment of the Torah is to *know* that God exists; and, as Rambam makes clear in the Introduction to the *Guide of the Perplexed*, the only way to fulfill that commandment is through the study of physics and metaphysics. The vast implications of all these views are elucidated in Menachem Kellner, *Gam Hem Keruyim Adam: Ha-Nokhri be-Einei ha-Rambam* (Bar Ilan University Press, 2016), 39–59. It should be noted that R. Joseph Soloveitchik rejects the interpretation of Rambam presented here, according to which it is knowledge, not belief, upon which Rambam insists. For a critique of his view (a view, it should be noted, rejected by R. Soloveitchik’s son-in-law, R. Prof. Isadore Twersky), see James Diamond and Menachem Kellner, *Reinventing Maimonides in Contemporary Jewish Thought* (Littman Library, 2019), 39–58.

<sup>8</sup> For definitions of universalism in this context, see Kellner and Gillis, *Maimonides the Universalist*, 1–5.

<sup>9</sup> Among many other indications, see Rambam’s comments about Aristotle in his letter to Samuel ibn Tibbon in *Iggerot ha-Rambam*, ed. and trans. Y. Sheilat (Hotza’at Sheilat, 1987), 553. Further examples may be found in Kellner, *Maimonides on Judaism and the Jewish People* (SUNY Press, 1991), Kellner, *Maimonides on Human Perfection* (Scholars Press, 1991), Kellner, *Confrontation*, ch. 7, and Kellner, *Gam Hem Keruyim Adam*.

he actually thought responded by saying, as it were, “It’s Greek to me!” Thus, for example, in his commentary on *Guide* III:51, Shem Tov ben Joseph ibn Shem Tov (Iberia, fifteenth century) wrote:

Many rabbinic scholars said that Rambam did not write this chapter, and if he did write it it ought to be hidden away or, most appropriately, burned. For how could he say that those who know physics are on a higher level than those who engage in religion, and even more that they are with the ruler in the inner chamber, for on this basis the scholars who are engaged with physics and metaphysics have achieved a higher level than those engaged with Torah!

These “rabbinic scholars” did not deny what Rambam wrote, they just did not like it.

Without Rambam the brave work of rabbis such as Marc Angel and Natan Slifkin in rejecting superstition, magical thinking, and opposition to science would barely have a leg to stand on.<sup>10</sup> Rambam, of course, is also our main source for opposition to astrology.<sup>11</sup> Further, without Rambam, would not thousands of Jews who believe in modern science and reason have given up their belief and commitment to Torah?

Without Rambam’s authority it would be next to impossible to carve out a normative Jewish niche for those convinced that God gave humans brains to use in an independent and rational fashion. Without the example of Rambam, those who oppose the reliance upon “*da’at Torah*” in non-halakhic spheres, indeed the notion that there are spheres independent of halakha, would have a much harder time.<sup>12</sup>

<sup>10</sup> See Marc D. Angel, *Maimonides, Spinoza and Us: Toward an Intellectually Vibrant Judaism* (Jewish Lights, 2009) and “Religion and Superstition: A Maimonidean Approach,” *Conversations* 3 (Winter 2009), 109–120. For a recent statement of R. Slifkin’s approach, see his *Rationalism vs. Mysticism: Schisms in Traditional Jewish Thought* (Gefen Books, 2021). Studies on Rambam’s opposition to superstition include Marc Shapiro, *Studies in Rambam and His Interpreters* (University of Scranton Press, 2008). On Rambam’s opposition to the use of amulets (*kame’ot*) in general and seeing *mezuzot* in particular as amulets, see Martin L. Gordon, “*Mezuzah*: Protective Amulet or Religious Symbol?,” *TRADITION* 16:4 (1977), 7–40.

<sup>11</sup> On Rambam’s rejection of astrology, see, of course, his letter on the subject, “Letter on Astrology,” translated by Ralph Lerner in Lerner, *Maimonides’ Empire of Light: Popular Enlightenment in an Age of Belief* (University of Chicago Press, 2000), 178–187 and Y. Tzvi Langermann, “Maimonides’ Repudiation of Astrology,” *Maimonidean Studies* 2 (1991), 123–158.

<sup>12</sup> On these matters, see Menachem Kellner, “Rabbis in Politics: A Study of Medieval and Modern Jewish Political Theory” [Hebrew], *Medina ve-Hevra* 3 (2003), 673–698.

Had not Rambam presented the Jewish world with an alternative to Kabbalah, would all Jews today embrace various offshoots of Kabbalistic Judaism?<sup>13</sup> Alternatively, if Moshe Idel is correct, and Kabbalah “went public” in *response* to Rambam,<sup>14</sup> would the Jewish world be much less mystically oriented than it is today? According to Idel, Jews always engaged in mysticism, but quietly, unobtrusively, in secret. It was the challenge of Rambam’s austere, rationalist Judaism that forced Kabbalah out of the subterranean channels in which it had hitherto flowed. If Idel’s analysis is correct, by forcing the Kabbalists to do battle with his philosophical Judaism, Rambam ironically brought about the defeat of Jewish rationalism, as no observer of the Jewish world today can possibly deny.

Further, and also ironically, Rambam sought to lower messianic fervor by treating messianism in the most naturalistic way possible, as a process that takes place in *this* world, without overt divine intervention, and with no violations of natural law.<sup>15</sup> It is this approach to the messiah that makes both Chabad messianism and religious Zionism of the Kookian variety possible—for good or for ill. It takes a naturalist understanding of messianism to see a deceased Brooklyn-based rabbi who performed no overt miracles as the Messiah, or to see draining swamps, building a secular state, establishing an army, etc., as stages in the *athalta de-ge’ula* (beginning of redemption), as most Orthodox Zionists do.

Finally, had Rambam not enunciated a universalist vision of Judaism would almost all Jews today be even more particularist than they are? It is my distinct impression that most secular Israeli Jews, and almost all Israeli Orthodox Jews, as well as some secular Jews (to one degree or another) in the Diaspora and almost all Orthodox Jews there, are convinced that there is something inherent, intrinsic, metaphysical, or mystical that distinguishes Jews from non-Jews; on this view the difference between Jew and non-Jew resides in their “hardware,” and not only in

<sup>13</sup> See Kellner, *Confrontation*, 286–296. This is not the place to refute those who accept the myth that Rambam became a kabbalist at the end of his life, or those who read the *Guide* as if it were a kabbalistic text. For the former, see Gershom Scholem, “From Philosopher to Cabbalist (a Legend of the Cabbalists on Rambam)” [Hebrew] *Tarbitz* 6 (1935), 90–98; and Michael Shmidman, “On Maimonides’ ‘Conversion’ to Kabbalah” in *Studies in Medieval Jewish History and Literature*, ed. I. Twersky (Harvard University Press, 1984), 375–388.

<sup>14</sup> See Moshe Idel, *Kabbalah: New Perspectives* (Yale University Press, 1988), 253.

<sup>15</sup> See David Berger, “Some Ironic Consequences of Rambam’s Rationalistic Messianism,” *Maimonidean Studies* 2 (1991), 1–8 (Hebrew section); English translation in *The Legacy of Rambam: Religion, Reason, and Community*, ed. Y. Levy and S. Carmy (Yashar Books, 2006), 79–88.

the different software they “run.”<sup>16</sup> In this, knowingly or not, they reject Rambam, one of Judaism’s most outspoken universalists. He held that all human beings are truly created in the image of God, period, and insisted that there is no essential difference between Jews and non-Jews.

Rambam is made necessary for many of us by the fact that his views clearly failed to carry the day. “In many respects,” the late Isadore Twersky wrote, “R. Judah Halevi, Nahmanides, and the Maharal constitute a special strand of Jewish thought—threefold, yet unified.”<sup>17</sup> This strand of Jewish thought dominates Orthodox Judaism to such an extent that, as we will soon see, many, if not most, Orthodox Jews, even the best educated among them, are often unaware of the form of Judaism taught by Rambam.<sup>18</sup>

This “special strand” of Jewish thought is often characterized by a kind of ontological particularism,<sup>19</sup> and by a conception of the *mitzvot* as

<sup>16</sup> For the source of this metaphor, see Daniel J. Lasker, “Proselyte Judaism, Christianity, and Islam in the Thought of Judah Halevi,” *Jewish Quarterly Review* 81 (1990), 75–91.

<sup>17</sup> See Twersky, “Rambam and Eretz Israel: Halakhic, Philosophic, and Historical Perspectives” in *Perspectives on Rambam*, ed. J. Kraemer (Littman Library, 1991), 257–290, at 261.

<sup>18</sup> It is relevant here to quote David Berger:

There are instances where people who know Maimonides’ statements very well and even consider them binding nonetheless disregard or refashion them through creative exegesis. But many people who revere him reject his positions or even regard them as heretical without knowing that he held them at all. Orthodox Jewish education, even in Modern circles, and all the more so in traditionalist ones, pays little attention to what we call theology. Thus, it is easy to compile a list of *explicit* positions of Maimonides—not those of the putative esoteric radical—that would be labeled heresy or near-heresy in many contemporary yeshivas. Examples include his assertion that rabbinic statements about the details of the messianic process may be unreliable, that the Rabbis could have made scientific errors, that God does not intervene in the lives of individual animals, and more. Maimonides’ iconic status was achieved at the price of consigning many of his views to the black hole of forgetfulness.

See David Berger, “The Uses of Maimonides by Twentieth-Century Jewry,” in *Moses Maimonides: Communal Impact, Historic Legacy*, ed. B. Kraut (CUNY Press, 2005), 62–72, at p. 71.

<sup>19</sup> For studies of Judaic particularism, see Moshe Hallamish, “The Kabbalists’ Attitude to the Nations of the World” [Hebrew], in *Joseph Baruch Sermonetta Memorial Volume*, ed. A. Ravitzky (*Jerusalem Studies in Jewish Thought* 14, 1998), 289–312; Jerome Gellman, “Jewish Mysticism and Morality: Kabbalah and its Ontological Dualities,” *Archiv fuer Religionsgeschichte* 9 (2008), 23–35; Hanan Balk, “The Soul of a Jew and the Soul of a Non-Jew: An Inconvenient Truth and the Search for an Alternative,” *Hakirah* 16 (2013), 47–76.

reflecting antecedent metaphysical realities and as filling a theurgic role.<sup>20</sup> Despite the fact that Halevi, Ramban, and Maharal themselves were all highly educated in the general culture of their day, their followers in our world rarely see any intrinsic value in the world outside of the *beit midrash*.

I fully, and sadly, admit that in the eyes of some Orthodox and certainly many Haredi leaders, non-Jews have no worth and purpose in and of themselves; they are, in effect, only static, background noise to the real business of the universe. It is my strongly held impression that for many Haredim the business of the universe appears to be the study of (a narrow aspect of) Torah. For many of those Orthodox rabbis who identify as religious Zionists, the business of the universe often appears to be the study of Torah (somewhat more broadly construed) and the settlement of the whole biblical land of Israel.

By way of illustrating these issues, I quote a close friend who recently wrote to me (about the subject matter of this essay). He wrote: "I'm also put in mind of the rabbi whose lessons I have attended for many years, whom I greatly like and respect and who can be truly eye-opening on Torah, prayer, Talmud, and anything else, but who has a blind spot about non-Jews, whom he thinks God doesn't care about."

Another telling incident exemplifies this point. When a friend of mine was a scholar-in-residence at a prominent Modern Orthodox American synagogue a few years ago, he taught the passage at the end of "Laws of Slaves" in *Mishneh Torah* in which Rambam emphasizes that Jews and non-Jews are all created equal by God and formed "in the same womb," i.e., there is no essential difference between Jews and non-Jews.<sup>21</sup> In the synagogue, there was a sophisticated Torah scholar in his twenties who was also the son of a prominent yeshiva head. He protested this purported equality, and for almost an hour argued with my friend that Rambam did not say this because he could not have said it. The belief in Jewish superiority was an essential part of the young scholar's personal sense of Jewish identity. He had formed this identity under the influence of his parents, their peers, and his peers. The text was merely secondary and after the fact. When he saw the text, he was forced either to distort it or to deny its importance. After my friend proved to the young Torah scholar that the universalistic interpretation was correct by citing numerous other Maimonidean texts in

<sup>20</sup> On theurgy in Kabbalah, which Moshe Idel defines as "operations intended to influence the Divinity, mostly in its own inner state or dynamics, but sometimes also in its relationship to man," see Idel, *Kabbalah: New Perspectives*, 173–199, quotation above is from p. 157.

<sup>21</sup> Laws of Slaves, 9:8; on this passage, see Kellner and Gillis, *Maimonides the Universalist*, ch. 12.

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the *Mishneh Torah* and in the *Guide of the Perplexed*, this product of the best Modern Orthodox education gave up on Rambam and said it really didn't matter what Rambam said because he (and presumably "the Torah world") had decided in accordance with the views of Judah Halevi anyway. His prejudice was so deep that he preferred the opinion of the non-halakhist Halevi to that of the greatest halakhist in Jewish history!

Let us now turn to a brief examination of some prominent examples of Jewish ontological particularism.

The voice of Rabbi Shlomo Aviner is heard loudly and clearly in the world of contemporary Orthodox Zionism in Israel (*dati-le'umi*), the community in which I live. This is thanks to his many books, lectures, internet activities, and especially the multitude of "Sabbath leaflets" (*alonei Shabbat*) to which he contributes.<sup>22</sup> Although considered a political hawk, R. Aviner broke with many of his rabbinic colleagues and counseled soldiers to obey orders in connection with the Gaza withdrawal of 2005. This independent stand aroused considerable controversy in the world of Orthodox Zionism, earning R. Aviner many enemies.<sup>23</sup> His voice is not the only one heard in the *dati-le'umi* community, but it is a voice echoed widely around the world.

In a book aimed at soldiers in the Israeli army, R. Aviner writes:

Death is ritual impurity (*tum'ah*) since its essence is the diminishment of the divine vitality in created entities. The measure of ritual impurity matches the measure of the departure of this divine vitality. Gentile graves in an enclosure do not cause ritual impurity according to the basic law (*ikkar ha-din*) since their souls are not so holy and the difference between their bodies without a soul and their bodies with a soul is not all that great. Therefore, the departure of the soul in their case does not constitute so terrible a crisis.... Jewish graves do impart ritual impurity since their souls are holy; however, their bodies without a soul is not holy and, therefore, the departure of the soul is the terrible crisis of the departure of the divine vitality from the body—and this constitutes the ritual impurity of death.<sup>24</sup>

<sup>22</sup> Rabbi Aviner was born in France in 1943 and made *aliya* in 1966. He earned degrees in math and engineering and is an officer in the IDF reserves. He studied at Yeshivat Mercaz Harav in Jerusalem and is a disciple of the late Rabbi Zvi Yehuda Kook (1891–1982). R. Aviner is the head of the yeshiva Ateret Yerushalayim in the Muslim Quarter of the Old City, and formerly served as the rabbi of the West Bank settlement Bet El.

<sup>23</sup> On Aviner, see Motti Inbari, *Messianic Religious Zionism Confronts Israeli Territorial Compromises* (Cambridge University Press, 2012), *passim*, esp. 59–64.

<sup>24</sup> Aviner, *Me-Hayil el Hayil* (5759), 230, cited by Yosef Ahituv, "State and Army According to the Torah: Realism and Mysticism in the Circles of Mercaz Harav" [Hebrew], in *Dat u-Medina ba-Hagut ha-Yehudit be-Me'ah ha-Esrin*, ed. A. Ravitzky



According to this disturbing text, the difference between a live Jew and a dead Jew is immense; the difference between a live non-Jew and a dead non-Jew is much smaller.<sup>25</sup> To be clear, R. Aviner neither says nor even implies that the killing of a non-Jew is a light matter, but will all his readers understand that?<sup>26</sup> It is not my intention here to protest rabbinic irresponsibility, but, rather, to illustrate a certain, unfortunately widespread, view concerning the inner nature of the Jewish people.

Further, apropos R. Aviner, one of the very many weekly newsletters distributed in Israeli Orthodox synagogues (at least in the non-Haredi world) is *Ma'ayanei ha-Yeshua* ("Wellsprings of Salvation"; cf. Isaiah 12:3) whose very title betrays its messianic orientation. The pamphlet, one of the most widely distributed, is associated with R. Aviner and the late Chief Rabbi Mordecai Eliyahu, his son R. Shmuel Eliyahu of Safed, and R. Yaakov Ariel of Ramat Gan. Not untypical of *Ma'ayanei ha-Yeshua's* editorial stance is a statement that created an uproar in Israel. In its edition of 18 Tevet 5771 (late December 2010), an editorial was printed responding to criticism leveled against R. Shmuel Eliyahu, who had issued a ruling forbidding Jews to rent or sell property to Arabs. The editorial asked rhetorically if those rabbis who had criticized R. Eliyahu would also refuse to participate in the concentration of Amalekites in death camps. We cannot know who authored the unsigned editorial, which also takes an (irrelevant) swipe at the "primitive religion which has strangled the world for 2010 years," but there is no doubt that its views align with the public stances of R. Aviner, whose obsession with Christianity is well-attested.<sup>27</sup>

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(Israel Democracy Institute, 2005), 466. For a view similar to that of R. Aviner, see the popular *Or ha-Hayyim* by R. Hayyim ibn Attar (c. 1696–1743) on Lev. 20:26 and Numbers 19:2. For Zoharic sources see Zohar, Genesis, *Hayyei Sarah*, 131a and Genesis, *Vayehi*, 220a.

<sup>25</sup> Compare R. Aviner's words in his commentary on the *Kuzari* (Bet El, n.d.), part 1, 136: "In that we are the *segula* of humanity, we are also the heart of humanity. We are more human than the others." See also p. 302.

<sup>26</sup> Bear in mind that this text is addressed to teenaged inductees into the Israeli army. Aviner himself rejects this implication of his writings, in a criticism of the book *Torat ha-Melekh*. See further in Tessa Satherley, "'The Simple Jew': The 'Price Tag' Phenomenon, Vigilantism, and Rabbi Yitzchak Ginsburgh's Political Kabbalah," *Melilah* 10 (2013), 57–91, at p. 67.

<sup>27</sup> R. Aviner was a close disciple of the late R. Zvi Yehuda Kook, and is an associate of R. Tzvi Thau (b. 1937). All three of these highly influential rabbis are strong believers in the doctrine of innate Jewish superiority. Aviner is a man revered by thousands of disciples and reviled by hundreds of enemies. For a good example of his obsession with Christianity, see his article on an alleged "secret Vatican document" concerning Catholic support for the final solution in *Ma'ayanei ha-Yeshua* #403 (28 Sivan 5769). When challenged by me about that, R. Aviner replied that the "document" was an example of "literary license" on his part (personal communication).

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R. Aviner is far from the most extreme exponent of the view that Jews are by their very nature different from and superior to non-Jews. With respect to shockingly extremist views, let us examine one notorious example: *Torat ha-Melekh* (2009) purports to be a disinterested and entirely theoretical halakhic discussion of the circumstances under which it is permissible to kill non-Jews. The authors, Rabbis Yizhak Shapira and Yosef Elitzur of Yeshivat Od Yosef Hai in the West Bank village of Yitzhar, start their discussion from the assumption (largely uncontested in the halakhic tradition) that the sixth commandment only outlaws the killing of Jews.<sup>28</sup> They go on from there to the astounding assertion (wholly unsupported in the halakhic tradition) that the lives of non-Jews who are not “resident aliens” (*ger toshav*) have “no meaning” and no legitimacy. Having “established” that, they then spend more than 200 pages misusing Rambam to examine the (for them limited) circumstances under which it is *not* permissible to kill non-Jews. One example of their faulty conclusions: it is reasonable to assume that it is permitted (and perhaps required) to kill non-Jewish children “if it is clear that they will grow up to harm us.”<sup>29</sup> *Torat ha-Melekh* appeared with the approbations (*haskamot*) of four rabbis: R. Yitzchak Ginsburgh (author of *Barukh ha-Gever*, a book memorializing Baruch Goldstein, the murderer of Muslim worshippers in the Cave of Makhpelah Mosque in Hebron on Purim day, 1994),<sup>30</sup> R. Zalman Nehemiah Goldberg (who later withdrew his approbation), the now late R. Ya’akov Yosef, son of R. Ovadia Yosef (former Israeli chief rabbi and leading light of the Shas party), and R. Dov Lior, then chief rabbi of Kiryat Arba and Hebron, who explicitly stated that the subject-matter of the book is “rather relevant” (*dai aktualiti*) to our day and age. The claim that the book is a disinterested theoretical discussion is given the lie by R. Lior’s comment.<sup>31</sup>

<sup>28</sup> This does not mean, of course, that the murder of non-Jews is permitted! Rather, punishment for such offenses is handed over to God, whose punishment is much surer than that of human courts, given the well-known restrictions on the possibility of capital punishment in Jewish courts. See Rambam, *Laws of the Murderer*, 1:1 and 2:10.

<sup>29</sup> *Torat ha-Melekh*, 207. I write these words under the continuing shadow of the murder of the Fogel family in Itamar (March 11, 2011), perpetrated by two Palestinian teenagers who agree with the book’s reasoning, but apply it to Jews.

<sup>30</sup> On Ginsburgh, see: Don Seeman, “God’s Honor, Violence, and the State” in *Plowshares into Swords?: Reflections on Religion and Violence*, ed. R.W. Jensen and E. Korn (Center for Jewish-Christian Understanding and Cooperation, 2014); and Seeman, “Violence, Ethics, and Divine Honor in Modern Jewish Thought,” *Journal of the American Academy of Religion* 73 (2004), 1015–1048.

<sup>31</sup> Some of the more disturbing assertions found in this book include the claim that the existence of a non-Jew who is not a “resident alien” (and in this day and

There are many ways of proving that Rambam rejected the idea that Jews are in some innate sense distinct from and inherently superior to non-Jews.<sup>32</sup> One of the most direct texts is his letter to Ovadia the Proselyte.<sup>33</sup> In this letter, he writes that Abraham is as much the father of proselytes as he is of born Jews. That this is no rhetorical flourish is evidenced by the fact that Rambam makes this statement in a halakhic responsum and that he derives halakhic consequences from this claim. Indeed, he goes on to say (as if he were directly controverting Halevi, which is not beyond the pale of possibility<sup>34</sup>) that the proselyte is actually closer to God than the born Jew.<sup>35</sup> Indeed, Rambam concludes his responsum

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age, no non-Jews can achieve that status) “has no legitimacy” (43); Jews and non-Jews share *nothing* in common, but, in effect, belong to different orders of reality (45); a non-Jew who violates one of the seven Noahide commandments (stealing, for example, even something of slight value, or, in the eyes of the authors of the book, undermining Jewish sovereignty over any part of the Land of Israel) is to be executed without advance warning or due halakhic process. The Jew who witnesses the act can serve as judge and executioner (49–51); and so it goes in blood-curdling detail. *Torat ha-Melekh’s* views are based on readings of kabbalistic texts mediated through the teachings of R. Ginsburgh, cited as direct inspiration by the authors of the book. I regret to note that the idea that Jews and non-Jews do not share the same human essence is also found in other circles that identify with modernity and enlightenment, far from R. Ginsburgh and his morally twisted views.

<sup>32</sup> Much of my academic writing has been devoted to this issue. In particular, see *Maimonides on Judaism and the Jewish People; Confrontation; Science in the Bet Midrash: Studies in Maimonides* (Academic Studies Press, 2009); and *Gam Hem Keruyim Adam*. In a review of that last book in *Iyyun* 65 (2016), 400–404, Hannah Kasher takes Rambam to task for his sharp intellectual elitism and me for insufficiently emphasizing it in my book. That may be the case with respect to that book; it is certainly not the case with respect to this essay. In *Maimonides on Judaism and the Jewish People* I examine Rambam’s views on human (not Jewish!) psychology, ethics, providence, prophecy, immortality, who (not what) is a Jew, and the status of *kelal Yisrael*. In each case I showed that while Rambam certainly loved the Jewish people and was proud to be counted in their number, he saw no inherent, intrinsic, metaphysical, ontological distinction between Jews as such and non-Jews as such. It is adherence to the Torah, not descent, which makes a Jew a Jew. It is this view that underlies his insistence on doctrinal orthodoxy (to be discussed below).

<sup>33</sup> For an English translation of much of the letter, see Franz Kobler, *Letters of Jews Through the Ages* (East and West Library, 1978), vol. 1, 194–196; for a brilliant discussion, see James A. Diamond, *Converts, Heretics, and Lepers: Maimonides and the Outsider* (University of Notre Dame Press, 2007).

<sup>34</sup> See Howard Kreisel, “Judah Halevi’s Influence on Rambam: A Preliminary Appraisal,” *Maimonidean Studies* 2 (1991), 95–122.

<sup>35</sup> In a certain sense, converts are more Jewish than born Jews, since born Jews may or may not know the truth while converts (at least in a Maimonidean *beit din* [religious court]) only become Jewish by virtue of knowing the truth. See Kellner, “The Convert as the Most Jewish of Jews? On the Centrality of Belief (the Opposite of Heresy) in Maimonidean Judaism,” *Jewish Thought/Mahashevet Yisrael* (Ben

in the following dramatic fashion: “Do not consider your origin as inferior. While our descent is from Abraham, Isaac, and Jacob, your descent is from Him through whose word the world was created. As is said by Isaiah: ‘One shall say, I am the Lord’s, and another shall call himself by the name of Jacob’ (44:5).” In further contradistinction to Halevi, Rambam points out that the children of Israel at Sinai were themselves all converts to Judaism: the Jews are a nation constituted by a religious act, not by shared descent.<sup>36</sup> Before turning to his comments, I wish to elaborate on Rambam’s position.

The Hebrew expression *kedoshim tihiyu* (Lev. 19:2: “You shall be holy”) can be read in the future tense (as a promise) or in the imperative (as a commandment or challenge). Rambam read it in the latter sense, Halevi in the former.<sup>37</sup> Another way of putting the same point: for Halevi, the Torah was given to the Jews because only the Jews could receive it; for Rambam, it was receipt of the Torah that created the nation of Israel out of a motley collection of ex-slaves and hangers on. Rambam’s views in this regard are so unusual that I believe it is fair to speculate and suggest that, according to him, the history recorded in the Torah could have been different and that the commandments that reflect that history (the festivals, the sacrificial rituals, etc.) could also have been different in some theoretical “parallel universe.” For Rambam, in other words, the Torah records what actually happened, not what had to happen. History could have worked out differently (but, of course, it did not).<sup>38</sup>

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Gurion University Annual) 1 (2019), 33–52. Marc Shapiro pointed out to me (personal communication) that footnote 11 in that article must be revised in light of Rashi on Sanhedrin 47a (s.v. *ho’il ve-nidhe*).

<sup>36</sup> This point was made by R. Joseph Kafih in his answer to David Ben-Gurion’s query (sent to 50 leading Jewish thinkers) concerning Jewish identity. See Eliezer Ben-Rafael, *Jewish Identities: Fifty Intellectuals Answer Ben-Gurion* (Brill, 2002), 247–253.

<sup>37</sup> By reading the verse that way, Rambam means that verses such as Lev. 19:2 and 11:44 (calling upon the Jews to be holy) are not positive commandments, but, “charges to fulfill the whole Torah, as if He were saying: ‘Be holy by doing all that I have commanded you to do.’” See Rambam, *Book of Commandments*, fourth principle, in the translation of Charles Chavel (Soncino Press, 1967), vol. 2, 381. Rambam, in his critical glosses on the *Book of Commandments*, criticizes Rambam for seeing such verses as generalizations of the commandments as opposed to divine promises, as he takes them to be. Further on this, see *Confrontation*, ch. 3 in general, and p. 102 in particular.

<sup>38</sup> See Kellner, “Rambam’s Moses: Torah, History, Cosmos” [Hebrew] in *Moshe Avi ha-Nevi’im: Demuto Bere’i be-hagut le-Doroteha*, ed. M. Hallamish, et al. (Bar Ilan University Press, 2011), 151–177, and Matanel Bareli and Menachem Kellner, “Maimonides on the Status of Judaism” in *Cultural Encounters in Late Antiquity and the Middle Ages: Studies in Honour of Daniel J. Lasker*, ed. S. Sadiq and E. Krinis (DeGruyter, forthcoming).

Judah Halevi and Rambam essayed answers to the question why God chose the Jews, answers that reflect very different understandings of what the Jewish religion actually is.<sup>39</sup> For Halevi, God really had no choice, as it were, in the matter of choosing the Jewish people: the choice of the Patriarchs and their descendants after them was determined by their special qualities.<sup>40</sup> For Rambam, God did not choose the Jews; rather, the Jews (or, more precisely, their progenitor, Abraham) chose God.<sup>41</sup> The covenant with Abraham's descendants was both a fulfillment of a divine promise made to Abraham and a reward to him for having chosen God. The Torah itself offers no conclusive support to either view.

Until the Book of Ezra there appear to be no texts that definitively support Halevi over Rambam, i.e., which support the claim that the Jewish people are in some inherent fashion innately superior to non-Jews.<sup>42</sup> Indeed, Christine Hayes, in an important article, opines that

The rabbis seem eager to disassociate themselves from Ezran holy seed rhetoric and related Second Temple traditions that denounced even casual interethnic unions as capital crimes, subject to the vengeance of zealots. They rule that those who read a universal prohibition of intermarriage into the Bible are to be severely suppressed (M. Megillah 4:9). The rabbis' failure to take up Ezra's ban on foreign wives and their

<sup>39</sup> For an insightful comparison between Halevi and Rambam, see David Hartman, *Israelis and the Jewish Tradition: An Ancient People Debating its Future* (Yale University Press, 2000). The different views of Rambam and Halevi about the nature of the Jewish religion reflect different views about God. Halevi's God is surely "the God of Abraham, Isaac, and Jacob," while the God of Rambam is surely that, but also seeks to come as close as possible to "the God of the philosophers."

<sup>40</sup> David Novak puts the point succinctly: For Halevi, "God's 'choice' of Israel is not so much a choice as it is an inevitability of creation, the culmination of what began with his primordial and absolute will at the moment of the creation of the world." See Novak, *The Election of Israel: The Idea of the Chosen People* (Cambridge University Press, 1995), 215–216. Ehud Krinis traces Halevi's idea to Shi'ite influence. See Krinis, *God's Chosen People: Judah Halevi's 'Kuzari' and the Shi'i Imam Doctrine* (Brepols, 2014). For Halevi, it would appear, history as it happened had to happen as it happened.

<sup>41</sup> This is clearly taught in Laws of Idolatry, ch. 1. For the text and discussion, including references to other studies, see *Confrontation*, 77–83.

<sup>42</sup> Given the hallmarks of Shi'ite influence on Halevi, it is rather ironic in light of the way figures as disparate as the Gaon of Vilna and R. Shlomo Aviner insist that Halevi is a purely Jewish thinker. This differs from their understanding of Rambam, whom they hold to have been overly influenced by Aristotle. For details, see Diamond and Kellner, *Reinventing Maimonides in Contemporary Jewish Thought*, 184 n. 42.

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children—indeed, their very reversal of this program by allowing conversion—is all the more remarkable in light of the rabbis’ general perception and presentation of themselves as Ezra’s (indirect) successors.<sup>43</sup>

Assuming that Hayes is correct, we might have here an example of a rabbinic attempt to resist the conversion of universalist aspects of the Torah to a hard-edged particularism.

So much for ontological particularism. Once we commit ourselves to the view that Jews are not intrinsically on a higher metaphysical or spiritual plane than non-Jews, it is a simple step to accept other Maimonidean positions. Among these are:

- Converts are the best of Jews;
- The messianic era will be characterized by world-wide worship of God (in a house that will be a house of worship for all nations), and, perhaps, by world-wide conversion to Judaism. (Rambam, as will be pointed out below, was a universalist, not a pluralist);
- At its deepest levels Torah *properly understood* teaches exactly what science teaches; and that halakha partakes of nothing magical or theurgic.

For many Jews this is an extremely attractive picture of Judaism. For other Jews, of course, it is a total distortion of our faith, as may become evident in the next section.

### *Rambam as Problematic*

To this point, we have examined some of the ways in which Rambam is crucial for many contemporary Jews. However, the situation is not simple. We now turn to an examination of some of the problems Rambam poses for those Jews who find his actual views on so many issues both attractive and critical for their own Judaism. Rambam is crucial for Jews today whose view of Judaism:

- Forbids them to accept the wide-spread notion that God’s choice of Israel reflects or creates some sort of innate superiority of Jews over non-Jews (or born Jews over converts) both in this world and in the messianic era.

<sup>43</sup> Christine Hayes, “The ‘Other’ in Rabbinic Literature” in *The Cambridge Companion to the Talmud and Rabbinic Literature*, ed. C. Fonrobert and M. Jaffee, (Cambridge University Press, 2007), 246–247. See further, Christine Hayes, *Gentile Impurities and Jewish Identities: Intermarriage and Conversion from the Bible to the Talmud* (Oxford University Press, 2002).

- Forbids them to reject science in favor of magic, superstition, etc.<sup>44</sup>
- Sees *mitzvot* as designed to create a just and spiritually enhanced society, and not as theurgic tools to satisfy a divine need.

However, he is also deeply problematic for many of those same Jews. Why is he problematic? It is fair to say, I believe, that Rambam is one of the very few post-Talmudic authorities such that if he held a position, that position was thus made Jewishly legitimate. This often forces people into intellectual contortions to prove that Rambam ultimately agrees with their vision of what Judaism teaches.<sup>45</sup> Let us look at a few examples.

a) *Strict Theological Orthodoxy*

Most Jews in the know, if pressed, would have to admit that Rambam erred on certain crucial theological issues. In the *Mishneh Torah*, Laws Concerning Repentance 3:6, Rambam writes that “The following have no portion in the world to come, but are cut off and perish, and for their great wickedness and sinfulness are condemned forever and ever.” In paragraph 7 he specifies one of the groups of people there mentioned:

Five classes are termed sectarians [*minim*]: he who says that there is no God and that the world has no ruler; he who says that there is a ruling power but that it is vested in two or more persons; he who says that there is one Ruler, but that He has a body and has form; he who denies that He alone is the First Cause and Rock of the universe; likewise he who renders worship to anyone beside Him, to serve as a mediator between the human being and the Lord of the universe. Whoever belongs to any of these five classes is termed a sectarian.<sup>46</sup>

<sup>44</sup> I write these words in the midst of a wave of irrationalism among Haredi, especially Hasidic, communities in the face of the COVID-19 pandemic; note also should be taken on the prominent Haredi leaders who identify as “anti-vaxxers.”

<sup>45</sup> This is the upshot of many of the chapters in Diamond and Kellner, *Reinventing Maimonides*. The point is illustrated by the fact that two prominent and very different late-twentieth-century Orthodox figures, the Lubavitcher Rebbe and the “Leibowitzer” Rebbi (Yeshayahu Leibowitz), both saw themselves as authoritative spokespersons for Rambam.

<sup>46</sup> I cite the translation of Moses Hyamson (Jerusalem, 1962), 84b. Hannah Kasher subjects the terms in this paragraph to detailed analysis in *Al ha-Minim, ha-Kof-rim, ve-ha-Epikorsim be-Mishnat ha-Rambam* (Ha-Kibbutz ha-Meuhad, 2011). Zev Harvey points out that our paragraph parallels the first five of Rambam’s Thirteen Principles. See Harvey, “The Question of God’s Incorporeality in Rambam, Rabad, Crescas, and Spinoza” [Hebrew] in *Minha le-Sara*, ed. S. Rosenberg et al. (Magnes, 1994), 63–78.

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On this text, Rambam's acerbic critic, R. Abraham ben David (Rabad) writes:

Why has he called such a person [he who says that there is one Ruler, but that He has a body and has form] a sectarian? There are many people greater than, and superior to him, who adhere to such a belief on the basis of what they have seen in verses of Scripture, and even more in the words of the *aggadot* [Talmudic stories] which corrupt right opinion about religious matters.<sup>47</sup>

I do not believe that Rabad was affirming the corporeality of God (after all, those who do believe in divine corporeality are *misled* by Torah verses and *aggadot* “which corrupt right opinion about religious matters”); rather he was affirming that one who is mistaken about that issue does not lose his or her share in the world to come on its account. However, for Rambam, God's corporeality is an issue about which no one can remain mistaken, not even “little children, women, and the dull and deficient” (*Guide* I:35; at Pines, 81).<sup>48</sup> The important point for our purposes here is that Rabad recognizes that Rambam does not allow for inadvertence (*shegaga*) with respect to theological matters. A sincere mistake about God is still a mistake and constitutes heresy. It follows that worship of a god about which one is objectively mistaken (according to Rambam) is *avoda zara*.<sup>49</sup>

I would be surprised if many contemporary Jews agreed with Rambam against Rabad. Few would be willing to *say* that Rambam was

<sup>47</sup> I cite the text as translated by Isadore Twersky in *Rabad of Posquieres: A Twelfth-Century Talmudist* (Jewish Publication Society, 1980), 282. A more moderate version of Rabad's gloss has been preserved. See Kellner, *Dogma in Medieval Jewish Thought* (Oxford University Press, 1986), 89.

<sup>48</sup> On Rambam on women, see below. *The Guide of the Perplexed* is cited from the forthcoming translation of Lenn Evan Goodman and Phillip Lieberman (Stanford University Press). I also provide page numbers to the translation of Shlomo Pines (University of Chicago Press, 1963).

<sup>49</sup> In his statement at the end of his Thirteen Principles, Rambam defines these principles as dogmas in the strict sense of the term: beliefs taught by the highest religious authority (in this case, the Torah itself), acceptance of which is both a necessary and sufficient condition for both being part of the community of Israel and for achieving a share in the world to come. Rabad, clearly saw (and rejected) the implication that there is no possibility of *shegaga*, inadvertence, playing an exculpatory role here. It is apposite here to quote the well-known statement reported by R. Elhanan Wasserman: “And I heard in the name of our honored teacher and rabbi, the Gaon Rabbi Hayyim Halevi of Brisk of blessed memory, that Rambam held that inadvertence (*shegaga*) is not pertinent on matters of heresy because a non-believer cannot, under any circumstances, be part of the community of Israel. He [R. Hayim] is quoted as saying, ‘*der vos is nebekh an apikoires is oikh an apikoires.*’ [Someone who, through no fault of his own, is a heretic, is unfortunately still a heretic.]”



simply wrong on the status of individuals who question the fact of God's absolute incorporeality—rather they *act* on that view.<sup>50</sup> Illustrative of this claim is that David Berger is clearly correct: on strict Maimonidean terms, contemporary Chabad Hasidism is heretical, and, when pressed, many would be willing to admit that this is correct.<sup>51</sup> Do any other contemporary rabbinic figures in Orthodoxy follow up on that admission and impose upon followers of Chabad the considerable restrictions that Rambam and others would have us impose upon heretics? Hardly. Lip service is paid to Rambam's strict criteria of theological orthodoxy, but it is only lip service.<sup>52</sup> This is especially so, since very few contemporary Orthodox Jews pass Rambam's own tests for theological orthodoxy.<sup>53</sup>

*b) Christianity and Much Contemporary Judaism as Avoda Zara*

Rambam's strict theological orthodoxy leads him to an understanding of Christianity as *avoda zara*. His "theologification" of Judaism has other consequences. Among them (over and above his creation of "orthodoxy"): the necessity of relating to many contemporary expressions of Judaism as *avoda zara*. The point is simply expressed: without exception, rabbinic authorities who convict Christianity of *avoda zara* (idolatry – literally: "alien/foreign worship") rely on Rambam to do so.<sup>54</sup> Logical consistency and intellectual honesty would then demand that they must also

<sup>50</sup> It should be noted that Rambam's God is loved (that is a mitzva, of course), but does not love; Rambam's God is beyond all emotion. For an excellent study, see Kenneth Seeskin, *Searching for a Distant God: The Legacy of Maimonides* (Oxford University Press, 2000).

<sup>51</sup> See David Berger, *The Rebbe, the Messiah, and the Scandal of Orthodox Indifference* (Littman Library, 2001).

<sup>52</sup> On this lip service, see Kellner, *Dogma in Medieval Jewish Thought*, 207–217. Further on this, see Marc Shapiro, *The Limits of Orthodox Theology: Maimonides' Thirteen Principles Reappraised* (Littman Library, 2004).

<sup>53</sup> See Kellner, "Thinking Idolatry With/Against Maimonides – The Case of Christianity" in *Thinking Idolatry Today*, ed. A. Goshen-Gottstein (Academic Studies Press, forthcoming).

<sup>54</sup> The condemnation of Christianity as *avoda zara* is characteristic of, but not limited to, the circle of R. Zvi Yehuda Kook and his disciples. Thus, I grew up in the home of a Yeshiva University-trained rabbi and studied in Modern Orthodox day schools, high schools, and *yeshivot*; it never occurred to me that it was permissible to enter a church (even though I do not recall ever hearing of Rav Kook while growing up). May one accept financial support from Christians and Christian institutions? This latter issue comes up often in Israel today. Strictly speaking, if Christianity is *avoda zara*, then no business may be conducted with Christians in Israel on Sundays, or three days before Sunday (Mishna, *Avoda Zara*, ch. 1). I know of no rabbi who actually decides halakha in this fashion. Basic to this discussion is Jacob Katz, *Tradition and Crisis: Jewish Society and the End of the Middle Ages* (NYU Press, 1993).

convict Ramban, Kabbalists, Hasidim, R. Hayyim of Volozhin, and much of the so-called Lithuanian yeshiva world, among many others, of *avoda zara*.<sup>55</sup> In other words, my argument here is that Rambam's views on the nature of *avoda zara* are problematic for anyone who subscribes to those aspects of contemporary Judaism that are infused with Kabbalah. Most aspects of contemporary Judaism (not just Orthodoxy) are infused with Kabbalah and its doctrine of *sefirot*.<sup>56</sup> The question arises: why condemn Christianity as *avoda zara* on Maimonidean grounds while giving a pass to Kabbalah-inflected Judaisms?

What precisely is going on here? Rambam went to great lengths to protect Jews from idolatry, the greatest of sins. In pursuit of this aim, he depopulated the heavens, disenchanting the universe, and sought to lighten the burden of religious observance (as in *Guide* III:47). He battled against astrology and magic, denied their efficacy, and railed against those (such as Ramban after him) who maintained that magic was forbidden *because* of its efficacy.<sup>57</sup> Consistent with his understanding of Judaism primarily in terms of truth, he felt forced to condemn Christianity as idolatrous, with its triune god, its incarnationism, its claim that the messiah had come and that we were already living in a redeemed world.

However, calling Christianity idolatry on Maimonidean grounds should, for consistency's sake, force one to reject as idolatry many mainstream trends in Judaism of the last thousand years.

### c) Intellectual Elitism

Rambam is well known for having insisted that we “accept the truth whatever its source” (i.e., even the truth of Greek philosophers and non-Jewish thinkers).<sup>58</sup> Behind this injunction is the view that truth is one, objective,

<sup>55</sup> For R. Hayyim, see his *Nefesh ha-Hayyim* (Bnai Brak, 2009), Gate 1, ch. 3 (p. 4); ch. 9 (p. 33); ch. 22 (p. 75); and Gate 2, ch. 6 (p. 105), among many, many examples.

<sup>56</sup> Moshe Idel describes *sefirot* as “manifestations that are either part of the divine structure, or directly related to the divine essence, serving as its vessels or instruments.” See his *Kabbalah: New Perspectives*, 112. Unless taken as entirely metaphorical (which is not the way it is generally taken in kabbalistic texts), the doctrine of *sefirot* must undermine God's unity, even without reference to the question of whether or not prayers be addressed to them. Further on this, see Tzahi Weiss, “Prayers to Angels and the Early Sefirotic Literature,” *Jewish Studies Quarterly* 27 (2020), 22–35.

<sup>57</sup> “Laws of Idolatry,” ch. 11, end. For a study of Ramban on this issue, see Dov Schwartz, “From Theurgy to Magic.”

<sup>58</sup> Rambam, “Introduction to His Commentary on the Tractate Avot,” trans. Raymond Weiss and Charles Butterworth, *Ethical Writings of Maimonides* (Dover, 1983), 60. Further examples of this openness to truth, whatever its source: *Guide*

unchanging, and largely knowable. This is hardly a surprising claim to find in the writings of a medieval philosophical monotheist, but it must be admitted that it has a hard edge. On the one hand, this statement leads to universalism: all human beings who acknowledge the truth are “in the club” as it were. Nevertheless, allied with this universalism, we find a sharp elitism: those who fail to acknowledge the truth are at best mistaken and possibly evil.<sup>59</sup> To the extent that acknowledging truth is the key to God’s favor, failure to arrive at the truth is a serious matter indeed. Thus, Rambam’s universalism was “horizontal,” not “vertical.” Roughly speaking, Judaism can be vertically universal, or populist, like Hasidism, granting immortality to the pious but ignorant as much as, or maybe even more than, to the learned, as long as they are Jewish; or it can be horizontally universal, or elitist, and grant the possibility of immortality to all irrespective of ethnicity, as long as they reach enlightenment. Rambam’s intellectualist elitism is a prominent and well-known feature of his thought. His elitism, however, was intellectual, not social: there is much evidence that he suffered fools, if not gladly, at least patiently.<sup>60</sup>

Rambam apparently had no problem in following Plato in demanding acquiescence to “proven” truth.<sup>61</sup> Lest it be thought that I personally

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III:8 (Pines, 267), and *Mishneh Torah*, Laws of the Sanctification of the New Moon, 17:24. This is a common motif in Greek and Muslim philosophy, as well as elsewhere in Jewish contexts.

<sup>59</sup> See, for example, the end of his Introduction to the *Guide of the Perplexed*, before the list of contradictions (in Pines, 16). For another emphatic example, see *Guide* II:36 (372). See further Rambam’s comments in his introduction to *Helek*, the tenth chapter of Mishna *Sanhedrin*, where he speaks of a group, of whom he clearly approves, whose “members are so few in number that it is hardly appropriate to call them a group.” Laws of the Foundations of the Torah, 4:11 would be another good example, as is Maimonides’ commentary on Mishna *Hagiga* 2:1. On Rambam’s intellectualist elitism, see Kellner, *Confrontation*, 16 and index under “elitism”; and Daniel Rynhold and Michael Harris, *Nietzsche, Soloveitchik, and Contemporary Jewish Philosophy* (Cambridge University Press, 2018), 268–277.

<sup>60</sup> See, for example, his account of his daily schedule in his famous letter to Samuel ibn Tibbon, translator of the *Guide of the Perplexed* into Hebrew, and, for another example, Paul Fenton, “A Meeting with Maimonides,” *Bulletin of the School of Oriental and African Studies* 45 (1982), 1–5. The letter to ibn Tibbon may be found in Sheilat, *Iggerot ha-Rambam*, 530–554, and in English in Leon D. Stitskin, *Letters of Maimonides* (Yeshiva University Press, 1977), 130–136. For another example, see Rambam’s letter to ibn Jabbar (Sheilat, *Iggerot*, 402–418). Rambam’s patience in this regard is exemplary of his commitment to communal leadership, given his oft-repeated disdain for the ignorant and his view of the world to come as having highly restrictive “admissions criteria.”

<sup>61</sup> See Jonathan Sacks, “The Dignity of Difference: Exorcizing Plato’s Ghost,” in *The Dignity of Difference: How to Avoid the Clash of Civilizations*, 2nd ed. (Continuum, 2003), 45–66. I have essayed an attempt at defending a form of tolerance using

want to live in such a world, let me make clear that I understand that Rambam might be one of the enemies of the open society criticized by Karl Popper and that his vision of liberty is not the one that Isaiah Berlin and I prefer. Rambam, after all, was a universalist, not a pluralist, and he was convinced that truth is one, objective, and unchanging—no relativist he. If virtue is knowledge, then ignorance of the truth is immoral and a form of mental illness. However, on the other hand, because of his universalism, Rambam adopted a kind of pluralism: there can be “salvation outside of the synagogue,” so long as one accepts the philosophic truth ultimately taught by the synagogue.<sup>62</sup> Thus, *contra* to Isaac Deutscher’s “non-Jewish Jews,”<sup>63</sup> Rambam, through Steven Schwarzschild channeling, as it were, Hermann Cohen, could speak of Jewish non-Jews.<sup>64</sup>

Rambam’s elitism is, of course, hardly unprecedented in Judaism: witness the many expressions of disdain for *amei ha-aretz* in *Hazal*. *Hazal*, however, surely had room for “holy fools” and, it seems clear to me, had room in the world to come for saintly but unsophisticated and even simple-minded Jews and non-Jews. Limiting access to the world to come only to those morally perfected individuals, Jews and non-Jews, who can also pass, as it were, examinations in physics and metaphysics, is more Aristotelian than Jewish.<sup>65</sup> It is certainly not a view that I am willing to defend.<sup>66</sup>

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ideas of Rambam, without pretending that the historical Rambam would be happy with what I propose there. See Menachem Kellner, *We Are Not Alone: A Maimonidean Theology of the Other* (Boston, 2021), chapter 6.

<sup>62</sup> See Eugene Korn, “Extra Synagogam Sallus Est? Judaism and the Religious Other” in *Religious Perspectives on Religious Diversity*, ed. R. McKim (Brill, 2016), 37–62.

<sup>63</sup> See Isaac Deutscher, *The Non-Jewish Jew and Other Essays* (Oxford University Press, 1968).

<sup>64</sup> See *Confrontation*, 229–234. In a review of my book, *Maimonides on Judaism and the Jewish People*, David Novak pointed out (*Shofar* 11 [1992], 150–152) that by rejecting Halevi’s emphasis on innate Jewish uniqueness, Rambam ran the danger of turning Jews into a heresy-hunting communion of true believers. I sought to reply to that important challenge in *Must a Jew Believe Anything?*

<sup>65</sup> For a detailed defense of this interpretation of Rambam, see Kellner, *Must a Jew*, 149–163 and the texts and studies cited there.

<sup>66</sup> Hearing me talk about Rambam’s elitist views once so annoyed my wife that I posted a list of his mistakes on our refrigerator, so she would be angry with him, not me. His intellectual elitism led the list. In this case, I am fairly certain that most Jews today would approve the many Hasidic stories about holy ignoramuses and would be shocked were they to discover Rambam’s strict intellectual elitism. In this, they would be following in the footsteps of Rashba. The leading halakhist of his generation, Rashba complained about Rambam’s view (without explicitly identifying it as such), “Are the pious men of Israel without philosophy not worthy of an afterlife?”

d) *Feminism*

For those interested in expanding the role of women in Orthodoxy in general, and in advanced Jewish education in general, Rambam is, to put it mildly, not helpful. In *Laws of Torah Study*, 1:1 and 1:13, he comes down heavily in opposition to teaching Torah to women. As Warren Zev Harvey points out, Rambam did not *have* to take this position. He could have followed the view of Ben Azzai (Mishna *Sota* 3:4) and obligate women to fulfill the commandment of Talmud Torah.<sup>67</sup> Rambam is dismissive of women's intellectual abilities in various places in the *Guide*.<sup>68</sup> Perhaps most jarring are statements in the *Mishneh Torah* about the proper role of women in marriage and the rights and responsibilities of husbands and wives towards each other ("Laws of Marital Relations [*Isbut*]," chapters 15 and 21). It has been argued that Rambam's views of women are more complex than often thought. Unlike many other medievals, Jews and non-Jews, he never denied that women were fully created in the image of God, and affirmed the possibility and obligation of women to seek to achieve intellectual perfection.<sup>69</sup> Rambam's view about the education of women and their role in society in general and marriage in particular clearly reflects the social norms of the (Muslim) world in which he lived. Thus, Rambam frowned on women going outside of their homes more than twice a month, ruled that women cannot hold any positions of secular or religious authority, and that husbands can beat their "disobedient" wives with a rod. Unfortunately, he did not simply express a preference, but decided halakha in light of those norms.

*Relating to Rambam Today*

One can admit that for all his greatness, Rambam's Judaism is simply too abstract, too abstruse, too demanding, and too discomfiting for most

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The text appears in Rashba's *Responsa* (Mossad HaRav Kook, 1990), vol. 1, 387. I cite it as translated by Moshe Halbertal in *People of the Book* (Harvard University Press, 1997), 119.

<sup>67</sup> Warren Zev Harvey, "The Obligation of Talmud on Women According to Maimonides," *TRADITION* 19:2 (1981), 122–130 and Harvey, "Looking Backward: *Talmud la-Talmida*" ([www.traditiononline.org/looking-backward-talmud-la-talmida](http://www.traditiononline.org/looking-backward-talmud-la-talmida)).

<sup>68</sup> For a recent study, see: Hannah Kasher, "Maimonides on the Intellects of Women and Gentiles" in *Interpreting Maimonides*, ed. C. Manekin and D. Davies (Cambridge University Press, 2018), 46–64.

<sup>69</sup> Let it be noted that Rambam's misogyny is halakhic, not philosophical, and unlike almost all other medieval figures (Jewish, Christian, or Muslim), he held women to be fully human and created in the image of God. See Kellner, "Misogyny: Gersonides vs. Rambam," in *Torah in the Observatory: Gersonides, Rambam, Song of Songs* (Academic Studies Press, 2010), 283–304.

contemporary Jews. Maimonidean Judaism must be taken as an ideal to be aimed at, but not as a criterion by which to judge whether fellow Jews are actually Jewish.

Thus, as noted above, I agree with David Berger that in strict Maimonidean terms Chabad is heresy. I disagree with him by rejecting the practical consequences of his position that the Maimonidean view must guide our normative practice on this matter today. Similarly, I do not accept the consequences of what I have shown elsewhere in detail: that in strict Maimonidean terms almost all Jews today who think they worship God are actually guilty of *avoda zara*.<sup>70</sup> I do not, in fact, believe that almost all Jews are worshipers of *avoda zara*, nor do I consider them in principle indistinguishable from Christians or polytheists. What does that say about my attitude towards Rambam?

The simplest thing to do is to say that Rambam was a critical historical personage, but hardly one to be taken today as anyone's "*rebbe*." In a certain sense, that is obviously the case: no serious thinker today can accept Rambam's physics and metaphysics as adequate accounts of the world.<sup>71</sup> However, this is no solution for those for whom Rambam makes it possible to acknowledge that the cosmos is as science teaches us to know it. The scientific view of the universe is very different from the way in which it is described in the first chapters of Genesis.<sup>72</sup> It also does not serve as a solution for those for whom Rambam makes it possible to live with a Judaism freed of the "hyper-realism," magic, irrationalism, and downright racism of so much of today's kabbalistically inflected Judaism.<sup>73</sup> Nor does it solve the problems for those of us for whom Rambam makes it possible to practice a Judaism characterized by universalism, rationalism, and the study of God's created cosmos as an integral part of Jewish practice and, indeed, worship. For such Jews, Rambam is simply indispensable.

<sup>70</sup> For details, see Kellner, *We Are Not Alone*, ch. 7, where I spell out the issues discussed above with respect to Rabad, Rambam, and Christianity.

<sup>71</sup> See Kellner, *Science in the Bet Midrash: Studies in Rambam* (Academic Studies Press, 2009), 217–231. For the surprising number of contemporary Jewish authorities who reject heliocentrism, see Jeremy Brown, *New Heavens and a New Earth: The Jewish Reception of Copernican Thought* (Oxford University Press, 2013), 255–273.

<sup>72</sup> See *Guide of the Perplexed* I:1–2 and II:30 and R. Joseph Kafih's commentary on "Laws of the Sabbath," 5:3.

<sup>73</sup> On "hyper-realism" see Y. Tzvi Langerman, "Science and the *Kuzari*," *Science in Context* 10 (1997), 495–522. In contemporary terms, Rambam's views would be considered racist. However, his racism reflected his acceptance of a then dominant scientific theory, climatology. That theory is no longer accepted by the scientific community. For details, see Kellner, *We Are Not Alone*, 31.

A number of approaches suggest themselves for other kinds of Jews. They can ignore what Rambam actually wrote in favor of what they would have liked him to have written.<sup>74</sup> They can reinterpret him to make him unobjectionable (to them).<sup>75</sup> Hardly an approach available, I assume, to certain readers of this essay.

Honesty demands that I admit that I pick and choose among Rambam's positions. As noted, I do not accept his science. I wrote a whole book against his introduction of theological orthodoxy into Judaism. I certainly do not identify with his intellectual elitism. As is clear from this essay, I reject his understanding of *avoda zara*. Of course, I am far from the only person who picks and chooses among Rambam's positions. Large segments of non-Haredi Orthodoxy accept, to varying degrees, his prohibition on women religious authorities, but reject his prohibition on women wielding secular authority, women going out of the home, and reject his permission for husbands to beat their wives or the necessity for wives to quake in fear of their husbands.<sup>76</sup>

Does that make me less a Maimonidean? On the contrary, accepting Rambam's teachings uncritically would perhaps be the least Maimonidean thing I could do. Rambam invited critiques of his halakhic writings and was very much aware that contemporary scientific understanding of the heavens (the universe above the sphere of the moon) was provisional and open for revision.<sup>77</sup> He was not searching for *hasidim* (blindly fervent followers). It is his example, not his teachings, that should be our lodestar. His is the example of the extremely learned Jew (to put it mildly) who is devoted to Torah and to the people of Israel (in the narrow and also in the messianic sense of the term "Israel"); who is unwilling to close his eyes to the simple teaching of Torah that all human beings are equally made in the image of God; who is unwilling to turn off his brain; and who is unwilling to give in to the siren call of magic and irrationalism.

<sup>74</sup> See, for example, Kellner, "Farteitcht un Farbessert (On 'Correcting' Maimonides)," *Me'orot [Edah Journal]* 6:2 (2007), 2–13. See also, Kellner, "Further Tendentious 'Corrections' to the *Mishneh Torah*" [Hebrew] in *Mesora le-Yosef* (forthcoming).

<sup>75</sup> See Diamond and Kellner, *Reinventing Maimonides*.

<sup>76</sup> For a recent analysis of this sort of dissonance, see Adam Ferziger, "Sanctuaries and Battlefields: Two Worlds of Judaism and Two Orthodox Feminisms," *Journal of Jewish Studies* 71 (2020), 397–422.

<sup>77</sup> For examples of the former, see Sheilat, *Iggerot*, 505–508; for the latter, see Y. Tzvi Langermann, "The 'True Perplexity': *The Guide of the Perplexed*, Part ii, Chapter 24," in *Perspectives on Maimonides: Philosophical and Historical Studies*, ed. J. Kraemer (Oxford University Press, 1991), 159–174 and Kellner, *Science in the Bet Midrash: Studies in Maimonides*, 193–215.

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In order to expand on the points just made, it will be useful to see how Rambam himself dealt with the questions we face here. Rambam opened his *Guide of the Perplexed* with a letter to his student Joseph ben Judah,<sup>78</sup> who had come to study with Rambam, but was unable to remain in Egypt to continue his lessons. Rambam then sent Joseph installments of the *Guide*, chapter by chapter.<sup>79</sup> In his letter, Rambam explained that Joseph had written to him from Alexandria, and Rambam then sensed, he writes, that Joseph was

ready for some of the mysteries of Scripture to be opened up to you and to discover what mature readers should find there. I dropped a few hints and glimmers and saw you asking for more. You wanted me to clarify certain points of theology, to tell you what the *Mutakallimūn* were after and whether their methods are cogent—or, if not, how to class them.

Rambam continued:

I saw you had touched on these subjects with others but were still perplexed and puzzled, your fine soul *seeking good answers* (Ecclesiastes 12:10), but I was reining you in, urging you to take one step at a time and get a firm grip on the truth, not just stumble into certitude. As long as you were here, whenever some verse came up, or some passage from the Sages that hinted at an out of the way idea, I explained it to you freely. But when God decreed our parting and you moved on, memories of our sessions revived an old plan of mine: Your absence spurred me to set down this work, written for you and others like you, no matter how few. It is laid out in separate chapters that will all reach you in sequence where you are as I write them. Farewell.<sup>80</sup>

The *Guide*, therefore, was written for Joseph ben Judah and people like him. Who exactly are those people? Rambam offers an answer to that question in the actual introduction to his book (Pines, 5–6). There he lays out the nature of the perplexed individual for whom the book is meant to be a guide. He writes:

My goal is not to make this work transparent all through to the masses or to intellectual beginners. Nor is it my object to instruct those who

<sup>78</sup> On Joseph and his relationship with Rambam, see Herbert Davidson, *Moses Maimonides: The Man and his Works* (Oxford University Press, 2005), 330–332, 472–475, and 520–524.

<sup>79</sup> On Rambam's method of writing, see Y. Tzvi Langermann, "Fusul Musa, on Maimonides' Method of Composition," *Maimonidean Studies* 5 (2008), 325–344.

<sup>80</sup> Pines, 4–5.



study the Torah only for its law.<sup>81</sup> The object of this work, throughout, as of any other of its sort, is a sound grasp of the Torah. But here the aim is to instruct a person who is religious, morally and spiritually mature, settled of mind, and committed to the Torah's truth, who has engaged in philosophical studies and grasped their import. Human reason draws such a person invitingly to its domain, but he is troubled by the surface sense of certain biblical expressions. Resisting what he still takes (or was taught) to be the meaning of its multivalent, metaphorical, or ambiguous words, he hangs back, baffled and perplexed.

Here we learn that the book is not aimed at those whom Rambam will call (in *Guide* III:51) practitioners and scholars of the legalistic side of the Torah. It is aimed, rather, at those whom we would today call fully observant and committed Jews who have gone beyond standard rabbinic studies and engaged in science and understood its importance. Such a person is perplexed by the apparent contradictions between Torah, as it was taught to him, and science as it was understood in Rambam's time.

Such a perplexed person is faced with two options:

Should he follow his reason, reject what he took those terms to say and think he's shed core biblical precepts? Or should he hold fast to what he took those words to mean and fight reason's sway, dig in his heels and resist, but feeling injured, as though it had sullied his faith, retaining his fanciful beliefs but fearful and uneasy, deeply anxious, and troubled constantly?

Neither option is acceptable. Following reason means rejecting the Torah as it was taught to him. Following Torah as it was taught to him and rejecting science leaves him fearful, uneasy, deeply anxious, and constantly troubled. Rambam's solution will be to show that Torah itself does not actually teach what it was ordinarily thought to teach.

The perplexed Jew today is in many senses in much worse shape than were Rambam's student and those like him. Today's perplexities include much more than the apparent contradiction between science and Torah. They also include contradictions between the morality of the Torah and our convictions: that genocide is never justified; that slavery is evil; that women are fully human and fully Jewish; and that every single human being is created in the image of God and is the object of divine concern. These perplexities leave aside questions of history, archeology, and biblical criticism. Thus, those of us who see Rambam as a model to be emulated are faced with a severe problem: the blatant conflicts between some of Rambam's positions and our *Jewish* values.

<sup>81</sup> Compare *Guide* III:27 on the aims of the Torah.

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Judaism has wrestled with many of these problems since the close of the Mishna almost 2,000 years ago.<sup>82</sup> In my own lifetime the changes, even in Orthodoxy, have been and continue to be dramatic. There is, however, much work still to be done. I have taken issue with positions that were once universally held by Jews and which today are still widely held in certain sectors of the community. I cannot deny that Jewish texts and traditions teach views that I have here called particularist and irrationalist and that I find objectionable. Denying that would involve ripping out of our history huge swathes of Torah, Mishna, Talmud, medieval and contemporary rabbinic authorities, and many, many Jews whom I love and with whom I interact on a regular basis.

Denying these texts and traditions is to say, in effect, that most if not all *tanna'im*, *amora'im*, *geonim*, individuals like Judah Halevi, Rashi, Ramban, Kabbalists, Maharal, Hasidim, Rav Kook, early modern and contemporary yeshiva heads and rabbis have all misunderstood Judaism. That is what Rambam did: he said, if you think that God is in any sense corporeal, that God has any human emotions, that God rewards the righteous and punishes the wicked literally *midda ke-neged midda*, that divine providence governs every act of every human being (or at least that of Jews), then you simply misunderstand Torah.

Rambam could do that because he was first and foremost Rambam, before he became Maimonides as it were, and about whom it is often said, “From Moses to Moses, none arose like Moses.” “If I have seen a little further it is by standing on the shoulders of giants,” Newton wrote. I am not sure how much further than Rambam I can actually see, but I do have the advantage (for what it’s worth) of living in a world dramatically different from his. As such, I am faced by many perplexities that he could not have foreseen.

Faced with these perplexities, one could affirm that true Judaism is fundamentally universalist and condemn as deviant the many examples of particularism we have seen. That, in effect, is the tack taken by Hermann Cohen and classical Reform Judaism. Alternatively, one could reject as concessions to contemporary “weak-kneed liberalism” many of the positions adopted in this essay. That, in effect, is the tack taken by many Jews in wide swathes of contemporary Orthodoxy. This accusation has been thrown at me more times than I care to count. Both approaches are

<sup>82</sup> See Kellner, “And Yet, the Texts Remain: The Problem of the Command to Destroy the Canaanites” in *The Gift of the Land and the Fate of the Canaanites in Jewish Thought*, ed. K. Berthelot, M. Hirshman, and J. David (Oxford University Press, 2014), 153–179, and the sources cited there.

historically false. The Jewish tradition has always had both universalist elements and particularist elements.

R. Yitzhak Sheilat, a *rosh yeshiva* in an institution clearly influenced by its head, the late Rabbi Dr. Nachum Rabinovich, has spent much of his career studying, editing, and translating works by Rambam. His respect for Rambam is great, but, it would seem, his affection for Judah Halevi is greater. He wrote a very thought-provoking Hebrew volume comparing the two thinkers: *Bein ha-Kuzari la-Rambam (Between the Kuzari and the Rambam)*.<sup>83</sup> Using a clever play on words, Sheilat contrasts Rambam's emphasis on *re'aya* (proof) with Halevi's emphasis on *re'ya* (vision or seeing). In Hebrew, the two words have the same letters—without vowel points, they are indistinguishable. However, the difference between these two approaches is vast. Halevi bases his Judaism on the shared *experience* of the Jewish *people* at Sinai. Rambam bases his Judaism on the *conviction* of an *individual* philosopher named Abraham.

In the world in which many of us live, we are condemned to search for *re'aya*, since we seem incapable of achieving *re'ya*. We search for a Judaism that makes sense to us and which does not force us to abandon values which we are sure are *Jewish*, even if many *Jews* do not share that conviction. Expanding on this point, one can formulate the difference as follows: Halevi's God is experienced; Rambam's God is discovered through the examination of the cosmos. Halevi's God is presented; Rambam's God is deduced.

I can only speak for myself, but I am confident that I speak for many others: Shalom Aleichem's Tevye could talk *to* God; we can talk *about* God. It would seem that Tevye's God was Halevian; for many of us, God is Maimonidean.<sup>84</sup> Were that indeed the case, it would seem that the choice of Maimonidean Judaism over Halevian Judaism should be a "slam dunk" for Jews who live, not next to modernity, but in it.

Is that the case? Hardly. Maimonidean Judaism is indeed austere and demanding, and, it appears, far outside the mainstream of traditional understandings of Torah. Asking contemporary Jews to practice a Judaism that in effect downplays the significance of prayer and *mitzvot*,<sup>85</sup> that denies that Jews in and of themselves are in any way special,

<sup>83</sup> (Hotza'at Sheilat, 2011). The title is of interest: it compares Halevi's *book* with the man Rambam. I am not sure what to make of that. It is possible, of course, that Sheilat means to compare *Kuzari* with *Mishneh Torah*.

<sup>84</sup> Compare Hartman, *Israelis and the Jewish Tradition*.

<sup>85</sup> For prayer, see *Guide* III:32; for *mitzvot*, see Kellner, *Confrontation*, 33–84 on the institutional or functionalist character of halakha. See further Kellner, *Must a Jew Believe Anything?*, 149–163, on Rambam on reward and punishment.

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that rejects traditional views of reward and punishment, etc., demands of them a great deal! Is it too much? For Jews who are content to live next to modernity, but not in it, who are content to adopt the fruits of modern technology without confronting the science on which it is based, Maimonidean Judaism really does ask too much.

However, for many, living next to modernity but not in it is simply too high a price to pay. Like Rambam's student Joseph ben Judah, such a person will be "fearful and uneasy, deeply anxious, and troubled constantly." Such people are comforted by the model of Rambam. The author of the Commentary on the Mishna, the author of the *Mishneh Torah*, the author of hundreds of responsa, the leader of his community, and certainly the author of the *Guide of the Perplexed*, lived in his modernity, not next to it. He serves as model for the many Jews today who refuse to give up on Torah but seek to lead their Jewish lives foursquare within modernity.

Portraying Rambam as only a somber intellectual elitist who calls upon Jews, in effect, to enter into a relationship with an Idea, not with a Person, as it might be thought I have done here, is to misrepresent Rambam. Without the benefit of reading Pierre Hadot,<sup>86</sup> Rambam knew that the philosophical life was meant to be transformative. The philosopher at the beginning of the *Guide* was indeed a pure intellectualist. The philosopher at the end of the *Guide* has come to understand that his or her role in life is not only to know and understand, but, following Jeremiah 9:23, as Rambam himself emphasizes at the very end of the *Guide*, to realize that the ultimate goal is doing grace, justice, righteousness upon the earth (*hesed mishpat u-tzedaka ba-aretz*).<sup>87</sup>

### *Postscript*

At least two separate but related objections can be raised to all that I write here:

First: To what am I (and the many people like me) obligated? Are we committed to Jewish values or to liberal values? To phrase the question more sharply: are there any issues on which my Judaism trumps my liberalism? To this, I can only respond that I am convinced that my liberal values grow out of my Jewish learning and my Jewish upbringing (just as my conservative friends and relatives are convinced that their conservative

<sup>86</sup> Pierre Hadot, *Philosophy as a Way of Life* (Blackwell, 1995).

<sup>87</sup> I have argued for this reading of Rambam in a number of places, among them, *Maimonides on Human Perfection* (Scholars Press, 1990), and in *Science in the Bet Midrash*, 63–80.

values reflect their own Jewish learning and upbringing). Do the values held by many liberals today always override Jewish values for me (and for people like me)? Of course not. Traditional Jewish values, for example, clearly reject the sexual freedom that is so integral a part of contemporary liberalism. Another example: liberal free speech absolutism versus Jewish abhorrence of *leshon ha-ra* and *rekhlut*. Do my Jewish values determine which of two democratic values, freedom and equality, I should adopt? No, but neither do my liberal values. I am sympathetic to communitarianism because of my Judaism, and I certainly do not believe that individual autonomy is the highest value. Much of the (so-called) liberal world today is antithetic to organized religion, and certainly to religious orthodoxy.

Second: How can I justify picking and choosing among Rambam's positions? To that, I answer that I am admittedly eclectic. In doing so, I follow Rambam, who counseled us to accept the truth, whatever its source. I also follow Rambam who chose which Talmudic positions to codify, even when those choices raised rabbinic eyebrows (a classic example: privileging the Yerushalmi over the Bavli in the responsum to R. Ovadia Ger Tzedek).

Is eclecticism something of which to be ashamed? Certainly not. It is an integral part of the human condition. All human cultures are influenced by their surroundings, adopting some aspects of them and rejecting others. This is as true of Jews as it is of others. Thus, for example, the Torah had to present its vision of the *berit* between God and humans (Noah) and between God and Israel (Sinai) in terms understandable to those to whom it was immediately addressed; otherwise, *benei Yisrael* could not have understood it. That is why scholars of the Ancient Near East find parallels between God's covenant with Israel and contemporary suzerain treaties. No one accuses God of eclecticism! *Hazal* found it necessary to adopt Greek legal terminology to aid them in their halakhic analyses. R. Sa'adia Gaon was, in many ways, a Jewish Kalamist. Rabbenu Bahya ibn Pakuda adopted ideas, motifs, and stories from his Sufi contemporaries. Should they all be accused of eclecticism? Are halakhists whose *pesak* reflects the influence of the Zohar guilty of eclecticism? Are Jews today who revere Rambam's *Mishneh Torah* and who, despite that, seek out competent current medical advice rather than relying on Rambam's "Laws of Moral Qualities" (*de'ot*), not to mention his professional medical writings, "guilty" of eclecticism? These examples can be multiplied almost without end.

It must be admitted that our eclecticism is unlike that of our forebears: we are much more aware of it than they appear to have been.

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Self-awareness, of course, is a virtue, not a defect. My book, *We Are Not Alone*, shows that our traditions offer us many more options when we adopt values and positions than is often thought to be the case. Why some people gravitate to the liberal end of the spectrum and others to the conservative end is a subject for psychologists, perhaps, not for theologians. It is our job to act with integrity and responsibly when we choose which of the many possibilities offered by our tradition to adopt.

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