Part III

In the name of the LORD*, God of the universe.*
—Genesis 21:33

Introduction

3.2a I have explained several times that my main aim in this work was to clarify, so far as possible, the Account of Creation and the Account of the Chariot to meet the needs of the reader for whom I wrote it.[1] These topics, as I explained, are among the Torah's mysteries, and you know how the Sages decry those who bare such secrets and how they stress the great reward in store for those who keep them, plain as such mysteries are to thinkers. At the end of B. Pesaḥim, they gloss *There is a reward for those who dwell in the presence of the* LORD*, eating their fill, cloaking the old* (Isaiah 23:18). They say it means "keeping under wraps what the Ancient of Days has revealed—the Torah's mysteries" (119a).[2]

You see what they meant. A word to the wise. They had already shown how deep is the Account of the Chariot and how foreign to ordinary minds. Even one who has some understanding of these mysteries is barred halakhically from teaching or expounding them unless one-on-one and to such a person as they describe—and then only the rubrics
3.2b are shared. That is why knowledge of this kind is extinct in our nation, gone without a trace, understandably. For it was not published but borne from breast to breast and never set down in a book.[3] How, then, could I alert others to the truths I have gleaned, that seem so plain and evident to me? Yet failing to record some of what I see so clearly, letting these insights die when I do, as I must, seems arrant cowardice to me, betraying you and all who are perplexed, as if begrudging them their due and selfishly withholding their legacy. That would be shameful.[4]

1. See 1.3b–4a, 2.11b–12a.

2. God needs no garment; the reward is for preserving God's secrets.

3. Maimonides, Faur writes, *pace* Gershom Scholem and Saul Lieberman, "was making clear that Jewish Gnostic writings, like those preserved in the *Hekhalot* literature and the *Shiʿur Qomah*, are spurious and do not contain esoteric teachings of the rabbis" (Faur, *Homo Mysticus*, 29). The Account of the Chariot, as Maimonides understands it, concerns cosmology; specifically, God's governance of nature through the spheres and their incorporeal intelligences. So it does regard astronomy (see 1.2a), an ongoing, collaborative enterprise, not transmitted hermetically.

4. We can sense a certain poignancy in this remark, reflecting the burst of energy Maimonides brought to his last great work. His health had never been robust since he learned of his brother

The Law, we know, bans broadcasting these things. So does good sense.[5] Besides, my thoughts here reflect my own intuition and surmise. No divine inspiration has come to teach me what these things mean. Nor have I drawn my beliefs about this from any teacher. I take my lead from the Torah's text, the Sages' discussions, and the premises reason tells me must hold. But I could be wrong; the intent might be quite otherwise.

Serious thinking and God's help have prompted the tack I will take in glossing Ezekiel's words, but in such a way that anyone hearing my account might think I have said no more than the text itself, as if I had just translated the words into another language or sketched their literal sense. But when the reader for whom this work was written studies it closely and follows it carefully, chapter by chapter, he will see clearly all that I have seen, **3.3a**
with nothing left hidden. This is the optimal balance between helping everyone and our mandate against blanket disclosure and overexposure.[6]

So much by way of preamble. Turn your mind now to the chapters that follow and the high, sublime, and momentous goal that is the linchpin, the pillar sustaining everything.[7]

David's death. He began work on the *Guide* after his disciple Joseph left Egypt for Aleppo in about 1185. He completed the work around 1191. As he aged, his hand began to tremble, and by the mid- to late 1190s, he found himself twice that we know of in urgent need of a physician. He died in 1204, not long after writing to Ibn Tibbon about his translation of the *Guide*.

5. Prudence demands we not confuse others nor pander to their prejudices. Thus Plato, of a returnee to the Cave, says, "Now if he should be required to contend with these perpetual prisoners in 'evaluating' these shadows while his vision was still dim and before his eyes were accustomed to the dark . . . would he not provoke laughter, and would it not be said of him that he had returned from his journey aloft with his eyes ruined. . . . And, if it were possible to lay hands on and to kill the man who tried to release them and lead them up, would they not kill him?" (Plato, *Republic* VII 517a, tr. Shorey). Cf. Ibn Ṭufayl: "Ḥayy began to teach this group and explain some of his profound wisdom to them. But the moment he rose the slightest bit above the literal or began to portray things against which they were prejudiced, they recoiled in horror from his ideas and closed their minds" (*Ḥayy Ibn Yaqẓān*, Goodman, 163).

6. The fragmentary and, for now, enigmatic record of the speculations of Maimonides' Andalusian predecessor Ibn Masarrah (883–931), a Muslim apparently in touch with some Jewish mystical ideas, affords an inkling of just how pressing earlier thinkers took questions to be regarding the nexus of God to the world, whether in terms of creation, governance, judgment, revelation, or divine knowledge: Much was made of the ideas of God's attributes and expression, unity and names. See Stroumsa, *Andalus and Sefarad*, 34–57. Maimonides has cooled much of the heat behind such rumblings, not least by rejecting proper divine attributes. He will now seek to cool things down further by reading into Ezekiel's vision symbolically coded allusions to the nexus of God and nature via the incorporeal intellects of the Philosophers and the cosmology of the celestial spheres, an approach foreshadowed in his exegeses of key terms in the "lexicon" of Part I.

7. Echoing J. Berakhot IV 19a and Judges 4:21, 16:26, Maimonides names *Maʿaseh Merkavah* the key to religious understanding, including questions regarding God's knowledge, providence and its limits, prophetic revelation, and mystical experience.

Chapter 1

Some people, we know, have a face like an animal of another species. You might see someone with a lion face, another who looks like an ox, and so forth. People are given nicknames based on such a likeness. So when it says *the face of an ox . . . face of a lion. . . . face of an eagle* (Ezekiel 1:10), these were all human faces only resembling those of these animals. Two things confirm this: First, it says of all four creatures, *So did they appear: they had the likeness of a man* (1:5). It goes on to say that each had *the face of a man*—and *the face of an eagle*, *face of a lion*, or *face of an ox* (1:10). Second, in reporting his second vision of the
3.3b Chariot, Ezekiel clarifies things left unclear in the first: *Each had four faces. One had the face of a cherub; the second, the face of a man; the third, the face of a lion, the fourth, the face of an eagle* (10:14). That all but shouts that the ox-faced one had a cherub's face, a cherub being a human child.[8] The same applies, then, to the other two. He skips the ox face, highlighting a play on words that I have noticed.[9] There is no room to say, 'Perhaps the later vision was of something else.' For he says of his second vision, *This was the creature that I saw beneath the God of Israel by the River Chebar* (10:20). So my first point is clear.[10]

8. To Maimonides, we recall, the cherub represents the mind (II 6), allowing him to build upon the common trope of assigning cherubim human forms; Ibn Ezra at Exodus 25:18 reports that the Sages (at B. Ḥagigah 13b) take the image on the holy ark to be that of a baby. For the Targum to 1 Chronicles 22:5 (cf. B. Yoma 5a) supplies the Aramaic word *rovya*, a baby, taking the letter *kaf* in the Hebrew to represent the preposition 'like.' But Ibn Ezra demonstrates that the *kaf* in cherub is a radical letter, not a preposition. As Abravanel and Ibn Ezra before him note, all four creatures are called cherubim at Ezekiel 10:15. They appear, Faur writes, "like full-grown humans with children's faces." Since they represent the vehicles of God's will, the enlightened may call them "God's mount," *rakhub*—a metathesis of cherub. God surmounts the ladder that the angels climb in Jacob's dream (Genesis 28:13; Faur *Homo Mysticus*, 19). The ladder, like the cherubs, symbolizes God's (intellectual, emanative) means of governance and inspiration. But where pagan icons are thought to be invested by divine spirits (cf. B. ʿAvodah Zarah 41b), God is not in the cherub and is not on the ladder but atop it. As Diamond puts it, "While the world gains its true reality from God, He is not connected to it or part of it" (*Maimonides and the Hermeneutics*, 88). As Maimonides will put it, Ezekiel "beheld the Chariot, not the rider" (3.11a).

9. As Friedländer notes in his translation, Maimonides takes *shur* (in Job 33:14) to refer to sight and thus takes *shor*, ox, to signify rationality, our link to God (I 1). For wordplay in prophetic visions, see 2.91a.

10. Sc., that the creatures bore a human likeness: They were rational creatures.

Chapter 2

He says that he saw four creatures,[11] each with four faces, four wings, two hands,[12] and overall, a human form: *the likeness of a man* (Ezekiel 1:5). Their hands, too, he says were human. Human hands, as we know, are doubtless for craftsmanship.[13] He adds that their legs were straight, not jointed. That is the plain sense of *a straight leg* (1:7). The Sages say, "*Their legs were a straight leg*—teaches that on high there is no sitting" (Genesis Rabbah 65.21). This, too, you should understand.[14]

Although their hands were like human hands, he continues, the soles of their feet, **3.4a**
the organs of locomotion, unlike human feet, were round, *like a calf's hoof* (Ezekiel 1:7).[15]

11. The number matters for Maimonides' muscular effort to reduce the heavens to four great orbs matching the four terrestrial elements. Cf. Plato, *Timaeus* 32c.

12. Munk relates the two hands to the double action of emanation: giving birth to all things and sustaining them.

13. Aristotle writes,

> Standing erect, man needs no forelegs but was endowed by nature with arms and hands. Now the view of Anaxagoras is that having hands is the cause of man's being of all animals the most intelligent. But it is more reasonable to suppose that man has hands because of his superior intelligence. For the hands are instruments, and the constant plan of nature in distributing organs is to give each to the animal that can use it; nature thus acts as any prudent person would. For it is a better plan to take a flute player and give him a flute than to take someone who has a flute and teach him the art of flute playing. . . . Seeing that nature always takes the best course possible, we must conclude that man does not owe his superior intelligence to his hands but his hands to his superior intelligence. For . . . the hand is to be seen not as just one organ but as many. It is, as it were, a tool for further tools. This instrument, then, the hand, the most serviceable of all instruments, was given by nature to man, the one animal most capable of acquiring the most varied arts. (*On the Parts of Animals* IV 10, 687a5–24)

Maimonides sees the creatures' hands as emblematic of their work in forming (and sustaining) the world.

14. Maimonides quotes the midrash ascribed by Rabbi Ḥanina bar Andrai to Rabbi Samuel to support his cosmological reading of Ezekiel's vision: The creatures represent mediating principles—angels in traditional parlance, forms and intelligences Neoplatonically. Their work is "hands on"; their straight legs reflect nature's constancy, manifest in the undeviating motion of the spheres. Genesis Rabbah goes on to cite *all the host of heaven standing by Him to His right and left* (1 Kings 22:19), as if to confirm Maimonides' sense that the "heavenly host" symbolizes God's *familia*, forms/intelligences, personified as God's retinue.

15. Maimonides sees an allusion to the spheres: *ʿegel* (calf) having the same consonants as *ʿagol* (round).

He adds that there was no space between the creatures—no void.[16] They were conjoined: *each coupled to the next* (1:9).[17] He then says that although the creatures were in contact, their faces and wings were separate at the top: *Their faces and wings parted above* (1:11). Notice this "above": their bodies conjoined, their faces and wings separate, but only at the top. That is why he says, *Their faces and wings parted above*.[18] He adds that they shone *like burnished bronze* (1:7)—they were luminous, *like burning embers* (1:13).[19] That is all

16. "Since it has been shown that there is no void (Aristotle, *Physics* IV 3–4) it is evident that the substance of fire touches the revolving body, air touches fire, water touches it, and earth touches water, with no void between them" (Philoponus, *In Meteor. 1.1–3*. 10.13–16, tr. after Kupreeva, 38).

17. "Continuous are those things whose extremes unite, such as the parts of the undivided straight line and every undivided body. . . . Contiguous are things whose extremes are actually different but fit together in a way by their contact, becoming continuous potentially, as it were" (Philoponus, *On Aristotle*, Meteorology 10.26–31, tr. after Kupreeva, 39). The contact and articulation of the spheres to one another are critical to their operations, as Philoponus explains: "After showing that the sublunary world is continuous with the heavens, [Aristotle] gives the reason: 'so that all the power of the sublunary world can be governed from there.' For the revolution of the stars and the heavenly bodies, generally, orders all the bodies within: Their specific motions cause the turnings and changes here below, resulting in winter and summer and the other seasons, leading in turn to the production of fruits and plants, by which animals are bred and fed, and given their matter. So if the sublunary world is governed from there, and bodies cannot affect other bodies without contact, it follows necessarily that the world below is continuous with the heavens" (10.32–11.3, *On Aristotle*, Meteorology, echoing Alexander of Aphrodisias, *In Meteor.* 6, 1–6. Cf. 1.102ab).

18. At the "upper end"—beyond the spheres ("their feet")—lie the incorporeal intelligences—"faces and wings" as Maimonides decodes the symbolism of Ezekiel's vision. What is not physical cannot be "conjoined."

19. Ezekiel's talk of a burning ember complements Maimonides' brief that the differences between the stars and their spheres show the heavens to be composite—thus contingent and created (2.42ab). The luminosity is starlight—and colored (*like burnished bronze*). Celestial bodies, Philoponus argues, cannot be eternal, for just as fires glow in different colors depending on the fuel, the stars' diverse colors show that they undergo processes and, as Plato argues (*Timaeus* 27–28), whatever changes must have come to be. Sambursky writes in *Physical World of Late Antiquity*,

> The idea that the composition of matter determines the colour of fire (the basis of modern spectroscopy) is repeated in a passage of Philoponus' last work *De Opificio Mundi*: "'One star differeth from another in glory,' says Paul (1 Corinthians 15:41). Indeed there is much difference among them in magnitude, colour, and brightness, and I think that the reason for this is to be found in nothing else than the composition of the matter of which the stars are constituted. They cannot be simple bodies, for how would they differ but for their different constitution? . . . Terrestrial fires lit for human purposes also differ according to the fuel, be it oil or pitch, reed, papyrus or different kinds of wood, either in a humid or in a dry state." 4.12, ed. G. Reichardt, 184.26.

he says of the creatures' form—their shape and substance, appearance, wings, hands, and feet.

He goes on to describe how they moved, as you will hear. He says there was no turning about or doubling back, no veering in their course, but one continuous motion: *They turned not as they went* (Ezekiel 1:9).[20] Each creature, he adds, advanced in the direction it faced: *Each went the way it faced* (1:9)—each moved only in the direction it faced.[21] I would love to know which face, for they had several.[22] Still, all four did not go the same way, or he would not have said each went its own way: *Each went the way it faced*.[23]

They advanced at a run, he then says, and returned the same way: *the creatures running and returning* (*ratzo' va-shov*; Ezekiel 1:14). For *ratzo'* is the infinitive of *ratz*, run; *shov* is the infinitive of *shav*, return. He does not say 'coming and going' but running out and back.[24] He illustrates with a simile: *like lightning* (*bazak*; 1:14)—*bazak* being a word **3.4b**

Pressing his case against the stars' divinity, Philoponus writes, "The colour called radiant, and light and all the properties which are attributes of light are also found in many terrestrial bodies, in fire and glow-worms and the heads or scales of certain fishes and similar objects" (*In* De Caelo 89.4). Simplicius brands this "blasphemy": "Had Aristotle not given the same name to the celestial light and brightness and to the terrestrial phenomena, which are something different, Philoponus would not have dared to say that the light of heaven is also present in glow-worms and in the scales of fishes." Calling Philoponus rash, boorish, unschooled, and out of his wits, Simplicius cites against "this conceited and quarrelsome man"—the same David he so venerates, who said, *The heavens declare the glory of God, and the firmament showeth His handiwork* (Psalms 19:2)—"he does not talk of glow-worms and scales of fishes" (*In* De Caelo 90.1). See Sambursky, *Physical World of Late Antiquity*, 159–60.

20. The spheres' rotations are continuous and undeviating—unlike epicycles and eccentrics.

21. "In man, the part between crown and neck is called the face—the name, it seems, derived from its function. . . . For as man is the only animal that stands upright, he is also the only one that looks straight ahead and projects his voice forward" (Aristotle, *On the Parts of Animals* III 1, 662b20–22). In Greek, as in Hebrew, the word 'forward' derives from the word for 'face,' since one faces forward.

22. Maimonides, Munk explains in his translation, alludes to the yearning of each sphere toward the cause above it, seeking to emulate the incorporeal intellect that governs and guides its movement. Following a suggestion of Shem Ṭov, Munk sees Maimonides returning to the issue of his argument in II 19 (2.44b): It would be God's will, not sheer necessity, that set the heavens' revolutions. For incorporeal intelligences have no spatial location, making directionality irrelevant for them. The sense of their rotation would be what was assigned to them.

23. Maimonides links the four facings with the qualities of Aristotle's four elements. The wings of the Seraphim, similarly, are linked. Cf. the surviving fragment of Philo's *De Deo*, detailed in Harry Wolfson, *Philo* 1.341.

24. For Maimonides, as for Aristotle, only rotation can be continuous and thus unceasing. As Themistius argues, "What moves in a straight, finite line does not move continuously; for it turns back"—as it must in Aristotle's finite cosmos (*On Aristotle's Physics 5–8*, tr. Todd, 88–91).

for lightning.[25] It was like lightning, he says—the swiftest visible motion, striking again and again and retreating just as swiftly to where it started. Jonathan ben Uzziel glossed *ratzo' va-shov* as "repeatedly circling the world and returning as one creature, swift as a lightning flash."[26]

He adds that the creatures' advance and retreat were not autonomous but directed from elsewhere—namely, by God's purpose.[27] For the direction each creature took in its swift movement out and back, he says, was as God's purpose intended: *Whither the spirit* (*ruaḥ*) *would have them go, thither did they go, turning not* (Ezekiel 1:12). *Ruaḥ* here means 'purpose,' not 'wind,' as I explained in distinguishing the word's senses (I 40).[28] The creatures, he says, took the course set by God's intent. Jonathan ben Uzziel glossed accordingly: "They went where the Will would have them go, not deviating." But since the verse says *Whither the spirit would have them go, thither did they go*—suggesting, superficially, that God might have them go now as they do, now otherwise—Ezekiel returns to the
3.5a point, resolving the ambiguity and showing us that *would* here is in the perfect tense, as it often is in Hebrew: The direction they take is fixed, specified by God's timeless will, as Ezekiel makes clear when he caps the line *Whither the spirit would have them go, thither*

25. Maimonides sees a reflection here at the cosmic level of the flashes of human enlightenment (1.4a and 2.75b; cf. Altmann, *Studies*, 90).

26. The creatures did not just dart to and fro but circled, ever returning to the same point, like the spheres. Maimonides welcomes Jonathan's thought that the creatures swiftly circled the world. Cf. Plato, *Timaeus* 34a. Of the centrality of rotation in Neoplatonic cosmology, as set forth in its primal form by Aristotle, Philoponus writes,

> Unlike rectilinear motion, circular motion does not begin at one point and end at another (begin at Aries, say, and end at Pisces). Every point is a beginning, middle, and end. . . . so at any point a moving body must both start and finish. . . . For some, that is the definition of perfection. . . . As Plotinus says, "Why does it move in a circle? Because it emulates the Mind" (*Enneads* 2.2.1.1). Just as the divine creative Mind, turning in upon itself, contemplates all things and in them itself, so do the celestial bodies turn in upon themselves. And just as the divine Mind is nowhere in substance but everywhere in its actions, so does the heaven come to be everywhere piecemeal (for, as a body, it cannot be everywhere at once): In substance it transcends the bodies within it [being of another sort of matter], but it governs all by its actions. This is true of circular motion but of no other kind. Being unending it cannot be rectilinear. For it has been shown that when bodies in rectilinear motion reach the end of the straight line on which they move, they must come to a halt. (*In Meteor. 1.1–3*. 12.7–33, tr. after Kupreeva, 40–41)

The swiftness of the heavens' motion (Aristotle, *De Caelo* II 8, 290b3) is confirmed by the immensity of the spheres, as Philoponus reports (18–24, Kupreeva, 47–53).

27. The motions prefigure the elements' cyclical exchanges of forms.

28. God's intent does not flow or blow like the wind, and the four elements have no primacy in nature's governance.

did they go, as the spirit intended (1:20).[29] You should not miss this striking clarification about the creatures' motions following his account of their features.

He now begins another description, saying that he saw one body beneath the creatures, held fast to them but touching the earth. It, too, had four masses with four faces, but he does not say it had any form at all—neither human nor that of any other animal.[30] He says only that the four masses were vast, dread, and terrifying (cf. Ezekiel 1:13) but assigns them no shape at all, saying only that their bodies were all "eyes." He calls them wheels: *I saw the creatures, and lo there was one wheel on earth by the creatures with his four faces* (1:15). That shows that it was one mass, with one end *by the creatures* and the other on earth, and that this wheel had four faces: *The look and structure of the wheels was like the color of beryl, and all four had the same likeness* (1:16).

Having spoken of one wheel, he shifts to talk of four, declaring that the four faces of the wheel were four wheels, all looking alike: *All four had the same likeness*. He then specifies that the wheels were one within another: *Their look and action was of a wheel in a* **3.5b**
wheel (Ezekiel 1:16). He does not say that about the creatures: The word 'in' is not applied to them. They were conjoined: *each coupled to the next* (1:9). But the wheels, he says, were set inside each other, *a wheel in a wheel*.[31]

By saying that the whole wheeled mass was filled with *ʿeynayim* (Ezekiel 1:18), he might mean full of eyes but perhaps multicolored, as in *Its color* (*ʿeyno*) *was the color* (*ʿeyn*) *of amber* (Numbers 11:7). Or he could mean "likenesses," as our language experts understand:[32] "like what he stole . . . like what he robbed (*ke-ʿeyn . . . ke ʿeyn*)" (B. Bava Kamma 65ab, 66a), meaning equivalent to what he stole or took. Or it might mean certain states or conditions, as in *Mayhap the* LORD *will regard my plight* (*ʿeyni*; 2 Samuel 16:12). Such is his description of the form of the wheels.

29. There is no absolute necessity in the spheres' turning as they do. But having set their course, God will not arbitrarily alter that course, on which nature's order depends.

30. This was prime matter, as Friedländer explains in his translation, with the four faces yielding the four elements. According to Aristotle, "The body beneath the rotating element on high is matter of a sort, potentially hot, cold, dry, or moist" (*Meteorology* I 3, 340b15–16). According to Philoponus, "By 'the body beneath the rotating element' Aristotle understands the whole sublunary region, that is, the four elements. This entire body, being subject to affection (since it comes to be and perishes), is a sort of matter for the elements, a substrate underlying the production of what is formed from them, like wood for the carpenter or wool for the weaver" (*In Meteor.*, tr. after Kupreeva, 62).

31. The wheels, being physical, had spatial relations. The creatures represent the intelligences—conjoined, but not physically. Plotinus calls the Forms a one/many, since the more specific forms nest within the more general. Together they are identical to the divine Nous that knows them.

32. Maimonides sees the Sages as experts in biblical Hebrew, much as Muslim exegetes of the Qur'ān turned to Bedouin usage as the canon of the purest Arabic.

Of their motion, he says they too did not twist, turn, or deviate but went steadily forward: *In all four directions they moved unswerving* (Ezekiel 1:17). He adds that the four wheels, unlike the creatures, do not move of their own accord. They have no motion of their own at all but are moved externally. He stresses this, repeating the point several times, treating the creatures as what moves the wheels,[33] like lifeless bodies bound to an animal's paw or foot or a rock or piece of wood tied to a limb and moving when the animal does: *As the creatures went, so did the wheels with them; and when the creatures rose from the earth, so did the wheels* (1:19).[34] Likewise, he says, *The wheels were lifted with them* (1:20), and he names the cause: *for the spirit of the creature was in the wheels* (1:20). He repeats the point for emphasis and clarity: *When the creatures moved, they moved; when they stood still, they stopped; when the creatures rose from the earth, the wheels rose with them. For the spirit of the creature was in the wheels* (1:21).[35]

3.6a

The pattern of movements, then: The creatures took the course God's purpose gave them; the wheels, linked to them, moved with them. The wheels do not follow the creatures' course independently. As he describes the linkage, *Whither the spirit would have them go, thither did they go, as the spirit intended, and the wheels rose with them, for the spirit of the creature was in the wheels* (Ezekiel 1:20). I have told you already how Jonathan ben Uzziel rendered this: "Where the will was for them to go . . ." (3.4b).[36]

33. Ezekiel's *ḥayyot*, "living beings," are the creatures that animate nature. Creatures, not deities, they move only as God's eternal intent ordains. The wheels are like lifeless objects bound to an animal's limb. Philoponus, in like spirit, vehemently rejects Damascius' claim that the motion of comets is supernatural, insisting, rather, that they are propelled by (an external) force (Philoponus, *In Meteor.* 1.7, 96–97, tr. Kupreeva, 80–81). Just as the Torah demythologizes the cosmos, Maimonides un-gods the pagan philosophers' pantheon.

34. Ezekiel's account suggests the exhalations of the elements, their passivity seen in the wheels' intrinsic inertness; see I 72, 1.99b.

35. The wheels represent the four elements, linked with the four creatures, the four horses bearing God's chariot (I 70, 1.93a), and the four orbs to which Maimonides reduces the system of celestial spheres (II 9–11). As the spheres rotate, the elements are continuously transformed into one another and the cycles regulated by the spheres, whose motions, in turn, are governed by the incorporeal intelligences, Ezekiel's "creatures."

36. Rabbi Yoḥanan and Rabbi Ḥanina disputed over whether the angels were created on the second day or the fifth (Genesis Rabbah 1.3). Rabbi Luliani notes that both avoid having the angels created on the first day, lest God seem to need help in creating. Ibn Tibbon, in his *Treatise on the Gathering of the Waters*, assimilates Rabbi Yoḥanan's view to the idea that the Active Intellect gave all sublunar living beings their forms. Rabbi Ḥanina, having the angels created the day before man's creation, has the angels giving form only to man—in human consciousness. Both rabbis, Ibn Ṭibbon holds, thought minerals and elements needed no angelic intervention, since they lack souls. See Robinson, "Maimonides, Samuel Ibn Tibbon, and the Construction," 300–301. Maimonides, stressing the creatures' lack of

Having finished describing the forms and movements of these creatures and having mentioned the wheels below them and how those wheels link to them and move as they do, he turns to a third sight he beheld and describes what lay above the creatures. Above the four, he says, was a firmament; atop it, the likeness of a throne (Ezekiel 1:22); and on the throne, *the likeness of the image of a man* (1:26).[37] That completes his account of what he first beheld by the river Chebar.

Chapter 3

Having described the chariot[38] at the start of the book, Ezekiel has the same experience again, borne now, in his prophetic vision, to Jerusalem.[39] Here he clarifies for us things previously left unclear. He replaces the word 'creatures' with 'cherubim.' So we know that the creatures mentioned earlier are angels, or cherubim. He says, *When the cherubim moved, the wheels did so with them, and when the cherubim raised their wings to rise up from the earth, the wheels parted not from them* (Ezekiel 10:16), he is stressing the linkage that I mentioned. He continues, *This was the creature that I saw beneath the God of Israel by the River Chebar, and I knew that they were cherubim* (10:20). He repeats his description of their forms and motions, clearly identifying the creatures as cherubim—and the cherubim as the creatures. But a new idea in this second account is that the wheels are *galgalim—I heard the wheels called* galgal (10:13). And a third thought is expressed about the wheels: *Where the head faced did they go, turning not as they went* (10:11), stressing that the wheels had to take the direction the head faced. That underscores the sense of *Whither the spirit would have them go* (1:20). He adds a fourth thought about the wheels: *The wheels were full of eyes round about, all four wheels* (10:12). This he had not said the first time, but he says of the wheels now: *all their flesh—backs, hands, wings* (10:12). He had not mentioned earlier that the wheels had flesh, hands, or wings—only that they were masses. Now he says that they had hands and wings but still does not say they had any form at all.

3.6b

3.7a

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autonomy and the elements' passivity, points up God's primacy but extracts from the midrash a key to decoding Ezekiel's vision.

37. "The third vision," Friedländer writes, "comprises the immaterial beings. The 'firmament' (*raki'a*) identical with the *aravot* described in I 70, seems to be considered as the partition between material and immaterial beings." The incorporeal world is represented in the prophet's imagination by the throne of God, symbolizing God's sovereignty (*malkhut*); cf. I 9 ad fin.

38. The throne that features in Ezekiel's vision is traditionally called a chariot.

39. Maimonides echoes the Qur'ānic (17:1) allusion to Muḥammad's miraculous "night journey" (*isrā'*) to the heavens, first touching down at the site of the Temple in Jerusalem.

This time he explains that there was a wheel for each cherub: *one wheel beside one cherub, one beside another* (Ezekiel 10:9). And he makes clear now that the four creatures were really one, being conjoined: *This was the creature that I saw beneath the God of Israel by the River Chebar* (10:20). The wheels, too, he calls one—*one wheel on earth* (1:15)—although he had said there were four. For they were conjoined, and *all four had the same likeness* (1:16). This is how he clarifies the form of the creatures and the wheels seen in his second epiphany.

Chapter 4

I should tell you about a thought that Jonathan ben Uzziel proposed. Seeing that the text clearly says *I heard the wheels called* galgal (Ezekiel 10:13), he was sure the wheels were the heavens. So he consistently translated *wheel* as *galgal* (sphere) and *wheels* as *galgalaya*.

3.7b This gloss was confirmed for him, no doubt, by Ezekiel's saying that the wheels were *like the color of beryl* (1:16), a color commonly assigned to the heavens.[40] But when he found it saying, *As I saw the creatures, lo there was one wheel on earth* (1:15), showing that the wheels were on earth, he saw the problem in his reading, of course. But he pressed it, taking *earth* here to mean the surface of the heavens, which is "earth" relative to what lies higher. He translated it as "one wheel on the earth beneath the heavens' height."

You can see how he took it. What led him to read the verse in this way, I suppose, was believing that *galgal* in its primary sense was a name for the sky. But as I see it, *galgal* just means rolling: *roll thee down* (*gilgaltikha*) *from the crags* (Jeremiah 51:25), *he rolled away* (*va-yagel*) *the stone* (Genesis 29:10); and thus, *like a tumbleweed* (*galgal*) *in the gale* (Isaiah 17:13), so called because it rolls. That is why a skull is called *gulgolet*: It can roll. Anything round is called *galgal*, since it readily rolls: The heavens are called *galgalim* because they revolve, being round. The Sages say, "It is a cycle (*galgal*)" (B. Shabbat 151b),[41] and accordingly, they call a winch a *galgal*. So when Ezekiel says, *I heard the wheels called* galgal (10:13), Jonathan took that to tell us their shape. For no shape or form was mentioned as theirs beyond calling them *galgalim*.

As for *like beryl*, Jonathan interprets this the same way the second time. When Ezekiel says *the appearance of the wheels was like the color of beryl* (10:9), Jonathan translates it as "like the color of a precious stone." Onkelos, as you know, used the same expression in translating *the like of a work clear as sapphire* (Exodus 24:10; see I 28): "like a precious

40. As Friedländer notes in his translation, the Targum (at Exodus 28:20) takes beryl (*tarshish*) to be the color of the sea—likened to that of the sky at Midrash Tanḥuma to Numbers 15:38. The heavens are also called the Throne of God's Glory.

41. Rabbi Ishmael refers here to cycles of poverty.

stone." There is no difference between *like the color of beryl* and *the like of a work clear as sapphire*. You see my point.[42] **3.8a**

Don't be troubled that I cited Jonathan ben Uzziel's gloss here, although I disagree. Many of the Sages and exegetes, too, you'll find, differ with his glosses of certain biblical themes and terms. Why would they not in matters so arcane? I will not press you to favor my reading. Just understand his reading fully, as I've sketched it, and mine as well. God knows which best fits Ezekiel's intent.

Chapter 5

One thing you should note: Ezekiel says *visions of God* (1:1) in the plural, not the singular. For his epiphanies were of different kinds, three in all: beholding the wheels, the creatures, and the man above them. About each, he says 'I saw': Of the creatures, *I saw, and lo a stormwind . . .* (1:4); of the wheels, *As I saw the creatures, lo there was one wheel on earth* (1:15); and of the man, of higher degree than the creatures, *I saw the like of the color of amber . . . from what appeared to be his loins* (1:27). Apart from these three passages, he never repeats the words *I saw* in his account of the Chariot. The Sages of the Mishnah enlightened me about this. They alerted me to it by ruling that only the first two epiphanies—his visions of the creatures and the wheels—may be expounded, whereas of the third, the amber, and everything connected with it, "only the rubrics are shared" (M. Ḥagigah 2.1). **3.8b**

Our holy Rabbi (Judah the Patriarch) believed that all three epiphanies belong to the Account of the Chariot, so only the rubrics may be taught regarding all three. But the Sages ask how far one may go in teaching the Account of the Chariot. Rabbi Meir says, up to the last *I saw* (1:27). Rabbi Isaac says, up to *amber* (1:27). From the first *I saw* (1:4) until *amber* one may; beyond that, only the rubrics. Some say, from *I saw* to *amber* we impart only the rubrics; beyond that, only to one who is wise—otherwise, not (B. Ḥagigah 13a).

So their text clearly distinguishes the three kinds of epiphany, marked by *I saw*, showing that each was on its own level. The third, of which it is said *I saw the like of the color of amber* (Ezekiel 1:27)—his seeing the divided form of a man, of which it says *from the likeness of his loins up . . . and from the likeness of his loins down* (1:27), was the last level and his highest. The Sages differ as to whether one may hint anything about it in one's teaching, by disclosing the rubrics, or whether one may not expound it at all, even by the rubrics, since "one who is wise will understand for himself." They differ, too, as you see, about his first two epiphanies, of the creatures and the wheels: May one teach their meanings openly or only by hints and indirection, using the rubrics?

42. The wheel was not a celestial sphere; it symbolized prime matter (hence its formlessness). It split into the four elements, its roundness representing their cyclical transformations.

3.9a We should notice, too, the order of the three epiphanies: First came the creatures, given, inter alia, their causal primacy and rank—*for the spirit of the creature was in the wheels* (Ezekiel 1:20). His third epiphany, coming after the wheels, clearly surpasses his seeing the creatures. For the first two presage and lay the groundwork for the third.

Chapter 6

The sublime and momentous idea that Ezekiel was moved prophetically to teach us by describing the Chariot is identical to what Isaiah taught more concisely. Not needing so much detail, he said, *I saw the* LORD *seated on a throne, high and exalted, His train filling the Temple, Seraphim attending* (6:1–2). The Sages explain: What Ezekiel beheld, they say, was identical to what Isaiah saw. They illustrate on the analogy of two men seeing the ruler ride by—one man from the capital, the other from the country. The city dweller, knowing that city folk know in what state the king rides, does not describe the procession but says only 'I saw the king.' The other, wanting to describe what he saw to
3.9b his fellow country folk, who know nothing of the king's pomp, details it for them, down to the features of his troops and the officers that execute his orders (cf. I 46). That appraisal is most helpful. In Ḥagigah (B. 13b) they say, "All that Ezekiel saw Isaiah saw too. But Isaiah was like a city dweller who saw the king; Ezekiel, like a villager who saw the king." That could be understood along the lines I suggested, that Isaiah's contemporaries had no need of such detail. To them it was enough to say, *I saw the Lord*. But the Children of Exile needed the particulars. Or perhaps the Sage thought Isaiah more sophisticated than Ezekiel, so the experience that so stunned and awed Ezekiel was familiar to Isaiah, who did not need exotic language to recount it, since the enlightened are at home here.[43]

Chapter 7

One question to raise is why he ties his vision of the Chariot to a particular day, month, year, and place. This must mean something; it should not be thought insignificant.[44] Also worth pondering, the key to it all, is his saying, *The heavens opened up* (Ezekiel 1:1).

43. Exotic language, the Arabic poetic critics say, is arresting and provokes inquiry—and discovery. See Harb, *Arabic Poetics*, esp. Averroes' account, 101–7.

44. Most classical commentators on the *Guide* are at a loss in interpreting Maimonides' broad hints here. Ezekiel may, indeed, have merely sought to document his epiphany. Narboni, in his commentary on the *Guide*, suspects that Maimonides sees evidence that Ezekiel's vision was spiritual: The prophet was not reporting his observation of some celestial phenomenon that others might have seen.

This image of opening and of opening doors is frequent in prophetic discourse:[45] *Open the gates* (Isaiah 26:2); *He opened the portals of heaven* (Psalms 78:23); [*raise up your heads, ye gates*,] *raise them up and remain ever open!* (24:9); and *Open to me the gates of righteousness* (118:19). Examples are many. **3.10a**

One should notice, too, that although, of course, he was reporting a prophetic vision—as he says, *the hand of the* LORD *was upon him there* (Ezekiel 1:3)—his language changes notably from one passage to the next. In speaking of the creatures, he says *the likeness of four creatures* (1:5), not just "four creatures." Similarly, *above the creatures' heads, the likeness of a firmament* (1:22); and again, *appearing like a sapphire, the likeness of a throne* (1:26); and *the likeness of the image of a man* (1:26). In each case he says *likeness*. But he never says "the likeness of a wheel" or "the likeness of wheels." He describes the wheels directly, in objective terms. Don't be confused by his saying, *All four had the same likeness* (1:16). The syntax and the sense of 'likeness' are quite different here. He confirms and clarifies our point in relating his final epiphany, speaking first of the firmament in objective terms and then giving details: *I saw, and lo in the firmament above the heads of the cherubim there appeared the like of a sapphire, the seeming likeness of a throne* (10:1). He does not qualify this mention of the firmament by saying "the likeness of a firmament," as he did when he spoke of the heads of the likeness of the creatures (1:22, 10:1). But of the throne, he does say *the likeness of a throne*, showing that first he saw the firmament and then the likeness of a throne above it. Consider what that means.[46]

Notice, too, that he described the creatures when he first saw them as having wings and human hands, but the second time, when he made it clear that the creatures were cherubim, he saw only their wings at first; human hands appeared later, as he says: *Under their wings he saw the shape of a human hand* (Ezekiel 10:8). He says 'shape' in lieu of 'likeness'—the hands being on a lower plane than the wings. This you must understand.[47] Consider, too, how he plainly says, *The wheels were by them* (10:19), although he assigns them no form. **3.10b**

He also says, *Like the sight of the bow in a cloud on a day of rain, such was the sight of the glow round about. This was the sight of the like of the glory of the* LORD (1:28). We know

45. Talk of the heavens opening up is a trope signifying enlightenment.

46. When Ezekiel's vision represented material things, he spoke in objective terms. But he used pious periphrasis, speaking of likenesses, when his vision touched on the supernal vehicles of God's will. For the throne as a symbol, see I 9.

47. The hands engage with the material world (see Part III, *nn.* 12–13); the wings are of a higher order. "The nature of a wing is to raise what is heavy and bear it aloft to the region where the gods dwell, and more than any other bodily part, wings are akin to the divine, which is fair, wise, and good and possessed of all other such virtues" (Plato, *Phaedrus* 246de).

what a rainbow is made of and what it is essentially. This is the strangest comparison possible, doubtless prophetically compelled. Do understand this.[48]

One thing you must note is how he divides the likeness of the man on the throne—above, like the color of amber; below, of the appearance of fire (Ezekiel 1:27, 8:2). This word *amber* (*ḥashmal*) the Sages take as a compound of *ḥash* and *mal*, *ḥash* meaning 'speed' and *mal*, 'cutting.' Combining the two suggests the two aspects of that corporeal image, above and below. Alternatively, they derive the word from the ideas of speech and silence—"sometimes silent (*ḥashot*); sometimes speaking (*memallot*)" (B. Ḥagigah 13b)—taking the sense of 'silent' from *long have I kept silent* (*heḥesheti*; Isaiah 42:14). They take *ḥashmal* to suggest soundless speech. But what speaks or keeps silence must be something created. See how they tell us directly that this image of an enthroned, divided man does *not* represent God, who transcends all division. It symbolizes something created. Hence the prophet says, *This was the appearance of the like of the Glory of the* LORD (1:28). The Glory of the LORD is not the LORD, as I have explained repeatedly (I 4, 8,
3.11a 9, 18, 19, 21, 25, 28). So everything symbolized in all of Ezekiel's epiphanies was but the LORD's Glory:[49] He beheld the Chariot, not the Rider! God is not to be represented. This you must understand.

In this chapter, then, I have given you the rubrics to marshal into a good overview of this subject. If you study all that I've said in the previous chapters, you should get a clear sense of all or most of Ezekiel's message, save some minor details and repetitions of unclear intent.[50] On deeper study, even those may grow clear to you, leaving nothing obscure. But after this chapter you should not expect to hear another word from me about this, direct or indirect. I have said all that can be said about it and have even gone somewhat overboard. So let us turn to other matters now from the range I hope to address in this work.[51]

48. Striking in its boldness, Ezekiel's "prophetic license" likens what the prophet saw in his vision to a natural phenomenon. Friedländer writes, "The rainbow is produced through the action of the sun, although the sun is diametrically opposite to the cloud and does not touch it. In the same way do the Intelligences . . . cause the motion of the spheres, although they do not themselves move."

49. Maimonides had wisely left room for the idea of God's created glory (1.24b).

50. Maimonides, as we've observed, fuses the symbolism of the ladder seen in Jacob's dream with Plato's images of the Cave, the Divided Line, and the Ladder of Love. Poetic minimalism, for Maimonides, clearly marks inspired speech. "The spare imagery of Jacob's vision in comparison with Ezekiel's indicates its superiority," Diamond writes, underscoring Maimonides' reading of the Sages' comparing (III 6) Isaiah's spiritual urbanity with Ezekiel's rusticity (Diamond, *Maimonides and the Hermeneutics*, 194 *n.* 98).

51. Maimonides seems relieved to set aside the ticklish task of glossing Ezekiel's vision. The topics remaining, such as the problem of evil and the reasons for the mitzvot, also fall under the rubric of *Maʿaseh Merkavah*, since they regard the links of finitude to the Infinite.

Chapter 8

All bodies that come to be and pass away are corrupted only through their matter. The form or essence endures, untouched by decay. All specific forms, you see, are constant and everlasting, affected only *per accidens* by their linkage to matter.[52] Privation is inherent in matter. So no form persists in it. It is always shedding one form and taking on another. **3.11b**
Solomon put it marvelously, wisely comparing matter to a faithless wife (Proverbs 7:6–21; 1.8a). For matter is never formless. It is always someone's 'wife,' never unwed or alone. But although married, it always seeks some new 'man' in its husband's place, to entice and seduce him somehow, until he gets from her what her husband once did.[53] That is what matter is like: Any form it has just readies it for another. It never stops shifting, shedding one form, donning another, and repeating the pattern with every new form. Clearly, then, all corruption, destruction, and privation result from matter alone.

In the human case specifically, any deformity, crippling, disability, ailment, or disorder, inborn or acquired, stems not from the form but just from the corruptible matter. Every animal, likewise, sickens or dies only by way of its matter, not its form. And all human sin and wrongdoing stem from the matter alone, not the form, whereas all one's virtues reflect only his form. Awareness of our Creator, for example; conceptual thinking; control of one's anger and appetites; and thoughts of what to seek or shun all reflect one's form. But eating, drinking, sex, and overindulgence in these, as well as ill temper **3.12a**
and every other vice, derive from one's matter.

This is clearly so. For divine Wisdom decreed that matter cannot exist without form, nor such forms as these without matter.[54] Man's noble form, then, the image and likeness of God, as I explained (I 1), is bound, perforce, to this dark, turbid, earthly matter that invites every defect and decay. Therefore was it given by God the power to rule and govern matter and the wisdom to check its impulses, to vanquish them and bring them to the best balance possible.

Human beings differ in degree accordingly: Some ever aspire to the highest ends, seeking the eternal life called for by their noble form, their thought focused on ideas and pursuing sound views about all things and connection with the divine Intellect that sheds this form upon us by emanation. When called by matter toward its filth and patent

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But they do not raise the slippery questions presented by Ezekiel's highly pictorial visions, which Maimonides reads as representing not God but nature's interface with God. It seems easier for Maimonides to find moral and theological philosophy in the Torah than to shoehorn Ezekiel's ecstatic visions into the cosmological box of a philosophical outlook.

52. This rose will fade and die; but the form of the rose, no longer present here, endures.

53. Aristotle writes, "What desires form is matter, as female desires male" (*Physics* I 9, 192a22).

54. There are, of course, forms without matter, but not the sort familiar in bodies!

shame, they are pained at the connection. Ashamed of the trials to which it subjects them, they long to lessen the shame and strive in every way to be preserved from it—like a man out of favor with the ruler and ordered disgraced by moving manure from one place to another. He does his best to stay out of sight at the vile task—shifting just a little,
3.12b perhaps, to some nearby spot, lest he soil his hands or his clothing, hoping no one will see. That is what free men would do. But a slave would revel in it and think it nothing terrible.[55] He would throw himself bodily into the filth and ordure, smear it on his hands and face, and move it publicly, laughing raucously and clapping his hands.

People differ in just this way. Some, as I said, find all bodily urges foul and unseemly, necessary evils, especially those of the tactile sense, which shames us, as Aristotle says (cf. II 36). For it is this sense that makes us crave food, drink, and sex—functions rightly kept private, minimized, and regretted, not made topics of talk, let alone dwelt on or made occasions for a party. One should control all such urges, limit the energy spent on them, and partake only as needed. The goal to pursue is our true human end: contemplation of ideas, so far as possible—the highest and most lasting being of God and the angels and God's other works. Those who do this are with God ceaselessly. It is they who are told, *Gods are ye, all children of the Most High!* (Psalms 82:6). This is man's goal, our highest end.

But others, the great throng of the unwashed, curtained from God, do just the opposite. They neglect all thought and reflection on ideas and make their cynosure the very sense of touch that is our great shame. They have no ideas, no thought beyond sex and
3.13a consumption. Such wretches are pictured clearly, engrossed in food, drink, and sex: *They, too, reel with wine and stagger with drink . . . every table, awash in vomit, filth everywhere* (Isaiah 28:7–8)—and *ruled by women* (3:12), despite the charge at the creation: *Thy desire shall be for thy husband, but he shall rule thee* (Genesis 3:16).[56] Their gross lust is depicted too, *each neighing for his neighbor's wife* (Jeremiah 5:8), *for they are all adulterers* (9:1).

So Solomon devotes the whole Book of Proverbs to warnings against fornication and intoxication. For those who wallow in these fall from God's grace and lose connection with Him. Of them is it said, *They are not the Lord's* (Jeremiah 5:10); *Out of My sight! Away with them!* (15:1). But when Solomon says, *A good wife is a rare find* (Proverbs 31:10), the image is clear: If one is fortunate enough to have apt and good matter that does not rule him or spoil his temper, that is a divine gift. Matter, in a word, if amenable, is easily managed, as I said (3.11ab), but even if refractory, it is not impossible for a disciplined

55. Maimonides echoes Aristotle's views about "natural slaves": "Some people, it must be admitted, are slaves everywhere; others, nowhere" (*Politics* I 5, 1255a30). Natural slaves are known for their character, not their condition of servitude: "Some have the souls, others the bodies of free men" (1254b20–23).

56. In a gloss worthy of Philo, Maimonides reads God's words as addressed to matter, which desires form but is rightly ruled by it—a cosmological reading of Genesis 3:16.

person to control it. That is why Solomon and others set out all these counsels of self-discipline, prescriptive and restrictive codes—just to rein in matter's demands.[57]

What one must do, if one chooses to be truly human and not a beast with human shape and features, is strive to minimize every bodily impulse—for food, drink, sex, anger, and like urges. One should find them shameful and set himself limits. With necessities like food and drink, he should keep to what nutrition requires,[58] not heed the call of pleasure. **3.13b**
One should speak little of such things and rarely attend gatherings for them. You know how the Sages hated banquets, unless to keep a commandment (M. Avot 3.4, B. Pesaḥim 49a, *MT* Ethical Laws 5.2). The virtuous are like Phinehas ben Jair. He would never eat at someone else's home. Our holy Rabbi Judah invited him, but he declined (B. Ḥullin 7ab).

Drinking is on a par with eating, since they serve the same purpose. Parties for drinking intoxicating liquors should be more shameful to you than gathering naked and exposed to sit and shit in broad daylight: Defecation is a necessity and unavoidable, but drunkenness is a choice made by the dissolute. To expose oneself is improper by convention, not reason (cf. I 2), but to pollute body and mind offends against reason itself.[59] One who values one's humanity should shun it and not even speak of it.

As for sex, I need not add to what I said in commenting on Avot about our wise and pure Law's distaste, banning even mention of it, let alone making it a topic of conversation.[60] Elisha, as you know, was called a saint by the Sages for so banishing such thoughts from his mind as not even to dream of them (Leviticus Rabbah 24.6, B. Berakhot 10b). And the Sages, you know, say that Jacob never so much as passed semen before siring Reuben (Genesis Rabbah 97.1, 98.4, 99.1, 6; B. Yevamot 76a).[61] All these stories are passed down in our community to refine our humanity. The Sages say, as you know, "To dwell

57. "The chariots of the gods, well balanced and well controlled, move easily; others barely arrive. The weight of the bad horse draws down the charioteer and drags him to earth if he has failed to train it well. This causes the hardest toil and struggle a soul will face" (Plato, *Phaedrus* 247).

58. "Medicine has three means by which a physician can combat the causes of illness: discipline with food, discipline with drink, and surgery. Discipline comes first and is best, as Galen says in his [Commentary on Hippocrates'] *Regimen for Acute Diseases*" (Galen, *Corpus Medicorum Graecorum* V 9.1). See Hillel Ben Samuel, *Sefer Keritut* (ca. 1220–1295), cited in Gerrit Bos, *Novel Medical and General Hebrew Terminology*, 40.

59. Contrast Plato, *Laws* 671–72.

60. Rabbi José ben Yoḥanan cautions against much talk with women (M. Avot 1.5). Maimonides comments in his commentary on Avot, "Conversations with women, notoriously, are in the main about sex. That is why he discountenances extended talk with them: It leads to no good for one by opening the door to base traits—specifically, concupiscence." For less tendentious thoughts about sex, see *CM* Sanhedrin 176–80; and *MT* Laws regarding Forbidden Intercourse 22.

61. See Diamond, *Maimonides and the Hermeneutics*, 33.

on thoughts of sin is worse than the sin itself" (B. Yoma 29a). I have my own explana-
3.14a tion for that: One sins only because of the accidents attendant on one's matter, as I have shown. The act reflects one's animal nature. But thought is distinctively human, reflecting our form. So letting one's thinking stray to base acts befouls what is noblest in us. It is not as wrong to misuse some rude slave as to exploit a worthy free man.[62] Our human form and everything proper to it should be used only as befits it: to connect with higher things, not for self-degradation.

You know how strongly foul speech is condemned among us (B. Ketubot 8b, Shabbat 33ab), as it should be. For articulate speech is a special human gift—as it says, *Who gave man a mouth?* (Exodus 4:11) and as the prophet says, *The* LORD *God gave me a well-taught tongue* (Isaiah 50:4). The gift was meant to better us, to learn and teach, not to lower ourselves to the deepest, most shameful depths by speaking as rude, loose gentiles do in their ditties and yarns. That may suit them, but not those who were told, *Ye shall be My kingdom of priests, a holy nation* (Exodus 19:6). Whoever turns his mind or speech to some story mired in that shameful sense of ours, devoting his thoughts to gratuitous drink or sex, or dwelling on such things in song, misuses and abuses the gift; he slights the Giver and flouts His commands, like those of whom it was said, *I lavished silver on her, and gold, and they made it a Baal!* (Hosea 2:10).

3.14b There's a reason our language is called the Holy Tongue. You shouldn't think it's a misnomer or just an expression. It's a fact. In this hallowed tongue, no word is assigned to the sexual organ, male or female; nor to the sexual act; nor to semen, urine, or feces.[63] No word is designated to denote these things directly but only metaphorically or allusively. They're meant to be unmentioned, passed over in silence, or if need be, referenced indirectly—just as the acts themselves should be as private as possible. The male organ, given its form, is called a cord, as in *Thy neck is an iron cord* (Isaiah 48:4) or a *spout* (Deuteronomy 23:2), given its use. A woman's organ is her *chamber*, a word for the belly (Numbers 28:8). *Reḥem* names the organ in the abdomen where the fetus forms.[64] The word for

62. The Sages disapprove of slavery. At M. Avot 1.5, Maimonides writes, "The Sages have it that rather than slaves, orphans and the poor should be in one's household as employees" (*MT* Laws of Gifts to the Poor 10.17). Disparaged here are those who are slaves to their passions.

63. Hebrew is holy by virtue of its usages, reflecting and forming the ethos of Israel. It is not a perfect or primal language, let alone God's tongue; see II *n.* 298. God does not speak a language in any literal sense. Metaphorically, the Torah says that God created by a word—and that all Israel heard God's word at Sinai. They heard a mighty sound, but it was Moses who spelled out its meaning—although all "heard" for themselves, to the best of their capacity, grasping the first two mitzvot, since truths of reason need no prophet to pronounce them (II 30, 2.71b).

64. *Reḥem* does mean 'womb.' But the term can have an earthier force: Sisera's mother makes it a vulgar metonymy for the women she expects her son's men to have taken captive (Judges 5:30).

feculence is *tzo'ah*, 'excrement,' from *yatza*, 'to exit.' Urine is 'water of the legs'; semen is 'ejaculate seed.' The sexual act itself has no name of its own but is signified obliquely by 'lie with,' 'espouse,' 'take,' or 'bare the nakedness of'—and that is all. You should not mistake *yishgal* as a word for the act. *Shagel* just means a 'consort,' as in *To thy right a consort stands* (Psalms 45:10). So [*thou shalt betroth a wife, and another*] *shall make her his own* (Deuteronomy 28:30)—*yishgalena*, make her his concubine.[65]

In much of this chapter, I have strayed from my aim in this work into moral and religious topics not wholly germane to the work's purpose. But the argument led to that. **3.15a**

Chapter 9

Matter is a formidable barrier to apprehending things incorporeal as they really are—even the noblest, purest matter, that of the spheres, let alone this dark, turbid matter of ours. So whenever our minds hope to know God or one of the Intellects, this imposing barrier stands in the way. Scripture alludes everywhere to our being screened from Him, saying that He is hidden in clouds, darkness, mist, or fog, among other allusions to our inability to apprehend Him because of matter. That is the intent of *Dense clouds and deep darkness shroud Him* (Psalms 97:2)—our earthly substance bars the way, not, as the imagery suggests if taken literally, that He is a body enveloped in clouds, mist, or fog that block Him from view.

The figure recurs when it says, *Darkness hath He made His cover* (Psalms 18:12). He revealed Himself *in the thick of a cloud* (Exodus 19:9) and, again, in *dark clouds and deep darkness* (Deuteronomy 4:11). All this portends the same idea. For anything beheld in a prophetic vision is symbolic. Even the great epiphany at Sinai, greater than any prophetic vision and beyond all compare, was not without symbolism: God's revealing Himself *in* **3.15b**

65. For *shagel*, Buxtorf in his lexicon writes, "Vitare, Violare virginem aut mulierem. Verbum fuit olim comuni sermone obscenum, unde ubi in sacro textu Hebraeo occurrit, ibi pro eo legitur *shakhav*" (1640, 2326–27). Maimonides fears that the Ketiv might wrongly be assumed indelicate, since the Qeri substitutes *yishkavena*, "lie with her," lest a coarse word be read out in the synagogue. But Zechariah 14:2, where the same substitution is made in the Qeri, suggests that Maimonides is overly protective of communal sensibilities: A certain shock value seems to be intended in the prophetic warnings. Pinker suggests the verb may denote buggery or other crude or violent intercourse ("On the Meaning of *šgl*"). The Tanakh generally does favor gentler language, but it does not hesitate, say, to quote David's saying, *So and more too do God to the enemies of David, if by morning I spare any of his men that piss against the wall* (1 Samuel 25:22; cf. 25:34; 1 Kings 14:10, 16:11, 21:21; 2 Kings 9:8).

the thick of a cloud cautions us that we are barred from grasping His true Reality by the dark matter that envelops us—not Him, for He is not a body.[66]

It is well known, too—a commonplace in our nation—that the day we stood before Mount Sinai was cloudy, overcast, and lightly raining, as it says, *LORD, when Thou didst issue from Seir and march from Edom's fields, the earth shook, rain fell from the sky and the clouds* (Judges 5:4).[67] The sense is the same in *dark clouds and deep darkness*—not that He is shrouded in darkness. With Him there is no darkness but only brilliant, boundless light, flowing forth to illuminate all that is dark, as prophetic poesy put it: *The earth shone with His glory!* (Ezekiel 43:2).

Chapter 10

Those mutakallimūn, as I taught you, imagine nonbeing only in positive terms. They do not see lack of a trait as a privation but treat any such lack and its opposite alike (Premise 7, 1.111a): Blindness and sight, life and death, to them are just opposites like heat and cold.[68] So they say that nonbeing needs no cause; only what is real must have a cause. That is true in a way. But while they say that nonbeing needs no cause, they consistently say
3.16a that God causes blindness and deafness and brings moving things to rest. For they see such privations as realities.

I should explain my own view about this, the view that philosophical reasoning calls for. As you know, to remove a barrier that keeps a thing from moving does, in a sense, cause it to move. If you remove a post, say, from beneath a beam, which then falls of its own weight, you are said to have moved the beam, as the *Physics* points out (VIII 4, 255b24–31). So we do say that eliminating a trait creates a lack, although a lack is not something real—just as we say that someone who snuffed out the lamp at night made it dark and that one who robbed someone of sight made him blind, although darkness and blindness are privations and do not need a maker.

66. Aviv Rosenblatt (in a personal communication) sees a tacit polemic here against those who presume God's epiphany at Sinai to have been somehow physical. The revelatory moment, as Maimonides understands it, was purely intellectual, untainted by the physicality that marred the ill-prepared elders' vision (Exodus 24:11). See 1.16b.

67. At II 29, Maimonides cites the cosmic convulsions poetically evoked in Judges 5:4. The parallels in imagery and the mention there of Mount Sinai (5:5) link the epiphany at Sinai (Exodus 19:9) to God's manifestation celebrated in Deborah's song: "Any consideration of the theophany of the God of Sinai must concern itself with the Song of Deborah in Judges 5" (Glueck, "Theophany of the God of Sinai," 462). In both cases, Maimonides observes, God's manifestation was veiled, portentously, by clouds and rain.

68. Maimonides, we recall, takes cold to be no mere lack; see I *n.* 442.

We can see, then, why Isaiah says *formeth light and createth darkness, maketh peace and createth evil* (45:7). Darkness and evil are privations. Notice he does not say maketh darkness or evil, since neither is something real that needs to be made. He uses the verb 'create' in those two cases, since that in Hebrew relates to nonbeing, as in *In the beginning God created* (Genesis 1:1)—from nothing. It is in this sense that Isaiah assigns privation a cause—the same sense found in *Who giveth man a mouth or maketh one dumb or deaf, sighted or blind?* (Exodus 4:11). Or one might gloss that verse as 'Who created man able to speak or not able?'—that is, in the latter case, with matter not apt for that trait. **3.16b** For to create matter unfit for some trait can be called producing a privation, just as one who might have saved someone's life but shrinks from doing so and does not can be said to have killed him. In either case, no one thinks that nonbeing needs a cause. Only *per accidens* are privations said to be caused in the way that I explained. But what properly has a cause of any sort must be something real.

Bearing this in mind, remember the proven fact that evils are such only relative to a given being: What is bad for a thing is its nonexistence, or the lack of something beneficial to it. It follows that evils are always privations. Death—for a man, say—is an evil, since it means his nonbeing. Illness, poverty, and ignorance are evils for one too, all being privations. If you trace the instances of this general thesis, you will find no countercase, unless one fails to distinguish having from lacking and treats such opposites alike—or is completely unaware of the nature of things and does not know, say, that health, broadly, is a certain equilibrium (thus a relation) and that lack of such balance is generally an illness. Death is a living being's loss of its form, and similarly, the destruction of anything is the loss of its form.

We know, then, of a certainty, that evil is not properly ascribed to God—not as a **3.17a** matter of primary intention. That is unsound. All His acts are pure good.[69] For He produces only being, and all being is good.[70] All evils are privations and are assigned causes only in the sense I explained—of God's giving matter the nature that it has, which is always linked to privation, as we've seen, making matter the root of all ill and decay. So whatever God gave no such matter is incorruptible and untouched by ill.[71]

All God's real work, then, is good. For it is being. Therefore does the book that lit up the world's darkness say, *God saw all that He had made, and lo, it was very good* (Genesis 1:31). Even the existence of this matter here below, linked to nonbeing and thus to death and all other ills, is good. For it sustains becoming and the world's permanence through

69. Cf. Plato, *Republic* II 379bc.

70. Lobel, "Being and Good," traces this thesis in Plato, Aristotle, Plotinus, Proclus—and Avicenna, who finds pure good in God's necessary being; cf. Sforno (ca. 1470–ca. 1550) on Exodus 3:14.

71. Incorporeal beings are immune to the deficits matter entrains. There are, then, no rebellious angels; cf. Saadiah on Job 1:6 (Goodman, *Book of Theodicy*, 154–57).

the succession of one thing by another. That is why Rabbi Meir glossed *Lo, it was very good* (*ṭov me'od*) as *ṭov mavet* (death is good)—in the sense I noted (I 72).[72]

Remember what I told you in this chapter. Understanding this will make clear all that the Prophets and Sages say about the goodness of all that is, properly speaking, an act of God and why Genesis Rabbah (51.3) says, "No ill descends from on high."

Chapter 11

3.17b The grave ills that human beings inflict on one another, too, out of ambition, passion, opinions, and beliefs all reflect privations. For they all stem from ignorance, want of knowledge.[73] Just as a blind man, sightless and unguided, always stumbles, harming himself and others, human sects perpetrate dreadful evils against their fellow humans and themselves,[74] reflecting their ignorance. Had they the insight befitting our human form

72. Matter individuates beings in the sublunary world and renders them subject to death and decay. But the cycles of nature allow temporal beings to persist, if not as individuals, then in their kinds. Simplicius helps us see the basis of Maimonides' reading of the figure of the Saṭan in the Book of Job (III 22): Evil, he explains, has no true cause of its own; it is not a reality but a concomitant of finitude. All realities stem from the One. They share in God's unity, goodness, beauty, and truth. Evil is the measure of finite beings' distance from God's pure goodness, truth, and beauty. In a way, then, it measures God's generosity. For the wealth of God's perfection gives fullness to the cosmos, bestowing being not only on sublime realities (Maimonides' incorporeal minds) but on beings of every sort, as fully as finitude can bear and God's will chooses. Thinkers who seek to explain evil by giving it its own ultimate cause surrender God's perfect goodness. Evil subsists only in a derivative way, as limping is a deficiency in walking. Death and decay, in truth, are not cosmic evils. According to Simplicius, "Composite bodies are composed of opposites that combat each other and struggle when out of their natural places. . . . Even when they change into one another, this is nothing bad for them: Each becomes what it once was (water changes to air and becomes water again). But, most importantly, the dissolution of composite bodies and the interchange among the simple ones are good for the whole. For the destruction of one thing is generation for another, making the cycle of generation inexhaustible" (Simplicius, *On Epictetus'* Handbook *27–53*, tr. after Brennan and Brittain, 37–45). Aquinas writes, "Corruption and defects in natural things are said to be contrary to some particular nature; yet they are in keeping with the plan of universal nature, since the defect in one thing yields to the good of another, or even contributes to the universal good; for the corruption of one is the generation of another, by which means the species is preserved" (*Summa Theologica* I q. 22, art. 2. Cf. Maimonides on *akhol*, I 30).

73. See Plato, *Meno* 77c–78b; *Protagoras* 352c–357c. Cf. B. Berakhot 64a: Scholars increase peace in the world.

74. Rāzī condemns claims to special prophecy for promoting bloodshed (*Munāẓarāt al-Rāziyayn*, from Abū Ḥātim al-Rāzī, *Aʿlām al-Nubuwwah*, ed. al-Sawy, 3–27). See Rāzī,

as vision befits the eye, all the harm they do to each other and themselves would end. For knowledge of the truth would dissolve hatred and spite and end the crimes of man against man. Thus the promise *The wolf shall dwell with the lamb, the leopard couch with the kid . . . the cow graze with the bear . . . the suckling play* [*by the viper's nest*] (Isaiah 11:6–8). And the reason is given why such strife, hatred, and struggles for power will end—man will know God as He truly is:[75] *They shall not harm or destroy in all My holy mountain, for the earth shall be filled with knowledge of the* LORD *as the waters cover the sea* (11:9). Take this in.[76]

Chapter 12

It often occurs to popular fancy that evils outstrip goods in the world, so the rhetoric and poetry of all nations bear this theme.[77] The wonder is, they say, that time brings any good at all, ills being so rampant and unrelenting.[78] This is not just a vulgar error. It is there even among those who claim to know something.[79] Rāzī wrote a famous book that he **3.18a**

Opera Philosophica, Kraus, 295, tr. Goodman as "Rāzī vs. Rāzī: Philosophy in the Majlis," in *The Majlis*, ed. Lazarus-Yafeh, et al. 85–86.

75. God is the Source of all good, and peace will come when humanity comes to know and appreciate in practice the good God bestows.

76. "It is well known that those who know the LORD do not harm or destroy but only build and improve" (Ibn Ezra at Isaiah 11:9). Cf. Maimonides on the Messianic Age at the close of *MT* and the verses he uses to open and close the *Guide*. Peace, bringing prosperity, reflects understanding, as do all human virtues. A dichotomy is commonly drawn between the mystic's goal of rapt embrace and the messianic goal of the world's perfection under the reign of the Almighty—the former seen as personal and contemplative; the latter, as practical, communal, and universal. Maimonides explodes the cliché and fuses the presumed opposites: The spiritual goal bears practical fruit for the individual and society, and blissful knowledge of God is not selfish but shared, spread not by conquest, submission, or conversion but by mutual respect among individuals, communities, and nations.

77. Cf. Ecclesiastes 2:23: *All his days are grief and pain*. When God, fate, or nature is blamed, no response is expected. Cynicism feeds on the impulse to anticipate the worst. So Plato, like Maimonides, condemns convention for playing up the problem of evil: "We find both poets and prose writers misrepresenting human life in matters of the utmost import, making out that wrongdoers are often happy and just men wretched, that crime does pay if undetected, and that justice helps the other man, but at your own cost" (*Republic* II 392b, tr. Shorey).

78. Pre-Islamic poets think of time as fate, often named as an implacable foe (see EI_2, s.v. "Dahr"). The Qur'ān (45:24) inveighs against that outlook: "They say, 'What is there but our life in this world below? We live and we die; only Time destroys us."

79. Plato has Socrates say, "Good things in life are few, and evils many" (*Republic* 379c). Saadiah writes, "Any blessing we receive in this world here below is bound up with

titled *Theology*,[80] filled with his ravings and colossal ignorance, making a case that there is more evil than good in the world: If you set the respite one enjoys while pleasures last[81] against the pains and hurts, hardships and torments, chronic diseases and debilities, sorrows and disasters he suffers, you would find our existence—human life itself—a bane, a dire evil visited on us. He sets out to prove this with a litany of such woes, countering all that theists claim about God's manifest bounty and beneficence and His being pure Goodness, from whom, of course, only pure good flows.[82]

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a corresponding injury, every happiness with suffering, every pleasure with pain, every joy with sorrow. So I find that the counterparts are either equally balanced or that delight is outweighed by distress" (*ED* IX 1, Kafiḥ, 262; Rosenblatt, 324; see Goodman, "Saadiah Gaon on the Human Condition"). A sense of alienation spurs the inference that a better world awaits us. Saadiah's image of a balance, tilting toward distress, echoes Rāzī's pessimism. Cf. the challenge to human celebration of the joys of life, put into the mouth of the nightingale by the Ikhwān al-Ṣafāʾ:

> As for the gatherings you mention, the entertainments, parties, salons, the joyous levees and happy celebrations—the weddings, feasts, and dances, your stories, your times to laugh, your receptions and testimonials, your glories and honors, adornments and embellishments—the bracelets, bangles, anklets, and the like, which we (animals) have not—all the joy and gladness you derive from these are offset by all sorts of painful consequences, afflictions and chastisements, from which we are immune. The weddings give way to bereavements, the celebrations to wakes, the song and merriment to wailing and mourning, the laughter to tears, the joy and gladness to sorrow and grief. You leave your parties and your lofty, well-lit halls perforce, for dark graves and narrow coffins. Your broad courtyards give way to dark dungeons and gloomy keeps. Your lively dancing done, you face whips, the scourge and the lash, your bangles and bracelets turned shackles, fetters and chains, your praises and honors are now shame, humiliation, and disgrace—an evil for every good, a torment for every pleasure. For every joy, a heartbreak, care, calamity, or sorrow. (Ikhwān al-Ṣafāʾ, *AvM*, Arabic, 200–201, English, 253–54)

80. See Rāzī, *Opera*, ed. Kraus, 165–90; repr. in Sezgin, 19. In his letter to Ibn Tibbon, Maimonides calls Rāzī a physician but no philosopher.

81. To Rāzī, pleasure is the abatement of pain. His model, based on the physiology of depletion and repletion, tracks Epicurean theory, where *ataraxia*, peace of mind, is the optimal state. See Rāzī, *Opera*, ed. Kraus, 139–64; repr. Sezgin, 19; and Goodman, "How Epicurean Was Rāzī?"

82. Rāzī's claim that evils outstrip goods reflects his atomism: All complexes break down, so death is inevitable; dissolution wins in the end. Rāzī paraphrases Galen on the humble composition of the body and cites Plato's analysis of pleasure:

> This argument shows clearly that the varieties of matter were not created by the Form Giver. He could not give just any form to just any matter but only to what was apt for it. So the Form Giver, being wise and sapient and unable to create in certain matter an animal that would not suffer pain or die, and the only sapient alternative being to forego

The whole cause of the error is that this boor and his vulgar ilk see all the world from the standpoint of the human individual.[83] Every ignoramus fancies that the world exists just for him, as if nothing else existed.[84] If things do not go his way, then he is sure that everything is bad. But if one considered the world in full and had any idea how tiny a part he plays in it, the truth would be obvious, and he would see it clearly.[85] Those who rave on about the world's ills do not carry on so about the angels, spheres, and stars or the elements and compounds—minerals, plants, and other animals. They dwell on certain human cases, aghast if someone eats spoiled food and contracts leprosy.[86] How could such a thing be, such a disaster! They are dismayed when someone goes blind from sexual excess,[87] thinking blindness simply too dreadful—and so in other cases. **3.18b**

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creating altogether, He gave such animals a complete respite from pain and dying, sufferings and disabilities. If someone supposes that Galen thinks the pleasures a man enjoys in life outweigh or counterbalance the pains that afflict him, he should know that Plato and theorists of nature agree that pleasure is return to the natural state as a source of pain is relaxed. (*Shukūk ʿAlā Jālīnūs*, Mohaghegh, 17–18; cf. *Ṭibb al-Rūḥānī* chap. 5, Arberry, 39; Plato, *Republic* IX 583d)

83. Hedonism, for Maimonides, underlies the Epicurean dilemma. He does not deem pleasures evil per se and rejects ascetic extremes "as though God hated the body" (*Eight Chapters*, 4). But by raising his sights above pleasure and pain, he overcomes Saadiah's sense that evils outweigh goods in this life. Life, as Saadiah well knew, is a gift, a mark of grace infinitely beyond any prior desert, since there was no claim to it before the act of creation (Saadiah, *Book of Theodicy* 123–24). Life's goods, for Maimonides, outweigh sufferings. But vulnerability is their price. Death and destruction are necessary if finite being is to persist, since life and nature depend on the constant exchanges in which the birth of one thing is the destruction of another. Pleasures, Philo writes, are needed by all animals—as guides to well-being. But base persons treat pleasures as if they were a perfect good and pains as an absolute evil (Philo, *De Providentia* 2.7, *Legum Allegoria* 2.17, LCL 9.462–63, 2.236–37).

84. Philo brands egoists as onanists: "We must reject all those who beget only for themselves (*gennontes autois*), pursuing only their own benefit and ignoring others. They think themselves born for themselves alone" (*Quod Deus Immutabilis Sit* 19, LCL 3.19). The Mishnah does urge that God created each person unique so that everyone can say, "The world was created for my sake" (M. Sanhedrin 4.5). But that does not warrant egotism. For *everyone* can make that claim: Everyone is an end in himself, bearing both dignity and responsibility. The hedonist sees the world as existing to gratify his appetites and sate his passions, blaming God or fate when life disappoints his exploitative, ultimately insatiable demands.

85. Rabbi Simcha Bunim (ca 1765–1827), commenting on Genesis 18:27 and M. Sanhedrin 4.5, reflected homiletically, "Everyone has two pockets, each holding a different note. One says, 'The world was made for me'; the other, 'I am dust and ashes.'" Rabbi Bunim did not publish his works, but his oral teachings were collected by his disciples after his death.

86. For Maimonides' views on leprosy, see 3.110b and *n.* 519 ad loc.

87. Rāzī argues in *Ṭibb al-Rūḥānī*, chap. 15, that excessive sexual activity exhausts the body, hastens senility, and harms one's vision (*Opera*, Kraus, 75; Arberry, 81). Saadiah, too, thinks

Truth be told, no human being—let alone any other animal—is worth a thing alongside the world's ongoing existence,[88] as it says clearly: *Man is like a puff of air* (Psalms 144:4); *Man is a worm; a human being, a maggot* (Job 25:6); *how, then, denizens in houses of clay?* (4:19); *Lo, nations are as a drop in a bucket* (Isaiah 40:15). These and all the other scriptural texts to that effect have a sublime and weighty purpose: to teach us our true worth, lest one presume the world exists for him alone. The world, we hold, exists at the Creator's pleasure. The whole human race is a trifle beside the celestial world of the spheres and stars; with the angels, mankind simply does not compare. Man is just what
3.19a rises highest in this lower world of ours, the noblest compound of the elements. Still, our existence is a great boon to us, imparted by God's grace, considering the special gifts with which we are favored.

Most of the ills that befall us are human in origin, reflecting human weaknesses, the work of inadequate human beings. It is our own human failings that we bewail when we cry out for relief, ills that we have brought upon ourselves by our own free choice, yet we blame God, who far transcends wrongdoing—as He made clear in His book: *Is the wrong His? No! The fault lies in His children!* (Deuteronomy 32:5). Solomon put it clearly: *A man's folly wrecks his life, and then his heart rails against the* LORD (Proverbs 19:3).

To explain: All the ills afflicting mankind reduce to three kinds.

1. The ills one suffers through the nature of generation and corruption—because one has a body. Our embodiment subjects some of us to maladies and disabilities, inborn or brought about by shifts among the elements—bad air, lightning, landslides. Divine wisdom, as I explained, determines that generation presupposes destruction.[89] If individuals did not perish, species would not endure. God's pure grace, goodness, and overflowing bounty are seen here.[90] To wish one had flesh and bones immune and impervious to all the ills that matter undergoes is to wish, unwittingly, to unite opposites, to be both

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excessive sexual activity hastens senility (*ED* X 6, Kafiḥ, 299–300, Rosenthal, 372). In his *Medical Aphorisms*, Maimonides cautions that sexual overindulgence may yield excessive black bile (melancholia, and thus cause depression; 7.17), harming one's health (9.43); but celibacy, too, can be harmful (9.110, 17.7–9, 12).

88. Life is precious, and suffering is an evil. But natural evils do result from nature's cycles. The world's continuance requires the destruction of some things, from which others arise. See III 13, 14, 3.23, 3.28; cf. Plato, *Timaeus* 33c.

89. By the exchange of forms.

90. "Coming-to-be and passing away, as we said, will always be continuous and will never fail . . . And this for good reason. For in all things, as we hold, nature always strikes after the better. Being . . . is better than not-being, but not all things can possess being, since they are too far removed from the Source. So God adopted the alternative and fulfilled the perfection of the universe by making coming-to-be uninterrupted" (Aristotle, *De Generatione et Corruptione* II 10, 336b25–33).

affected and unaffected. But what is unaffected does not develop, and it can never be more than one individual, not a species with multiple members.[91]

Galen says well in *De Usu Partium* III (10), "Do not delude yourself with the vain hope that from semen and menstrual blood an animal could come that will not die or suffer pain, that will move perpetually or shine like the sun."[92] Galen was stating a special case of the general truth that whatever arises in matter develops as fully as the matter of its species allows; the disabilities afflicting members of a species reflect the limitations of its matter. The most that can develop from blood and semen is man, with the nature that we know—alive, rational, and mortal.[93] So ills of this first kind are inevitable in our species. Still, you'll find them very much the exception. Cities, you'll find, may last thousands of years without a deluge or conflagration. Likewise, thousands are born in the pink of health; a disabled babe is an anomaly—or if that term offends, very rare, not 1 percent, not a tenth of a percent of normal births.[94] **3.19b**

2. The ills human beings inflict on one another, as by violence. These are more common than the first sort; their causes are many and familiar. Here, too, the weakness is human, although the victim may be defenseless. Still, there is no city in the world where such evils prevail. For someone to attack and slay or rob another by night is rare. Only in **3.20a**

91. Each sphere is sui generis, but the spheres, as Pines notes, do not change and cannot reproduce. Maimonides, of course, does not allow for the evolution of species.

92. The full passage:

> Consider well the material of which a thing is made, and cherish no idle hope that you could put together from the catamenia and semen an animal that would be deathless, exempt from pain, endowed with never-ending motion, and as radiantly beautiful as the sun. You should rather estimate the art of the creator of all things just as you judge the art of Phidias. Now perhaps you are struck with admiration of the decoration covering the image of Zeus at Olympia, its gleaming ivory, its massy gold, and the great size of the whole statue, and if you saw such a statue made of clay, you would perhaps turn away in contempt. Not so, however, the man who is an artist and able to recognize the art employed in the work; no, he commends Phidias equally, even if he sees him working in cheap wood, common stone, or wax, or clay. (May, 189; cf. Plato, *Statesman* 273b)

Rāzī paraphrases Galen: "One should not disparage man and his makeup, looking to the sun, moon, and stars. For the same wisdom and foresight are shown here on earth. But one must consider the matter of which each thing is made and not wish an animal formed of menstrual blood and semen were immune to pain, death, or illness, like the sun" (*Shukūk ʿAlā Jālīnūs*, Mohaghegh, 17; cf. Saadiah, *ED* VI 4, Kafiḥ, 205–6, Rosenblatt, 248).

93. This line and the Galen citation undercut the belief that Maimonides upheld bodily resurrection. Here and elsewhere we see clearly that for Maimonides resurrection of the flesh was no more than a symbolic surrogate for spiritual/intellectual immortality.

94. Modern geneticists register some significant congenital defect in about 3 percent of live births. Many of these were unobserved in earlier times, and some affected infants were stillborn.

major wars is violence so widespread as to affect the general populace, and even then, it does not engulf the earth.

3. The evils we bring upon ourselves. These are the majority, far more common than the second kind.[95] This is the sort of evil that everyone bemoans yet rarely spares himself. Here the victim really is to blame and can be told, *You brought this on yourself* (Malachi 1:9)—as it says, *He who does it destroys himself!* (Proverbs 6:32). It is of such ills that Solomon says, *His folly wrecks his life* (19:3). As he says, *This much have I found: God made man straight, but they have devised many a scheme* (Ecclesiastes 7:29)—thoughts dominated by such evils—of which it says, *Sin does not just crop up from the dust, or trouble just spring from the earth* (Job 5:6). As it goes on to explain, it is man who breeds such ills, *for man is born to trouble* (5:7).

Ills of this sort stem from vices of all kinds—intemperate eating, drinking, or sex. Overindulgence in these—excess in quantity, improper sequence, or bad food—causes diseases and disabilities of all sorts, physical and mental. With bodily illnesses, this is
3.20b obvious. Psychic disorders result from an unwholesome regime in two ways: from the psychic changes inevitably attendant on bodily changes insofar as the soul is a bodily power (for character, as they say, reflects one's physical temper)[96] or from the soul's growing inured or addicted to things not necessary for the survival of the individual or the species. Such desires have no limit.[97]

Necessities all have a definite measure, but luxuries have none.[98] If you set your heart on silver dishes, gold would be nicer.[99] Others have crystal. Why not emerald or sapphire, if you could get it! Every foul-minded boor cannot stop pining and grieving for lack of the luxuries others have,[100] all too often risking grave dangers like sea voyages or royal

95. "Ninety-nine die by their own neglect for each one who dies by the hand of Heaven" (Leviticus Rabbah 16.8). Cf. Alexander of Aphrodisias, *De Fato* 6, Bruns, 170–71, Sharples, 47.

96. Cf. I 34; II 36. Cf. Aristotle, *De Anima* I 1, 403a3–b15. As Gad Freudenthal notes, Maimonides paraphrases Galen here ("Four Implicit Quotations," 121). See the Arabic translation of Ḥunain Ibn Isḥāq's nephew, Ḥubaish: *Maqāla fi anna quwāt al-Nafs tābi'ah li-Mizāj al-Badan* (That the Powers of the Soul Reflect One's Bodily Complexion); cf. Ibn Gabirol, *Tikkun Middot ha-Nefesh*.

97. See *Republic* VIII 558d–59d, cf. 571c; cf. Aristotle, *NE* III 11, 1118b15–19; *Politics* I 8, 1256b26–39. Epicurus, writes, "Some desires are natural, others vain; and of the natural, some are necessary . . . for happiness, others for bodily ease, others for life itself" (*To Menoeceus* 127–29; cf. Cicero, *De Finibus* 1.45).

98. "The wealth nature demands is limited and readily gotten; that demanded by vain fancies knows no bound" (Epicurus, *Kyriai Doxai* 15).

99. Cf. Seneca, *On Providence* 3, tr. Hadas in *Stoic Philosophy of Seneca*, 35–36.

100. Cf. Thorstein Veblen on competitive emulation, *The Theory of the Leisure Class*.

service[101] to win such superfluities. But when stricken by any misfortune in the course that he has taken, he bemoans God's judgment and decree, blames fate, and rails at fickle fortune for denying him the wealth to buy wine enough to keep him ever drunk[102] and girls decked out in gold and jewels to excite him beyond his capacities[103]—as if the whole object of existence were the pleasure of such scum![104] This delusion of the vulgar even leads them to believe the Creator powerless in the world He created, for making it subject by nature to what they fancy are such dreadful evils, since nature does not cater to the **3.21a** pleasure of every base profligate or gratify his vice to his wicked heart's content—seeking to fill a demand that, as I explained, has no limit.[105]

Good and knowing men see and understand the wisdom in this world,[106] as David spells it out: *All the* LORD*'s ways are love and truth for those who keep His pact and charge* (Psalms 25:10). Those who remember the world's nature and keep the Torah's commands, knowing the purpose of both, he says, see God's grace and truth in it all. So they make their goal the end they were meant for as human beings, which is awareness. They seek their bodily needs—*bread to eat, clothing to wear* (Genesis 28:20)—without extravagance. Confining want to necessity, they get what they need readily and with great ease. If that seems hard, that is only because it's hard to find necessities while chasing luxuries. The more we crave of superfluities, the harder our task grows, our energy and effort spent on excess to the neglect of real needs.

101. Cf. Rāzī, *Ṭibb al-Rūḥānī* chap. 18. There is pain behind this line, given the fate of Maimonides' brother, lost at sea in merchant travels. Maimonides himself served at a royal court.

102. See Plato, *Republic* II 363d: "as if the fairest meed of virtue were an everlasting drunk." See Rāzī, *Ṭibb al-Rūḥānī* 5, Kraus, 39, Arberry, 41; Fakhry, *Ethical Theories*, 47. "It is better to be a human being dissatisfied than a pig satisfied; better to be Socrates dissatisfied than a fool satisfied. And if the fool, or the pig is of a different opinion, it is only because they know only their own side of the question" (Mill, *Utilitarianism* [1863] §2, ed. Acton, 9).

103. Cf. Rāzī, *Ṭibb al-Rūḥānī*, Kraus, 76; Arberry translates the passage: "Because this cannot be infinitely accomplished, such a man is inevitably burnt up by the flame and fire of thwarted enjoyment" (*Spiritual Physick*, 82).

104. Cf. Plato's milder dismissal of the "supposed happiness" of men "who can travel as they like on their own account or make presents to their mistresses" (*Republic* IV 420a).

105. Plato has Socrates compare a life in pursuit of pleasure to the frustration of trying to fill a leaky jar (*Gorgias* 493–94; cf. Rāzī, *Ṭibb al-Rūḥānī* esp. chap. 5).

106. The wise and good man in the background here is Jacob, alluded to when Maimonides cites Genesis 28:20 a few lines down. Jacob, as Diamond notes, is "the antithesis" of the young man inveigled by the harlot in Proverbs 7. Jacob resists sensuous seductions; his pact with God (Genesis 28:20) is no "unseemly bargain." He is a paradigm here "of those excellent men" who love and keep the duties prescribed by natural and divine law (Diamond, *Maimonides and the Hermeneutics*, 33). Having dreamed of a ladder reaching the heavens (28:12), Jacob will soon become Israel (32:29), his virtues marking a path for his descendants and successors.

Consider our milieu: The more something is needed for life, the commoner and more accessible it is; the less needed, the rarer and dearer. What we humans, for instance, need most are air, water, and food—air above all. No one can live for a moment without it. Water comes next. One might survive a day or two without it. So air is, of course, more
3.21b abundant and readily available. Water is more needed than food. For some can survive four or five days without food if they have water. And in every city, you will find water more abundant and cheaper than food. Likewise with foods: Those needed most are the cheapest and the most readily available.[107] Musk, ambergris, diamonds, and emeralds—I do not think that any sane person believes people really need them, unless perhaps medicinally. But many herbs and earths and such can be substituted.[108]

This shows God's bounty and grace toward even so frail a creature as we are. His fairness is evident too. For nowhere in the natural world of generation and decay does an animal of another species have a faculty or part lacking in the rest of its kind. Every power, physical or psychical, and every organ a creature has is found, essentially, in all others of its species. True, some accident not natural to the species may cause a defect. But that is rare, as I noted. In normal cases, there is no advantage of one creature over another of its kind beyond what results from differences in the matter the species must have—not from any special favor of one member over another.[109]

107. As Philo writes,

> In the grip of poverty many have been laid low and fallen to the ground like spent athletes unmanned by weakness. But, truth be told, no one need be in want. One's needs are afforded from nature's wealth, which no one can take away: air, first of all, most critical to life, our constant source of sustenance, inhaled night and day. Then, abundant fountains, spring-fed rivers, and ever-flowing brooks in winter, providing us with drink. Then, for our meat, the harvest of crops of every sort and the fruit of trees of diverse kinds, unfailing in their autumn yield. These no one lacks. Everyone, everywhere has ample and more than ample sufficiency. (*De Virtutibus* 6, LCL 8.167)

In *De Praemiis et Poenis* he states, "The simple wealth of nature is food and shelter: Its food is bread and the spring water that gushes forth everywhere in the settled world. Shelter is of two kinds: clothing and housing, to keep us from injuries by heat or cold. Both are easily gotten if one is willing to eschew costly and superfluous extravagance" (99, LCL 8.373).

108. Galen called garlic the rustic's theriac; cf. B. Bava Kamma 82a. Rāzī's *Medicine for the Poor* catalogs herbal alternatives to costly compounded drugs. The *Fihrist* of Nadīm credits Rāzī with works on "Medicines to Be Found Anywhere" and "Medical Substitutions" (tr. Dodge, 705). See Chipman, *World of Pharmacy*, 78–81; and Levey, *Substitute Drugs*.

109. In classical biology, species' natures were presumed fixed; variants were "accidents" resulting from environmental assaults / material weakness. Evolution by natural selection did not seem scientific, since it made variant types significant. But it does allow for species change.

That one person has sacks of musk and gold-brocade clothing and another lacks these superfluities of life is no crime or wrong. Having such luxuries adds nothing to one's substance. They are a toy and a delusion. One who lacks them lacks nothing needful: *He who gathered much had no excess, and he who gathered little had no lack; each got what he could eat* (Exodus 16:18). That is the general rule, always and everywhere. Rare exceptions should not distract us, as I have explained. **3.22a**

These two thoughts show you how God sheds grace on creation, granting necessities according to need but making every member of a species equal at its creation. The master of all insight voiced this truth when he said, *All His ways are justice* (Deuteronomy 32:4). David said, *All the* LORD*'s ways are love and truth* (Psalms 25:10), as I noted, and he spelled out the thought: *The* LORD *is good to all; His mercies, upon all His works* (145:9). The great good is the sheer gift of being, as I said; the mercy comes, as I explained, in the power of all living beings to regulate their own lives.

Chapter 13

Often even perfect minds grow perplexed in seeking "the purpose" of this world. I will explain here why that quest fails on any account.[110] Every maker, I say, has a purpose, and anything made must have an end for which it was made.[111] This is evident philosophically and needs no proof. It is clear, too, that anything made for a purpose had a beginning and once did not exist. And it is clear and undisputed that a necessary being, one that has never failed to exist and never will, needs no maker—as I have shown (II Introduction, premise 20). Such a being was not made, so there is no question as to why it exists: One does not ask why the Creator exists. He is not a created being. It is clear, then, that ends are to be sought only for anything that arose in time and was made by a purposive, rational subject: If such a thing was intended, one must indeed ask why. But for what had no origin, as I said, there is no purpose to be sought. **3.22b**

This said, you can see how it makes no sense to seek a purpose for the world at large—not on our account, where the world was created, nor on Aristotle's. His eternalism precludes seeking an ultimate purpose for any part of the world: He rules out asking why the heavens exist or have the size and number they do, why matter is as it is, or what the purpose is of this or that animal or plant species. For all these, to him, reflect a necessity that never ceases and never will. Granted, natural science seeks purposes in all

110. See Schwartz, "Polemical and Esoterical Writing."

111. "Of things that come to be, some come from thought of some kind, or art . . . others by nature. . . . With things that come to be by art there is an end . . . for he who has the art can always tell you why he wrote and to what end he did what he did" (Aristotle, *Protrepticus*, frag. 11 ap. Iamblichus; cf. Plato, *Laws* X 888e–89b).

natural things. But that is not the sort of overarching purpose I speak of in this chapter. For plainly natural science finds final causes in every natural being.[112] These are the noblest of the four causes, although they remain unseen in most species.

3.23a Aristotle constantly declares that nature does nothing in vain, meaning that every work of nature must serve a purpose.[113] Plants, he holds, were created for animals' sake.[114] And he shows that some things do exist for the sake of others—notably, animal organs (Aristotle, *De Partibus Animalium* II 5, 645b14). The presence of such ends in natural things, you see, is what led the Philosophers, perforce, to believe in a cause beyond nature—the divine or intellectual principle, as Aristotle calls it—that makes one thing for another's sake. To a fair-minded thinker, one of the best arguments for the world's creation is the demonstrated fact that every natural being has a purpose—and that some exist for others' sake—marks of a purposive subject. For purposes make sense only in what was brought to be.

But to return to my object in this chapter, which is to discuss finality. Aristotle showed that in natural things the efficient, formal, and final causes are the same—in species, that is. Zayd's form, for instance, causes that of another—Omar, his son. It gives Omar's matter human form, and to have that form is Omar's final cause. Aristotle sees this as true of every member of a natural species that procreates: The three causes are one in species.[115] But that is only the proximate final cause. As for an ultimate final cause of all species, everyone who treats of nature claims there must be one but that it is very hard to identify—let alone a final cause of all that is.

3.23b It seems, from Aristotle's account, that for him the ultimate end of all natural species is for generation and corruption to continue (this being critical if beings are to persist in matter like ours, where individuals cannot be permanent as individuals) and that the most perfect beings possible among such beings should develop. Man is the most perfect being possible to be composed of such matter, the last and highest composite to arise here below. So were it said that all sublunary beings exist for man's sake, that would be true from this perspective, where change advances to yield the most perfect outcome.

112. See Aristotle, *Physics* II 8.

113. See 2.31a.

114. See Aristotle, *Politics* I 8, 1256b16; *De Plantis* I 2, 817b25. Pines argues that the *Politics* was indeed available in Arabic, at least in part ("Aristotle's *Politics* in Arabic Philosophy"). *De Plantis* is not considered an authentic work of Aristotle's. But in *Physics* II 8, 198b16–99a8, Aristotle does say that winter rains fall to sustain our crops.

115. Zayd is the efficient cause of his son Omar, whom he begets by imparting the human form to matter potentially human. To realize that form is Omar's telos. So the efficient, formal, and final cause are one: All three are 'man.' Zayd can beget Omar because he is a man, he imparts the form of man, and having that form is Omar's telos.

But given his eternalism, Aristotle cannot be asked why man exists. For on his account, the proximate final cause of any particular that arises is to attain its specific form. So any species member that functions true to form realizes its purpose fully. The ultimate end of the species is that form's persistence, with generation and corruption continuing undisrupted, ever pursuing the greatest possible perfection. For an eternalist, then, the search for an ultimate purpose of all reality clearly fails.[116]

In our own view, however, that all the world was created ex nihilo, this question might seem unavoidable, demanding a search for the world's final cause. So it might be presumed that the human race is the object of all that is and that man exists just to worship God: Everything was made for our sake, even the heavens revolve solely to benefit us and provide for our needs. Superficially, some biblical texts seem amply to support this notion: *He made it to be dwelt in* (Isaiah 45:18), *I should sooner breach My covenant with day and night and the laws I set for heaven and earth* [*than forsake the seed of Jacob*] (Jeremiah 33:25–26),[117] [*Who spread the skies like gauze*,] *unfurled them like a tent to dwell in* (Isaiah 40:22). If the spheres exist for man's sake, all the more would the nonhuman species of animals and plants. **3.24a**

But if this view is scrutinized with the care the discerning should use in examining beliefs, the chinks are plain: One who believes this need only be asked, 'This end, the existence of man—could God achieve it without all these means? Or could man not be created before all these things existed?' If the answer is that God might have created man without, say, creating the heavens, the question would be 'Why did God need all these things that were not His object but exist for the sake of something that could have existed without any of them?'

And if everything did exist for man's sake, and man exists, as was said, to worship God, the question remains, 'What is the point of God's being worshipped? God would be no more perfect if worshipped by everything He created, assuming that all His creatures rightly knew Him. Nor would He lack anything if only He existed.' If the answer is 'It is not He but we who are perfected, since worship perfects and improves us,' the question returns: 'Why should we improve in this way?' Ultimately, the search for purposes must

116. The purposes found in nature are local to the species. The Aristotelian heavens, being eternal, cannot be assigned a purpose. They do not exist to serve lesser beings. Their motions stir the elements, giving rise to natural kinds, which do have purposes, clearest in living beings. But animals have no common purpose: Some eat others. There are food chains, but each species exists for its own sake. The cycles of change foster the rise of human beings, but the Aristotelian cosmos has no overarching purpose beyond continuance of the cycles of life and nature.

117. At B. Pesaḥim 68b, Rabbi Eleazar is quoted as citing Jeremiah 33:25 to argue that the world exists for the sake of Torah study, night and day, as if God established the laws of nature for His covenant's sake; cf. Esther Rabbah 7.13.

end in this way: 'God so pleased' or 'So did His wisdom decree.' That is the truth woven into our prayers by Israel's Sages: "Thou didst set man apart from the beginning and rec-
3.24b ognize him to stand before Thee. Yet who can say to Thee, 'What dost Thou?' If he doth well, what is it to Thee?" (Neilah Service of Yom Kippur, echoing Isaiah 45:9; Job 9:12). They candidly admit that there is no end beyond His sheer will. If so, given our belief that the world began, we must say that causes and effects might have been quite different, and the absurd result would follow that man alone serves any purpose: We would be the sole object, but we might have existed without all the rest.

The right view, as I see it, then, biblically and philosophically, is not that all things exist for man's sake but that all other beings, too, were meant for their own sakes and not for the sake of something else.[118] So the search for the purpose of all species, even on our creationist view, drops out of sight. All parts of the world, we say, were given being by God's will—some for their own sake, some for the sake of something else intended for its own sake. Just as He willed mankind to exist, so did He will these spheres and their stars and the angels to exist. For each being, His object was that being itself, and if something could not exist without something else, He created that other first—as sensation precedes reason.[119]

This thought, too, is biblical: *The* LORD *made all for his/its sake* (Proverbs 16:4). The antecedent of the pronoun might be the direct object (everything for its own sake). But
3.25a if the antecedent is the subject (*the* LORD), the sense would be 'for Himself.' For His will is Himself, as I explained in this work (I 53). I have also explained that God's Self can be called His glory (I 64), as in *Show me, pray, Thy glory* (Exodus 33:18). His saying *The* LORD *made all for His sake* would then parallel *all that are called by My name, that I created, formed, and made for My glory* (Isaiah 43:7)—meaning 'All that is credited to Me, I made solely at My own will.' He says *formed* and *made*, since, as I explained, some things depend for their existence on others' existing first. So He says He created first what must come first—as matter, say, must precede all things physical—and then, from it or after it, He made what He meant to create, just as He willed.

If you study the book that guides every seeker of truth and so is called the Torah, you will plainly see the point I'm making: In the Account of Creation, from beginning to end, it never says that anything was created for something else's sake. Of each part of the world, it says that God brought it to be and that it met His purpose. That is what it

118. At B. Ketubot 8a, the first of the seven blessings for newlyweds, God is blessed for creating all things for His glory. As Warren Zev Harvey showed, Spinoza concurs with Maimonides here, albeit without citation; see *Ethics* Part II, Prop. 16, Corr. 2, Gebhardt, 2.80 *ll.* 22–28 (W. Harvey, "Portrait of Spinoza," 164).

119. Aristotle thought that plants exist for animals' sake, since animals cannot exist without them. But to extend Maimonides' main point, plants, too, in the first instance, exist for their own sake. All things natural can be both means and ends.

means by *God saw that it was good* (Genesis 1:4, etc.). You remember what I explained (I 26) about their saying "Torah speaks in human language"? To us, 'good' means to our purpose. And of the whole, it says, *God saw all that He had made, and lo, it was very good* (1:31). For all that came to be met His purpose flawlessly.[120] Hence *very good*. For a thing might be good and suit one's purpose for a time but later fail. Yet the Torah tells us that all that God made met His purpose and intent and did not fail or break down. **3.25b**

Don't be misled by its saying of the stars, *to light the earth and rule by day and by night* (Genesis 1:17–18), as if it meant that they were created for that. It is just telling us that this was the nature God chose to give them, shedding light and governing, the same as it says of Adam, *and rule the fish of the sea* (1:28)—not that we were created to that end but simply to apprise us of the nature God gave us. It does say of plants that God gave them to humans and the other animals (1:29). Aristotle and others candidly say the same. For plants clearly were given being just for animals' sake. Animals need them for food. Not so the stars: They do not exist for our sake, for the good they give us. It says *to light* and *to rule* just to inform us of their benefits, as I explained, shedding good on the world below. For it is the nature of goodness, as I explained, ever to flow from one being to the next (II 11–12). To the beneficiary, this unceasing flow may seem to exist just for the good it does him—as if some city dweller thought the government exists to protect his house from thieves at night. That is true in a sense: His home is protected, and this benefit does come from the government. So from his point of view, its purpose is to safeguard his house. It's on these lines that we should interpret any text where the literal sense suggests that a higher being was provided for a lower being's sake: It means that this is its nature.

The conclusion we must draw, then. is this: The ultimate purpose of this world is God's will. We seek no further cause or end for it at all.[121] Just as we seek no object for His existence, we seek no aim beyond the will by which all things arose and take the **3.26a**

120. The two readings prove to be equivalent: In making all things at His will, God made them for His glory, thus for Himself. But God has no needs. His glory is to make all things for their own sake. All being is good (3.17a), and the good of things lies in their being what they are.

121. According to Leibowitz,

> God's Godhead is in no way conditioned on His being the creator of the world. . . . This opens before us the way to understanding a point on which Maimonides differs from every philosophy or theology current in the Middle Ages in Judaism as well as Christianity: the eradication of the anthropocentric view; the negation of the very idea of the centrality of man in the creation and the view of man as its purpose. Maimonides' thinking is theocentric: it aims at God, not at the world and man. The theocentricity of his thinking and of his attitude to the world cannot suffer the determination of any purpose whatsoever in the creation, since such a purpose would lead us to regard the Creator and His exploits as means toward achieving His purpose. (*Faith of Maimonides*, 27)

courses they do. Don't delude yourself by supposing that the angels and spheres exist just for our sake. Our worth is spelled out for us vividly: *Lo, nations are as a drop in a bucket* (Isaiah 40:15). Think of what you are as a substance and of the substance of the spheres, the stars, and the incorporeal intellects, and you will see the truth clearly: that man and only he is the highest, the most perfect being to arise from such matter as this. But alongside the spheres, let alone the incorporeal beings, our existence is all too vile. As it says, *Lo, He trusteth not His servants, and His angels doth He deem impure* (*toholah*). *How, then, those who dwell in houses of clay founded in the dust!* (Job 4:18–19). The servants in this verse are not even human, as shown when they are contrasted with *those who dwell in houses of clay founded in the dust*. These servants are angels, and the angels cited must be the spheres. Eliphaz himself shows that later, in echoing the point: *Lo, He trusteth not His holy ones; the heavens are not pure in His sight. How, then, a man, noisome and foul, who drinks iniquity* (*ʿavlah*) *like water!* (15:15–16). His servants, as you see, are *His holy ones*, not human beings; the angels of the earlier verse are the heavens. *Toholah* means the same
3.26b as *not pure in His sight*—being physical. True, theirs is the purest, brightest matter. But alongside the incorporeal intellects, they are not luminous and pure but dingy, dim, and dark. Of the angels he says, *Lo, He trusteth not His servants*—since their being is inconstant. For we take them to be creatures, and even to the eternalists, they are effects and thus have no steady stake in being like that of the absolutely Necessary Being.

The words *How, then, a man, noisome and foul* parallel *How, then, dwellers in houses of clay*, as if it too said, *How, then, a man, noisome and foul*—steeped in the perversity pervading his members, whose very being is inseparable from privation. *ʿAvlah* means perversity, as in *Even in an upright land is he perverse* (yeʿavvel; Isaiah 26:10). It says *a man*, meaning a human being, for any human being can be called a man, as in *whoso fatally strike a man*[122] (Exodus 21:12).

This is what to believe about humankind. One who knows his own worth and does not deceive himself about it but understands things realistically will find peace without the bewildering search for a purpose in things that have no such purpose or seeking an end in things that have none but their own existence according to God's will—or, if you prefer, His wisdom.[123]

Leibowitz goes on to explain that citing Proverbs 16:4, the gloss that he takes Maimonides to favor, would mean that God made all for Himself, not for man.

122. The sense, plainly, is 'a man or a woman.'

123. Maimonides' brief is not that things have no purpose. The world is God's work, and God does nothing pointless—in nature or in law (II 20; III 20, 25, 26). Organs serve the organism and its lineage. And as per Aristotle—and Genesis (1:29–30)—vegetation does sustain animal life. What is denied is that all things exist for man's sake. Saadiah is an obvious target here: God did not make all things for man and man that he might worship God. See II 23; cf. Saadiah, *ED* III 1, IV Exordium and 1. God does not need our adulation and would

Chapter 14

To know ourselves and not misjudge our worth, part of what we should consider is what we know of the measure of the spheres and stars and their distances from us. We gauge such distances in earth radii. Knowing the earth's circumference, we know its radius and know all these distances in those terms.[124] The distance from the earth's center to the outer edge of the sphere of Saturn is proven to be some 8,700 years' journey, where a year is 365 days and a day's journey is 40 halakhic miles, the mile being 2,000 builder's cubits.[125] Consider this vast and amazing distance. As it says, *Is not God high above the heavens? And see how high are the highest stars!* (Job 22:12). In effect, does the height of the heavens not show how far we are from a grasp of divinity? If we are so very far from that body, its distance so remote that its substance and most of its effects are unknown to us, how can we apprehend its Maker, who is not a body at all! **3.27a**

But this vast, demonstrated distance is the least of it. The distance from the earth's center to the inner surface of the sphere of the fixed stars cannot be less but might be many times more. For only the minimum thickness of the spheres is established, as explained in the essays on distances.[126] Nor, as Thābit Ibn Qurrah states, do we know the exact thickness of the bodies that reason dictates must exist between the spheres. For

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lack nothing were He alone to exist. A less obvious target is Averroes, who, under Almohad pressure, countered Avicenna's Neoplatonism by pressing anthropocentric views couched in popular terms, aiming to divert attention from his eternalism by focusing on God's benefactions. Linking Avicenna's contingency argument with that of Ghazālī's teacher, the Ashʿarite mutakallim al-Juwaynī (1028–1085), Averroes voices gratitude to God and, citing the Qurʾān, urges that God provided all things for man's sake—as witness the motions of the sun and moon and man's placement at the center of the universe (Averroes, *Kashf*, ed. Qāsim, 144–50; tr. Najjar, 27–33). Proof of the pressure Averroes endured survives in the two manuscript recensions of the *Kashf* reflecting the adjustments he seems to have made in seeking the good grace of the religious authorities. See Geoffroy, "À propos de l'Almohadisme d'Averroes." Our thanks to Sarah Stroumsa for alerting us to this study, confirming Goodman's conjecture as to Averroes' motives in the *Kashf*. Anthropocentrism, Maimonides insists, is inconsistent with eternalism. The earth, he stresses, is nethermost in the cosmos (1.19b). Harmonizing the Torah and Aristotle, he holds that all beings pursue perfection in their own ways. We must discover and pursue what is most human and humanizing in ourselves and cultivate our unique strengths (II 38). These include social strengths, for we are a social species, interdependent, and given life and understanding to be shared, so far as we are capable.

124. See *Almagest* V 13–15.

125. Ptolemy calculates the sphere of Saturn at 19,865 earth radii from earth (Thurston, *Early Astronomy*, 172).

126. As Schwarz suggests in his Hebrew translation of the *Guide*, the work would be the *Risālah fī ʾl-Abʿād wa ʾl-Ajrām* (Essay on Distances and Heavenly Bodies) by the tenth-century astronomer al-Qabīṣī (Alcabitus). It survives in manuscript (AS 4832) in Istanbul.

3.27b they contain no stars to reveal it. The sphere of the fixed stars is at least four years' journey thick, as is known from the size of certain of its stars, which are ninety-some times the size of the earth's globe.[127] That sphere might, in fact, be thicker. And the ninth, the sphere that causes the diurnal rotation, its size is quite unknown, since it has no stars to give us means to measure it. Just think of all these corporeal beings—how vast and numerous! If the whole earth is not the merest fraction of the sphere of the fixed stars, what is mankind beside all these creations? How could anyone imagine that they exist for his use and that they were instruments for him to use![128] But that is only a matter of comparing the size of the bodies—what, then, of minds!

The Philosophers' view is sometimes criticized here. The objection: 'If we claimed the spheres exist to govern one person, say, or just a few, a Philosopher would consider that absurd. But we say they exist to govern the whole human race.' There's nothing untoward, the objector would have it, in those sublime bodies serving to sustain an entire species—or many, whose members the Philosopher presumes will be without limit. If, say, an artisan used a hundred pounds of iron tools to make a tiny needle that weighs just one grain, and he made only one, that would be bad business from one point of view, although not unqualifiedly.[129] But if he used that heavy equipment to make needle after

3.28a needle and made hundreds of pounds of them,[130] that would make perfect sense from any

127. Ptolemy calculated the sphere of the fixed stars to be 20,000 earth radii from earth (Goldstein and Swerdlow, "Planetary Distances," 140). Al-Farghānī put the figure at 20,110 earth radii. On his assumption that the earth's radius was 3,250 miles, the stars would lie 65,357,500 miles distant. The actual distance from Earth to Saturn is some 746 million miles.

128. Maimonides here targets astrologers who make the heavens an instrument of divination. More broadly, he rejects the notion that heaven and earth exist to serve human wants and needs, a notion anything but biblical or rabbinic. See Goodman, "Respect for Nature."

129. If one seriously needed the needle, say, for surgical work, using heavy equipment would not be imprudent. At *Medical Aphorisms* 15.30, Maimonides, following Galen's commentary on Hippocrates' *De Officina Medici* 1.6 (ed. Kühn, 18B.672), prescribes use of a couching needle for cataract surgery. The technique, used until the modern advent of laser surgery, is detailed by Celsus, Aëtius, al-Zahrāwī (Abulcasis [936–1013], called the father of surgery), his contemporary ʿAlī b. ʿAbbās (Haly Abbas, d. ca. 990), Rāzī, al-Mawṣalī (Canamusali, 996–1020), Avicenna, Ibn Zuhr (Avenzoar, 1090/91–1161/62), and others. See Paul of Aegina, *The Seven Books*, 2.379–83. Our thanks to Gerrit Bos for the Maimonidean/Galenic reference.

130. Ghazālī, urging gratitude, counts over a thousand workers involved in producing a single loaf of bread. Even a tiny needle, he argues, must pass through twenty-five operations before it is useful for sewing (*Iḥyā' ʿUlūm al-Dīn* 32 [Beirut: Dār al-Nadwa, n.d., 118–19]; tr. Littlejohn as *On Patience and Thankfulness*, 168). Needle making is described in detail in Ibn al-Ukhuwwa's manual of trades, which follows the work of Maimonides' contemporary al-Shayzarī, for whom see *EI*$_2$.

standpoint.[131] Just so, the spheres might exist to perpetuate generation and corruption, presumably so that mankind might exist. And we do have texts and traditions to support that picture.

The Philosopher disarms the quibble by saying, 'Were it just a matter of size that sets apart the celestial bodies from the members of natural species that arise and decay, this could be said. But the difference here is with beings of a higher order: It would be grotesque for a nobler being to serve as a mere instrument to sustain the existence of a lower and lesser being.' Even so, in broad terms, the objection supports our conviction as to the world's creation, which was my main point in this chapter.[132]

I always hear from people who have a smattering of astronomy that our Sages exaggerate the scale of the cosmos. The Sages make the thickness of each sphere 500 years' journey; the distance between the spheres, 500 more. They hold that there are seven spheres, so the seventh, at its outer rim, is 7,000 years' journey from the earth's center. Everyone who hears this imagines it vastly overblown and assumes that the cosmos cannot be that

131. Adam Smith, focusing on the division of labor (a topos for Xenophon, Plato, Aristotle, Ibn Khaldūn, and others), speaks of a pin-maker, famously, at the start of *The Wealth of Nations* (1776). He had made the point earlier in his *Lectures on Jurisprudence* (1763, 1766); *Works and Correspondence*, 5.14. Turgot, his eye on capital equipment, cited a tanner rather than a pin-maker in *Reflections on the Formation and Distribution of Riches* (1770). Smith's predecessor is Henri-Louis Duhamel du Monceau, *Art de l'Épinglier* (The Pin-Maker's Craft, 1761), where the introduction states, "No one fails to wonder at the low price of pins. But we would be even more surprised to know how many different operations, most of them rather delicate, are needed to make a good pin." He tracks the phases of the process from the drawing of brass wire in a uniform strand. Pin manufacture had been described by Rodolphe Perronet, a collaborator of du Monceau's, informed by a paper delivered in 1700 by the Abbot Gilles Filleau des Billettes at the French Royal Academy of Sciences. See Jean-Louis Peaucelle and Stéphane Manin, "Billettes and the Economic Viability of Pin-Making in 1700," Eleventh World Congress of Accounting Historians, Nantes, 2006. Marx blames the division of labor for the alienation of workers from the product of their labor, but as Ludwig von Mises explained, far more is gained than lost. Coordination of resources, human and mechanical, as Friedrich Hayek explains, is what allows labor to generate capital, profit, and leisure.

132. To make sense of the idea that Maimonides rejects, that the heavens serve human ends, the Philosopher must imbibe some tincture of creation. For talk of purposes in nature, as Maimonides stresses, does treat the world as an artifact (III 13). Maimonides knows that Galen hardly eschews teleology when he writes of the purposes of animal organs. Nor does Aristotle in affirming that nature does nothing in vain. Maimonides agrees with the Philosopher that the heavens do not exist for mankind's sake. But he does see the spheres and stars as playing a vital role in the cosmic scheme, on which humanity and all of nature depend. If the heavens, even incidentally, sustain life on earth, they are crucial parts of a cosmic system in which purposes are met. So their functions in the whole sustain the idea of divine design and thus of creation.

large. But the distance from the center of the earth to the lowest point on the sphere of Saturn, which is the seventh, is demonstrated to be some 7,024 years' journey. The
3.28b distance I mentioned of 8,700 years' journey reaches the concave surface of the eighth sphere.

When you find the Sages saying that the distance between spheres is such and such, it means the thickness of the bodies separating them, not that a void exists. Don't ask me to show that everything the Sages say about astronomy fits the facts. Mathematics was undeveloped in their time, and they were not transmitting prophetic teachings here but speaking as scholars of these disciplines in their day, or because they had heard these things from scholars who were their contemporaries.[133] Still, I would not therefore discount as unsound or a product of mere chance whatever they say that fits the facts as we know them. Whenever we can interpret someone's words as consistent with established facts, that is the best course for one who is fair and open minded.

Chapter 15

Impossibility has a fixed and stable nature. It is not anyone's work and cannot be altered. So God is not said to have power over it. On this, thinkers do not disagree. Only someone who does not understand ideas fails to know this.[134] Where thinkers differ is just over how to class certain things that are imagined: Some call them impossible and
3.29a hold that we should not say that God is able to change them. Others deem them possible and within God's power to create, should He so please. To unite opposites at once in the same substrate, to shift categories—making a substance an accident or an accident a substance—or for a physical substance to exist with no accidents are all held impossible by all thinkers. And for God to create His like[135] or destroy Himself, to become a body, or to change are all seen as impossible. God is not to be described as able to do any of these.

133. Maimonides, as we've noted, is open to the idea of scientific progress—and to the practices conducive to it. He makes no attempt to constrain discovery within the confines of religious dogma.

134. Some extremist Muslim theologians did hold that God can do what is in principle impossible, and some Ḥanbalī theologians, notably Ibn Taymiyyah, although ready and able to engage in reasoning, pressed a strict nominalism, seeing logical reasoning as a gift of God but no constraint on Him. Ibn Taymiyyah criticized Ghazālī for his defense of logic; see *EI*$_2$ s.v. "manṭiq."

135. It is logically impossible for God to create another Infinite or Self-sufficient Being. Beyond that, there is the principle of plenitude. As Plotinus writes, "The Reason-Principle would not make all divine. . . . All is graded in succession, and this in no spirit of grudging but in the expression of a Reason teeming with intellectual variety" (*Enneads* 3.2.11) As Lasker notes, God's inability to produce His like, to become a body, to destroy Himself, or to suffer

As for creating a bare accident in no substance, one party, the Muʿtazilites, imagine this and deem it possible. Others say not. But those who posit accidents with no substrate are led to this view not by reason but by credal concerns wholly repugnant to reason. This thesis gave them a way of protecting their dogma.[136] In the same way, the creation of something physical from no matter at all is classed as possible by us but impossible by the Philosophers. The Philosophers also say that a square cannot be created whose side is commensurate with its diagonal, or a solid with vertex angles totaling four right angles,[137] and so on. Yet some, who are ignorant of mathematics and know nothing of such things beyond the bare words and have no inkling of their meanings, presume such things possible.

I wish I knew if things are so wide open, letting anyone claim anything conceivable is possible that others call impossible by its very nature. Does anything constrain and limit possibility, letting one say with certainty, 'This is inherently impossible'? Is reason or **3.29b** imagination the test or canon here—and how are their verdicts to be distinguished? One might argue with someone—or with oneself—over something that he thinks is possible and call possible in itself, while a critic calls it a fantasy untried by reason. Is there a way of distinguishing reason from fancy? Is it something beyond them both? Or does reason itself do this? There's much room for inquiry here. But that is not my goal in this chapter. Every outlook and school clearly deem some things impossible, their existence absurd. And God, all agree, is not to be described as able to do such things or to be called weak

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change are all key issues touching on Christian doctrines of the Trinity, incarnation, kenosis, and crucifixion, as defenders of Judaism were not reticent in noting (*Polemics*, 28, 32, 116).

136. The mutakallimūn in question, as Munk explains in his translation, were trying to explain how God could destroy the world at the end of time without positing something that would destroy it (and thus outlast it), in effect generating an infinite regress of destructive agents. Their escape hatch: When God is ready to end all things, He will simply create the accident of "destruction" in no substrate and so end all that is—beyond Himself, of course. As Munk observes, some Karaites held a like view.

137. Plato constructs the cosmos of the five solids later named in his honor (*Timaeus* 53c–55c). As Euclid reports, Plato's friend Theaetetus, for whom he named his chief dialogue on epistemology, first proved that only five regular solids exist: a tetrahedron (fire), built of four equilateral triangles (the internal angles at each of the four vertices, where three triangles meet, total 180°); an octahedron (air), of eight equilateral triangles (the internal angles at each of its six vertices, where four triangles meet, total 240°); an icosahedron (water), of twenty equilateral triangles (the internal angles at each of the six vertices, where five triangles meet, total 300°); a cube (earth), of six squares (the internal angles at any of its eight vertices, where three squares meet, total 270°); and a dodecahedron (the cosmos), of twelve regular pentagons (the internal angles at any of its twenty vertices, where three pentagons meet, total 324°). Should one try to press on and build a regular polygon of regular hexagons, the internal angles of three will total 360°, and the figure flattens. If the angles go higher, the figure is everted and the sides fail to close.

or powerless for not altering those boundaries. Such things are necessary not because someone made them so. The dispute, plainly, is over which things to class as possible or impossible. Take this in.

Chapter 16

The Philosophers stumbled grievously as to God's knowledge of other beings, a grave lapse, irretrievable for them and those who followed their view. I should like you to hear
3.30a the specious reasoning that misled them as well as the stance of our own religion and how we counter their gross and infamous misconception about God's knowledge.

What first drew them and drove them to the view they adopted was chiefly the seeming anarchy of human fortunes: Some virtuous people lead lives of pain and suffering; others, who are wicked, bask in pleasure and delight. That led philosophers to this dilemma: Either God is wholly unaware of individual fortunes and knows nothing of them,[138] or He does know and is aware of them—a necessary disjunction. So they argued that if He knows and is aware of these things, there are just three alternatives:

138. Cf. Plato, *Parmenides* 134d. Despite Avicenna's protestations that not an atom escapes God's knowledge, Schwarz writes, the only particulars his God seems to know are the astral bodies, each a unique exemplar of its species. Maimonides, Schwarz concludes, faces a dilemma: God's knowledge *is* Himself and is timeless; so it can only be of eternal things, not contingent particulars or their acts and sufferings. But the God of history and the Torah must know human virtues, vices, and vicissitudes. It remains, Schwarz reasons, for Maimonides to take refuge in the impenetrability of God's knowledge to human understanding (Schwarz, "Some Remarks"). Yet Maimonides does affirm God's omniscience. God, we argue, would know particulars by way of universals, as the inventor knows the water clock from his idea of it and as the smith can fashion a needle because he understands its use (3.40a, 3.43b–44a). Does God, then, fail to know us *as* individuals? If (and insofar as) we are rational souls, we, unlike all other animals, are each of us unique exemplars of the human form and so known to God as such. Individuals, the argument goes, are not known by sense perception alone. We might be known, as Benor explains, by what Bertrand Russell termed "definite descriptions"—thus, by the features that make each person unique. Maimonides does not know Russell. But he knows well Avicenna's argument that a human soul, even if disembodied, is individuated by its history and its unique self-awareness. See Goodman, *Avicenna*, chap. 3. Maimonides is emphatic about human individuality (2.82a), a core biblical and rabbinic theme (M. Sanhedrin 4.5; Goodman, "Individuality"). He alludes to the Avicennan approach in citing "modern" philosophers' response to questions about the arithmetic of disembodied souls (1.121b). If human souls are unique individual forms, God can know them as He knows the celestial bodies, and questions about providence over particular persons would dissolve along with those about His knowledge of other particulars. See Benor, *Worship of the Heart*, 129–55.

(1) He orders and manages things ideally and for the best, (2) He does not because He cannot, or (3) He does know and can order things for the best but neglects to do so out of spite, envy, or disdain—as a human being might be able to help someone and see the need yet, from meanness, spite, or envy shirk the good he might have done. This, too, is a sound and necessary division. For anyone who knows something either cares about it or does not—as one might not bother, say, to manage his house cats or something more trivial.[139] But one who does care about something might find it unmanageable, although **3.30b**
wishing he could deal with it.

Based on this division, exhaustive as anyone can see, they ruled out two of the three alternatives as inapposite in God: that He is incapable and that He is able but uncaring. For that would make Him either impotent or ill natured, both of which He transcends.[140] They thought 'The only alternative is that He knows nothing of such things—unless He does know them and does order them for the best. But we see that things are awry and out of joint, not ordered as they should be. That shows that He does not know them.' This is what first trapped them in their grievous error. You will find all the alternatives I outlined here and called out as the root of their error clearly set forth in Alexander of Aphrodisias' *On Providence*.

Amazing! They got out of the frying pan and into the fire![141] They forgot what they always preached and protested to us and ended up in a worse spot than they avoided. To avoid calling God uncaring, they made Him unknowing, leaving our whole world here below blanketed and invisible to Him. And they forgot what they always urged us to remember, judging the world by the fortunes of human individuals, whose ills are either man-made or necessary, natural concomitants of our embodiment, as they always avowed and explained. I have already laid out what needs to be said about that (III 12).[142]

139. Cf. Cicero, *De Natura Deorum* 2.66, 3.35; Plutarch, *De Stoicorum Repugnantiis* 37.2.

140. Cf. B. ʿAvodah Zarah 55a.

141. At 1.127b, Maimonides says this of the *Mutakallimūn*. Simplicius calls it proverbial to say, "Out of the smoke into the fire" (*In* Enchiridion 27, 72.1, tr. Brennan and Brittain, 40).

142. Winston (*Logos*, 72 *n.* 25) explains the Philosophers' dilemma: To ascribe evil simply to matter risks exempting matter from divine control; to ascribe human evil simply to psychic weaknesses may seem to subject the higher to the lower—as Plato put it, to imagine "knowledge dragged about like a slave" (*Protagoras* 352c; cf. Aristotle, *NE* VII 2, 1145b). Plato does cast matter as the cosmic root of evil (*Theaetetus* 176a). Plotinus, sensitized to questions of blame (perhaps by Gnostic polemics), "makes Matter and weakness in the soul the joint causes of human evil," as Winston observes. See Plotinus, *Enneads* 3.9.3, 5.8.7. But Neoplatonically, matter is a direct emanation of the One (just as it is God's creation for Maimonides—and a generous gift; see III 12). Proclus (following Iamblichus) repudiates the notion that matter is evil (*Elements of Theology* §72 cor.)—at the cost of tracing evil exclusively to the soul. Maimonides scores the Philosophers for failing to exploit their own account of matter as a concomitant of emanation. If there is to be emanation or creation, there must be otherness. In

3.31a Having laid this foundation, which undermines every good principle they had and scars every fair view they held, they tried to mitigate the incongruity by ruling knowledge of such things impossible for God,[143] giving grounds like these: Particulars are perceived only by the senses, not by reason, but God does not use sense perception. Or particulars are infinite, and knowledge means comprehension, but the infinite cannot be comprehended. Or knowledge of things that come to be (and thus particulars, of course) would imply change in Him, making His knowledge ever changing. And since we who follow Scripture hold that God has foreknowledge, they tried to trap us in two unwelcome implications: that there can be knowledge of sheer nonbeing and that knowledge of the potential is the same as knowledge of the actual.[144]

Sometimes their shifts parted company, with some saying He knows only species, not individuals; others, that He knows only Himself,[145] leaving no multiplicity in His knowledge, as they would have it. Some philosophers held, as we do, that He knows all things and that nothing is hidden from Him. These were some of the greats before Aristotle's time.[146] Alexander cites them in the same work, but he scorns their view, calling the best evidence against it the ills that we witness afflicting the good and the goods that the wicked enjoy.

You can see, in a word, that had any of them found the fortunes of human individuals to be ordered as the masses presume they should be, they would not have leapt to the conclusion they reached and stumbled as they did,[147] prompted by the thought that

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either case, matter is the counterpart of divine generosity. Evils, then, would be privations, as Plato proposed: Natural evils would reflect the vulnerability of the finite; human evils would reflect a thoughtless preference for specious over real goods.

143. God is not expected to do the impossible (3.28b). But it does seem odd to make God ignorant of what any animal can know.

144. "It is not possible to think what is not—or to think anything but what one experiences" (Plato, *Theaetetus* 167a). The first intended reductio assumes knowledge to be real only if its object is real. But one need not believe, say, that numbers are real to know arithmetic. The second reductio rests on the assumption that all knowledge reflects one's growing experience of changeable things. But God is His knowledge, and God does not change. Does that make God's knowledge of the potential and the actual alike? Maimonides considers God's timeless knowledge at III 21.

145. See Aristotle, *Metaphysics* Λ 9.

146. The pre-Socratic Xenophanes (frag. 23) speaks of "one god, greatest among gods and men, in no way like mortals in body or in thought," who is "always in the same place, utterly unmoved . . . but without toil he shakes all things by his mind's thought," and "all of him sees, all thinks, and all hears" (frag. 24–26). Xenophanes is known to Arabic writers; see al-ʿĀmirī, *K. al-Amad ʿalā 'l-Abad*, Rowson, 225–26.

147. Maimonides echoes the freighted word *tahāfut*, his keyword for headlong haste. The Philosophers compromised God's perfection even as they tried to save it. They shied at the problem of evil but failed to exploit their own account of matter: Matter, for Maimonides,

the fortunes of good and bad people are not ordered as they should be, just as the benighted among us say, *"The Lord's way is unjust!"* (Ezekiel 33:17). **3.31b**

Having shown how treatments of divine knowledge and providence are connected, I will lay out thinkers' views about providence and then turn to resolving the issues they raised about God's knowledge of particulars.

Chapter 17

The views people hold about providence are five, all of them ancient, heard in the time of the Prophets, when the true Torah appeared and shed its light where there was so much darkness.

1. First comes the view of those who deny providence altogether, over anything. Everything in this world, in the heavens or elsewhere, occurs by chance and the disposition of things, with no ruler, oversight, or care for anything. This is the view of Epicurus,[148] who was also an atomist. Atoms, he held, mingle randomly, and what results is also random. This was the view of Israelite deniers, too, of whom it was said, *They gave the* LORD *the lie and said, "It is not He!"* (Jeremiah 5:12).[149] Aristotle confuted this view, proving it impossible for all to depend on chance; there must be a ruler who orders things—a point I've touched on already (II 20).

2. The second view is that of those who see some things as cared for, governed, and ordered providentially and others left to chance. This is Aristotle's view. To summarize his view on providence for you: He holds that God cares for the spheres and their contents,[150] so these particulars remain forever unchanged—although, as Alexander explains, he held that providence ends at the sphere of the moon. This view reflects **3.32a**

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is not evil. But it does give evil a foothold by rendering us both vulnerable and fallible. Yet the generosity of creation calls for otherness and finitude—and thus, for matter. Tradition blames Elisha ben Avuya's apostasy on his own impatience as to the problem of evil. He is said to have seen a dutiful son climb a tree for eggs, desired by his father, and shoo away the mother bird, as biblically prescribed, yet fall to his death, despite the Torah's seeming to promise long life for honoring one's parents (Exodus 20:12) and dismissing the mother bird when gathering eggs (Deuteronomy 22:6). Elisha saw the suffering but failed to reflect that the grace of creation comes at a price: Created beings are vulnerable, living beings will suffer, and thinking beings will err.

148. See Alexander of Aphrodisias, *De Fato* 203.10, tr. Sharples, 83.

149. These scoffers, the same neighing adulterers cited at 3.13a, mock God's warnings, thinking, *No ill shall befall us* (Jeremiah 5:12). Accountability is of pointed relevance, since it is the suffering of innocents and prosperity of the wicked that fuel doubts of providence.

150. Sc., the stars and the matter between the spheres.

Aristotle's eternalism.[151] He sees providence as matching the nature of its object. For the spheres and their contents, where the particulars are eternal, providence means constancy: These beings endure, ever unchanging. But the being of the spheres entails that of other things, particulars that do not endure, although their species do. So some measure of providence flows down to them, assuring species the eternity and constancy unattainable for their members.[152] Nor are the individuals here below neglected entirely. Those with matter pure enough to take on the form of growth receive powers that preserve them for a time, taking in what sustains them and expelling what does not. Those with purer matter, receptive to the form of perception, are given further powers of protection and self-preservation, a capacity to move in pursuit of what is helpful and to avoid what is untoward. So each kind receives what it needs.[153] Matter purer still, fit to receive the form of reason, is given a further power, allowing each individual, according to his degree of perfection, to look after himself, to think, and to consider what might promote his own survival and the preservation of his kind.

3.32b Motions that occur in the members of other species happen as they may and are not providentially ordered or governed in Aristotle's view. If a wind or a tempest blew, say, it would doubtless bring down some leaves from this tree or break a branch of that one, topple a rock from a wall, raise dust that covers the grass and kills it, or whip up waves and sink a ship at sea,

151. Providence over sensory particulars, as Alexander holds in his account of the Aristotelian view, takes the form of the eternal existence and changelessness of the spheres. Aristotle's well-known lectures, the surviving core of his writings, do not directly address providence per se, although the subject does arise in his early work *De Philosophia* (fr. 26). But Alexander's *De Providentia*, needing to address the centrality of the issue in Stoic thinking, spells out a Peripatetic view, seeking a middle ground between Epicurean denials and Stoic faith in omnipresent providence. See Sharples, "Alexander of Aphrodisias on Divine Providence." In his introduction to Alexander's *De Fato*, Sharples shows that "the standard position attributed to Aristotle" in the first two centuries of the Common Era "was that divine providence has the heavenly bodies as its objects but is not concerned with the sublunary region" (*On Fate*, 25–26). Alexander, he explains, sought to soften that view but still held providence to be above concern with the fortunes of human individuals. Neoplatonists favor general providence, its care confined to the species of things (Plotinus, *Enneads* 4.8.2.23–32). No question arises as to the heavens, since they are presumed divine.

152. See Aristotle, *De Generatione et Corruptione* 336b31; and Alexander, *De Providentia* 33.1ff., 59.6ff., 87.5ff. Alexander, Sharples writes, "holds that providence is concerned with species, ensuring the continuity of generation and hence of species through the medium of the heavenly motions, but *not* with the fortunes of individual men or anything else which is peculiar to them as individuals" ("Species, Form, and Inheritance," 117). Alexander puts it more positively in *On the Cosmos* §80: That perishable bodies endure as species is assured by the eternal revolutions of the heavens.

153. In *AvM*, the cricket explains that God provides for every living species according to its needs and capabilities (190–93). Cf. Philo, *De Opificio Mundi* 31, LCL 24–25.

drowning some or all of those on board. To him, there is no difference between the fall of a leaf or a rock and the drowning of all the great and good men onboard that ship. He does not distinguish an ox manuring an ant hill, killing the ants, and the collapse of a building, crushing every worshipper inside—no difference between a cat's catching a mouse and tearing it to bits, or a spider's catching a fly, or a hungry lion's attacking a prophet and devouring him.

The pith of his view, in short: Whatever he deemed stable, steady, and constant in pattern, like the course of the heavens, or rarely altered, like nature's course, he said was governed—that is, under divine providence. But wherever he saw no rational order or fixed pattern—like the fate of individual plants, animals, and human beings—he called ungoverned and subject to happenstance, not under divine providence. Here, as he saw it, providence was impossible. This was a consequence of his eternalism and his conviction that it is impossible for the world as a whole to be other than it is. Also of this opinion **3.33a** were those recusants who said, *The* LORD *hath forsaken the earth* (Ezekiel 9:9).

3. The third view, contrary to the second, is held by those who think nothing in the world, general or particular, is a matter of chance; all is willed, purposed, and controlled (and whatever is controlled is clearly known). This is the view of the Ashʿarite sect in Islam. It has some grossly untoward implications, which they swallow. Like Aristotle, they equate the fall of a leaf with a human death. 'Yes,' they say, 'but the wind does not blow by chance. God moves it. It is not the wind that makes the leaves fall. Each falls by God's decree and command. It is He who ordains that this leaf will fall here and now. It cannot fall earlier or later or anywhere else. All is eternally predestined.'

The implication: Every move an animal makes or does not make is foreordained, and no one has the power to do or to refrain from doing anything. Their view, in fact, erases the very nature of possibility here, making all events either necessary or impossible. This, too, they swallow: What we call possible, they say—Zayd's rising, Omar's coming, and so on—is such only to us.[154] To God, there are no contingencies in such things, only neces- **3.33b** sities and impossibilities.[155]

Also implied by this view: Revelation is utterly useless. For man, to whom every revelation was given, cannot keep its commands or avoid what it forbids. God, this sect says, chose to send prophets to command and forbid, threaten and raise hopes and fears, but we have no power to obey. He may give us impossible tasks, punish us when we obey, or reward us when we transgress. It follows, too, that His acts are pointless (cf. III 25–26).

They bear the burden of all these absurdities simply to save their dogma. Even when we see someone born blind or leprous, who cannot be said to deserve his plight for his

154. Relative to our ignorance of the foreordained outcome. There are no *de re* contingencies. Cf. Alexander's charge that the Stoics erase contingency (*De Fato* 9–10).

155. The Ashʿarites hoped to maximize God's power. But by hobbling possibility, they straitjacket God and eviscerate the idea of creation.

past sins, we still should say, 'So it pleased Him'; and when we see a devout and virtuous man tortured to death, we should say, 'So it pleased Him. There is no wrong in it.'[156] To them, it's fine for God to punish the innocent and reward the sinner. Their pronouncements about this are well known.

4. The fourth view is that of those who hold that man does have the capacity to act. So scriptural commands and prohibitions, rewards and punishments, make sense. All God's acts, they hold, reflect His wisdom; He cannot be called unjust; He punishes no one who does what is right. The Muʿtazila, too, believe this but do not think one's power to act is unfettered. They, too, believe that God knows the fall of this leaf and the crawl
3.34a of that ant and exercises providence over all that is. So here, too, there are untoward consequences—and inconsistencies.

One outrageous implication: When a babe is born deformed, though innocent, they say it was God's wisdom: 'Better for him than good health, although we do not know just how. It is not a punishment but a blessing!' They say the same when a good man perishes: 'It enhances his reward in the hereafter.'

Pressed as to why God is just to man and not to other creatures and asked, 'How did this animal sin to merit slaughter?' they shoulder the burden of defending the absurd proposition that this, too, was for its own good: 'God will requite it in the hereafter.' So even when a flea or a louse is killed, God must requite it! If an innocent mouse is devoured by a cat or a hawk, they say, 'So did His wisdom decree; its suffering will be requited in the hereafter!'

Those who hold these last three views on providence, as I see it, are none of them to blame. Each faces serious constraints. Aristotle stood by the plain course of nature. The Ashʿarites balk at calling God ignorant of anything. But it would not do to say that He knows one thing and not another. So they faced grotesque implications and embraced them. The Muʿtazila, too, avoid ascribing any wrong or injustice to God. But it did not seem fair to them to quarrel with common sense and deny that it is unjust to bring suffering on someone who has done no wrong. Nor did it make sense to them that every
3.34b prophet is sent and inspired with laws for no rational reason. So they, too, bore their share of nonsense and inconsistency. For they held that God knows all things, yet man has the capacity to act. As will be clear on the least reflection, this leads to a plain contradiction.[157]

156. Maimonides knows well the political abuses of predestinarian beliefs. See Montgomery Watt, *Formative Period*, 114.

157. Alexander (*De Fato* 30–32) seeks to resolve the tension between divine foreknowledge and moral freedom by arguing that even the gods do not know what cannot be known—but might know the contingent *as contingent*. Foreknowledge, he insists, is not predetermination. Maimonides, in like spirit, may avoid the crux he points to here, perhaps by turning to the idea that God knows particulars via their universals (III 20), an Aristotelian option not readily accessed by Muʿtazilites. But even God's knowing particulars as such need not threaten human freedom.

5. The fifth view is our own, the biblical view. I shall teach you what our prophetic texts say, which is what most of our Sages believe. I will also report what some of our moderns believe and what I myself believe about this.

It is a bastion of the Torah of our Teacher Moses, I say, and of all who follow it that man has an absolute capacity to act: Our nature, will, and choice allow us to perform any human action with no ad hoc capacity created to make it possible.[158] All species of animals, likewise, move of their own volition. It was God's eternal pleasure that every animal move by its own will and that man have the capacity to do anything humanly possible by his own will and choice. No denial of this principle has ever been heard in our religion, thank God![159]

It is equally a bastion of the Torah of Moses that no injustice can be ascribed to God; any weal or woe that befalls people, individually or collectively, is deserved, by a justice utterly fair. If a thorn pierces someone's hand and he pulls it straight out, it was a punishment; the least pleasure one enjoys was a due reward.[160] As it says, *All His ways are justice* (Deuteronomy 32:4)—although we do not always know just how.[161] **3.35a**

For God would know things as they are: contingent events *as* contingent, choices *as* choices. As Fārābī showed (at *De Interpretatione* 9), God's knowledge does not render necessary the states of affairs that He knows. For the necessity of implication is not transitive: It does not turn hypothetical into categorical necessities. As Maimonides confesses, we do not comprehend God's knowledge. Rudavsky critiques his stance (*Maimonides*, 143–59). Cf. Lim, "God's Knowledge of Particulars"; Davies, *Method and Metaphysics*, 88–105; and Benor, *Worship of the Heart*, chap. 3.

158. Al-Ashʿarī sought to avoid saying that one acts without a capacity to do so, by positing that God creates a capacity for each action one performs (but no other) at the very moment of the act (but no sooner). The verbal save was a transparent subterfuge: God remained the real author of the act.

159. Maimonides' "thank God" welcomes Saadiah's rejection of the Ashʿarite view that God acts for or through us yet may rightly hold us accountable. Maimonides condemns as doubletalk Ashʿarite attempts to save predestination by professing that we do not "create" but only "appropriate" our acts (1.58b). We detect a hint of a smile in his "thank God": God *was* the ultimate cause of the conclusions reached by Saadiah et al. through the insight He gave them, but that insight and the intellectual courage to hold fast to it was theirs—even if there was an element of chance in their choices (see 1.94a).

160. On one level, Maimonides embraces the idea of B. ʿArakhin 16b that even the smallest annoyance or frustration reflects the divine economy. But bigger game is afoot here. In the sole surviving fragment of his words, Anaximander sees a cosmic justice in the cycles of generation and corruption by which the natural elements sustain the cosmos: "The Source of coming to be for existing things is that into which destruction too occurs 'by necessity; for they pay penalty and retribution to each other for their injustice, at the assessment of Time'" (DK 12A9, apud Simplicius, *In Aristotelis Physicorum* 24.13). Cf. Heraclitus frag. B88.

161. Maimonides echoes Muʿtazilite reasoning in linking human choice and volition with God's justice. He echoes kalām usage by phrasing what he calls God's inseparable justice in

To sum up these views: The varied turns of individual human fortune are laid by Aristotle to pure chance, by the Ashʿarites to God's sheer will, by the Muʿtazila to His wisdom, and by us to what one's acts deserve. So an Ashʿarite allows that God might punish a good and virtuous person not just in this world but forever in the supposed fire of the hereafter[162] and can say only 'So it pleased Him.' The Muʿtazila call this unjust and hold, as I said, that any victim, even an ant, will be requited, as God's wisdom demands. But we believe that all human fortunes reflect our deserts: God far transcends injustice and punishes us only as we deserve. That is plainly stated in the Torah of Moses our Teacher: Everything depends on desert. Most of our authorities say the same, clearly stating, as you can see, "There is no death without sin, no suffering without guilt" (B. Shabbat 55a)—and as the Mishnah says, "By the measure one uses, so is it meted out to him" (M. Soṭah 1.7).[163] Everywhere they stress that justice is inseparable from God:[164] He rewards the dutiful for their every pure and upright act, even if it was not commanded by a prophet, and punishes every evil act, even those not forbidden by a prophet. For wrongdoing and injustice are forbidden by our nature.[165] Thus they say, "The Holy One, blessed

3.35b

terms of what one may say of God—and echoing the phrase "We do not always know just how" (cf. 3.34a). His talk of bastions, too, suggests that pious affirmations of God's justice call for some parsing.

162. Unlike Saadiah, Maimonides distances himself from notions of hellfire: "The reward of the righteous is the eternal bliss they deserve; the requital of the wicked is loss of that life; they die cut off. Anyone deprived of that life is dead—denied eternal life, cut off by his wickedness, to perish like a beast. This is the excision the Torah intends (Numbers 15:31), when it says [of the high-handed, unrepentant sinner, whose arrogance amounts to blasphemy], *That soul shall be utterly cut off*. As our sages teach (cf. Rashi on B. Shevuʿot 13a), 'cut off' means in this world; 'utterly cut off' includes the world to come" (*MT* Laws of Repentance 8.1).

163. Maimonides does not see all misfortunes as retribution for moral lapses (3.33b). Like Saadiah, he accepts the premise of the Book of Job, that we may suffer through no moral fault of our own, citing Galen in support: A body like ours cannot be expected to live forever (3.19b). Yet not everything exists for one's own sake. Every being is an interloper, both dependent on and encroaching upon every other, and destined to pay the price Anaximander spoke of. Mortality comes with finitude, not for the Epicurean reason that all complexes must break down, but for the Aristotelian reason that nature's stability depends on the interchange of forms.

164. Divinity, Alexander writes, precludes wrongdoing; see *De Fato* 34, Bruns, 206.33, Sharples, 87.

165. Maimonides' clear affirmation of this core principle of natural law dovetails with the universalism that Kellner and Gillis in *Maimonides the Universalist* highlight in *MT*: Scripture exists to guide us in perfecting our nature. But virtue does not depend on Scripture and is not coextensive with adherence to scriptural prescriptions. Human nature here is *fiṭra*, our natural endowment. The word is attested in the Qurʾān (30:30): "Set thy face, then, to religion in truth (*ḥanīfan*), the basis on which God framed mankind (*fiṭrata allatī faṭara al-nās*

be He, withholds no one's due" (B. Bava Kamma 38b, Pesaḥim 118a), and "Whoever says the Holy One, blessed be He, is lax—may his guts go lax! The Holy One is long-suffering, but He exacts His due!" (Genesis Rabbah 67.4; cf. B. Bava Kamma 50a).[166] They also say, "There is no comparing one who keeps a commandment to one who acts unbidden" (cf. B. Kiddushin 31a, Bava Kamma 87a, B. ʿAvodah Zarah 3a)—showing clearly that even one not charged with a duty is rewarded (Tanna de-Vei Eliyahu chap. 8, p. 40).[167]

All their discussions proceed on this basis. But they do add one thing not found in the Torah: the doctrine held by some of the "sufferings of love" (B. Berakhot 5a). On his view, one may be afflicted not for past wrongdoing but to enhance his reward.[168] This,

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ʿalayhi)." A well-known *ḥadīth* declares, "Every child is born in a state of nature (*ʿalā 'l-fiṭra*); his parents make him a Jew, Christian, or Magian" (Bukhārī, *Ṣaḥīḥ* 2.23.441). Religious differences, then, reflect cultural traditions. Islamic tradition equates the natural state with the faith of the *ḥanīf*, a natural monotheist—or born Muslim (Qur'ān 2:135). Maimonides, like Ibn Ṭufayl, understands *fiṭra* generically, as one's psychic endowment, including talents and interests like intellectual curiosity and moral sense (cf. *NE* II 1). Habits form and frame our virtues and vices (*Eight Chapters*, 4, 8; cf. *NE* III 5; Alexander, *De Fato* 27), but reason makes everyone morally responsible. So it was fitting for God to give commands to Adam and Eve (I 2). Maimonides, a moral realist, holds justice to be inherent in God's being—inseparable, as he puts it, citing the Sages; cf. Plato, *Republic* 381c; Saadiah, *Book of Theodicy*, on Job 34:17, Kafiḥ, 167–68, Goodman, 359–60. God can no more act unjustly than create His like or build a square whose diagonal is commensurate with its side. Since right and wrong do not issue from a decree, moral truth does not rest on revelation. The Torah articulates a path of justice and a way of life for Israel. But reason gives all humanity access to moral truths (cf. *NE* VI 2; and for the interplay of one's natural endowment with culture and training, X 9). Our God-given nature (*fiṭra*), in Maimonides' view, makes all human beings responsible to live justly. For reason lies at the heart of our natural endowment. Rabbi Nissim Gaon (990–1062) opens his introduction to the Talmud, "Every commandment dependent on reason (*sevara*) or moral intuition (*ovanta de-liba*) was binding on all, from the day God created Adam on earth—for him and all his seed in every generation" (*Miftāḥ Maghālīq al-Talmūd*, 1b). So it was not unfair of God, Rabbi Nissim explains, to punish Sodom even without prophetic warning: Human nature informed the Sodomites of their moral duties. (Our thanks to Aviv Rosenblatt for this reference.) It is the gift of reason that enables Israel to embrace the Torah and live by it, seeing its justice and wisdom. It is universal human reason, the Sages held, that gives the righteous of all nations their share in immortality. And natural reason, not dogma, opens access to God. So everyone at Sinai "heard" directly (grasped conceptually) the first two items of the Decalogue (II 33; III 51).

166. Rabbi Ḥanina plays on the word *lax*, invoking a sense of poetic justice: If you think God's justice is not strict, are you ignoring the strict workings of natural law in your own physiology?

167. "The better sort is just without compulsion" (Aristotle, *Rhetoric* I 14, 1375a16–17).

168. Saadiah follows the view ascribed to Rava (or Rav Ḥisda): One who suffers should scrutinize his deeds. If he finds no guilt, he might ascribe his plight to insufficient Torah

too, is a Muʿtazilite doctrine. No biblical text supports it. You should not confuse it with "trial," as when *God tested Abraham* (Genesis 22:1) or *afflicted thee and made thee hunger* (Deuteronomy 8:3).[169] You will soon hear what I have to say about that (III 24).

Our Torah regards individual fortunes only in the human case. The tale of recompense to animals was unheard of in our religion in ancient times; none of the Sages mentions it. But certain of the modern Geonim, of blessed memory, hearing it from the Muʿtazila, found it appealing and adopted it.[170]

My own belief, which I shall tell you now, about this core idea of providence is not based on proof but is drawn from what seems to me the plain sense of God's book and those of the Prophets. It is a view less vexed and more rational than the others I out-
3.36a lined. I believe that providence in this sublunary world reaches individuals only of the human race: Only in our species do everyone's fortunes, for better or for worse, reflect his deserts—as it says, *All His ways are justice* (Deuteronomy 32:4). But for all other animals, let alone plants and the rest, my view is the same as Aristotle's. I just do not believe that this leaf falls at its own providence, that this spider ate that fly at God's present and particular desire and decree, that Zayd's spittle flew right to that mite and killed it by God's judgment, or that this fish snapped up that nymph on the water's surface at God's instant behest. To me, all this is pure happenstance, as Aristotle held.

Divine providence, as I see it, comes only by emanation. The only species touched by this intellectual outflow and so given reason and made aware of all that a mind can reveal is the one attended by providence—and so accountable, rewarded or punished, for each

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study. If he finds no fault even there, "he should know that these are sufferings of love." For God reserves an enhanced reward for His beloved (Saadiah, *Book of Theodicy*, Goodman, 125–26; Saadiah, *ED* V 3, Kafiḥ, 176–78, Rosenblatt, 214–15). Echoing Psalms 116:15, Rabbi Akiva called the suffering and even the death of the saintly precious, since it brings one closer to God. Suffering for God's sake, as Akiva did in the Hadrianic persecutions, sanctifies God's name and fulfills the commandment to love God with one's very life. See J. Berakhot 14b; and Urbach, *The Sages*, 1.445–47.

169. Israel's sojourn in the desert is called a trial, *that God might test you by hardships, to learn what was in your hearts . . . and then gave you manna to eat* (Deuteronomy 8:2–3).

170. See Saadiah, *ED* III 10. Animals, children, and the insane, the Muʿtazilite ʿAbd al-Jabbār (d. 1024) argued, are not morally responsible but do feel pain and so deserve recompense. Saadiah is sensitive to such arguments. The essayist/theologian al-Jāḥiẓ (ca. 776–868/9) reports that the Muʿtazilite al-Naẓẓām (d. 836) held that "animals are sentient and feel pain and are requited by God's grace. Children, of Muslims or unbelievers, all go to heaven, as do the insane, and beasts, domestic or predatory"—"as spirits given a new bodily form as God pleases" (Jāḥīẓ, *K. al-Ḥayawān*, Atawi, 3.394–95; van Ess, *Theologie und Gesellschaft*, 3.407f, 6.155). Cf. Augustine, *Tractates on the Gospel of John*, 34 §§3–4. As Altmann explains, ʿAbd al-Jabbār may have been motivated to advance the notion of recompense to animals to parry transmigrationist claims that innocents suffer for their sins in a previous life (*Essays*, 38).

individual's every act.[171] The sinking of a ship, drowning everyone on board, or the collapse of a roof on the people in a house is, as Aristotle claims, pure happenstance. But the presence of those people in that ship or house, as I see it, is not. It is by God's will, based on their deserts, as judged by a standard beyond our reason's ken.[172]

What led me to this conviction is that nowhere in Scripture could I find mention of **3.36b** individual providence except over humans. The Prophets are amazed that providence

171. Providence here, as Guttman put it, is not "interference with the external course of nature but is transferred to the inner life of man, where it is founded on the natural connection between the human and divine spirit" (*Philosophies*, 171). Guttman faults the shift he sees here from the moral to the intellectual, but we should not forget Maimonides' stout linkage of moral to intellectual virtues: Moral virtue, for him, underlies intellectual fulfillment. And it is because he sees moral lives as implicitly intellectual that he can save the Sages' dictum in Perek Ḥelek that all Israel (and the righteous of all nations) have a portion in the world to come. For Maimonides' inclusion of righteous gentiles, see his letter to Ḥasdai ha-Levi, Shailat, 2.23d–24a; and Kellner, *Maimonides on Human Perfection*, 67 *n.* 19. For early discussions of Maimonides' view, see Diesendruck, "Samuel and Moses Ibn Tibbon."

172. Does God let nature take its course but coordinate natural events so as to execute His judgments, leaving, in effect, no coincidences? To believe that, Maimonides would have to abandon his vehement rejection of the Ashʿarite view that God oversees the fall of each leaf, the view he takes to be superstitious. The alternative: Natural causality is real; and, but for preordained miracles, causation is constant. The virtuous victims in a shipwreck (including Maimonides' brother), or in the collapse of a building, die not because God finds them unworthy but because they bear the risks attendant on pursuit of their purposes. Cf. Rāzī, *Ṭibb al-Rūḥānī* chaps. 2 and 17; and Goodman, "How Epicurean Was Rāzī?," 276–77. Maimonides generalized the point at III 12: Our embodiment renders us vulnerable. The very fact of life makes us aggressors in the environment, and the hostile, competing, or indifferent agencies around us cramp our encroachments, limit, and in the end stymie our demands. Hence our mortality. Metaphorically, the blockage and ultimate defeat of our assaults on our surroundings are "punishments"—just as the goods that meet our needs in the bounteous milieu God affords are readily and rightly called rewards or gifts (3.35a). But nature's exactions are not penalties in the moral or legal sense. Nature's bounties come by God's grace, and nature's recalcitrance against our forays is part of the ongoing cycle of change. The world does not exist for our sakes. We may and do avail ourselves of those bounties, but nature, inevitably, exacts a price. For as Aristotle taught, cosmic stability depends on nature's cycles: The buildup of one thing is the breakdown of another. Only so do species endure. Living beings ingest what sustains them and eject or exclude what hinders. The wisdom beyond reason's ken here is not a doom enacted by caprice. It is God's determination that living beings endure only at one another's expense and inevitably perish. But emanation allows rational souls to break free and reconnect with their Source. Providence touches the individual when the intellectual principle reaching us from God attains awareness and so makes contact with Him. Lesser beings enjoy vitality, but lacking reason, they cannot know God and do not consciously seek Him. So they are spared the agony of loss, the real punishment of those who fail to know God or who turn their backs on Him.

reaches even human beings. Man—let alone other animals—seemed beneath God's notice; as it says, *What is man that Thou knowest him* (Psalms 144:3) and *What is a man that Thou art mindful of him* (8:5). Yet their texts candidly proclaim God's providence over every human being and oversight of our every act: *Who fashioneth the hearts of them all and discerneth their every deed* (33:15); *Thine eyes descry all men's ways, to requite each according to his deeds* (Jeremiah 32:19); and *His eyes are upon a man's ways; He seeth his every step* (Job 34:21). The Torah plainly affirms God's providence over human individuals and our accountability for our actions: *On the day of My reckoning shall I bring them to account for their sins* (Exodus 32:34). As He says, *Who sinned against Me shall I blot from My book* (32:33), *that soul shall I remove* (Leviticus 23:30),[173] and *I shall set My face against that soul* (20:6). This is frequent.

All the accounts of Abraham, Isaac, and Jacob are clear evidence of providence over persons. But members of other species no doubt fare as Aristotle holds. So it is permitted to slaughter them—commanded, in fact—and to use them as we like. That other animals are not providentially cared for, except as Aristotle held, is signaled when the prophet sees Nebuchadnezzar's triumph and the many he slew and says, 'O Lord, it is as if mankind were abandoned, like fish or reptiles'—confirming that those species are uncared for.

3.37a His words: *Thou hast made men like fish in the sea, like creeping creatures ungoverned, all taken with a hook* (Habakkuk 1:14–15). But that is not so, the prophet explains. It was not out of neglect that providence was suspended but to punish those folk as they deserved: *To execute judgment didst Thou appoint them, LORD; O Rock, as our chastisement!* (1:12).

You must not assume that my view is undercut by passages like *Giveth the beast his food* (Psalms 147:9), or *Young lions roar for their prey* [*stalking the food that God provides*] (104:21), or *Openest Thy hand and satest all that live* (145:16), or the Sages' words, for that matter: "He abides and feeds them all, from the horned buffalo to nits" (B. Shabbat 107b, 'Avodah Zarah 3b). You will find many such passages, but none that refutes my view: All this is general, not individual providence. It describes God's grace, in effect, as providing the food and the matter that each species needs to survive.[174] Aristotle, too,

173. N.B.—not afflict eternally! Loss of connection with God is the true sense of damnation; cf. M. Avot 4.21, B. Sanhedrin 107b.

174. One who studies or practices medicine, Galen urges,

> must know with certainty that nature ever suffices and uses the utmost providential care over animals. No orderly or systematic process occurs unless nature sets or oversees the pattern. Some of this you can learn from my book *De Usu Partium*, where I showed nature's consummate wisdom in animals' anatomy; some, from their parturition, development, and maturation. In every species a definite gestation period is observed, which no member overshoots. For natural processes keep to a uniform path and pattern; every animal has definite stages of development from conception to maturation and decline. Further, one who reads my book *On the Natural Faculties* and other books in which

sees providence of this sort as requisite and real, and Alexander agrees that Aristotle sees every species as afforded the food its members need, or the species would die out, of course, as is clear on the least reflection.

The Sages do see a biblical ban against causing an animal to suffer (B. Bava Metzi'a 32b) in [the angel's rebuking Balaam], *Why didst thou strike thy she-ass?* (Numbers 22:32). But the norm is to refine our character, lest we grow cruel and inflict wanton and pointless pain. The character to cultivate is one of kindness and compassion, even toward an animal, except in case of need—as it says, *When thy spirit craveth meat*, [*eat meat to thy heart's content*] (Deuteronomy 12:20). We do not slaughter cruelly or for sport.[175]

Nor is my view touched by the question 'Why is there providence over humans and not other animals?' Whoever asks that should ask himself why God gave reason to man and not other animals. The answer would be 'So it pleased Him,' or 'So did His wisdom decree,' or 'So did nature require'—depending on which of the three preceding beliefs he holds. This question would get the same answer. **3.37b**

Make no mistake. I do not believe that anything is hidden from God, nor do I impute any incapacity to Him. Providence, in my belief, depends on reason, and reason is its measure. For it flows from a Mind of consummate perfection. Anyone touched by that flow so as to attain reason is, to that extent, reached by providence.[176] This is the view that I think comports with both reason and our religious texts. The alternatives go either too far or not far enough. Those that go too far lead to sheer confusion and senseless jousting

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I explained the workings of each natural function will surely realize the consummate care and exquisite design by which natural processes proceed. One who knows these things and marvels at nature's wisdom and the good order of natural processes and who reflects on how lacking in providential care and ill governed animal bodies are compared to the heavenly bodies will, I think, find a lack of order and design in the substances we have here below and will say that anything fair or good we see here and anything that follows a uniform pattern and design and shows the influence of any wisdom must receive it from above. For what we have here below yields only disharmony and disorder. (*De Diebus*, ed. Glen Cooper, 230–35; tr. is Goodman's)

175. Maimonides has outgrown his youthful view, of *CM*, that animals were created for man's sake. He now favors the Neoplatonic view that each species was created for its own sake—to God's glory. Individual providence does not reach animals, since they lack the gift of reason, but animal suffering is real and rightly of moral and halakhic concern (3.58a). Cruelty is a vice and kindness a virtue; the two are fostered by acts of kindness or cruelty. The continuum of sentience is what makes cruelty a vice. Unlike Kant, Maimonides focuses on the hurt inflicted and not just on the impact of cruelty on human character. As Maimonides writes anent the obligation to shoo away the mother bird and the roots of the obligation to separate milk from meat in our meals, "If psychic suffering of this sort in beasts and birds concerns the Torah, all the more does grief to any human being" (3.112a). Also see Kasher, "Animals as Moral Patients."

176. Cf. Socrates: "No evil can befall a good man, in life or after death" (*Apology* 41d).

with reason and experience. Those that do not go nearly far enough breed truly vicious beliefs about God; they corrupt the social order and erode every human moral and intellectual grace by excluding providence over human persons and setting humanity on a par with other animals.

Chapter 18

3.38a Given my contention that individual providence is found only in the human case and affects no other species, I say we know that species exist only in the mind. Like all universals, as you know, a species is a mental concept. Only individuals and groups of individuals exist outside the mind.[177] Knowing this, we know that the divine emanation reaching our species—namely, human reason—is found only in individual human minds. It reaches Zayd, Omar, Khālid, and Bakr. So it follows from our argument in the last chapter that anyone who, by physical predisposition or education, gains a fuller share of that emanation must be more fully under providence—if, as I say, providence depends on reason.[178]

So divine providence is not alike for all. It varies with our perfection as human beings. God's providence over prophets, on this view, must be great indeed, proportioned to their standing as prophets; and His providence over the virtuous and righteous reflects their merit and virtue. For it is their share in divine reason's emanation that makes prophets speak, guides the actions of the upright, and enhances the insight of the virtuous[179]—while the benighted and refractory are debased insofar as they lack this emanation, sinking ultimately to the level of animals of another species, *like the dumb beasts* (Psalms 49:13, 21).[180] That is why it is no enormity to kill them, and it may even be mandated for

177. Maimonides is a conceptualist, not a nominalist. In dehypostasizing holiness, purity, and so on, as Kellner shows in *Maimonides' Confrontation with Mysticism*, he strikes a blow against both superstition and chauvinism.

178. The uniqueness of each person, stressed in M. Sanhedrin 4.5, is critical here. Species enjoy general providence—and immortality *as species*. But only humans enjoy providence as individuals, since each of us is graced with a unique human form, the rational soul, our link to immortality insofar as we realize our affinity to the divine.

179. The virtuous apply sound insights in their moral lives and reap the fruits of their spiritual/intellectual quest. The true measure of providence is not earthly success but the divine intelligence active within, helping us surmount the strident or impertinent demands of our embodiment. Such strengths are fruits of a life of reason.

180. According to Aristotle, "Without reason and sense man is like a vegetable; without reason alone, like a wild beast . . . relying on reason, like God" (*Protrepticus*, Chroust §26, 12). *Metaphysics* Γ 4 reworks the thought: "Not to know what things demand proof, and what may not, argues simply want of education. . . . It is absurd to try to reason with someone who

the common good.[181] It is a cornerstone of the Torah that providence over every human being reflects his merit. **3.38b**

Consider how Scripture treats providence in the lives of the Patriarchs in all their undertakings—even their livelihood—and the promises made to them that providence would watch over them. Abraham is told, *I am thy shield* (Genesis 15:1);[182] Isaac, *I will be with thee and bless thee* (26:3); and Jacob, *Lo, I am with thee and will protect thee whithersoever thou goest* (28:15). The master of the prophets was told, *I will surely be with thee* (Exodus 3:12); and Joshua, *As I was with Moses, so will I be with thee* (Joshua 1:5). In each case, a sustaining providence is pledged in the measure of the person's perfection.[183]

Of providence over the virtuous and neglect of the benighted, it says, *He guardeth the feet of His saints* (*ḥasidav*)*, but the wicked are dumbstruck in darkness. For not by strength doth a man prevail* (1 Samuel 2:9). Some are saved from harms that beset others not by their bodily powers or natural capacities, for *not by strength doth a man prevail*, but insofar as one is perfect or wanting—that is, near God or remote from Him. Those near Him are highly protected: *He guardeth the feet of His saints*. Those distant are exposed to happenstance, at risk from any mishap that may befall them, like someone walking in the dark, who is sure to come to grief. Of providence over the virtuous, too, it says, *He guardeth all his bones* (Psalms 34:21), *The eyes of the Lord are upon the righteous* (34:16), and *He calls on Me, and I answer him* (91:15). Countless passages affirm this theme that providence over human beings is in the measure of their virtue and merit. The Philosophers affirm the same idea. Al-Fārābī, in the Preface to his Commentary on Aristotle's *Nicomachean Ethics*, says, "It is those who can advance morally that Plato said enjoy more of God's providence."[184] **3.39a**

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will not reason. . . . Such a person seems already no better than a vegetable." Cf. *Guide* 1.18a, 2.71b; and Faur, *Homo Mysticus*, 14–15, citing *CM*, Kafiḥ, 1.41–42.

181. Willful murderers and other irreclaimable felons, reduced by their actions to the plane of beasts, lose human privilege and may be executed. The strict procedural and evidentiary precautions of halakhah in capital cases reflect the severity of this outcome and the preciousness of each human life.

182. The line is echoed in the opening blessing of the *'Amidah* prayer.

183. At Genesis 15:1, resolving the image of God as a shield, Onkelos translates "My *Memra* will be thy strength." At 26:3, dissolving thoughts of divine travel, "My *Memra* will aid thee, and I will bless thee." At Exodus 3:12, "My *Memra* will support you." God's *Memra* is His Word made immanent and thus manifest in human wisdom. Likewise in Joshua. So Onkelos undergirds Maimonides' thesis that the divine gift of wisdom is the vehicle of providence. Leibowitz writes, "The absoluteness of Maimonides' own religious faith did not prevent him from observing the relativity of religious faith in different people, depending as it does on their intellectual ability and their psychological preparedness" (*Faith of Maimonides*, 19).

184. At the close of Plato's *Meno* (100b), Socrates calls virtue a divine gift. Fārābī's commentary on *NE* is not known to survive, but the thought cited is not foreign to his extant

See how these reflections bring us back to the truth proclaimed by every prophet, that personal providence reaches each individual in the measure of his individual perfection—the same conclusion reached by reasoning, since providence depends on reason, as I said. Nor will it do to say that providence regards the species, not the individual, as bruited by some schools of Philosophers. For only individuals exist outside the mind: It is with them that divine reason connects. So providence reaches only them.

Study this chapter properly, and every mainstay of the Torah will survive intact and dovetail with philosophical reasoning. The anomalies will vanish, and you will see clearly how providence really works.

Now that we have treated thinkers' views regarding divine providence and governance, I shall outline for you our own nation's view of God's knowledge and give you my thoughts about that.

Chapter 19

It is axiomatic, of course, that anything good must belong to God, and that any lack must be denied of Him.[185] It is nearly axiomatic that ignorance is always a defect. So there cannot be anything God fails to know.[186] What led some thinkers, rashly, to say
3.39b that He knows *this* but not *that* was, as I said (III 16), the fancied disarray of human fortunes—which for the most part reflect not nature alone but our own capacities to act and think. The unenlightened, as the Prophets tell us, conclude that God knows nothing of our doings. They just see the wicked living in luxury and ease, and that makes a good man think it pointless to rely on goodness, given all the hardships he suffers from others' hostility.

The prophet tells how troubled he was by this—until he saw that one must look not just to the outset but to the outcome. He traces his whole train of thought: *They say, "How would God know? Is there knowledge up there?" Look at them: Wicked, ever at ease, growing in wealth. Ah, vainly did I purge my heart, wash hands already clean!* (Psalms 73:11–13). And then, *I tried to understand it, but it was beyond me—until, coming to God's*

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writings. Shem Ṭov, as Friedländer notes in his translation of the *Guide*, finds a kindred thought in Aristotle on the intertwining of virtue and providence: "Some think we are made good by nature, others by habit, others by teaching. Nature's part clearly does not depend on us. It results from divine causes present in the truly fortunate" (*NE* X 9, 1179b20–22; ed. Dunlop, 570). Cf. *Eudemian Ethics* 1214a15–25.

185. See Plato, *Republic* II 379–81.

186. Maimonides shies at calling it axiomatic that God is ignorant of nothing, since some serious philosophers deny it, and axioms are undeniable.

sanctuary, I saw their final fate: Thou settest them on slippery ground. . . . How swiftly they fall! (73:16–19).

The same ideas are voiced by Malachi: *"You have spoken hard words against Me," saith the* LORD. . . . *"You have said, 'It is pointless to serve God! What good is it to keep His charge and walk in mourning before the* LORD *of hosts? We see how the wanton prosper. . . .* [*They have tested God and escaped unscathed!'"*] *Then those who feared the* LORD *talked together, and the* LORD *heard them and heeded. A register was written before Him, of those who fear the* LORD *and revere His name. "On the day I make ready," said the* LORD *of hosts, "these will be My treasure . . .*] *Once again shall ye see a distinction* [*of the righteous from the wicked, those who serve God from those who do not"*] (3:13–18).[187]

David, too, shows how common this view was in his time and how it led folk to harm and injure each other. So he undertook to refute it, urging that God knows all of this: **3.40a** *The widow and the stranger do they slay, orphans do they murder, saying, "God will not see, the God of Jacob takes no notice."*[188] *But it is you who had best take notice, brutes! Fools, when will ye get sense! Will He who plants the ear not hear and He who forms the eye not see?* (Psalms 94:6–9).

I shall explain the force of his argument to you once I have told you how badly it is misconstrued by readers all too hasty with a prophetic idiom.[189] Years ago, some noted coreligionists of ours, physicians, told me how surprising they found these words of David's: 'By that logic,' they said, 'the creator of the mouth must eat, the creator of the lung must shout, and so for every other organ.' Consider now, dear reader, how far they were from grasping this argument—and hear what it really means.

Clearly one could not make any tool without some idea of its use. If a smith, say, had no idea of sewing, he could not shape a needle properly to sew well. Likewise with any other tool.[190] So when some philosopher said that God does not know particulars (since they are sensory and His knowledge is ideal, not perceptual), David countered by citing the senses themselves: If the idea of vision were unknown and opaque to God,

187. Maimonides suppresses parts of the passage that promise an apocalyptic day. His reader would know the verses. But his present focus is on judgment in this world, and we have observed his recognition that prophetic visions of apocalypse are rhetorical.

188. Faur writes, "The psalmist invokes God 'Judge of the earth,' and prays for punishment of the haughty, who . . . use the bench to crush and suppress the meek: the widow, the alien, the orphan. Projecting their own psyche onto God, they foolishly assume that since He is hierarchically superior to men, He would not care about what they in turn do to those 'below'" (*Horizontal Society*, 1.85).

189. Maimonides again speaks of haste, using the root of *tahāfut*: Impatient readers, insensitive to biblical nuance, shroud the sense intended in their own projections.

190. God's knowledge, Aquinas writes, "is to its object as knowledge of an art is to that art's product" (*ST* I q. 22 art. 2). Cf. Plato, *Cratylus* 388c.

how did He create this organ so well designed for seeing? Do you think it was by chance that a certain transparent humor arose, with another just behind it, and beyond that a
3.40b certain membrane, pierced just by chance with an aperture covered with a hard, transparent membrane?[191] In a word, given the humors, membranes, and nerves of the eye, all so artfully arranged, as we know they are, and all serving this end, can any reasonable person conceive that all this occurred by chance? No. It was to serve nature's purpose, as every physician and philosopher clearly sees.[192] But philosophers agree that nature has no mind to govern with. Artful governance stems from an intellectual principle, as they put it—or, as we say, it is the work of an intelligent Subject who stamped all things with the natural capacities they exercise. Were that Subject unacquainted with such things and unaware of such ideas, how could He create (or, on their view, allow to issue from Him) a nature that would serve a purpose He did not know?[193]

So David was right to call them brutes and fools. He goes on to explain that the fault is in our understanding: God gave us the mind, but our feeble grasp of His Reality breeds these grave misgivings of ours. God knows our weaknesses and sees that our half-baked thoughts, bred of hasty thinking, warrant no regard.[194] As David says, *Doth the* LORD, *who giveth man knowledge, not know human thoughts—that they are vain?* (Psalms 94:10–11).

My whole object in this chapter was to show you that this line of thought is very old—the notion seized on by the benighted that God knows nothing, since the natural events that we humans face are contingent and thus supposedly anarchic. As it says, *The*
3.41a *Children of Israel framed a case against the* LORD *that was not right* (2 Kings 17:9). "What did they say?" the Midrash asks. "They said, 'This post does not see or hear or speak'"[195]—meaning they fancied that God knows nothing of conditions here and gave the prophets no command or prohibition.[196] The whole reason they think so is that people do not fare as one might presume they should. Seeing that things do not go as one might wish, they

191. The humors are the vitreous and aqueous humors; the membranes are the iris and cornea. The aperture is the pupil.

192. See II *n.* 90.

193. Particulars do not escape God's knowledge as they may elude human knowledge when it relies on abstractions. For God knows the universals all the way down to the particulars, which are, by Aristotle's own account, all that exists.

194. Again, the word is *tahāfut*.

195. We translate the verse from Kings in keeping with the midrashic gloss that Maimonides quotes. Unable to locate that midrash, Munk suggests it may be lost, although he finds it cited by Kimchi, too, in his commentary on Kings.

196. Rāzī held that God gave mankind all the enlightenment we need, by way of reason. Pretenders to special revelation are all of them impostors. This thought, too, for Maimonides, is nothing new.

said, *The LORD seeth us not* (Ezekiel 8:12). Zephaniah speaks of those *who say in their heart, "The LORD doth nothing good or ill"* (1:12).

As to what should be said about God's knowledge, I shall tell you my own view once I have set out certain points of common sense that no reasonable person would deny.

Chapter 20

Something on which there is general agreement is that it is not sound to say that God gains new knowledge and knows now what He once did not. Nor is it sound, even for those who believe in attributes, to assume plurality or multiplicity in God's knowledge. Since there is proof of this, what we say, as adherents of religion, is that God knows numerous things in a single act of knowing. His knowledge, unlike ours, is not pluralized by its diverse objects.[197] Similarly, we say that He knows all ever-changing things timelessly, before they arise. So His knowledge does not wax and wane but is constant: He knows **3.41b**
that So-and-So does not exist now, that he will exist at a certain time, live for a time, and then no longer. When that person does exist, as God foreknew he would, nothing is added to His knowledge. For nothing arises without His knowing it. What comes to be is what He ever knew would come to be, just as it does.

It follows that there can be knowledge of things that do not exist, and knowledge can embrace the infinite. And we believe it does: Things that do not exist but that God knows He can and will give being, we say, are not beyond His ken. What does not exist at all is, to Him, sheer nothingness, not a thing that He knows—just as, to us, what is not real is not something we know. Embracing the infinite is a problem. Some thinkers propose that knowledge is of the species and apprehends its members through their concept.[198] This is the view that reason calls for any religious person to adopt. But the Philosophers exclude it, saying, 'He cannot know what does not exist,[199] and knowledge cannot embrace the infinite: If His knowledge cannot increase, it is inconceivable that He know anything newly arisen. So He knows only what is permanent and invariant.'

197. Each year, the Rabbis say, all mankind pass before God, who sees all "at a glance" (B. Rosh ha-Shanah 18a).

198. Species, as such, do not exist beyond the mind (3.38a). But their forms are present in God's awareness, and individuals would be known through their concepts.

199. God's knowledge, to be true, must have its object—and is, indeed, what gives being to all things. The intellectualism of the Philosophers requires that whatever God knows must exist. But the voluntarism of the creationist allows that God can know that there are some things that He will not choose to create. God does not know them as real objects of His knowledge. He can know that nature, as His will ordains, will contain no such being as, say, a flying horse.

And some have raised a further difficulty: 'Even with permanent things, knowing them would pluralize His knowledge, since each object would have its own act of knowing. So
3.42a He knows only Himself.'[200]

I say what got them into all this trouble was comparing His knowledge to ours. Every school had its own theory of what we cannot know and assumed the same impossibility or impediment must apply to Him. The Philosophers are more to blame for this than anyone. For it was they who proved that God is without multiplicity and has no attributes beyond Himself: He is His knowledge, and His knowledge is He. It was they who demonstrated that our minds cannot know Him as He really is, as I explained (I 44, 48). So how can they pretend to know His knowledge, which is none other than Himself? The same incapacity that keeps our minds from knowing Him bars us from knowing how He knows. His knowledge is not of a kind with ours, allowing us to draw analogies with it; it is completely different.

Just as there is a necessary Being by which, on their view, all beings are implied, or by whose act, on our view, all else is created from nothing, the same Being knows all things; nothing real is hidden from Him. But His knowledge has nothing in common with ours, just as His being has nothing in common with ours. The sole cause of the confusion is the shared use of the term 'knowledge.' For only the name is the same; the realities are different. Hence the embarrassing implications: We imagine that the concomitants of our knowledge must pertain to His as well.

A further point that I see clearly in the biblical text: His knowing that a certain pos-
3.42b sibility will be realized in no way removes it from the realm of the possible. Its nature remains contingent. Knowing that a given possibility will be realized does not render necessary either of two alternatives.[201] This, too, is a core tenet of the Torah of Moses that leaves no room for cavil or doubt. Otherwise, it would not say, *Make a railing for thy roof . . .* [*lest someone fall*] (Deuteronomy 22:8) and, similarly, [*Any man who hath betrothed a woman and not yet married her, let him go home*,] *lest he die in battle and another*

200. See Aristotle, *Metaphysics* Λ 7, 1072b14–30.

201. Maimonides' stance against predestination is undergirded by Fārābī's condemnation of the Ashʿarite denial of free choice and his defense of the open future in his commentary on the Sea Battle passage in Aristotle's *De Interpretatione* 9: The necessity of a disjunction is not distributive to *either* disjunct; the necessity of an implication is not transitive to the consequent. So omniscience is consistent with human freedom. If God knows what Zayd will choose, *Zayd's decision* is what God knows. Zayd's agency is not displaced by God's knowledge. Any truth *does* necessarily imply the corresponding state of affairs. But the necessity is hypothetical, not categorical. The necessity of the implication does not somehow infect the event. Only the event's causes (including animal volitions and human choices) bring it about; see II 48.

man espouse her (20:7).[202] All legislation, every command and prohibition, assumes this principle, that God's foreknowledge does not denature contingent events, hard as that may be for our limited intelligence to grasp.

Consider, then, how manifoldly His knowledge differs from ours, for everyone who is religious: (1) His knowledge is one, although it is of many things of different kinds. (2) Its object need not exist. (3) It may embrace the infinite. (4) His knowledge of things that come to be is unchanging, although knowing that something will happen might seem to differ from knowing that it already has, making what was potential now actual. (5) The biblical view is that God's knowledge does not determine which of two possibilities will occur, although He does know just which one will.

So I would love to know how His knowledge is like ours for those who call His knowledge a separate attribute.[203] Do the two have anything in common beyond the name? In our view that God's knowledge is none other than Himself, it does follow that His knowledge differs from ours in substance, as the heavens differ in substance from the earth. The prophets put it plainly: *My thoughts are not your thoughts, and your ways are not My ways, saith the Lord. High as the heavens are above the earth, so are My ways above your ways and My thoughts above your thoughts* (Isaiah 55:8–9). **3.43a**

My thesis, in short: Just as we do not know His true reality yet do know that He is the most perfect being, unmarred by any defect, untouched by change or passivity of any sort, so it is that although we do not know the true reality of His knowledge (since it is Himself), we know that He does not know at one time and not another and so does not gain new knowledge, that His knowledge is not multifold or confined to what is finite, that nothing real is hidden from Him, and that His knowledge does not denature things but preserves the contingency of contingent events. If any of this seems illogical, that comes from thinking in terms of human knowledge, which has nothing but the name in common with God's knowledge.

'Purpose,' too, does not have the same sense when applied to our purposes and to what is called God's purpose. And 'providence,' too, is applied equivocally to what we look after and what He is said to care for. The truth is that 'knowledge,' 'purpose,' and 'providence' all have different meanings when ascribed to us or to Him. It is when they are taken in the same senses that the problems and puzzles I have cited arise. Once we know that everything ascribed to us is unlike anything ascribed to Him, the truth comes clear. That gulf is called out trenchantly in the passage I quoted: *Your ways are not My ways*. **3.43b**

202. Cf. *Eight Chapters*, 8: Imperatives and precautions depend on recognizing real contingency. Natural and volitional causes are not overridden by divine foreknowledge, nor by there being a fact of the matter, a truth about what will occur. God's justice, as the Mu'tazilites argued, depends on our having free will and moral knowledge. Cf. Origen, *De Principiis* 3.1.1.

203. If God's knowledge were an attribute, God would be composite, and some notion derived from our experience might be predicable of God.

Chapter 21

There's a great difference between a maker's knowledge of his work and someone else's. The maker's knowledge is reflected in the product. He crafted it by following his idea. Others learn of it by studying it. The craftsman, say, who made this case, its weights moved by the flow of water to mark the passing hours of day or night,[204] knows how the water flows through it, every turn it takes, every thread pulled, every bead that drops—not by studying these movements as they take place. The movements now occurring just reflect his plan.[205] But one who studies the instrument learns from each new motion he sees. The longer he studies, the more he knows, his knowledge gradually increasing until he understands the whole device. Were the motions infinite, he would never grasp them
3.44a all. He cannot know even one prospectively. For all he knows is based on what occurs.[206]

Just so with our knowledge and God's of the world as a whole: Whatever we know, we learn by studying what is. That is why we do not know the infinite or what is yet to be.[207] Knowledge for us is always multifarious and growing, reflecting its objects. Not so with God. His knowledge does not reflect its objects, making it manifold and ever growing. Rather, things reflect His knowledge. It comes first and makes things what they are:

204. The clepsydra, or water clock, dating back to Pharaonic Egypt, was greatly improved by ancient and Hellenistic Greeks, including Herophilus (ca. 335–255 BCE), and by the inventive engineer al-Jazarī (1136–1206), who described his elaborate multifunctional clocks in his 1206 treatise *K. fī Maʿrifat al-Ḥiyal al-Handasiyya*. Herophilus devised a method of measuring pulse rate using his portable clepsydra; but Galen, to whom we owe our knowledge of Herophilus, was more interested in qualitative features of the pulse, such as its strength, and it is that approach that is reflected in Maimonides' *Medical Aphorisms* (23.26–29). Ptolemy mentions the early astronomical use of water clocks, already found insufficiently precise in antiquity (*Almagest*, Toomer, 252). The wider use of the clepsydra to gauge pulse rate seems to have awaited Nicholas of Cusa, who proposed in the fifteenth century weighing the water exiting the water clock in one hundred heartbeats.

205. Ghazālī compares the cosmos to a water clock in *Al-Maqṣad al-Asnā* (ed. Shehadi, 98–102). See Griffel, *Al-Ghazālī's Philosophical Theology*, 236–45. Although using comparable language, Maimonides does not share the determinism Ghazālī mounts on his analogy. Both here and in other examples, Maimonides treats God as the eminent cause of the needle (3.40a), the clock, the eye, or the ear. The approach is informed by Avicenna's treating the causal agency of the Form Giver (*Le Livre de Science*, Achena and Massé, 182).

206. The water clock illustration is a fine example of a pedagogical "contradiction" (1.10a): God is not an artisan, but the case motivates the distinction of a priori from a posteriori knowledge.

207. Hence the error of presuming that all knowledge, including God's, cannot embrace the infinite or cover what is yet to be but does not yet exist (III 20). A further implication: As Kant saw, if human knowledge is exclusively a posteriori, we cannot solve the problem of induction.

incorporeal beings, permanent physical particulars,[208] or bodies that change in a fixed and stable pattern.[209] So His knowledge is not multifold, changeable, or ever new. For it is by knowing His own immutable Reality that He knows all that His actions dictate. To hope to grasp how this can be so would be to wish that we were He and knew as He does.[210]

What an honest, fair-minded inquirer should believe is that nothing is hidden from Him; all is patent to His knowledge—which is Himself—if unfathomable to us. To grasp the workings of that knowledge, we would have to have the Mind that has it, which is His alone and is Himself.

Do take this in. I grant it is quite a strange idea, but it is true. Follow up on it, and you will find no slip or flaw, no untoward consequence, and no defect ascribed to God. There **3.44b**
is no proof for thoughts as sublime and deep as these. We who are loyal to the Torah have no proof for our view, nor have the Philosophers for theirs, with all their conflicting thoughts about this. The course to follow on this question of God's knowledge of things other than Himself is the one we take on any issue where there is no proof.[211] Do understand this.

Chapter 22

The strange and wonderful story of Job belongs to the family of issues we are discussing here: It is an allegory bringing clarity to people's views on providence. Certain of our Sages, as you know, said candidly, "Job did not exist; there was no such person. Job was a symbol" (B. Bava Batra 15a; J. Soṭah 20d). Those who thought he did exist and that his

208. The heavenly bodies.

209. What is changeless in creation reflects God's immutability. But God's timeless knowledge leaves human agency free: "Everyone can grow as righteous as Moses or as wicked as Jeroboam, wise or foolish, kind or cruel, niggardly or generous, and so with all other traits of character" (*MT* Laws of Repentance 5.2). Against the claim that God's foreknowledge precludes human freedom, Maimonides repeats his affirmation (*MT* Laws of the Foundations of the Torah 2.10) that God and His knowledge are one but follows Isaiah (55:8) in setting God's knowledge far beyond human ken. His clear view is Akiva's, that God delegates human agency to human beings by way of the gift of intelligence (5.1), "just as He was pleased that fire rise and earth and water fall" (5.4). Although more than ready to make God's knowledge a supernal mystery, Maimonides stands fast with human freedom, responsibility, and accountability. These, for him, are biblical axioms. Not only do we have immediate awareness of our own agency, but crucially, dialectically, there would be no point in legal or moral prescriptions unless we had such agency.

210. See Kreisel, "'If I Knew Him."

211. Sc., Alexander's method of choosing the least problematic; see 2.12a, 32a.

story was historical do not know where or when. Some of the Sages say he lived in the age of the Patriarchs; some, in the time of Moses; others, in David's time; still others, that he was among those who returned from Babylon—only confirming that there was no such person.[212] But whether or not Job existed, cases like his trouble every thoughtful person. So things are said about God's knowledge and providence like those I cited for you (III 12, 16–21): An innocent and righteous man, who lived with integrity and scrupulously
3.45a shunned sin, is stricken by one disaster after another—to his fortune, his offspring, and his body—through no fault of his own.

Either way, whether or not Job existed, the prologue (Job 1:6–12)—the Saṭan's speech, God's reply, and His giving Job into the Saṭan's hands—is entirely symbolic, of course, as any sensible person can see. But this is no ordinary parable. There are surprises here; cosmic mysteries hinge on it (B. Ḥagigah 13a). It clears up deep obscurities and sheds light on ultimate truths. I will tell you what I can and cite the passages from the Sages that alerted me to all that I have understood from this splendid allegory.

The first thing to consider is the phrase *A man there was in the land of Utz* (Job 1:1). *ʿUtz* might have several meanings. It could be someone's name—*ʿUtz*, his firstborn (Genesis 22:21). Or it might be an imperative: "think, consider"—*ʿUtzu ʿetza* (Isaiah 8:10)—telling you, in effect, to ponder this allegory, reflect on it, grasp its meaning, and discover the truth.

Next it says, *The sons of God* came *to present themselves before the* LORD, and "the Saṭan" came along in their throng and press. It does not say, 'The sons of God and the Saṭan came to present themselves before the Lord,' treating them all alike, but *The sons of God came to present themselves before the* LORD*; and the Saṭan, too, came in their midst* (Job 1:6)[213]—language that would not be used of someone wanted or invited for his own sake but only of one accompanying those whose presence was intended.[214]

212. For the rabbinic debate, see M. Z. Cohen, *Opening the Gates*, 225, 231. Maimonides looks askance at Saadiah's effort to confirm Job's historicity (*Book of Theodicy*, 127–28). But like Saadiah, he accepts the book's premise that suffering does not entail guilt. If the denial of Job's historicity was meant to imply that only evildoers suffer, the inference was unsound. As for the thesis that every suffering was a penalty and every joy a reward (3.34b), the issue there would be cosmological, not moral or halakhic; see Part III, *n.* 160.

213. "Jealousy (*phthonos*) has no place in the chorus of the gods" (Plato, *Phaedrus* 246a).

214. Maimonides speaks of the presence, not the existence, of evil. Evil is not a positive reality and is not intended for its own sake. It is lack (1.27a, 3.11a). Since there can be but one infinite Reality (cf. 3.29a), created beings must be lesser and thus lacking. Their limitations are concomitants of creation. We must define evil, Plotinus writes, "as a falling short of good; good cannot be at full strength here, where it is lodged in something alien. . . . That is why 'evils will not be done away with' (*Theaetetus* 176a). For some things are lesser than others alongside this principle of the Good; and others, their existence caused by the Good, differ from it and are what they are by their standing away from it" (*Enneads* 3.2.5.26–32, tr. after

It then says that this "Saṭan" was roaming and roving the earth. On high he has no access, having no foothold there, thus *from roaming and roving the earth* (Job 1:7, 2:2). He traverses and ranges over the earth alone.[215] Next it states that this upright, blameless person was surrendered into this Saṭan's hand and that every injury loosed on him—on his fortune, his offspring, and his body—had "the Saṭan" as its cause. **3.45b**

Given all this, it sets out the positions of diverse thinkers about the case, ascribing one view to Job and others to his friends. I will analyze the welter of views provoked by Job's sufferings, all of which were due to "the Saṭan," although everyone, Job and his friends alike, presumed that God had acted directly and not through the Saṭan.[216]

The most striking and remarkable facet of the story: Job is not described as knowledgeable. It does not say that he was wise, discerning, or insightful but just describes him as a man of good character and upright deeds.[217] Had he been wise, his plight would not have been obscure to him, as you shall see (3.48b).

It goes on to scale his misfortunes in human terms. Some people are untroubled by the loss of wealth and shrug it off but grow despondent at the death of their children and die of grief. Some can bear even the loss of children without losing heart. But no sentient being can endure torture unshaken. Everyone—the masses, that is—glorifies God and (at least verbally) calls Him just and generous when comfortable and well-off or even when suffering bearable afflictions. But if stricken by the disasters cited in Job, some lose faith and think the world out of joint if their wealth is gone. Others still believe the world is just and well ordered even if they lose their fortune but cannot bear it if tried by the loss **3.46a**

MacKenna). The "adversary," as Maimonides reads the story, is no son of God but matter, the necessary counterpart of form, if anything is to be created. Without that concession to otherness, only God would exist. Matter, Proclus urges, is neither good nor evil "but a necessity" (*De Malorum Subsistentia*, 31–36, 52, tr. Opsomer and Steel, 80–84, 97–98). It does give a foothold to privation. But as Aristotle argued, privation itself is nothing (*Physics* I 9, 192a13–25).

215. Only through matter does evil enter the world. Its receptivity is what allows anything to exist besides God. So God's grace produces matter as the "receptacle" of form, as it was for Plato. But matter's very receptivity renders it needy—hence the image of the married harlot in Proverbs 7 (1.7b–8a). Matter cannot hold rival forms. Hence the temporality of all material things—and their liability to destruction. See Merlan, *From Platonism to Neoplatonism*, 98–100, on Iamblichus, *De Communi Mathematica Scientia* IV, ed. Festa, 18, *ll.* 1–12.

216. Maimonides avoids ascribing Job's sufferings to God. At Job 10:2, Saadiah translates, "Cause me to know wherefore dost Thou prosecute me." He glosses, "Job had tried to understand why God tormented him" (Saadiah, *Book of Theodicy*, Goodman, 382). God, for Maimonides, does not persecute Job. Our embodiment, poetically personified as the Saṭan, explains our vulnerabilities.

217. As early as his Letter on the Persecution, Maimonides quotes the verse *Job spoke without knowledge* (Job 34:35).

of their children. Still others endure the loss of children with forbearance and quiet faith. But no one can bear bodily torment without resentment or complaint at the wrong of it, whether voiced or unspoken in one's heart.[218]

Of the *sons of God*, it says twice *to present themselves before the* LORD (Job 1:6, 2:1). Of "the Saṭan," it says both times that he came in their throng and press. But the first time it does not say "to present himself." The second time it says, *The Saṭan, too, came in their midst to present himself before the* LORD. Note the nuance and consider how striking it is. (See how these ideas come to me like inspirations!) *To present themselves before the* LORD means that they exist by His will and at His command. Thus Zechariah's words about four chariots issuing (6:1): *The angel answered me: "These are the four winds of the heavens that come forth, having presented themselves before the Lord of all the earth"* (6:5). Clearly the sons of God and "the Saṭan" are not of the same order of being. The sons of God are stabler and more lasting, but "the Saṭan" does have a certain lesser status.[219]

Another marvelous feature of this allegory: By stating that the Saṭan roams the earth and acts there specifically, it makes clear that he is denied dominion over the soul. He is given power over all earthly things but barred from the soul: *Only preserve his soul* (Job 2:6). I have shown you that *soul* has several meanings in our tongue. But it does apply to what survives of a person after death (I 41). That is where "the Saṭan" has no dominion.[220]

3.46b This said, hear the helpful words of the Sages, rightly so called. They clarify everything, lay bare all that was obscure, and light up the Torah's deepest mysteries:[221] In the Talmud, they say, "Rabbi Simeon ben Lakish said, 'It is Saṭan, the evil inclination, and the angel of death'" (B. Bava Batra 16a). This illuminates all that I've been saying and leaves nothing unclear to a discerning mind: All three epithets name the same thing. All

218. The Sages have it that although Job did not verbally rail against God, he broke faith in his heart (B. Bava Batra 16a). Taking up the rabbinic excuse (that Job spoke out of pain), Maimonides sees not faithlessness but humanity at the root of Job's questioning: Given the intimate nexus of body and soul, no one can withstand physical torment untroubled (II 36, 2.80a). The Talmud, too, shows empathy for Job and points up the nexus of body and soul when it gently finds an irony in the words ascribed to God: *He is in thy hand, only preserve his soul* (Job 2:6)—"Shatter the cask but do not spill the wine" (16a).

219. Evil is a privation, but it is a fact, not a figment. As the principle of individuation, matter grounds all natural existence—and so all privation. Falaquera explains in his commentary on the *Guide* ad loc., "It is inconceivable that Satan have a share in reality. He does have a status in reality, but all reality belongs to God alone." See Shiffman, "Differences between the Translations," 54.

220. The rational soul, being incorporeal, is immortal.

221. Sc., those centered on the problem of evil.

the effects ascribed to any of them have the same cause.[222] So the ancient Sages of the Mishnah plainly state, "It teaches: he descends, misleads, ascends, accuses, and, by leave, takes the soul" (B. Bava Batra 16a).[223]

The figure that David saw in his prophetic vision during the plague, you see, then, *a drawn sword in his hand, brandished over Jerusalem* (1 Chronicles 21:16),[224] was shown to him just to symbolize something, the same as what was represented in the prophetic vision regarding Joshua the High Priest's unworthy sons (Zechariah 10:18): *the Accuser* (ha-Saṭan) *standing on his right to charge him* (le-siṭno; 3:1).[225] The prophet's vision goes on to make clear just how far this is from God: *LORD rebuke thee, Saṭan! LORD who favoreth Jerusalem rebuke thee!* (3:2). Balaam, too, saw it in a prophetic vision on the road: *Lo, I am come forth as an adversary* (saṭan) (Numbers 22:32).[226] The word *saṭan*, you see, stems from the root found in *sṭeh me-ʿalav vaʿavor*: *Turn away from it, and pass it by* (Proverbs 4:15). The word has the sense of leaving and rejecting.[227] For the Saṭan, of course, is what

222. The cause is matter. Our embodiment explains death and vulnerability and the moral and intellectual weaknesses that prompt wrongdoing. So it is personified as both a tempter and a prosecutor—the angel of death and the accusing angel in the divine tribunal.

223. The deceiver, accuser, and angel of death are one. The word 'accuses,' *masṭin*, has the same root as *saṭan*. Midrashically, the Saṭan takes the soul only by leave—meaning, poetically, that evil is real only by God's indulgence, allowing otherness and thus lesser beings to exist. According to Plotinus, "Necessarily this universe is built of contraries: It could not exist if matter did not. Its nature is, thus composite. . . . What enters it from God is good; evil is from 'the Ancient Kind'—a phrase denoting the underlying Matter not yet brought to order by Form. . . . The Father of Gods addresses the deities of the lower sphere, 'Since you have only a derivative being, you are not immortals; but by my power you shall escape dissolution.' On this account it can be said in truth that evil will never perish (see Plato, *Theaetetus* 176a)" (*Enneads* 1.8.7.17–23, tr. after MacKenna).

224. *The LORD sent a plague upon Israel, and seventy thousand of Israel fell. God sent an angel to Jerusalem to destroy it. But as the destruction began, the LORD saw and relented of the ill and said to the destroying angel, "Enough! Now stay thy hand." The angel of the LORD stood at the threshing floor of Ornan the Jebusite, and David raised his eyes and saw the angel of the LORD standing between heaven and earth, a drawn sword in his hand, brandished over Jerusalem* (1 Chronicles 21:14–16). Resh Lakish identifies the angel of death with the accuser, the Saṭan, and the tempter who provoked the plague by inciting David to number his people (21:1; cf. 2 Samuel 24:1–17).

225. The Saṭan is cast as prosecutor (Meyers and Meyers, *Anchor Bible Haggai, Zechariah 1–8*, 180–86).

226. The angel barring Balaam's way, like the angel of David's vision, brandishes a sword.

227. The first turning away from God marks the birth of evil (otherness). In Neoplatonic terms, even the highest hypostases below the One are "matter" relative to what lies above. Yet without such turning away, nothing would come to be. See Plotinus, *Enneads* 5.1.1, 6.9.5.29; Dodds, *Pagan and Christian*, 24.

turns one away from the path of truth and fatally toward error.[228] The same thought is voiced in *The bent of man's heart is evil from his youth* (Genesis 8:21).[229]

3.47a The idea of good and evil inclinations is a commonplace in our religion, as you know.[230] They say "with both inclinations" (M. Berakhot 9.5).[231] They also say that the evil inclination originates at birth—*sin lurketh at the door* (Genesis 4:7)—or as the Torah puts it more accurately, *from his youth* (8:21). The good inclination develops only as reason matures. That is why the evil inclination is called a great king in the parable of the body and the powers at war within it—*there was a little city with few men in it* (Ecclesiastes 9:14)—and the good inclination is *a child, poor but wise* (4:13). All these things are discussed by the Sages in well-known texts.[232]

Now, if the evil inclination, which is the Saṭan, is called an angel, as the Sages explain, since it comes with the *sons of God*, the good inclination must be an angel too, of course—as it is in fact. Hence their familiar trope of two angels accompanying everyone, one on the right, one on the left, the good and evil inclinations (B. Ḥagigah 16a; cf. Berakhot 60b). In the Gemara, they specify that one is good and the other evil (B. Shabbat 119b). See how many marvels this thought discloses to us and how many delusions it dispels.[233]

I do not think that I have left any facet of Job's story unexplained, right down to the end. But I would like to detail the views ascribed to Job and each of his friends based on the evidence I have gleaned from their speeches. But do not let the verbiage demanded by the narrative flow distract you, as I explained at the start of this work (1.8a).[234]

228. Equating sin with error and right with truth, Maimonides confirms his moral realism; see I 2. Cf. *Eight Chapters*, 3, 5, 8, where he ascribes vices to the imagination, leaving reason to distinguish the noble from the base. Truth and right are blessedness; sin and error are fatal to the human quest and project. See Deuteronomy 30:19.

229. The prooftexts are cited to confirm the identity of sin, death, and the evil inclination.

230. See Urbach, *The Sages*, 1.471–83.

231. Glossing *Thou shalt love the* LORD *thy God with all thy heart* (Deuteronomy 6:5), the Mishnah teaches, "This means, with both your good and your evil inclination" (M. Berakhot 9.5). The evil inclination includes all that is assertive or aggressive: "Were it not for the evil inclination, no man would build a house, marry, or father children" (Genesis Rabbah 9.7). *With all thy heart*, then, would mean turning one's most assertive and aggressive inclinations toward holiness.

232. Man is not sinful by nature, but virtue needs development. Youth turns naturally to evil unless trained in living wisely. See B. Sanhedrin 91b, Ecclesiastes Rabbah 9.8, Genesis Rabbah 34.10.

233. There is no evil angel or "principle of evil." The Saṭan, as we've seen, is the personification of matter and the drag exerted by our embodiment on our will, often at the urging of the (all-too-embodied) imagination. Cf. Plato, *Phaedrus* 253c–254e.

234. Like Saadiah, Maimonides seeks a topic sentence in each speech in Job, asking what is new in each and what is responsive to what has been said already, cutting through "the verbal

Chapter 23

When these things happened, or are supposed to have happened,[235] all five—Job and his companions—agreed that all his misfortunes were known to God and were His doing. They agreed, too, that God is not to be said to do wrong: Injustice may not be ascribed to Him. You will find these thoughts recurrent in the speeches in the Book of Job. **3.47b**

Studying what the five of them say in their exchanges, you might almost conclude that whatever one of them says is said by all. The themes recur and run together, interspersed with Job's accounts of his tragic losses and his awful suffering, despite his exemplary life—his honesty, generosity, and good deeds. Also breaking up the dialogue are his friends' counsels of patience, expressions of sympathy, and exhortations to resignation—he should keep silent and not give rein to his tongue, like someone arguing a case, but bow to God's judgment and keep still.[236] Yet his agony, he says, bars forbearance and composure; it will not let him speak with propriety.

All his friends agree, moreover, that all good men are rewarded and all wrongdoers punished. When you see a sinner living well, his fortunes will reverse; he will be ruined in the end. Disaster will overtake him and his children and posterity, and if you see a faithful person in distress, the rift is sure to be mended. You will find that point repeated in Eliphaz, Bildad, and Zophar's speeches. All three agree on this. But there is more to the story. It aims to introduce each man's distinctive appraisal of the situation, the most dire and dreadful disasters befalling the finest, most decent person. **3.48a**

Job's view was that his case shows that the righteous and the wicked are the same to God. He scorns mankind and has set us adrift. As he says in all his speeches, *It is all one, I say—innocent and wicked doth He destroy when a flood bringeth sudden death, mocking the plight of the guiltless* (Job 9:22–23).[237] A torrent, he says, slays and sweeps away all in its path, deriding the travail of the innocent. Underscoring this view, he says, *One dieth full of vigor, all at ease and safe, his pails full of milk. . . . Another dieth bitter of soul, never tasting aught of good. Together they lie in the dust, and the worm covereth them over* (21:23–26). He expatiates on the prosperity and success of the wicked: *Just thinking of it shakes me*, he says, *trembling seizeth my flesh: Why do the wicked endure, growing old and stately, their seed settled round them . . . ?* (21:6–8).

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and conceptual padding, rhapsodic or rhetorical" (*Book of Theodicy*, Goodman, 131). For padding (*ḥashw*) as a literary device, see Harb, *Arabic Poetics*, 65–67. For Maimonides, as for Saadiah, "padding" may function as establishing or corroborative detail.

235. We follow Kafiḥ's text here rather than Munk's. Not *awwal mā*, which would contort the syntax, but *aw lamma*.

236. Cf Ashʿarite *balkafa*: Ours not to ask the reason why. See Goldziher, *Introduction*, 92.

237. We translate in keeping with Maimonides' gloss.

Having described the crowning success of the wicked, Job presses his interlocutors: 'Even if you are right that the children of this prosperous miscreant perish once he is departed, and all trace of them is lost, how does his family's fate hurt him when he is gone?'—*What careth he for the house left behind when the tally of his months is done?* (Job 21:21). Job then tries to show that there is no hope of an afterlife: The same neglect persists (21:30–33). He marvels that God troubled to make a man but did not care for
3.48b him: *Didst Thou not pour me out like milk and curdle me like cheese?* (10:10). This is one view about providence (III 17).[238]

You know the Sages' verdict: This view of Job's is sick as can be. "Fill Job's mouth with dust!" they said. "Job tried to upset the plate,"[239] "Job denies resurrection," "He began to blaspheme and curse!" (B. Bava Batra 16a).[240] Of God's telling Eliphaz, *Thou didst not speak of Me aright, as did My servant Job* (Job 42:7), the Sages are apologetic: "In the throes of torment one is not responsible" (16b)—Job's intense suffering excuses him.[241] But that does not fit the story. Rather, as I shall now explain, it was because Job recanted and refuted his grave error. It was, of course, the first thought one would have, especially if stricken with tribulations and conscious of his own innocence, as no one denies. That is why this view is ascribed to Job. But he said all this while still unenlightened, knowing God only by faith, as the pious masses do. Once he knew God with certainty, he realized that true happiness, which is knowledge of God, is assured to all who know Him. They are untroubled when they undergo all such disasters.

As long as Job knew God secondhand and not rationally, he pictured presumed felicities like health, wealth, and offspring as the ultimate goal. That is why he fell into
3.49a perplexity and said what he did. This is what he meant in saying, *By my ears had I heard tell of Thee, but now my eyes see Thee. Therefore do I loathe and repent of dust and ashes* (Job 42:5–6), meaning 'Therefore do I despise all that I once cherished and regret a life built on dust and ashes'—for such his life had been, as the story posits: *He dwelt amidst ashes* (2:8).[242] It is because of this last statement of his, voicing a sound understanding,

238. The view described is neither strictly Aristotelian nor Epicurean, for neither philosopher accepts creation. Rāzī does affirm *formatio mundi* and a kind of general providence through the gift of order, paralleling the general revelation that he saw in the gift of reason. But the denial of providence that Maimonides hears in Job's words echoes the views he ascribes to Aristotelians or Epicureans.

239. Sc., by judging God. It is for God to judge us.

240. Rav exclaims, "Dust in Job's mouth!" for weighing his claims against God's.

241. The Sages read God's remonstrance of Eliphaz as excusing, not vindicating, Job's complaint.

242. Maimonides takes the line not as referring to Job's sitting grief stricken in ashes but as alluding to his former, more worldly life: All that he had prized was dust and ashes alongside knowing God.

that it is said, immediately afterward to Eliphaz, *thou didst not speak aright of Me, as did My servant Job* (42:7).[243]

Eliphaz's view about Job's misfortunes is another position people take regarding providence. He claims that for his sins Job deserved every blow that struck him; as he says to Job, *Is not thy wickedness great, are not thy sins without end?* (Job 22:5). He goes on to tell him, 'Your upright actions and the virtuous life you relied on do not make you perfect in God's eyes and exempt from punishment': *Lo, He trusteth not His servants; His angels doth He charge with folly. How, then, dwellers in houses of clay with floors of dust?* (4:18–19). Eliphaz presses this point: He believes that all our sufferings are deserved, although the faults that merit punishment are unseen by us, so we do not know how we deserve it.

The view of Bildad the Shuhite on this question is belief in recompense. He tells Job, 'If you are guiltless and free of sin, these dreadful disasters serve only to enhance your reward. You will be well repaid. It is all good. You shall be better off in the end!'—as he says, *If thou art pure and upright, surely will He wake to thee now and requite the abode of thy goodness. Though thy start was strait, thine end shall be much enlarged* (Job 8:6–7).[244] You know how common this view of providence is, and I have explained it already (3.35ab).[245] **3.49b**

Zophar the Naamathite holds that all depends on God's will alone, and no grounds are to be sought for His acts (cf. III 25): One may not ask why He did this and not that. No color of justice, then, or call of wisdom may be sought in anything He does. His sheer Majesty and ultimacy require that He do as He pleases, and it is not for us to probe the hidden wisdom that demands that He do as He will with no more reason than that it is His will. As he says to Job, *Would that God spoke and opened His lips to thee and disclosed the secret of His wisdom. It is more than thou deservest. . . . Canst thou plumb God's depths or fathom the ends of the Almighty?* (11:5–7).[246]

You can see now, on reflection, how the story is put together that has so perplexed people and prompted the views that I laid out regarding providence. The possible approaches are stated, each ascribed to a figure renowned in his day for virtue or learning, if

243. Eliphaz has not surpassed the worldly values that the enlightened Job has renounced.

244. Bildad's view: The body, as the seat of Job's goodness, will be more than recompensed for its suffering. But if sufferings come just to warrant enhanced rewards, is it not unfair to distribute such openings to grace unequally—and perverse to use such a method of distributing largesse?

245. Maimonides' Bildad tracks the Muʿtazilite view that Saadiah ascribes to Elihu: the doctrine of the Sufferings of Love (3.35b), which, despite its rabbinic prominence, Maimonides condemns. Besides impugning God's justice, the doctrine, in effect, treats all events as though they were about oneself. That perverse egoism ignores general providence; cf. 3.20b.

246. Zophar, like an Ashʿarite, denies that God answers to human reason. Maimonides knows that God's will is ultimately beyond us (1.14b, III 13, 3.55b). But the Ashʿarite God is so arbitrary as to seem forced to act by His own sheer willfulness. In Maimonides' God, by contrast, will and wisdom are one.

the tale is allegorical—or to its exponent, if the narrative is historical. The view ascribed to Job corresponds to Aristotle's; Eliphaz's, to that of our Torah; Bildad's, to that of the Muʿtazilite school; Zophar's, to that of the Ashʿarites. These were the ancient views regarding providence.

Now a fresh view is introduced, ascribed to Elihu. Job's companions are impressed. He is said to be the youngest but the most knowing (Job 32:4–6). He berates Job, calling
3.50a him benighted and presumptuous for failing to see how misfortunes could befall him despite his goodness—for Job had dwelt on his good deeds. He also confutes the view of providence held by all three friends[247] and says a number of quite puzzling things. As one studies his speech, it might seem that he adds nothing to what Eliphaz, Bildad, and Zophar had said but only repeats their thoughts in different words and at greater length. For he confines himself to castigating Job, ascribing justice to God, describing His wonders in the world, and saying that it does not matter to God if one is dutiful or not—all points already broached by Job's friends.

But on closer study, you will see the new thought that was the point of his speech, a theme not found in the others. Alongside this idea, he restates everything the others said, just as Job and his three friends had all repeated each other's thoughts, as I told you—to mask what was distinctive in each one's ideas and let people presume that they all think alike, although they do not. The idea that Elihu adds, mentioned by none of the others, is symbolized by an interceding angel. Experience shows, he says, that when someone is ill, is facing death, and has given up, if an angel, any angel, intercedes for him, that intercession is accepted, and he is restored: He recovers and regains the best of health—although
3.50b not indefinitely. Intercession is not permanent or continuous. Twice or three times, as he says, *If there be an angel to intervene for him* (Job 33:23).[248] After describing the stages of recovery and the convalescent's joy at his restored health, he says, *Lo, all this God doeth twice or thrice with a man* (33:29).

This theme is found in Elihu's account alone. He prefaces it by describing prophecy: *Once will God speak, or twice, though unperceived—in a dream, a night vision, when deep sleep falleth upon folk* (Job 33:14–15).[249] He underscores the thought, describing the experience in terms of multiple natural phenomena, like thunder and lightning, wind and rain. He mixes in talk of many conditions affecting animals; the outbreak of plague when he says, *They die of a sudden at midnight* (34:20); the eruption of great wars when he says, *Countless stalwarts doth He shatter and set others in their place* (34:24); and many such phenomena.

247. Elihu sees that Job's sufferings imply no wrongdoing on his part.

248. The angel represents revelatory experience. Job's sufferings result from his embodiment, which does render one vulnerable but also affords the opportunity to know God—a chance that eclipses the vulnerability the flesh is heir to.

249. *Tardemah* is trancelike sleep (see Genesis 2:21, 15:12). Elihu's language echoes the description of prophetic epiphanies in Numbers 12:6; see 2.87b.

Job's epiphany, too, you'll find, showing him the error in all his fancies, does not go beyond descriptions of natural phenomena—the elements, meteorological effects, the natures of various animal species—nothing else. The heavens and the firmament, Orion and the Pleiades (Job 38:37, 31), are cited only for their effects on the atmosphere: Job's awakening is spurred wholly by sublunary things. Elihu, similarly, takes his lesson from animal species—as he says, *He teacheth us by the beasts of the earth, and by the birds of the heavens maketh us wise* (35:11).[250] The longest passage in God's speech describes the Leviathan, which combines features found separately in animals that walk, swim, or fly.

3.51a The point of raising all this is that our minds fail to grasp how these natural things in the world of generation and corruption arose. We cannot conceive how the natural forces found in them brought them to be. They are utterly unlike things man-made. So how can we expect His care and governance to be like ours? We must call a halt and simply believe that nothing is hidden from Him, as Elihu says: *His eyes are upon a man's ways; He seeth his every step. There is no dark or gloom where wrongdoers can hide* (Job 34:21–22). God's providence does not mean what providence means in us; nor does His governance of His creatures mean what governance means to us. The two have no common definition, as all who are perplexed about this presume; only the name is shared—just as there is no resemblance between our works and His, and they have no common definition. There is a gulf between natural and artificial things and a corresponding abyss between God's governance, providence, and purpose for natural things here below and human governance, purpose, and care for what we manage, intend, or look after.[251]

This was the overall aim of the Book of Job: to impart this precept and awaken us to it from the evidence of nature itself, lest one falsely fancy that God's knowledge, purpose, providence, or governance are like ours. Once one sees this, one can bear any hardship with equanimity: Misfortunes will not foment doubts about God and whether or not He knows **3.51b** and cares for His creation or neglects it. Hardships will only deepen his love—as Job says at the close of his epiphany: *Therefore do I loathe and repent of dust and ashes* (Job 42:6)[252]—the Sages speak just so of those "who act out of love and rejoice in sufferings" (B. Shabbat 88b).[253]

250. We translate in keeping with Maimonides' gloss.

251. God's providence looks to the sustenance of nature through the continual exchange of forms. So suffering and death are part of it. See 3.17a.

252. For Maimonides, the key here lies in Job's *therefore*: Job has learned from his experience. He has gained a heightened understanding of divinity and has advanced toward our highest human goal: By knowing God, he has won his way toward the end that justifies all risk of human suffering.

253. The talmudic passage in full: "It is of those who do not answer insult with insult, who hear their shame without rejoinder, who act out of love and rejoice in suffering, that Scripture says, *Those who love Him are like the sun rising in all its might*" (Judges 5:31).

If you study all that I have said as this work should be studied and review the Book of Job, you will see its theme clearly and find that I have captured its sense in full, omitting only what holds the story together and preserves the continuity of the imagery, as I have explained more than once in this work (see 3.47a).

Chapter 24

The topic of "trial," too, is a vexed problem, among the weightiest in Scripture.[254] The Torah mentions it in six places, which I shall review in this chapter. The popular view is that God inflicts injury on someone for no prior offense so as to enhance his reward. But no biblical text says that, and of the six, only one, if read literally, even suggests it. But I shall explain that. The Torah's principle is quite the opposite, as He says: *A faithful God, who doeth no wrong* (Deuteronomy 32:4).

Not all of our Sages held the vulgar view. For they said, "There is no death without
3.52a sin, no suffering without guilt" (B. Shabbat 55a).[255] That is what any rational religious person should believe and not ascribe injustice to Him (far be it!) by believing that Zayd, perfect and free of sin, suffered ills he did not deserve.

The plain sense of 'trial' in those six passages is a test performed to gauge a person or a people's trust and devotion. This is the serious problem, especially in the case of the *ʿAkedah*, Abraham's binding of Isaac, which was known only to God and the two of them—and Abraham's being told, *Now I know that thou fearest God* (Genesis 22:12). Likewise, when it says, *The* LORD *your God doth test you, to discover whether ye love the* LORD (Deuteronomy 13:4), and again, *to discover what is in thy heart* (8:2). I shall resolve all these problems for you here.

Every trial in the Torah is reported just to teach people what to do or to believe. Its import, in effect, is on what should be done—not the particular act reported but the example it sets. Thus *to discover whether ye love* (Deuteronomy 13:4) should not be read as meaning so that God may learn this. God already knows. Rather it should be understood on the pattern of *so that it be known that I, the* LORD, *do sanctify you* (Exodus 31:13)—that

254. Trial is a critical theme in the Qurʾān. Some Muslim exegetes, indeed, see trial as the object of creation: thus 90:4, as read by al-Ḥasan al-Baṣrī; cf. 2:155. Saadiah shares this Stoicizing outlook. But Maimonides takes a deflationary stance toward that idea, just as he rejects seeking any single, overarching (and ultimately anthropocentric) purpose in creation; III 13.

255. For God to inflict gratuitous injuries to enhance future rewards would be unjust. Why, then, does Maimonides call even a thorn prick a punishment (3.34b)? The reference must be to the pushback from other natural beings; see Part III *nn.* 160, 172.

is, so that the nations may know.[256] Accordingly, here it says, 'Should a pretender to prophecy arise and seem plausible, you must know that God means to show the nations how faithful you are to His Torah and how firmly you grasp His Truth, your trust in God unshaken, not duped by the ruses of a charlatan.'[257] This will sustain any truth seeker: He will pursue convictions firm enough to withstand even a wonder worker's distractions. For an impostor may claim to do the impossible, but miracles matter only when what they mean to prove is possible, as I explained in *Mishneh Torah*.[258] **3.52b**

Now that it is clear that *discover* here means to discover to others, to show them,[259] we can see what it means by saying of the manna *that He might try and test thee, to prove what is in thy heart—to keep His commandments or no* (Deuteronomy 8:2)—to teach the nations and show the world how those who cleave to His service are sustained in ways undreamed of. Just so, when the manna first fell, it says *that I may prove them, whether*

256. Trials reveal the mettle of the righteous. Their actions under challenge are paradigms of virtue.

257. Sensitive to the pressures on Jews to embrace Islam, Maimonides writes, "A prophet will arise not to found a new religion but to caution us against breaching the Torah's precepts" (*MT* Laws of the Foundations of the Torah 9.2). Cf. the *Letter to Yemen*.

258. "It was not for the signs he performed that Israel trusted our Teacher Moses. Faith based on signs always leaves in one's mind some lingering doubt: Perhaps these portents were produced by trickery or sorcery. All the portents Moses performed in the desert were to meet needs, not to prove him a prophet . . . Why, then, did we believe in him? We stood at Mount Sinai and saw with our own eyes and no stranger's and heard with our own ears and from no other—the fire, the thunder, the lightning; as Moses strode into the darkness, the Voice spoke to him, and we heard it speak to him, 'Moses, Moses, Go and tell them thus and so!,' as it says, *Face to face did the* LORD *speak with you* (Deuteronomy 5:4)—*Not with our fathers did the* LORD *frame this covenant* [*but with us, all of us alive here today!*] (5:3)." *MT* Laws of the Foundations of the Torah 8.1; cf. 7.7. The epiphany at Sinai and the profound truth of God's reality and uniqueness, articulated in the first two articles of the Decalogue (II 33) and recognized by the intelligence of those assembled there, cannot be shaken: Miracles may confirm what is possible—not, say, that God became human. Reason and the experience of Sinai, Maimonides argues, anchor a truth unshakable, even by the most spectacular performance. Cf. Saadiah, *ED*, Introduction 6; Halevi, *Kuzari*, 1.11, 15, 25, 48–49.

259. Diamond (*Maimonides and the Hermeneutics*, 136–37) highlights Maimonides' citing Exodus 31:13 to confirm his reading *to know* as meaning "to discover" (transitively, that is, to show the world) the depths of Israel's commitment to her God and His Torah: Sabbaths stand at the heart of God's trust that Israel can pass her paramount test. For it was on the eve of the seventh day, Maimonides holds, that God settled (i.e., established) the laws of nature—including the miracles embedded in those laws (per M. Avot 5.5). Following Genesis Rabbah 10.9, as we saw (at I 67), and wrestling with the Hebrew grammar, Maimonides reads *rested* too (in Exodus 20:11) transitively: Nature's fixity, settled once creation was complete, underwrites our confidence that even the seeming signs of a pretender command no credence in the face of our people's direct, historical experience.

they will follow My Torah or no (Exodus 16:4), meaning 'so that everyone may reflect and see whether or not devotion to His service is support enough.'

When it says, thirdly, again of the manna, *who fed you manna in the wilderness, that your fathers knew not, to try and test you, for your good in the end* (Deuteronomy 8:16), it may suggest God's causing suffering to enhance our reward. Not so. The sense is either (*a*) the idea already broached as to the manna the first and second time, to show whether or not devotion to God affords sufficient sustenance and relief from trouble and toil, or (*b*) *to try you* means "to toughen you," as in *the sole of her foot is untried* (28:56)—in effect, 'He prepared you by inuring you to hardship in the desert and, to facilitate your entering the land.' This is sound. For to go from exhaustion to relief is a greater
3.53a joy than to remain at ease.[260] And we know that without the hardship and duress of the desert, they would not have been able to fight to win the land.[261] The Torah says so directly: *For God said, "lest the people have a change of heart when they see war and return to Egypt." So God led the people the long way round, through the wilderness by the Sea of Reeds* (Exodus 13:17–18). For ease saps valor, but toil and hardship strengthen it. That would be the good outcome promised in the end.

The words *God hath come to try you* (Exodus 20:17) have the same force as those in Deuteronomy that I explained by reference to a pagan pretender to prophecy: *The* LORD *your God doth test you* (13:4). Here at Mount Sinai, likewise, they are told by Moses, 'Fear not! The awesome event you have undergone was only to give you the certainty of direct experience. So when the LORD tests you with a false prophet, who belies what you have heard here, the measure of your trust will be renowned. You will stand fast and not falter. Had I come as God's messenger, as you urged (20:16), and relayed what I heard without your hearing it for yourselves, you might have been deluded by what someone else told you to the contrary.[262]

The story of the binding of Isaac bears two great themes, both religiously crucial. First, it teaches us the limits of the love of God and how high the fear of God can reach.

260. "Do you recall what the ill say . . . that nothing gives more pleasure than being well, but that they had not realized it until they fell ill?" (Plato, *Republic* 583c).

261. See III 32, 3.70b.

262. Israel's direct encounter with God strengthened the people's spiritual resolve much as desert hardships toughened them physically and morally. The trial here is Israel's hearing for themselves God's great *I AM* and realizing the truth of reason that God's Self-revelation proclaims; see 2.75a. Taking the epiphany at Sinai to have enlightened each Israelite according to his or her capacity, Maimonides embraces a midrashic reading of Psalms 29:4: *the voice of the* LORD *in power* (ba-koaḥ). The midrash takes the verse as if it read *be-koḥo*, "according to his power"; *Mekhilta de-Rabbi Ishmael*—following Rabbi Judah the Patriarch, who applied that gloss, in turn, to Deuteronomy 32:10—read as if it said, *He girded them about, and they understood it*. See Fishbane, *Midrash Unbound*, 105–6.

Abraham was given, as the narrative relates, an unparalleled command, far beyond laying out money or even laying down his life—an act that might be imagined humanly impossible: Here we have a childless man who had deeply longed for a son. Blessed with great **3.53b**
wealth and honor, he cherishes hopes that a nation will issue from his seed. At last, when he has given up hope, the son he yearned for arrives. How he would love and cherish him! Yet beside his fear of God and devotion to His command, his beloved son seems a trifle. He throws away all his hopes for him and sets off to slaughter him, after several days' journey. Had he wished to do so as soon as he received the command, it might have meant that he was dumbstruck or troubled of mind. But undertaken days after the command came, the act was well considered and deliberate, based on recognition of God's authority, and in love and fear of Him. No one could claim otherwise or lay it to the influence of some passion.[263] Father Abraham did not hasten to sacrifice Isaac in fear that God might slay or ruin him but solely in deference to the duty of every son of Adam to love and stand in awe of Him, without hope of reward or fear of retribution, as I have explained more than once.[264] That is why the angel tells him, *Now I know that thou fearest God* (Genesis 22:12)—meaning, 'By this act, which warrants calling you God-fearing, every child of Adam will know the limits of the fear of God.'

The theme is underscored and illuminated all through the Torah. For its whole object, as it states in all its commands and prohibitions, narratives and promises,[265] is just this: fear of God. As it says, *If you do not do all that is in this Torah, everything written in this book: to fear this revered and awesome Name . . .* (Deuteronomy 28:58). That is the first of the two themes intended in the *ʿAkedah*.

The second is to teach us that prophets take what God shows them to be real. No one **3.54a**
should assume—since it comes in a dream or vision, mediated by the imagination, as I

263. God left Abraham free to choose his course, Akiva and other Sages argue, lest it be said that he acted in confusion (Midrash Tanḥuma 4.46 to Genesis 22:1). Rabbi José the Galilean said of Abraham's trial, "He raised him as an ensign" (Genesis Rabbah 55.6). God's object was not to learn but to display Abraham's commitment. The word *ensign* here (*nes*) plays on the Hebrew *nissah*, 'tested.' Rabbi José's prooftext: *Thou gavest those who fear Thee a banner to flourish in the cause of Truth* (Psalms 60:6). Taking *truth* here to mean 'justice,' as it often does in Hebrew, Rabbi José saw the *ʿAkedah* not as meant to mend God's ignorance but as a means by which God "confirmed His justice to the world" (*Mekhilta de-Rabbi Ishmael*, Vayassaʿ 1 and Ba-Ḥodesh 9). Maimonides' striking treatment of Abraham's trial, focused on the limits of the love and fear of God, reflects his nuanced treatment of the limits of the demand for martyrdom, confronted in his experience as a boy and probed in his first halakhic essay, *Iggeret ha-Shemad*.

264. *CM* on Sanhedrin 10.1, M. Avot 1.3; cf. I 39, 1.46b; 46 *1.49*; II 36, 2.78b–79a, III 23, 35a.

265. All scriptures, Saadiah writes, contain just three elements: commands and prohibitions, rewards and punishments, and histories of the consequences of choices made (*ED* III 6, Kafiḥ, 130, Rosenblatt, 155).

explained (II 26–41)—that what prophets hear or see, or what is shown them symbolically, might be uncertain or somehow muddled with illusion. The Torah wants to teach us that whatever a prophet sees in a prophetic vision is a certainty to him, utterly indubitable, as real to him as anything known to reason or the senses. The evidence: Abraham sets off directly[266] to sacrifice his son, his only son, whom he loves (Genesis 22:2), as commanded—even though the command came in a dream or vision. If prophets harbored any doubt or uncertainty about what they apprehend in their prophetic dreams or visions, they would not hasten to perform an act so abhorrent to nature, and Abraham's spirit would never have assented to so dire and dreadful an act.

Rightly does the *ʿAkedah* belong to the story of Abraham and the like of Isaac. For our Father Abraham was the first to introduce the idea of monotheism. He established prophecy, inaugurated and perpetuated the monotheistic idea, and drew folk to it. As it says, *I have known him, that he may charge his children and his house after him to keep the way of the Lord, doing right and justice* (Genesis 18:19). Just as they followed the true and wholesome teachings they heard from him, so should we hew to the views implicit in his actions, especially this act that confirms the authenticity of prophecy and discovers to us the ultimate limits of the love and fear of the LORD.

3.54b This, then, is how to understand the idea of trials—not that God means to experiment to learn something He did not already know. Exalted be He, and exalted still higher, above the stupidities and foolish fancies of the unwashed. Do understand this.[267]

Chapter 25

Actions fall into four classes in terms of their aims: vain, pointless, frivolous, or good/beneficial.[268]

Acts are called *vain* if they are meant to achieve an end but fail through some hindrance. You often hear people say, "I taxed myself in vain"—looking for someone, say, but not finding him, or exhausting oneself on a journey without turning a profit. 'We tried

266. Abraham set off at first light (Genesis 22:3). He did not act in haste, thoughtlessly, or in a passion, but neither did he delay once aware of what God seemed to demand. Prophetic dreams and visions, Maimonides stresses, are not illusions or hallucinations. What a prophet sees is real for him; what is shown to him symbolically are profound truths; the words spoken, although mediated by the prophetic imagination, are understood faithfully to represent God's commands.

267. Maimonides seems obliquely to reject as foolishness popular notions that the ʿAkedah was a model of self-sacrifice for would-be martyrs.

268. For the form of the argument, see Chrysippus in *Diogenes Laertius* 6.41 and 7.85–86.

in vain with this patient' is said when he does not recover. And so with all actions that seek an end but fail.

A *pointless* act is one not meant to serve a purpose—as some people play with their hands while musing, or anything done thoughtlessly or absent-mindedly.

A *frivolous* act pursues some low or trivial end, not necessary or of much use—like dancing but not for exercise, or things done just to raise a laugh. Such things are called fun, of course. But the intentions matter, and so do the attainments of the doer. For many **3.55a** things seem necessary or quite useful to some but a waste of time to others—physical exercise of various sorts, say, which is critical in maintaining good health according to medical experts, and writing, which is highly useful in the opinion of scholars. So those who exercise for health's sake—playing ball, wrestling, boxing, breath control[269]—or

269. We should not overlook the rarity among medieval authors of Maimonides' endorsement of exercise and sport. Play may be beneficial, even necessary to our well-being and intellectual progress; *Eight Chapters*, 4, 5. Play is not a wisely chosen goal in life. But walking, manual labor, and active exercise promote the health and vigor we need in support of our higher, intellectual/spiritual pursuits (*MT* Ethical Laws 4.1, 2, and 14). In *On Hygiene*, a short work written, perhaps, for the young Marcus Aurelius, Galen praises ball playing and stresses the value of exercise. He recommends breath control and massage as key elements in a healthful regimen and prescribes singing exercises for shortness of breath. Moderation is critical in any Greek medical regime: "When the body needs motion, exercise is healthy and rest is morbid; when it needs relief, rest is healthy and motion morbid" (Galen, *Art of Medicine* 23, LCL 250–51). Having doctored gladiators early in his career, Galen disparages the excesses bred by competition: Athletes overexercise, overeat, and oversleep, commit to extremes of pain and so press themselves that their bodies become deformed once they stop competing, *Exhortation to Study the Arts, Especially Medicine*, ed. Walsh. Maimonides does not recommend practice of every sport Galen praises, and he seems to have no such interest as Philo had in spectator sports. Maimonides drops hunting, for obvious reasons. Many of the sports prominent in his time had their origins and continued relevance in military training; in honing skills in archery, horsemanship, and swordplay; and in the inculcation and celebration of the fearlessness prized in hunting. But although Maimonides sees worth in military training (see II *n.* 120, III *n.* 391), like Galen, he finds the chief worth of sport in exercise. He follows Galen in defining exercise as vigorous movement that changes one's respiratory rate and recommends moderate exercise suited to one's age and condition, explaining that exercise enhances one's strength (*Medical Aphorisms* 7.1, 18.1–16). He says, "Pay attention every day to improving the air that reaches the body by inhalation, so that it will be perfectly balanced and free of all that might pollute it" (*On Rules regarding the Practical Part of the Medical Art*, 3, ed. Bos and Langermann, 2). Maimonides commends physical labor like that of agriculture as well as running, wrestling, and ball playing. Exercise, he writes, helps control obesity, but one should not exercise just after eating (4–6, 12, pp. 3–5). Breath control had spiritual significance in the Qādiriyyah Sufi discipline of twelfth-century Egypt, perhaps influenced by yoga practice. Maimonides' son Abraham introduced some Sufi practices into Jewish prayer among his followers; see Russ-Fishbane, *Judaism, Sufism, and the Pietists of Medieval Egypt*.

perform practices ancillary to writing, like cutting reed pens and making paper[270] may seem silly to the ignorant. But not to those who know.

A *good* or *beneficial* act aims for some higher end, a necessity or benefit actually achieved.

This division seems to me quite unassailable: Anyone who does something either does or does not have an end in view, and every end intended is either higher or lower, achieved or not—just as our analysis has it. On this basis, I say that there is no room for any sensible person to call any act of God vain, frivolous, or pointless. To all of us who follow the Torah of our Teacher Moses, everything God does is good and beneficial: *God saw all that He had done, and lo, it was very good* (Genesis 1:31). So whatever God made for the sake of something else is either necessary to the object intended or highly beneficial
3.55b to it. Food, for example, is necessary to an animal's survival;[271] eyes are highly beneficial. Food keeps an animal alive; the senses afford the benefits of perception. The Philosophers, too, hold that nothing in nature is pointless. Everything not man-made serves some end, whether or not we know just what it is.

As for the school of thought of those who claim that God does not do this for the sake of that but deny cause and effect and say that He just does as He pleases with no end in view, ours not to ask why: He does what He will, not pursuant to wisdom—they class God's acts as pointless.[272] Worse, in fact. For a pointless act is thoughtless, but God, to them, does know and intend what He does, but for no good or purpose.

That God does anything frivolous is absurd on the face of it. The lunacy of those who claim that apes were created to make people laugh is beneath notice.[273] Only ignorance

270. Arabic writers traditionally cut their own reed pens to the proper angle. Papermaking came to Europe in the thirteenth century and was not widespread until the fourteenth and fifteenth. But Arabs learned the craft from Chinese prisoners taken in 751 in the battle of Talas, where the T'ang dynasty lost control of the Silk Road.

271. "God created man with forethought, creating his food first" (Genesis Rabbah 8.6).

272. Maimonides targets Ashʿarite mutakallimūn and Jewish sympathizers, who echo the celebrated Ashʿarite *balkafa*: Ours not to ask the reason why.

273. Galen, generally respected by Maimonides, calls the ape "a ridiculous mockery of man" (*De Usu Partium* 13.11, May, 611). Galen quotes Pindar's saying that a little ape always delights children (*Pythian Odes* 2.72–73)—being essentially a toy that hopelessly tries to mimic human actions (*De Usu Partium* 1.22, May, 107). In every animal, "nature constructs the parts to match the faculties of the soul. . . . Because the ape has a ridiculous soul and is a poor mimic, the body Nature gave it is ridiculous too. All the bones in its legs are so joined as not to permit a good erect posture, and the muscles on the back of the legs are most risible" (3.16, tr. after May, 202; cf. May 173–74, 511, 674). Galen knew ape anatomy well; Barbary apes were a main object of his dissections. But unlike Aristotle, he did not find beauty in every species, nor did he share Maimonides' thought that God's wisdom and grace made all creatures for their own sake.

of nature would make one say such things—failing to see that God's whole purpose was to give being to all that can be in the world we know. His wisdom ordained nothing contrary to this. That was impossible. For nature followed His wisdom's decree.[274]

Those who deny that any act of God has a purpose were led to this belief by thinking of the world at large: 'To what end,' they asked, 'does the world exist?' They could only say, as any creationist would, 'Because God so pleased. There is no other reason.' But then they applied the same thinking to everything,[275] not even granting that the uvea is pierced and the cornea transparent to allow the visual spirit to pass so that things can be seen.[276] To them, this membrane was perforated and that one overlaid not so that we can see but only because God so willed it. Our vision would have been possible in any case![277] **3.56a**

We do have some texts that suggest that idea at first glance, if taken literally. For example, *All that the* LORD *pleased hath He done* (Psalms 135:6), *What His soul desireth doth He do* (Job 23:13), and *Who shall say to Him, What dost Thou?* (Ecclesiastes 8:4).

274. Maimonides quietly qualifies the principle of plenitude by reference to God's will, a paramount object in his favoring creation over eternity: God is not bound to create everything possible (and what He does create does not exist by logical necessity). God chooses the order of nature. Seeing God as the Creator supports empiricism in natural science: The world reflects God's wisdom, and since there are necessities ordained by God's will/wisdom, much that is possible in the abstract is precluded. Leibniz develops the thought: The constituents of a possible world must be compossible. But within nature, there are natural necessities reflecting the patterns ordained by God's will and discoverable only empirically, not by analysis of the sheer idea of wisdom.

275. The search for a general purpose of the world can only lead, Maimonides reasons, to a divine will, which we humans have not the insight to reduce (as the Philosophers sought to do) to His wisdom. The quest for a single, overarching purpose of existence is misguided (see III 13; cf. 19–20, 23, 3.40b–41a, 51a.), partly because it slights the interdependence of things. But a like mistake dogs the alternative extreme: Deference to thoughts of God's absolute and arbitrary will as the sole determinant of all things led theistic voluntarists to their legal positivism and occasionalism. To Maimonides, providence is purposive, not pointless, benefiting both individuals and species, affording order in nature and justice in law. But God's glory is in His grace, providing for all His creatures and empowering them to be both for themselves and for each other.

276. "A still greater marvel is the perforation of [the iris] at the pupil, because everything that had previously been worked out would be utterly ruined if just this perforation were overlooked; but Nature would not overlook this any more than she would anything else. . . . This is the true state of affairs, but the assertion still needs to be demonstrated, particularly because of those people who do not wish any action of usefulness to be discovered but are anxious for everything to be obscure and completely unknown" (Galen, *De Usu Partium* 10.4, May, 475).

277. God, on the occasionalist view, is the sole cause of experience. If our perceptions are faithful, it is only by God's grace. The view obviates the functional anatomy of all bodily organs.

The sense of these verses and others like them is just that God's will is done, and nothing impedes it. But He wills only what is possible (III 15)—and not everything possible, but only what His wisdom ordains. What He does deem best, however, cannot be barred or impeded. This is the view of everyone who is religious and of the Philosophers. It is also my view.[278] We do think the world came to be, but none of our rabbis or scholars thinks it was a sheer act of will. God's Wisdom, we hold, although inscrutable to us, brought all
3.56b the world to be when it did—the same Wisdom, unchanged, that decreed its nonbeing before it came to be.

The Sages, you will find, often revert to this theme in glossing *He made each thing fair in its time* (Ecclesiastes 3:11, Midrash Ecclesiastes ad loc., Genesis Rabbah 9.2),[279] all to avoid what was well worth avoiding: the notion that the Creator would act to no end at all. Most scholars of our Torah agree, and the Prophets stress that all things in nature were wisely devised as a system, all interdependent and causally linked. None is pointless, frivolous, or vain; all are works of consummate wisdom, as it says: *How manifold are Thy works, O* LORD*! In wisdom hast Thou made them all* (Psalms 104:24); *All His works are truth* (33:4);[280] and *In wisdom did the* LORD *found the earth* (Proverbs 3:19). The idea is oft repeated, nor should one believe otherwise. The Philosophers, too, regard no work of nature as pointless, frivolous, or vain[281]—let alone the celestial nature. For the spheres are all the more wisely ordered, given their nobler matter.

Most of the misconceptions that breed perplexity in the search for a general purpose of the world as a whole, or for each part of it, stem from man's delusions about himself, imagining that all this exists just for us and failing to reckon with the nature of our lesser sort of matter[282]—or not knowing God's prime intent: to give being to all that can be.[283] For being, surely, is a good. This error and neglect of these two points breed such doubts and confusion that some of God's acts are fancied frivolous, some pointless, and some vain!

3.57a Those who shouldered this ugly consequence, making God's acts seem meaningless and utterly pointless to them, were just trying to avoid having things reflect God's

278. The philosophers intended here would include Plato, Aristotle, the Neoplatonists, Galen, and *falāsifah* like Fārābī and Avicenna.

279. It was good for all things to exist when they did—and not to exist when they did not, as God's wisdom determined.

280. As the King James translators saw, *emunah* here means 'truth' and connotes wisdom, grace, and justice. The preposition *be-* preceding *emunah* "serves an intensifying function" as in Psalms 29:4 (Dahood, *Anchor Bible Psalms*, 201).

281. Maimonides recalls Aristotle's words: God and nature do nothing in vain; see 2.31a, 3.23a.

282. See the citation from Galen's *De Usu Partium* at III 12.

283. "After divine goodness . . . the chief good in things is the perfection of the universe, which would not be, were not all the grades of being found in things. Hence it pertains to divine providence to produce every grade of being." (Aquinas, *ST* I Article 4).

wisdom, lest that lead to eternalism. So they closed that door. But I have told you our Torah's stance on this (II 14), which is what one should believe: There is nothing wrong with saying that all God's works, once they exist, reflect His wisdom (just as their nonexistence did before they existed)—although there is much about the wisdom in God's works that we do not know. The whole Torah of Moses our Teacher rests on this view. It opens with this: *God saw all that He had done, and lo, it was very good* (Genesis 1:31); and with this it closes: *the Rock whose work is perfect . . .* (Deuteronomy 32:4). This you should see.

If you pursue this idea, and that of the Philosophers, and review all the earlier chapters of this work that touch on this theme, you'll find no disagreement at all about any of this.[284] The only disparity you will find is the one I specified: their thinking that the world is eternal while we hold that it came to be. Do understand this.

Chapter 26

Just as religious thinkers differ as to whether God's works reflect His wisdom or His sheer will, with no end at all in view, they differ, correspondingly, about the laws He gave us. Some seek no reason but say that all His laws express His will alone. Others say that **3.57b**
every prescription and proscription reflects wisdom and is meant to serve an end: All have reasons and were given to afford some benefit.[285]

The doctrine that all of us share, experts and common folk alike, is that all of our laws have reasons,[286] although we may not know the grounds for some and may not see

284. The Torah has no quarrel with the natural sciences, nor with logic and mathematics. Here the sages of the world prevail (2.19a).

285. Cf. Aristobulus (second century BCE): The Law was ordained with a view to piety, justice, self-control, and other truly good traits (frag. 4, 8, Holladay, 3.174–75). The *Letter of Aristeas*, from the same epoch, sees profound reasons in every Jewish law, aiming for moral betterment in those who keep it (Wright, 246–313). Like the Muʿtazilites, Maimonides holds that every divine command has a warrant (*ʿillah*). See ʿAbd al-Jabbār, *al-Mughnī*, al-Ahwānī, 122; and Hourani, *Islamic Rationalism*. The Karaite al-Qirqisānī ("the Circassian," ca. 890–ca. 960) saw such grounds as key elements in practical syllogisms. Just to codify a body of law, one must regard the purposes of its prescriptions. Even legal positivists must do so, if only to classify laws. Do we make a hedge (*seyag*) around the biblical prohibition against seething a kid in its mother's milk by separating dairy from meat dishes and cutlery—or by not mentioning kids and their dams in the same sentence? If we know nothing of a law's purposes, we remain in the dark as to its observance or enforcement: If a road sign says "Stop," does one halt in his tracks and proceed no further, even if one is on foot?

286. It is because God's laws have reasons that Israel is expected to accept them freely, seeing their warrants severally or appreciating the fabric of the law as an integrated system

just where their wisdom lies. The biblical texts are clear about this: *ḥukkim u-mishpaṭim tzaddikim*, *just statutes and laws* (Deuteronomy 4:8), and *The laws of the Lord are truth; they are altogether just* (Psalms 19:10). Of those called statutes, such as *shaʿaṭnez*, milk with meat, and the scapegoat, the Sages stipulate, "*The statutes I gave you* (Leviticus 18:4)—ye may not cavil at, though the Saṭan revile them and the nations of the world decry them" (B. Yoma 67b). Most of the Sages do not think these laws groundless or inexplicable at all.[287] That would have God acting pointlessly, as I said (III 25). The majority believe the statutes do have grounds and must serve some beneficial end, even if it is obscure to us, given our limited knowledge and understanding.

Every mitzvah, in their view, then, has grounds: An act was commanded or forbidden for the sake of some good, plain to us, like the prohibitions of homicide and theft; or not, like the ban on fruits in the first three years (Leviticus 19:23) and mixed plantings in a vineyard (Deuteronomy 22:9). Those whose benefits the masses find clear are called ordinances (*mishpaṭim*); those they do not are called statutes (*ḥukkim*). Of *it is no empty thing* (32:47), the Sages always say, "and, if it is, it is you!" (J. Peah 1.1, Sukkah 4.1, Ketu-
3.58a bot 8)—meaning 'The law is not vacuous or pointless; if any mitzvah seems so to you, the fault lies in your grasp of it. You know the case so famed among us, that Solomon knew the grounds of every mitzvah except the Red Heifer (Ecclesiastes Rabbah 7.23 on Numbers 19),[288] and how they said that God hid the grounds of the mitzvot lest they be slighted, as Solomon slighted the three whose grounds are specified. Everything, they say, keeps to this principle, and Scripture confirms it.[289]

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and a way of life. Israel's God is obeyed not by virtue of a prophetic oracle or a miracle but by a freely accepted covenant. The Hebrew lexicon, Faur writes, has no term for 'obedience.' Rather, Judaism proposes 'fulfillment' (*kiyyum*) of our covenantal responsibility. Compliance with God's Law is the effect, not the cause, of the *berit* (Faur, *Horizontal Society*, 1.53).

287. Ancselovits discredits the common assumption that the ancient Sages "viewed some biblical laws as binding because they are commanded by Divine whim and not because they make sense." Addressing classic *ḥukkim* like *shaʿaṭnez*, milk with meat, and the scapegoat, he finds the Sages vigorously rejecting Pauline polemics that dismissed "ceremonial" mitzvot as onerous and irrational. To them, such laws were not arbitrary but "hoary and wise" (see Ancselovits, "Wise *Ḥukkim*").

288. See *CM* Parah and *MT* Laws regarding the Red Heifer.

289. The story about Solomon is meant to explain why the reasons for the laws are not generally stated. Rabbi Isaac reasoned (B. Sanhedrin 21b), "Why were the reasons for biblical laws not disclosed? Because in two verses the reasons were revealed, and that led the world's finest man to stumble. It was written, *He shall not take many wives* [*lest his heart be led astray*] (Deuteronomy 17:17). So Solomon said, 'I will marry many but not let my heart be led astray.' Yet we read, *In his old age Solomon's wives turned his heart* [*toward other gods, and he was no longer wholehearted with the* LORD, *as his father David had been*] (1 Kings 11:4). It says, *He shall not have many horses* [*and return the people to Egypt to get more*] (Deuteronomy 17:16). But Solomon said, 'I shall have many but not return the people to Egypt.' Yet we read, *A chariot from*

I have found one text of the Sages, however, in Genesis Rabbah (44.1), that seems at first to suggest that some mitzvot have no warrant beyond just laying down a law and look to no other purpose or real benefit. Here is the passage: "What difference does it make to the Holy One, blessed be He, if one slaughters by cutting the throat or chopping off the head? One must say the mitzvot were given only to refine (*le-tzaref*) people, as it is written, *The* LORD*'s commandment is pure* (*tzerufah*) (Psalms 18:31)."[290] Quite an unusual remark, unparalleled in their discussions! But I read it as consistent with the general tenor of their discourse, as you shall hear. It need not lead us to abandon our consensus that it makes sense to seek a real benefit in all our laws—*for it is no empty thing* (Deuteronomy 32:47). As God said, *I said not to the seed of Jacob, "Seek Me in a waste!" I, the* LORD*, speak truth and enjoin justice* (Isaiah 45:19).[291]

What every sound thinker should believe about this is the idea that I'll state here: It is the broad thrust of a mitzvah that must have grounds: The mitzvot were given to serve a purpose. It is the specific modalities that are purely positive prescriptions. To slaughter **3.58b**

Egypt went for 600 silver shekels (1 Kings 10:29)"—suggesting that Israelites were impoverished, even enslaved, as a result of the inflation fueled by Solomon's excessive demand for chariot teams. (For the equivalence of 'chariot' to a team, see 1.93a.) So, despite his wisdom, Solomon became an object lesson against presuming to meet the Law's ends without scrupulously keeping the rules that are its means. The rabbinic concern anchors a traditionalist bias against seeking *ta'amei ha-mitzvot*, grounds for the commandments, lest it breed reductionist dismissals of observance. In *SM*, capping the final negative mitzvot in his listing, against royal polygamous excess, extravagance with horses, and amassing of wealth, Maimonides retells the story and agrees that the Torah usually leaves the reasons for the mitzvot unstated to avoid just such logic chopping. For even a mind like Solomon's was not immune to self-deception, which "undermines religion altogether." But having made that point, Maimonides forthrightly rejects the legal positivism often erected on its basis. Citing Psalms 19:10 (as he did at 2.84b), he affirms that "there is not one commandment without a reason, a grounding, immediate or remote"—although the masses may not see it. Knowing these grounds, we can say, enables one to understand the laws, explain them, and even codify them, as Maimonides did with deep sensitivity to the Torah's large, often tacit themes. Rational development of its moral and spiritual themes is the Sages' crucial vehicle in the Law's elaboration. For one cannot "make a hedge about the Law" (M. Avot 1.1) without knowing its aims. By probing of its themes, halakhah can be cultivated to grow organically, holding true to its purposes. It is the Sages' historic achievement in critical, receptive, and creative appropriation of the Torah's themes that leads Maimonides to call them prophets (1.73b), even as he specifies that no true prophet of Israel will exceed or diminish—let alone replace—the Law of Moses.

290. The Hebrew *imrat ha-Shem* is taken here to mean God's word of command; *tzerufah* means 'refined,' as silver is (cf. Jeremiah 6:27–30). Maimonides takes the verse to imply that the mitzvot promote refinement, as per his gloss of Psalms 19:8: The Torah perfects the soul.

291. Maimonides takes the rare word *tohu* (cf. Genesis 1:2) to mean 'emptiness' here—thus, pointlessness. The mitzvot are no arbitrary discipline; their wholesome wisdom enlightens and ennobles Israel; see 2.24a, 85b.

animals as needed for good nutrition, say, is clearly beneficial, as I'll explain (III 48). As for cutting their throats in a specific place at the gullet and windpipe and not chopping off their heads, this and like restrictions serve to refine our humanity. You can see that from their example, "cutting the throat or chopping off the head." I cite this case just because the example is theirs: "cutting their throats or chopping off their heads." Analysis shows us why: Since we need meat to eat, the object is the easiest death readily achieved. Chopping off a head would take a sword or some such instrument, but a throat can be cut with anything. It is to ease the animal's death that a sharp knife is required.

The sacrifices best illustrate my point about the specifics of the mitzvot. Offering sacrifices is clearly of immense import, as I'll explain (III 32, 46). But that this offering is a lamb and that a ram, as well as the specific numbers, will never be explained. Anyone fixated on finding grounds for such details is on a fool's errand that will not relieve but only aggravate the madness of his quest. To imagine finding a warrant for such details is as far from the truth as to imagine that the commandment itself serves no real purpose.

Wisdom, you see—or necessity, if you prefer—required some details for which no grounds are given. It is impossible, in effect, for a law to include no such details.[292] For if
3.59a you ask, 'Why a lamb and not a ram?' the same question would arise if it said a ram instead of a lamb. Some animal would have to be specified. Likewise if you asked, 'Why seven lambs and not eight?' You'd face the same question if it said eight, or ten, or twenty. Some number had to be given. As with the problem of the limits of possibility, some alternative had to be set, and it makes no sense to ask why this rather than that, since the same question would arise had it been the other way around.[293] Do grasp and master this thought: What the Sages always say about all the mitzvot having reasons and Solomon's knowing the benefit that warrants them regards the broad principles, not the details.

Based on this, I decided to classify the 613 mitzvot into broad groups of commandments of a given type or with related themes. I'll tell you the grounds for each group and show you the benefit of each type beyond cavil or question. I'll then review the mitzvot in each group singly and explain their grounds, omitting only a very few where the reasons are still obscure to me. Some of the contextual details have, in fact, grown clear to me. So I can give you grounds for those as well, as you'll hear. But I cannot do this without prefacing a few chapters to lay out premises to prepare the ground. So I'll set down these chapters now.

292. The specifics needed to make a law operative in practice are underdetermined by its broad purposes; cf. Halevi, *Kuzari*, 3.7, Baneth, 96, Hirschfeld, 141. Specific modalities remain to be determined and are typically expressive of values responsive to external circumstances, historical, cultural, or situational. Hence the ritual dimensions of every instituted law; see Goodman, *God of Abraham*, chap. 6.

293. The specifics of a mitzvah, underdetermined by the law's broad purposes, are responsive to external considerations and are thus more naturally ascribed to God's will than to His wisdom. Cf. the placement of the stars (II 19).

Chapter 27

The Torah has two aims: material and spiritual well-being. Spiritual well-being comes when the masses, so far as they are able, attain sound beliefs, some stated explicitly, some symbolically, as when the general populace lack the natural capacity to take in such things directly.[294] Material well-being is won by improving human relations in two ways: (*a*) by checking wrongdoing—so not everyone may do just as he likes (cf. Judges 17:6, 21:25) but must keep to acts helpful to all—and (*b*) by everyone's acquiring traits of character beneficial to society and conducive to civic order.

The spiritual is the higher and weightier of these two aims, of course, imparting sound beliefs. But the material goal, bodily welfare, comes first in nature and in time. This means governance of the polity and, so far as possible, securing the welfare of all its people. This is the critical goal to which the Torah devotes the most consideration and detailed attention. For the higher goal cannot be attained until this is won. The reason: Human perfection, demonstrably, has a physical and a spiritual side. Health comes first, a **3.60a**
sound bodily state. Perfection of the soul comes after. The prior attainment, good health and optimal physical condition, is achieved only when one can get all the necessities he seeks: food and whatever else is needed for bodily well-being—places to shelter, to bathe, and the like. No isolated individual can achieve this alone. It can be achieved for all only when they band together in a civil society. For as we know, man is, by nature, a political animal.[295]

Our highest human attainment is fulfillment as a rational being, to have a mind that actually thinks and knows all that lies within the purview of human knowledge. This higher attainment, clearly, is a matter not of actions or of character but of ideas, reached by reason and made cogent by inquiry. Equally clear: This higher plane cannot be reached before the first. For one cannot think a thought, even if it is explained to him (let alone discover it for himself), when in pain, famished, parched, or extremely hot or

294. Symbols, in ritual or in language, give everyone some access to what prophets know. The practices prophets institute make sound principles implicit in human lives, even for those unable to articulate the underlying values and ideas conceptually; cf. Philo *De Praemiis et Poenis* 36–40, LCL 8.332–40. Poetry, rhetoric, and the poetry of ritual are needed to reach the masses. The risk is that some will take such symbols literally, leading some to anthropomorphism and some to making ritual acts ends in themselves, defeating their moral or spiritual purpose. Symbols mistaken for what they represent become a barrier rather than a conduit to understanding or even to virtue. Cf. Ibn Ṭufayl, *Ḥayy Ibn Yaqẓān*, Goodman, 160–65.

295. "Man is by nature a *zoon politikon*"—a social and civic animal (Aristotle, *Politics* I 2, 1253a3–4). Cf. Miskawayh, *Tahdhīb al-Akhlāq*, 34–35. See II 40.

cold. Only once physical well-being is secured can one reach that doubtless higher level of perfection,[296] the sole avenue to everlasting life.

Truthful scripture, then, which I have shown is the Torah of Moses our Teacher and no other (II 39), came just to improve us in both ways. It enhances our social relations by checking wrongdoing and instilling virtuous and generous traits of character, promoting
3.60b our nation's long tenure in the land, under a stable order, so that all may reach the first rung of perfection and go on to adopt true beliefs, the sound convictions through which alone ultimate perfection is won.

The Torah speaks to both aims, informing us that the whole purpose of this Law is our winning perfection in both ways. Thus God's words: *The* LORD *charged us to keep all these statutes and revere the* LORD *our God, for our lasting good, and to keep us in life as He has to this day* (Deuteronomy 6:24). He puts the latter goal first, since it is the higher, our ultimate end—*our lasting good*, as I explained. You know how the Sages gloss God's saying *that it be well with thee and thy days be long* (22:7): "*that it be well with thee*—in a world wholly good; *that thy days be long*—in a world everlasting" (Midrash Yalkuṭ to Deuteronomy 20:7; B. Kiddushin 39b, Ḥullin 142a).[297] Here, too, *our lasting good* means the same: winning a world that is wholly good. *Lasting* alludes to life eternal, whereas *to keep us in life as He has to this day* points to our first goal, filling out our days bodily—a goal attainable only in civil society, as I explained.

Chapter 28

One thing you should note: The true beliefs through which our ultimate fulfillment is won are conveyed biblically only in broad strokes. The Torah presses straight to its goal: God's existence and unity, knowledge and power, will and eternity. But these conclu-
3.61a sions reach full clarity, detail, and definition only after many truths are known. So the Torah lays down certain beliefs critical to civic life—like the belief that God is filled with wrath toward those who flout His authority—to strike fear and consternation into the hearts of the fractious.[298] But other sound beliefs about being at large—those of the

296. "Felicity extends just so far as contemplation does, and those to whom contemplation more fully belongs are more truly happy . . . for this is precious in itself. . . . But for a human being, there will also be a need for external welfare. For our nature is not self-sufficient for contemplation. One's body must also be well; it needs food and care" (Aristotle, *NE* X 8, 1178b33–35).

297. The Talmud takes both promises to refer to eternal life, lest the reward of fulfilling a single mitzvah be presumed, contrary to fact, to ensure one of long life and worldly success.

298. The Torah does not expect deep philosophical probing by everyone; it can speak graphically of the impact of wrongdoing. The "economy" is a pedagogical "contradiction"

sciences in all their many branches, on which the Torah's ultimate conclusions rest, although not laid down like these[299]—are invoked broadly when it speaks of *loving the* LORD (Deuteronomy 11:13, 22, 19:9, 30:6, 16, 20).[300] You can see this confirmed when it speaks of loving God *with all thy heart, with all thy soul, and with all thy might* (6:5). As I explained in *Mishneh Torah*, such love is not perfect without knowing what the world as a whole is really like and reflecting on the wisdom shown in it.[301] The Sages, too, as I mentioned there, remark on this theme.

The upshot of all of the preceding is that every commandment, positive or negative, clearly has a manifest benefit if it aims to check wrongdoing, foster good character, improve human life, impart sound beliefs for their own sake or as needed to quash wrongdoing, or elevate moral character. With such commandments, there is no question as to their object. No one has ever wondered why the Torah lays it down that God is one, or why we are forbidden to kill or steal, retaliate or exact vengeance, or why we are com- **3.61b**
manded to love one another. Where people are perplexed and views differ is about the mitzvot that seem, on the face of it, to foster none of the three goods I cited: imparting a belief, instilling a virtue, or curbing wrongdoing. Some say these have no purpose beyond the bare command; others, that they do afford a benefit, but one unknown to us. These mitzvot seem to afford no overt benefit in terms of the three aims I cited. They do not seem to impart a belief, instill a moral virtue, or curb wrongdoing. Taken at face value, they seem to have nothing to do with the welfare of the soul, by imparting a belief, nor with our material welfare, by framing rules of civil or domestic order—the prohibition of *shaʿaṭnez*, for example, or of mingling species, or consuming milk with meat, or requiring

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deployed by the Torah: God does not burn with wrath, but monitory images may help some to check a vicious inclination (cf. Plato, *Laws* 456–59). Love makes a nobler appeal. But as Philo observes, to the dissolute, love of God readily seems too pallid a prize, and loss of connection with God may seem too abstract, too remote, or too thin a shield against temptation.

299. Study of nature leads on to love of God. But the Torah does not seek to encompass (or dogmatically anticipate) all that science will discover. So it is foolish to try to derive scientific specifics textually; no conflict is rightly seen between natural science (properly conceived) and "biblical cosmology" (see II 8). Scripture celebrates the wisdom and grace evident in nature's intricacy and integration, inspiring ever new wonder and love. Cf. Plotinus, *Enneads* 2.9.4, 3.2.1–3.

300. That God is worthy of love is a broad, general truth. Just what it means concretely and *how* such love is rightly cultivated and expressed are matters for a lifetime's exploration by individuals and entire cultures. For Maimonides, the love of God is anchored in study of the sciences, including mathematics, logic, and the sciences of nature; it is expressed in acts of *ḥesed*.

301. The passage from *MT*: "When one studies God's works, the great and wondrous objects of His creation, and sees in them His peerless and infinite wisdom, one will immediately love, praise, and celebrate Him and yearn to know His great name; as David said, *My soul thirsts for God, for the living God* (Psalms 43:2)" (Laws of the Foundations of the Torah 2.2).

that the blood of a slain beast be covered (Leviticus 17:13) or that a heifer's neck be broken (Deuteronomy 21:1–9) or the firstling of an ass redeemed (Exodus 13:13), and so on. You will hear me explain them all, in terms of demonstrably sound warrants—although not, as I indicated (III 26), their specific details, nor each particular commandment. All of them and the others like them, as I shall explain, do belong, without fail, to one of our three categories: sound belief or healthy civic life attained by curbing wrongdoing and instilling virtue.

In a nutshell, I've said this about belief: A mitzvah may instill a true belief, like God's unity, timelessness, or incorporeality. Or it may instill a belief needed to curb wrongdoing or foster virtue, like the belief that injustice angers God, as it says, [*Ye shall not wrong any widow or orphan. If thou dost mistreat them and they cry out to Me, I shall surely hear their cry,*] *and My wrath shall blaze. I shall put thee* [*to the sword: your wives shall be*
3.62a *widows, and your children, orphans!*] (Exodus 22:21–23), and the belief that God responds straightaway to the plaint of the wronged and the deceived: *When he cries out to Me, I hear, for I am compassionate* (22:26).[302]

Chapter 29

Our Father Abraham, as we know, grew up among the Sabians,[303] whose doctrine is that there is no god but the stars.[304] Once I have informed you in this chapter of their books extant today in Arabic translation and of their ancient chronicles and have disclosed their teachings and traditions to you, you'll see how they avowed the stars' divinity, with the

302. God has no passions, but anthropomorphisms can be salubrious: "The lawgiver, now recognized as the best of physicians for the soul's ills . . . hoped to succeed in excising the evil by representing the Highest Cause as issuing threats and often showing indignation and implacable wrath. . . . For only so does a fool take warning. So, it seems to me, two principles are closely linked with and entailed by the two maxims: 'God is like a man' and 'God is not like a man'—fear and love. For I see that all the exhortations to piety in the Law refer either to our loving or our fearing the Real. To love Him best suits those whose conception of the Real includes no thought of human parts or passions, who pay Him the honor due God for His own sake alone. Fear best suits the rest" (Philo, *Quod Deus Immutabilis Sit* 67–69, LCL 3.42–45).

303. Maimonides uses the term *Sabian* more or less generically as his term for pagans, much as the Talmud uses the term *Amorite* generically to refer to pagan ways (3.79b–80a). See Stroumsa, *Maimonides in His World*, 89–102, 139. To Maimonides, the "Sabians" of Ḥarran were a paradigm case of pagan religiosity, and the *Nabatean Agriculture* opened a window on the pagan milieu in which Abraham was raised and against which the Mosaic Torah reacts.

304. "It seems to me that the first inhabitants of Greece believed only in those gods in which many foreigners still believe today—the sun, moon, earth, stars, and sky" (Plato, *Cratylus* 397cd). Cf. *MT* Laws regarding Pagan Worship 1.1–2.

sun as the supreme deity. All seven planets were gods, they held, but the two luminaries were the greatest. They professed, as you will find, that the sun rules the world above and here below.

In those books and chronicles, you'll find the tale they tell of our Father Abraham: He was raised, they say, in Cutah.[305] When he clashed with the community, affirming a Cause beyond the sun, they raised all sorts of arguments against him, citing the sun's manifest impact on the world.[306] 'Yes indeed,' he answered. 'It is like the axe in a carpenter's hand!' They report bits of his other arguments and say that in the end, the king imprisoned Father Abraham, who for days pressed his arguments against them while in **3.62b** prison. Finally, fearing that Abraham would discredit their religions and undermine his regime, the king banished him to the Syrian hinterland, first confiscating all that he had. That is the story you'll find told in full in the *Nabatean Agriculture*.[307] But they do not mention what our true traditions relate, or his being inspired. For they gave him the lie for opposing their foul beliefs.

I have no doubt that those erring folk reviled, belittled, and condemned him for opposing their rotten creed.[308] Because he bore all this for God's sake, setting truth above honor, he was told, *Whoso blesseth thee I shall bless, and who curseth thee shall I curse. Through thee shall all the families of the earth be blessed* (Genesis 12:3). And it did result from his efforts that today we find such common reverence for him among most people on earth that even those not of his descent link themselves to him and think themselves blessed through his memory.[309] No one rejects him or remains ignorant of his greatness but the dregs of that dead religion at the ends of the earth—the still pagan Turks to

305. Cutah, frequently named as Abraham's birthplace, lay south of today's Baghdad on a canal linking the Tigris and Euphrates. Often mentioned in cuneiform texts, it is identified as the Cutah of 2 Kings 17:24, also called Tel Ibrahim. See M. Plessner, "Kūthā," in EI_2.

306. "When you and I argue for the existence of the gods and produce the sun, moon, stars, and earth, claiming divinity for them, the converts of these sages will reply that they are just earth and stones that cannot care about human lives at all, however plausibly we have sugar-coated them in eloquence" (Plato's *Laws* X 886de, tr. after Jowett and Taylor).

307. Convinced that understanding the Torah demands knowledge of its milieu, Maimonides found it critical to learn all that he could of pagan worship; see "Letter on Astrology," ed. Marx, 351. His prime source was the *Nabatean Agriculture*, ascribed to one Abū Bakr Ibn Waḥshiyyah (d. 931). Purporting to be translated from an ancient "Chaldean" text, it may indeed preserve ancient traditions representing pagan beliefs and cultic practices seen as critical to agricultural success. Its narratives mimic and distort biblical and midrashic stories but also reflect pagan religious and cosmological premises. The Arabic text survives (ed. Fahd); Hämeen-Anttila translates a generous selection in *The Last Pagans of Iraq*.

308. Abraham's fate anticipates the persecution of Israel and other outspoken witnesses to moral and spiritual truths, especially those found by the use of reason.

309. The reference is to Christian and Islamic appropriation of Abraham's heritage.

the far north and Indians to the far south,[310] relics of a paganism once all but universal. The furthest philosophical thinking about God went in those days was to fancy Him the spirit of the sphere: The sphere and stars were the body, and God was its soul.[311]

Ibn Bājjah mentions this in his commentary on the *Physics*.[312] That is why all Sabians thought the world eternal: Heaven, to them, was God. Adam, they held, was a person
3.63a born to parents, male and female, like anyone else. They still celebrated him, saying he was a prophet, an apostle of the moon; he preached moon worship and wrote books on agriculture. Noah, the Sabians said, was a farmer too, but he did not hold with idol worship. So all Sabians condemn him, you will find, saying that he never served an idol. Their books say, too, that he was beaten and imprisoned for worshipping God. They tell all sorts of tales about him. Seth, they claim, opposed his father Adam's moon worship. They invent the most grotesque lies that only show how senseless they were and how utterly benighted, the least philosophical of all mankind.[313]

310. Philo says,

> Not only Jews but almost every other people, especially those that put more store in virtue, have so grown in holiness as to value and honor our laws. In this those laws have acquired a special distinction found in no other code. . . . They attract and draw the interest of all, Greeks and foreigners, mainlanders and islanders, nations of the East and West, in Europe, in Asia, in the whole settled world, from one end to the other. For who has not shown deep respect for the sacred seventh day by giving himself and his neighbors rest and respite from labor, free and slave alike, and even his beasts? For the holy day extends to every herd and to all creatures made to serve men, like slaves to a natural master. It extends even to every sort of tree and plant; for it is not allowed to cut any shoot or branch, or even a leaf, or to pluck any fruit at all. All are set free on that day and live, as it were, at liberty, under the general edict that none shall touch them. (*Life of Moses* 2.17–19, LCL 6.458–61)

According to Josephus,

> The masses have long shown themselves eager to adopt our religious observances. There is not one city, Greek or foreign, not one nation, to which our custom of refraining from work on the seventh day has not spread, and where the fasts and lighting of lamps and many of our dietary prohibitions are not observed. They try, too, to imitate our spirit of consensus, our generous charities, our devoted work in the arts, our steadfast allegiance to our laws in the face of persecution. The greatest marvel of all is that our Law extends no enticing bait of sensual pleasure but spreads its influence by its intrinsic worth. As God pervades the universe, so has the Law found its way among all humanity. (*Against Apion* 2.282–84)

311. Cf. the Stoic view.

312. Lettinck, ed., *Aristotle's* Physics *and Its Reception*.

313. Eternalists might be expected to harbor some claim to philosophy, and the "Sabians" of Ḥarran did preserve Greek philosophical traditions. But the tales and rites of the *Nabatean Agriculture* undercut the philosophical credibility of the pagans who took them seriously.

When Adam left the torrid zone in the vicinity of India and reached that of Babylonia, they say, he brought many marvels with him: a living tree with gold leaves and branches and another like it of stone—a green tree leaf that would not catch fire. He told, they said, of a tree the height of a man that could shade ten thousand, and he brought two leaves, each of which could enwrap two men. They relate much nonsense about such marvels. But the real wonder is that people who think the world eternal would believe such things, which anyone who knows the natural sciences would realize are impossible in nature.[314] They cite Adam and spin all their tales about him just to shore up their eternalism and lead on to the divinity of the spheres and stars.

When Abraham, the pillar of the world, grew up, he saw clearly that the real God must be incorporeal and neither a body nor a force within a body.[315] All the stars and spheres were His handiwork. Seeing how absurd the fables were that he had been raised with, he undertook to rebut the Sabians' doctrine and refute their views, opposing them publicly and making his call *in the name of the* LORD, *God of the universe* (Genesis 21:33), affirming the world's creation alongside God's existence. **3.63b**

Based on their beliefs, the Sabians erected idols to the stars—gold for the sun, silver for the moon. They assigned minerals and climatic zones to the stars, calling this or that planet the god of this or that zone. They built temples and consecrated statues in them, claiming that the powers of the planets invested those idols so that they—the idols—could speak, understand, think, grant revelations, and teach people useful things.[316] Of the trees assigned to those stars they said that when this tree was dedicated

314. Aristotelian eternalism is tethered to faith in the constancy of the laws of nature.

315. "Abraham of himself recognized the reality of the Holy One, blessed be He. . . . No one taught him how to learn of God. He did it all unaided" (Numbers Rabbah 14.2). Cf. Pesikta Rabbati 33 (p. 150). Philo reads the biblical narrative of Abraham's departure from his ancestral home (Genesis 12:1) as an allegory of a virtue-loving man's search for God: Abraham's Chaldean neighbors "cultivated astronomy and ascribed everything to the movements of the stars. . . . They exalted the visible and took no account of the intelligible and unseen. . . . They took the world itself for God, impiously comparing the created to its Creator. Raised in this doctrine and long 'Chaldaizing,' Abraham opened his soul's eye as if from a profound sleep and beginning to see the pure beam of light rather than night's deep darkness, he followed that ray and saw what he had not seen before, a charioteer and pilot governing the world and safely guiding his own work, exercising care and oversight over it and all its parts worthy of divine concern" (*De Abrahamo* 68–70, tr. after Winston, 222, and Colson, LCL 6.41). Philo goes on to portray Abraham as the Hebrew Socrates, bringing theology down out of the darkness of the heavens and into the light of the human microcosm of consciousness and conscience.

316. "They pray to these statues, as if talking to a house" (Heraclitus, frag. 5). The Talmud (B. ʿAvodah Zarah 55a) quotes a pagan bearing the name of Zeno, the founder of Stoicism, as asking Rabbi Akiva this question: "In our hearts we both know that idol worship is empty. Yet we see cripples go in crippled and come out whole. How is that?" In *The Sages*, Urbach

to a certain planet—planted for it and treated in a certain way—the planet's spirit flowed into the tree and inspired people, speaking to them in their sleep. You will find all this in their books in so many words, which I will cite for you. These were the prophets of Baal and the Asherah mentioned in our texts (see 1 Kings 18:19). So entrenched did such notions grow that *they forsook the* LORD (Isaiah 1:4) and cried, *O, Baal, answer us!* (1 Kings 18:26). So widespread were such notions, so rampant the ignorance, and so rife the fantastical ravings. With the spread of such notions, some became soothsayers, diviners, sorcerers, mediums, necromancers, raisers of ghosts and familiars (cf. Deuteronomy 18:10–11).

3.64a In my major work, *Mishneh Torah* (Laws regarding Pagan Worship 1.3), I told how our Father Abraham undertook to counter these beliefs with weak arguments and appeals,[317] seeking to win people over and draw them toward fidelity by acts of generosity[318]—until the

highlights "Zeno's" concession: By the time of the Hasmoneans, he explains, idolatry had so little purchase among Jews as to pose no real threat, and many a pagan, if philosophically inclined, saw sacred images as symbols rather than assuming them to be invested with a real presence (see 1.43b). Maimonides, like the Talmud, favors coincidence in answering "Zeno's" question (3.81a). But he drops the midrashic personification of the ills in question. Deuteronomy (28:59) speaks of *faithful illnesses*—faithful to their mission, the Talmud explains. To Maimonides that would mean their functions in the order of nature; see 2.17a.

317. At B. Soṭah 10b, Abraham is pictured urging those who wish to bless him for his hospitality to bless God instead, the true source of all good. Maimonides contrasts Abraham's warmth with Moses' stern rigor regarding pagan practice. If Abraham's arguments seemed weak to Maimonides, that might be since the Patriarch's cosmological approach seemed less rigorous than the more self-contained ontological alternative embedded in the Tetragrammaton revealed by God to Moses. See I 63.

318. Maimonides retells Abraham's story in *MT* Laws regarding Pagan Worship 1.1–2. To paraphrase: In the days of Enosh, the heavenly bodies came to be thought of as God's created ministers, charged with governance of the world. Temples and sacrifices were dedicated to them. Although first venerated so as to seek the Creator's favor, the celestial bodies were made objects of worship by false prophets, who placed images representing them in temples, under trees, or on mountaintops. Such worship was promoted as bringing prosperity. Charlatans claimed inspiration by the stars or their emissaries. God's name was forgotten. Even wise and priestly persons knew no god beyond the celestial bodies represented in the idols. A handful, such as Enosh, Methuselah, Noah, Shem, and Ever, preserved the idea of the Creator. But Abraham, from an early age, although untaught and surrounded by pagans, questioned the now familiar pantheon, finding among its gods no absolute creator or universal ruler. He shattered the idols and began teaching that only one universal God should be worshipped. The monarch sought to slay him, but Abraham was miraculously saved and emigrated to Ḥarran, teaching and traveling to spread his message until he reached Canaan, where he proclaimed the name of the *God of the universe* (Genesis 21:33). People flocked to him, and he instructed each one according to his capacity. Tens of thousands followed him. These were "the house of Abraham." He wrote books and bequeathed his teaching to his son Isaac and grandson Jacob, who founded an academy. There Levi and his descendants, in

master prophet was inspired to finish the task, ordering all those idolaters slain and all trace of them obliterated and effaced: *Raze their altars* (Judges 2:2; cf. Exodus 34:13, Deuteronomy 7:5). He banned adopting any of their ways: *Follow not the practices* (ḥukkot) *of the nation* [*I cast out before you. For they did all these things. Therefore did I loathe them.*] (Leviticus 20:23).

As you know from many a biblical text, the prime object of our entire Torah is to end pagan worship, to erase all trace of it and of anything connected with it or bringing it to mind—anything promoting its practice, like raising ghosts, passing children through the fire, casting spells, soothsaying, performing sorcery or divination,[319] laying curses, consulting familiars or the dead. We must shun anything resembling their ways, let alone practice of them. Anything that they presumed was service to their gods or won their favor, the Torah stresses, is utterly odious and detestable to God, *for every horror hateful to the* LORD *have they done for their gods* (Deuteronomy 12:31).

You will find that they state in their books, of which I shall tell you, that on certain occasions they would offer the sun, their chief god, seven beetles, seven mice, and seven bats—revolting enough to human nature. So all the mitzvot banning pagan worship and anything connected with it or promoting it are clearly beneficial. For they all aim to free us from those sick notions that distract us from anything wholesome that will aid us toward our dual perfections and to wean us of the madness in which our ancestors were **3.64b** raised: *Of old did your forefathers dwell beyond the river—Teraḥ, the father of Abraham and father of Naḥor, and they served other gods* (Joshua 24:2). That is what our truthful prophets meant when they said, "Follow not bootless folly!" (1 Samuel 12:21 with Jeremiah 2:8).

What a tremendous benefit, then, is any precept that frees us from such gross errors and returns us to the sound belief that there is a God who created all this and that He alone should be worshipped, loved, and feared—not these things taken for divine, but the true God, whose grace and favor demand no such taxing exertions but only love and fear of Him and nothing more![320] These are the ultimate worship, as I will explain: *And now, Israel, what doth the* LORD, *thy God, ask of thee* [*but to fear the* LORD *thy God, walk in all His ways, love Him, and serve the* LORD *thy God with all thy heart and all thy soul, and keep all the* LORD*'s commandments and statutes that I command thee this day, for thy good.*] (Deuteronomy 10:12–13). I shall be pursuing this theme.

Returning now to my point: The meaning of and the reasons for many of our laws grew clear to me once I understood the doctrines, views, practices, and rituals of the

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unbroken succession, preserved his precepts, lest they be forgotten. But forgotten they were during Israel's long sojourn in Egypt—except in the tribe of Levi, "which never succumbed to pagan practice." Honoring His promise to Abraham, God chose Israel as His heritage. Giving Moses the gift of prophecy, He crowned Israel with His precepts, revealing to them how He should be served and how paganism and those misled by it must be adjudged.

319. See Gellman, "Love of God," 226–27.

320. See Vajda, *L'Amour de Dieu*, 133.

Sabians, as you will hear when I spell out the warrants of our supposedly groundless mitzvot. I'll cite the books that will show you all that I learned about Sabian beliefs and practices. So you can be sure that what I say about the grounds for these laws of ours is true.

The major work here is the *Nabatean Agriculture*, translated by Ibn Waḥshiyyah. In a later chapter (III 30) I'll tell you why the Sabians set down their religious teachings in an agricultural manual.[321] The book is filled with the sort of pagan superstitions that
3.65a captivate and fascinate the masses—using talismans, raising spirits, casting spells, summoning jinn and desert ghouls. It is rife with wild ravings, risible to any rational person, but it denigrates the clear miracles that show all the world that there is a God who rules everyone on earth—as the Torah says, *that thou mayest know that the earth is the* LORD*'s* (Exodus 9:29) and *that I am the Lord in all the earth* (8:18).

It tells that Adam, the first man, in his book, mentions a tree in India whose branches, if taken and cast to the ground, writhe and crawl like snakes and another with a man-shaped root that moans audibly and emits disjointed words. It tells of an herb, described thus and so, whose leaf, if taken and placed in a man's bosom, makes him invisible so he can come and go unseen, and if a bit of it is lit up under an open sky, folk hear a droning in the air and dreadful voices as the smoke rises.[322] There is much more of such nonsense in this book, jumbling its information about the marvelous properties of plants with agricultural specifics, aiming to discredit miracles by suggesting that they were only tricks.

One of its tales is of a shrub called a mallow,[323] one of their *asherot*, used in the way that I described. One specimen, it says, survived twelve thousand years at Nineveh. It quarreled with a mandrake[324] that hoped to take its place.[325] The person inspired by this
3.65b shrub stopped receiving its oracles for a time; and when they resumed, it told him it had

321. Maimonides seems to expect some surprise from readers at the combination. But Hesiod's *Works and Days* offers a similar mix. Maimonides' recognition of the centrality of agriculture to human life helps him explain the linkage of agriculture to religious culture. We find a regular agricultural handbook in al-Malik al-Ashraf's *K. al-Tabṣirah fī ʿilm al-nujūm* (1271), ed. and tr. Daniel Martin Varisco in *Medieval Agriculture and Islamic Science*.

322. See *Nabatean Agriculture*, Hämeen-Anttila, 323–24.

323. The mallow (*khiṭmī*), *Althaea officinalis*, or common marshmallow, is a perennial flowering shrub used medicinally from antiquity. Its root was the source of a treat ancestral to today's marshmallow, which retains the name if not the ancient recipe. Maimonides prescribes a decoction of the plant in treating asthma (*On Asthma* 12, ed. Bos, 1.65).

324. The mandrake (Arabic, *yabrūḥ*, *Mandragora*), is the biblical *duda'im* (Genesis 30:14–16), often thought to have aphrodisiac or medicinal properties, partly because of its man-shaped root. *Mandragora officinarum* is a perennial with bell-shaped flowers and yellow or orange berries. Its hallucinogenic alkaloids contribute to its immemorial ritual use. Mallow and mandrake are mentioned together in Geniza TS 13 J 21.17. See Goitein, "Letter of Historical Importance."

325. See *Nabatean Agriculture*, ed. Hämeen-Anttila, Arabic, 155–57, English, text 22.

been off quarreling with the mandrake. It ordered him to write to the Chaldeans and ask them to judge between the two of them and decide which was the more useful and magically superior, mandrake or mallow. Seeing this tall tale should give you a good idea of the mentality of the people of that age and the state of the sciences among them. These were the noted sages of Babylon in those dark days (cf. Daniel 2:12). For such were the beliefs they had been raised with. And were it not for the modicum of theism spread among the nations today, our own times would be darker still, although in different ways.

Returning to our point: It tells in that book of a certain pagan prophet named Tammuz who bade the king to worship the seven planets and the twelve signs of the zodiac. The king slew him horribly. The night he died, it says, idols from the ends of the earth all gathered in the temple of the great gold idol of the sun at Babylon, which hung suspended between earth and sky. Standing in the center of that temple, surrounded by all the other idols, it began a litany for Tammuz, recounting his fate. All the idols wept and mourned through the night and flew back at dawn to their temples in lands throughout the earth. It became the custom each year on the first of Tammuz to mourn and bewail him and for women to sing dirges for him.[326] You can see and understand from this what people's thinking was like in those days. The tale of Tammuz is of great antiquity among the **3.66a** Sabians, and this book gives you a good taste of their mad beliefs, festivals, and customs.

As for the tale they tell of Adam,[327] the serpent, the Tree of Knowledge of Good and Evil, and its allusion to strange clothing (cf. 3.80b), be careful not to let it cloud your thinking or confuse you. What they relate never happened to Adam or anyone else. The story has no basis in fact. The least reflection bares the absurdity in every word of that fairy tale. You can see it is a travesty of theirs on the Torah: When the Torah spread to the nations, they heard its account of creation and took it all literally. They invented this story to gull the naive and make them think the world eternal and that the events the Torah relates were as they pretend. Someone like you needs no such a warning. You are too well grounded in the sciences to be gulled by Sabian fables, Chaldean and Chasdean

326. Tammuz, a Sumerian and Babylonian god whose ritual obsequies marked the changing seasons and the rhythms of life, death, and rebirth, was the consort of Inanna (the Akkadian Ishtar). In the Babylonian calendar, the summer solstice, when daylight hours begin their decline, meant the decline and death of vegetation in summer's heat, pictured as Tammuz's departure. Among the abominations seen in Ezekiel's visions are three women *bewailing Tammuz* at the entry to the Temple in Jerusalem (8:14–15). The name Tammuz survives as the name of the fourth Hebrew month, in which no biblical holiday occurs. But the Torah prefers to number the months rather than honor their pagan names. Maimonides situates the Torah's rituals against the backdrop of the customs it aims to displace. In the *Nabatean Agriculture*, Tammuz is an executed mortal, mourned as Maimonides reports and returned to life. See Hämeen-Anttila, *Last Pagans of Iraq*, text #24, pp. 228–31.

327. See Hämeen-Anttila, *Last Pagans of Iraq*, text #52, pp. 448–53.

ravings, devoid of all real science.[328] But I include this caution for others' protection. For the masses often succumb to such fictions.

One Sabian book is the *Stomachos*, ascribed to Aristotle[329]—God forfend! There are also books on talismans, including Ṭum Ṭum,[330] *Sarb*,[331] and *The Degrees of the Sphere and the Constellations Ascendant, Degree by Degree*.[332] There is another book on talis-
3.66b mans ascribed to Aristotle and a book ascribed to Hermes Trismegistus.[333] There is also a book by Isaac the Sabian defending the Sabian community and his big book on Sabian laws, detailing their practices—festivals, sacrifices, prayers, and other aspects of their religion. All the books that I have cited are works on paganism in Arabic translation, doubtless a mere fraction of those not translated or even extant but lost or destroyed through the years. But those in hand today cover most of the Sabian beliefs and practices, some still current, like building temples, setting up images in them of stone or cast metal, and erecting altars there on which sacrificial victims or various foodstuffs are offered. In those temples they celebrate festivals and gather for prayer and various rituals, and they set aside highly reverenced precincts within them that they call the "Temple of Rational Forms."[334] They set up images *on lofty mounts* (Deuteronomy 12:2), venerate their *asherot*, erect sacred stones, and practice other rites that you can learn of from the books I cited.

328. Chaldeans and Chasdeans are, in fact, the same people, the name Chasdean echoing the biblical name for Abraham's land of origin, *Ur Casdim* (Genesis 11:31); Chaldean is an equivalent name in Syriac. As Friedländer writes in the notes to his translation of the *Guide*, Maimonides may see the different names as applied to the same ethnicity at different periods. The names bear somewhat pejorative connotations given the traditional association of Chaldeans with magical pretensions.

329. The pseudo-Aristotelian *Stoikheiomatikos*, or astrologer, preserved in manuscript at the Bodleian Library, claims at its incipit to have been written for Alexander the Great as he left Greece for Persia. *Stoicheion* in Greek is an element (Arabic as *isṭaqis*). The book Maimonides cites may deal with the governance of the elements by the constellations. Ibn al-Nadīm lists a work ascribed to Hermes Trismegistus *Al-Asṭamākhus* (Ibn al-Nadīm, *Fihrist*, Dodge, 848).

330. Ṭum Ṭum is the name given to a Hindu author to whom various books on magic are ascribed. Maimonides quotes him in III 37, 41, 46. See Hauber, "Ṭom Ṭom."

331. A book otherwise unknown.

332. A handbook and table, it seems, for casting horoscopes. A comparable work ascribed to Tankalūshah the Babylonian (Persian for Teucer or Teukros) survives in two versions, one of which tracks the degrees of the zodiac. See Boll, *Sphaera*, 10, 374, 416, 430; and Darby, "Mysterious Abolays," 256. Ibn al-Nadīm lists a work of Hermes *On the Years of Nativities Degree by Degree* (see *Fihrist*, Dodge, 638).

333. Hermes Trismegistus, the legendary source of occult and magical lore, is identified with various ancient gods and with the prophet Idrīs of Qurʾān 19:56–57.

334. Maimonides may have in mind rites of the Sabians of Ḥarran that preserved traces of the star worship sustained by the last pagan Platonist philosophers.

Knowledge of these beliefs and practices is a major portal to discovering the grounds of the mitzvot. For the core of our entire Torah, and the axis on which it turns, is to erase such notions from the mind and efface all trace of them in the world: To erase them from the mind, as it says, *lest your heart be seduced* (Deuteronomy 11:16) and *whose heart this day turneth away* (29:17) and efface them from the world: *Rase their altars . . . cut down their asherot* (7:5), *obliterate their name there* (12:3). These two goals are stressed in numer- **3.67a**
ous passages, and this outcome was a prime object of the Torah as a whole, as our Sages taught us in the commentaries they left us: "*All that the* LORD *commanded through Moses* (Numbers 15:23)—Here you learn that whoever accepts idolatry belies the entire Torah, and whoever rejects idolatry embraces the entire Torah" (Sifre to Numbers 15:23).[335] Do see this.

Chapter 30

When you study these archaic and depraved beliefs, you'll see that everyone took it for granted that star worship makes the land fertile and the earth habitable.[336] The learned, pious, and devout would preach and teach the people that agriculture, on which human life depends, would succeed and prosper only if they worshipped the sun and stars. If those gods were provoked by neglect, the land would go to waste and ruin. In those books of theirs, they said that Jupiter[337] was angry at the deserts and wastes; that was why they lost their water and trees and became the haunts of ghouls. They made much of farmers and tillers of the soil for developing and cultivating the land as the stars pleased and willed. The pagans celebrated oxen because they are so useful in agriculture and even said that they must not be slaughtered, since they lend their strength to help in farming[338] **3.67b**
and, powerful as they are, submit to humans to please the gods by working the fields.

335. Cf. *MT* Laws regarding Pagan Worship 2.4. Numbers 15:22 warns against flouting all the mitzvot. The Sages read the verse as making idolatry tantamount to flouting the entire Torah, so rejecting idolatry (15:23) becomes tantamount to accepting the entire Torah. See B. Ḥullin 5a, Sifre Numbers 111, Sifre Deuteronomy 54; cf. Megillah 13a.

336. Rāzī's *Theology*, cited in III 12, embeds a Sabian prayer to Jupiter for protection. See pseudo-Majrīṭī, *Ghāyat al-Ḥakīm*; and Mohaghegh, "Rāzī's *Kitāb al-ʿIlm al-Ilāhī* and the Five Eternals," 17.

337. Friedländer suspects that Mars is intended, as in Ibn Gabirol: "Devastation was generally ascribed to Mars; peace and joy to Jupiter." But Maimonides is borne out in the *Nabatean Agriculture*. See Hämeen-Anttila, *Last Pagans of Iraq*, 123; and *Nabatean Agriculture*, ed. Fahd, 389.

338. See III 46; cf. Varro, *De Re Rustica* II 5.

So very widespread were these beliefs that they linked their cult to agriculture, which is critical to human survival and that of most animals. The pagan priests, preaching to the people gathered in the temples, drummed it into their heads that it was by these rites that the rains fell, the trees bore fruit, and the land was fertile and populous. Just consider what they say in the *Nabatean Agriculture* about vineyards: "All the ancient prophets and sages prescribed playing instruments before the idols on festivals. They said aright that this delights them and that they amply reward those who do so; beyond that, they promised long life for doing this, protection from harm, healing of infirmities, fertile crops, and abundant fruit."[339] So much for the Sabian text.

So commonplace were these beliefs that they seemed certain. But God, in His mercy toward us, was pleased to expunge this error from our minds. Freeing our bodies from those pointless and exhausting labors, He gave us our Law at the hand of Moses our Teacher, who told us, in God's name, that serving those stars and idols would halt the
3.68a rain and ruin the earth.[340] Nothing would grow. The fruit would drop from the trees. Life would be hard—there would be bodily afflictions and shorter lives. That is the point of the language of the covenant God forged with us[341] that you find repeated all through the Torah: that star worship inevitably brings drought, devastates the land, makes life hard, brings disease, and shortens lives, whereas rejecting it and embracing God's service brings rainfall, fertility to the land, prosperity, bodily health, and long lives—just the opposite of what the pagans preached to the people on behalf of their idolatry. For it is central to the Torah to abort that creed and erase all trace of it, as I explained (III 29 ad fin).

Chapter 31

Some think it dreadful to give grounds for any of our laws. They would like it best if none of these prescriptions and proscriptions made any sense. What makes this party feel this way is an inner discomfort they feel, a malaise that they cannot articulate or adequately explain. They think if these laws did us any good in life or were given to us for some reason, they might just as well have been devised by any rational subject; but if something makes no sense and does no good at all, it must have come from God, since it cannot have
3.68b come from human thinking. In effect, these mental weaklings set man above his Maker: We are the ones who speak and act with purpose, as they presume, and God does not; He

339. Maimonides makes a point of quoting verbatim; see *Nabatean Agriculture*, ed. Fahd, 929.

340. A morally and spiritually motivated teaching, although not literally true; see III 27.

341. Maimonides echoes the *Tokheḥa*, the warning to Israel of the consequences of abandoning God's covenant; Deuteronomy 28:15–69.

just commands us to do things that do us no good and bans our doing things that cause us no harm—exalted be He, and exalted still higher above such notions!

The truth is just the opposite, as I've shown. The whole point is to help us, as I said (III 25–28) when I cited *for our lasting good and to keep us in life, as He has to this day* (Deuteronomy 6:24) and *who shall hear all these statutes and say, "What a wise and discerning people is this great nation"* (4:6). The Torah includes the statutes (*ḥukkim*) here, all of them, as marks of a wisdom and discernment that will be plain to every nation. If even one of these precepts had no rational ground, brought no benefit, or forestalled no harm, why would those who perform and profess these precepts be called wise and discerning and so admirable that the nations remark on it? No. As I said, every one of the 613 commandments instills a sound view or purges an unsound one, imparts a rule of justice or combats some wrong, fosters a virtue or checks a vice.[342] The mitzvot all regard our three goals: ideas, character, and practices, political and civic. I do not list speech separately here. For of the words the Torah enjoins or prohibits, some amount to civic actions, some promote ideas, and some inculcate virtues. So I've kept to just three categories in grounding all the Torah's laws.

Chapter 32

If you study God's work—nature's workings—you'll see divine grace and wisdom clearly **3.69a**
in the anatomy of animals and the progression of motion in their limbs. You'll see grace and wisdom again in the gradual development of each individual. The brain illustrates that point as to the motion of limbs: Its frontal region is soft, very soft; the back is firmer; and the spinal cord, firmer still; it grows firmer as it extends. The nerves are the organs of sensation and motion. So those needed just for sense perception or for movements requiring little support, like those of the eyelids or the cheeks, stem directly from the brain.[343] But those needed for moving the limbs issue from the spinal cord. Since delicate nerves, even spinal nerves, cannot flex a joint, the nerves, by God's grace, turn fibrous and flesh out as muscle. Past the limb's end, they grow firmer; stiffened with fibers of ligament, they become a tendon, its sinew reaching bone and attaching. That is how a nerve can move a limb, working stepwise. I give you just this one example, since it is the clearest case

342. At the start of III 27, Maimonides spoke of the Torah's material and spiritual benefits, echoing Plato's Socratic division of the therapies of body and soul. Here, as in II 40, he divides the material benefits of Law into those that regard civil security and social welfare and those that regard moral improvement, the cultivation of Israel's character, fostering the moral virtues that lay the foundations for advancing toward knowledge of God.

343. For the cranial nerves, see Galen, *De Usu Partium* 9.8 and 16.3, May, 438–56, 685–86; for the Arabic of book 16, see Savage-Smith, *Galen on Nerves, Veins, and Arteries*.

of the marvels set forth in *De Usu Partium* (8.5–6, May, 396–99), all patent and plain, known to anyone who turns a keen mind to considering them.[344]

3.69b In the same way, God's grace attends every mammal born: Extremely delicate at birth, a newborn cannot digest solid food. So mammals were provided with milk-giving breasts that yield liquid food, closer to the bodily constitution of the young and easily assimilated, until their organs gradually grow drier and firmer. Our provident Ruler afforded just such care in many articles of our Law.[345] It just is not possible to shift abruptly from one extreme to another. Human nature cannot simply drop everything familiar all at once. God sent our Teacher Moses to make us *a nation of priests and a holy people* (Exodus 19:6) through our encounter with Him—as it says, *Thou wast clearly shown* (Deuteronomy 4:35), *Know this day and lay it to heart* [*that the* LORD *is God in heaven above and on earth below. There is none else!*] (4:39). This He did so that we might cleave to His worship, as it says, *and serve Him with all your heart* (11:13), *Ye shall serve the* LORD *your God* (Exodus 23:25), and *Him shall ye serve!* (Deuteronomy 13:5). But the familiar mode of worship, the ways we grew up with, prevalent all through the world in those days, meant only sacrificing various animals in the temples where those images were set up, bowing down to them, and burning incense before them.

344. Galen explains, "Nature could not use ligaments alone for voluntary movement because, not being attached to the place that contains the directing principle of the soul [for Galen, the brain], they have no share in either sensation or motion; and neither could she use nerves alone because their softness makes them incapable of transporting great weights. Properly, then, whenever a member needs only to be attached, there is only a ligament; whenever it needs only sensation, there is only a nerve; and in members useful for voluntary motion there are both, the nerve conveying the command of the reasoning power and contributing the principle of motion, and the ligament providing the nerve with the strength to raise the members to be moved. Thus it was necessary to create an instrument of motion that should be blended of both, that should certainly be harder than a nerve and softer than a ligament, that should have less sensation than a nerve and more than a ligament. . . . Of course, one thing cannot be completely blended with another unless it is first broken into small pieces. Hence both nerve and ligament had to be divided into slender fibers and then these had to be joined with one another in order to produce a substance midway between their own" (*De Usu Partium* 12.3, May, 552–53; cf. 12.11–12, May, 572–75).

345. Christian readers know the trope from 1 Corinthians 3:1–2, precedented in Philo, *De Agricultura* 9 and *Quod omnis Probus Liber Sit* 160, LCL 3.112–13; 9.100–101, and grounded in Isaiah: *To whom shall one give guidance, and who will understand what he hears? Those who are done with milk and weaned from the breast* (28:9). At Numbers 11:12 God compares His care of Israel to a mother's cosseting and nursing her infant. At Sifre to Deuteronomy, Piska 321 (Hammer, 332) Israel is said to suckle on the Torah's teachings. In Pesikta de Rav Kahana, too, God is said to have nursed Israel on the Torah (12.2) and to have provided manna and quails before introducing the Torah's more robust practical and intellectual demands.

The pious and devout in those days were devoted to service in those temples consecrated to the stars, as I explained. So with the grace and wisdom evident all through creation, God's Law did not simply annul, reject, and abolish such worship. Human nature, always so attached to the familiar,[346] could not conceive of accepting such a law. It would **3.70a**
have been the same in those days as if some prophet today, in calling people to serve God, were to say, 'God forbids you to pray, fast, or call on Him in distress.[347] Your worship must be meditation alone and no act at all.' So God preserved these ways of worship but shifted them to His name rather than objects man-made or imagined. He charged us to do all these things for Him—to build Him a temple: *Let them make Me a sanctuary* (Exodus 25:8), with an altar in His name. *An altar of earth shalt thou make Me* (20:21), where sacrifices were to be offered up to Him: *When any of you offereth a sacrifice to the* LORD . . . (Leviticus 1:2). The bowing would be to Him, and it was before Him that incense would be offered. He forbade doing such things for any other: *Whoso sacrificeth to any god but the* LORD *alone shall be destroyed* (Exodus 22:19) and *Thou shalt not bow down to any other god* (34:14). He chose priests to serve in His sanctuary, *to minister to Me as priests* (28:41), and reserved dues to support them—the dues of the Levites and Kohanim—since they were fully engaged in the sanctuary and the sacrifices. By this act of grace, the memory of paganism was effaced, and the paramount truth was made the pillar of our creed—the existence and unity of God—without shocking or estranging the spirit by abolishing the familiar rites when no other mode of worship was known.

I know you will balk at this at first, inevitably, and find it terribly troubling.[348] You'll ask me inwardly, 'How could such weighty commands and prohibitions, so carefully detailed and scheduled, not be meant for their own sake but for some extrinsic purpose—as if God tricked us to reach His real goal? What kept Him from giving us the laws He **3.70b**
wanted in the first place and making us able to accept them without these ancillary means as you call them?'

My answer, when you hear it, should put your mind at ease and show you the truth I want you to see. The Torah tells quite a like story when it says, *God led them not through the land of the Philistines, although it was closer.* [*For God said, "lest the people have a*

346. See Plato, *Laws* 802cd, Aristotle, *NE* X 9, 1179b35, a passage Maimonides echoes repeatedly.

347. Cf. 3.77b.

348. Naḥmanides (at Leviticus 1:9) and many others do object to Maimonides' historical treatment of the sacrificial cult as an accommodation to cultural circumstances and human limitations; see Orenstein, "The Maimonides Rationale for Sacrifice." Maimonides' treatment here is not paralleled in *MT*. As Gillis explains, *MT*, structured cosmologically, places the sacrifices in the lowest echelon of its hierarchy of norms. The *Guide*, finding purposes for the commandments, appraises the sacrifices in the context of their origins (Gillis, *Reading*, 260–62).

change of heart when they see war and return to Egypt"].[349] *So God led the people the long way round, through the wilderness by the Sea of Reeds* (Exodus 13:17–18). He diverted them from the main route to their destination, mindful of their natural physical limitations, and took them by a roundabout route to achieve His prime intent. In the same way, mindful of their spiritual limitations, He laid down the laws that I've cited in order to achieve His prime intent: that they come to know Him and give up pagan worship.[350]

Just as our human nature does not let one grow up in slavery amidst clay and bricks and such and then just wash one's hands and go straight into battle against the Sons of Anak (Numbers 13:28), human nature does not let one grow up with all sorts of religious rites—customs that have grown so familiar spiritually as to seem self-evident—and then suddenly drop them. God showed grace in having Israel wander in the desert until their spirits grew hardy (for we know that physical rigors and life on the land breed
3.71a courage, and their opposites breed cowardice) and until a new generation arose that was

349. Archaeological evidence indicates that the Philistine coastal route leading toward today's Gaza was well fortified at the time of the Exodus. This comports well with the biblical reasoning that ancient Israel was led by another route, since newly freed slaves were hardly ready for battle. See Berman, "Kadesh Inscriptions."

350. The sacrificial cult was a concession to ancient Israel's spiritual infancy. Preserving the core principle of (symbolically) serving the divine, the Torah accepts sacrifice as a mode of worship but rejects its pagan modalities, delicately steering a course between accommodation and rejection. The Torah accommodates familiar ritual practices but sharply contrasts its new modalities with their pagan counterparts, as if to rebut them: The new tone, like the ethos it institutes, is notably pacific alongside the orgiastic cult the Prophets condemned in Israel's land. But how does Maimonides' premise of Israel's spiritual infancy sit with his endorsement of the Mekhilta's placing the least handmaid at Sinai on the level of the prophet Ezekiel? Given the corporealism of his vision, Ezekiel was not the most urbane of prophets. Yet he was a prophet. Were the Israelites incapable of leaving behind their nonage? They would, in time. But the same Israelites who had stood before Mount Sinai, witnessing the signs of God's absoluteness, were soon dancing before the Golden Calf. Clearly, for an individual to touch upon an idea is not the same as a nation's adopting a way of life. Even if all Israelites (each on his or her own plane) could accept God's absolute reality and unique holiness, as Maimonides affirms that they did, to accept new modes of worship was harder in a way. Symbols and ceremonies are, oddly, more robust and recalcitrant than pure ideas. Part of the price of abstraction is the shadow that falls between a momentary insight and the ongoing rhythms of daily life. So as Maimonides wisely holds, practices and symbols, ritual and poetic, framed as institutions, are critical in shaping an ethos, rendering pure but abstract ideas communicable, transmissible, and actionable (II 31). Trusting the very power of tradition that made the old paganism robust, Maimonides treats the Temple cult with seriousness and respect, not least in *MT*. The traditional liturgy longs for its restoration. But Maimonides, who shares such hopes, does not rule out changes once the Temple is restored in Messianic days.

unused to servitude and abasement.[351] All this was at God's command, through Moses our Teacher: *At the LORD's word they camped, and at the LORD's word they marched; they kept the LORD's charge, from the LORD's own mouth, through Moses* (Numbers 9:23). And in the same way, this body of laws came by God's grace, preserving the familiar modes of worship in order to make way for the belief that was the prime intent.

'What kept God from laying down the laws He intended in the first place,' you ask, 'and making us able to accept them?' You could just as well be asked, 'What kept God from taking Israel through the land of the Philistines and giving them the strength to fight with no need of a detour, guided *by the pillar of cloud by day and the pillar of fire by night* (Exodus 13:22)?'

You face a third question too: 'Why the graphic promises and threats all through the Torah?' 'Since God's prime aim and object was that we believe in and observe this Law,' you could be asked, 'why did He not make us able to accept and observe it rather than gull us with promises of rewards for obedience and requital for disobedience—and then have to fulfill those promises and threats?[352] Was this, too, not a device to achieve His original goal? What kept Him from implanting it in our nature to act as He likes and eschew the disobedience He abhors?'

The same response answers all three questions and any others like them: All miracles change the natures of particulars,[353] but God does not use miracles to change human na- **3.71b**
tures.[354] This major principle is reflected when it says, *Would that they had such a heart*,

351. "We know that from Egypt to Canaan by a direct route is ten days' journey. Were it longer, how could Jacob's sons have reached Egypt by ass in a famine? But the Israelites had never faced warfare; they had been the enslaved. When Pharaoh attacked them, no one lifted a hand. Amalek too attacked with small forces and cut down the stragglers. *Had not Moses, God's elect, stood before him in the breach, Amalek had destroyed them* (Psalms 106:23). *Lest they have a change of heart* is the Torah 'speaking human language.' God knew they would!" (Ibn Ezra at Exodus 13:17). Pines (and now Seeman) suggests that Ibn Khaldūn's thoughts about the toughening effects of desert life and the abjection of slavery may reflect Maimonides' reasoning here. See *Muqaddimah*, tr. Rosenthal, 1.287–89; Pines, "Ibn Khaldun and Maimonides"; and Seeman, "Kinship and Sentiment." Cf. Fārābī, *Fuṣūl al-Madanī*, Dunlop, §§72–75.

352. For Maimonides, the goods that matter most center on knowing God. But Scripture's worldly promises and threats (Leviticus 26:3–45; Deuteronomy 27:15–28:68) loom large for many, as do the otherworldly promises they are taken by the Sages to portend. A key exemplar is Saadiah, whose vision of the afterlife reflects rabbinic texts more faithfully than reason *or* revelation.

353. Cf. Ghazālī, *TF* 17, Marmura, 171–73. Maimonides shares Ghazālī's view that such changes were preordained in the order of nature; see I 66, 1.85a.

354. Christian evangelicals often claim that one cannot renounce sin without God-given grace. Maimonides' thought is that *we* must take the initiative. God gives us the strength to choose, but He does not take the helm entrusted to us. See II 25, 2.55b. Saadiah, in much the

[*ever to revere Me and keep all My commandments*] (Deuteronomy 5:26). That is why we have commands and prohibitions, rewards and punishments. I have stated this principle and the case for it many times in my writings. Not that I think anything prevents God from changing a person's nature. That is possible and within God's power. But it is a core principle of the Torah that He has never chosen to use it and never will. For if He did wish to change anyone's nature as He pleased, that would completely obviate His sending prophets and giving a revealed law.[355]

Returning to our point, I say, worship of this sacrificial sort was ancillary. Prayer and supplication and the like come closer to the prime intent and are needed to achieve it. So God sharply distinguishes the primary from the secondary. For even when offered in His name, sacrifices were not to be offered by us as they once were, anywhere and at any time.[356] Temples may not be built just anywhere, nor may just anyone offer sacrifice—[as Jeroboam] *appointed anyone he pleased* (1 Kings 13:33). God forbade all this. He established just one house—*at the place the* LORD *shall choose* (Deuteronomy 12:26). No sacrifice may be offered elsewhere: [*Take care not*] *to make thy burnt offerings anywhere that meets thine eye* (12:13). And only those of specified descent may serve as priests. All this was to delimit worship of this sort, preserving only as much of it as His wisdom determined must not be wholly abandoned.

3.72a

Prayer and supplication, by contrast, can be offered anywhere, by anyone. Likewise the *tzitizit* (Numbers 15:38), *mezuzot* (Deuteronomy 6:9, 11:20), *tefillin* (Exodus 13:9, 16; Deuteronomy 6:8, 11:18), and comparable ritual practices. It is out of the concern that I just disclosed to you that the Prophets' books so reprehend people's rushing to offer sacrifices, informing them that sacrifices were not really meant for their own sake and that God has no need of them. Samuel says, *Doth the* LORD *delight in burnt offerings and sacrifices as in heeding the* LORD*'s voice?* (1 Samuel 15:22). Isaiah says, *"What need I your many sacrifices?" saith the Lord* (1:11). And Jeremiah says, *When I spoke to your fathers in the day I brought them out of Egypt, I said nothing and gave no command about burnt*

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same spirit, itself biblical, adopts the Muʿtazilite view, well precedented among the Sages, that God would not command us to do or hold us accountable for *not* doing what we are incapable of doing—and so would not preempt our freedom. See Altmann, *Essays*, 40–44.

355. Mitzvot presume rational choice. See I 2; II 48; *Eight Chapters*, 8; and *MT* Laws of Repentance 5. Law, Alexander argues, is antithetical to fate if fate predetermines our choices (*De Fato* 36, Bruns, 209.12–18, Sharples, 89). For Saadiah, the question was 'Why did God not simply bestow permanent bliss on us from the outset?' His answer: 'It is better that we earn our reward than that we simply reap it' (*ED* 3 Exordium, Rosenblatt, 137–38, citing Isaiah 40:10). Maimonides has subtly shifted the ground: The issue is not requital but agency.

356. Cf. Alexander: "We are commanded to sacrifice to the gods everywhere and from every place" (*De Fato* 1, Bruns, 164.3, Sharples, 41).

offerings and sacrifices. My command was this: "Hearken to My voice. I shall be your God, and ye shall be My people" (7:22–23).

These words trouble everyone that I have seen or heard discuss them. 'How can Jeremiah say,' they ask, 'that God gave us no charge about burnt offerings and sacrifices when the bulk of the mitzvot concern just that?'[357] But the point of Jeremiah's words, as I've shown, is that God's prime intent in the Torah is 'that you know Me and serve no other': *I shall be your God, and ye shall be My people*. The laws instituting sacrifices and visitation of the Temple served only to cement our central principle: 'It is only to that end that I transposed those practices to My name'—to erase all trace of paganism and establish My Unity. But you spurned the end and held fast to the means. You doubted My existence—*they denied the Lord and said, "It is not He!"* (Jeremiah 5:12). You practiced pagan rites—[*Will ye rob and murder, commit adultery, swear falsely*,] *burn incense to Baal* **3.72b**
and follow other gods . . . and then come stand before Me in this House, [*that bears My name, saying "We are safe"—safe to commit all these horrors!*] (7:9–10). 'You still come to the LORD's Temple and offer your sacrifices. But that was not My prime intent!'[358]

I have another way of glossing this verse, from a different angle but with a like result. Text and tradition agree that the earliest laws we received said nothing of sacrifices and burnt offerings. Don't worry about the Paschal lamb in Egypt (Exodus 12:3–13). It had a clear and obvious purpose, as I'll explain (III 46), and that was in Egypt. Jeremiah means the laws given after the Exodus. That is why the verse specifies *the day I brought them out of Egypt*. For what was first commanded after the Exodus was the law given at Marah: *If indeed ye hearken to the voice of the LORD your God*, [*heed His commandments, do what is right in His eyes, and keep all His laws, I will not set upon you all the illnesses I laid upon Egypt. I, the LORD, am your healer.*] (15:26). It was there that *He gave them a statute and a rule* [*ḥoq u-mishpaṭ*] (15:25). Our sound tradition specifies, "Shabbat and

357. The questioner seems to Maimonides to exaggerate the prominence of the sacrificial cult in the Torah, since it looms so large among the laws. Reflecting on Amos 5:21–25 and Jeremiah 7:22–23 (cf. 7:1–15), where God seems to disparage the sacrificial cult, Unterman explains that voluntary sacrifices were "neither desired by God in the desert nor offered by the people at that time." The prophets contrast the desert practices with those that became familiar later "to highlight the travesty that, in the prophet's day, the same people who are acting unjustly are the ones bringing the voluntary offerings"—as if propitiating a pagan deity. In Amos' words, *They have sold the innocent* (2:6): The wine they drink and even the beasts they offer were purchased by grinding the poor. Hosea (6:6), Isaiah (1–2), and Micah (6:6–8) press the point: It is not the cult that God rejects but its substitution for moral care: "a cult meticulously observed but perverted from holiness to self-serving hypocrisy" (*Justice for All*, 96–106). Cf. Greenberg, *Studies*, 90–95.

358. "Prayer is greater than sacrifices" (B. Berakhot 32b).

civil laws were ordained at Marah" (B. Shabbat 87b, Sanhedrin 56b).[359] The sabbath was the statute; the rule was civil law, against wrongdoing. The prime object, as I explained, was true belief—in the world's creation. For as you know, our Sabbath laws were given us to cement this belief, as I explained in this work (II 31). That was the centerpiece. and beyond instilling sound beliefs, the aim was to curb wrongdoing among the people.

Our first laws, as you can see, said nothing of sacrifices and burnt offerings. Those
3.73a were secondary, as I said.[360] The Psalms voice the same idea as Jeremiah, reproaching the whole nation for missing the Law's prime intent and not distinguishing what was central from what was secondary: *Hear, My people, and I will speak; I charge thee, Israel. God am I, thy God. Not for thy sacrifices do I blame thee, nor for thy burnt offerings, ever before Me. I shall take no bullock of thy house, nor any goats from thy folds.* [*Every beast in the forest is Mine; cattle, in the hills in their thousands!*] (Psalms 50:7–9). Wherever this thought recurs, that is the thrust. Understand this well and reflect on it.[361]

359. The Torah calls Marah a trial (Exodus 15:25), but the incident is elided in Maimonides' review of biblical trials (III 24).

360. Maimonides historicizes more than the sacrificial cult here. His present thought, "bold and radical," as Diamond remarks, treats God's original laws as purer and more intellectual than its larger totum that accommodates Israel's undeveloped religious sensibilities (*Maimonides and the Hermeneutics*, 26, 148–49).

361. Despite the criticism his developmental thesis drew, Maimonides' stance is well supported biblically and rabbinically. Leviticus sustains his claim that the sacrificial cult is regulated to restrict and redirect sacrificial worship. For God tells Moses that these laws aim to bring worship into the Tabernacle and out of the fields, where offerings were made to satyrs (Leviticus 17:5–7; cf. 3.101b). Psalms underscores the point: *Do I eat the flesh of bulls or drink the blood of goats?* (50:13). As if echoing Israel's demand for monarchy that so troubled Samuel, *Midrash Aggadah* treats the sacrificial cult as a concession to popular demand (*Midrash Aggadah*, ed. Buber, 170). Rabbis Phinehas, Levi, Yoḥanan, and Menahem of Galliah all held that in the Messianic Age, there will be no animal sacrifice beyond the thanksgiving offering (Psalms 50:14). As Milgrom showed in the *Anchor Bible Leviticus*, Israel's sacrificial cult framed its symbolism on themes of moral purgation. God, Rabbi Ishmael argued, has no need for the *satisfying scent* of sacrifices (Numbers 18:17, 28:6); the satisfaction lies in Israel's loyalty. Inspired by Hosea's words, *It is ḥesed I desire, not sacrifice; knowing God, not burnt offerings* (6:6; cf. Isaiah 1:11–17, 43:25; Micah 6:6–8), Rabbi Ishmael's followers taught that atonement comes through prayer, penitence, and self-transformation (B. Berakhot 32b, Sanhedrin 43b, Leviticus Rabbah 9.7, 27.12, Deuteronomy Rabbah 5.3, *Tanḥuma*, Pekudei 9, Shemini 4, *ARN* A 4, B 8). Playing on the word *scent*, they shifted *reiaḥ* to *ruaḥ*, 'spirit.' See Heschel, *Heavenly Torah*, 82–92. *Pesikta de Rav Kahana* (Shuvah 158b) sums up the thrust here: When asked of the appropriate response to sin, Wisdom answered, death; the Torah, a sin offering—but God Himself replied, Let the sinner repent, and his sin shall be atoned for.

Chapter 33

Among its aims, our perfect Law[362] seeks to quell the passions, to disparage and diminish them so far as possible, keeping them within the bounds of necessity (cf. 3.20b). Vulgar license and excess, as you know, stem chiefly from an insatiable craving for food, drink, or sex. This impedes one's higher development and harms the more basic as well. It corrupts much of civic and home life. For the bare pursuit of pleasure practiced by the uncouth crushes the intellectual impulse and ravages the body. The result: mounting cares and anxieties, untimely deaths, and ambient envy, enmity, and conflict over what others have—all because the ignorant see pleasure as the sole end to be sought for its own sake. Therefore, God, in His grace, gave us laws to abate such insatiate cravings and turn **3.73b**
our thoughts quite elsewhere. He banned all that prompts such excess and that treats pleasure as an end in itself. That is a major goal of this Law. Just think how the Torah condemns to death one who pursues the pleasures of food and drink in excess, the *incorrigible wayward son* (Deuteronomy 21:18), calling him *a glutton and a drunkard* (21:20). It orders him stoned, nipping in the bud his dissolute ways and depraved appetites before grave damage is done and his excesses corrupt many more and ruin innocent lives (21:21; cf. B. Sanhedrin 72a).[363]

Similarly, as part of its legislative intent, the Torah seeks to foster a gentle, open character. One should be not rigid and harsh but amiable, agreeable, and receptive. You know God's command: *Circumcise your hearts, and be stiff necked no longer* (Deuteronomy

362. The test of the Torah's perfection: It aims to perfect the soul; see II 40 and Maimonides' reading of Psalm 19 (*Eight Chapters*, 4). So the Torah is *eminently* perfect.

363. Historically, this law may have aimed to limit the arbitrary authority of a paterfamilias by requiring that a fractious son be brought before the authorities. The Torah seems to assume that before parents bring a son to law, all efforts at discipline and conciliation have failed. The Sages, finding the biblical penalty extreme, held that no real son is ever so refractory as to deserve execution at his parents' instance. They read this law as a regulative idea. Yet although the statute was long a dead letter in Maimonides' time, *MT* devotes a full chapter (Laws regarding Rebels 7.7) "to the laws of the non-existent rebellious son and another to the non-existent rebellious city" (Saiman, *Halakhah*, 154). The *Guide*, aiming to make sense of biblical laws in their own terms and to stress the virtues they seek to foster, urges that an incorrigible son will inevitably turn murderer (3.90b). Cf. Maimonides' cautions as to the influences of a rebellious city (1.66b); and for incorrigibles, see Plato, *Laws* 880de. The Torah's goal, as rabbinically construed, is that its principles be internalized. The Sages explain in their distinctive midrashic idiom. Taking up the *hedge of lilies* from the Song of Songs (7:3), they ask what kept an Israelite from giving free rein to powerful passions: "Did an iron wall or a post restrain him? Was he bitten by a snake? stung by a scorpion? . . . It was the Torah's words, soft as lilies!" (Song of Songs Rabbah 7.3.2). The Law's goal is to instill self-control in those who live by it.

10:16); *"Be still and listen, Israel"* (27:9); *If ye be willing and heed . . .* (Isaiah 1:19). Of our readiness to accept what should be embraced, it says, [*"All that the* LORD*, our God, telleth thee*] *shall we hear and do"* (Deuteronomy 5:24). In the same vein it says, poetically, *Draw me after thee, and we'll run!* (Song of Songs 1:4 and its Midrash, ad loc.).

Purity and sanctity, too, are aims of the Torah. This means chastity and limiting and avoiding sex when possible, as I'll explain (III 49). When He commanded the nation to make themselves holy to receive the Torah—*consecrate them today and tomorrow* (Exodus 19:10)—God said, *Approach not a woman* (19:15). So holiness clearly calls for sexual abstinence. Giving up wine, too, is directly called holy, when it says the Nazir *shall be holy* [*throughout his term*] (Numbers 6:5).[364] In Sifra we read, "*Consecrate yourselves and be holy* (Leviticus 11:44).[365] The holiness comes from the mitzvot." And just as the Torah calls it holy and pure to keep these commandments, it calls flouting them and committing base actions impure, as I'll explain.

3.74a

Cleaning clothes, bathing, and removing filth (Deuteronomy 23:11–15) are goals of this Law. But cleansing one's acts and heart of any foul thought or trait comes first. To keep pure only outwardly, by baths and clean clothes, while wallowing in license and lust, gluttony and lechery, is utterly foul. Isaiah speaks of those who *sanctify and cleanse themselves to visit groves, after one midmost, eating swine's flesh*, [*vermin, and mice*] (66:17). They make themselves holy and clean publicly, he says, but in private, behind closed doors, they offend, eating forbidden foods—*swine*, *vermin, and mice*. His words *one midmost* may allude to going apart for illicit sex. The thrust of the passage: They are clean outwardly, pure and pristine in public, but inwardly immersed in bodily pleasures and passions—far from the Torah's intent. To curb carnal appetites comes first; outward cleanliness comes second to inner purity. Solomon castigates those who count on clean clothes and bathed bodies when their acts are filthy and their character vile—*a generation pure in their own eyes, but not cleansed of its filth, a generation of such haughty eyes, such arrogant glances!* (Proverbs 30:12–13).

If you reflect on the aims broached in this chapter, you'll see the grounds of many of our laws whose warrant is unknown until these purposes are seen, as I'll explain in what follows.

364. But cf. *Eight Chapters*, 4.

365. We find the passage in Sifre, not Sifra. Regarding Leviticus 11:44 and 19:2 and Numbers 15:40, Maimonides writes that some halakhists mistakenly count *Ye shall be holy* among the 613 mitzvot. It is not itself a mitzvah, he argues, but a general, thematic charge to pursue holiness by keeping the commandments and shunning every abomination hateful to God; *SM* Principle 4.

Chapter 34

Another thing you should know: The Law does not look to the exceptional. Legislation **3.74b**
is not about rarities.[366] All that it aims to achieve with belief, character, or helpful actions regards the common case, not the rare or exceptional, or the harm one might suffer privately by its rules and rulings. For the Law is something divine. Remember, in nature, too, general benefits and their concomitants may harm some individuals, as our argument and that of others has shown.[367]

By the same token, you should not be surprised that the Torah's goal is not attained fully by all. Some, inevitably, are not perfected by its rule. For not every potential in the natural form of a species is realized by every member. All come from the same God, the same Maker, *given by the same Shepherd* (Ecclesiastes 12:11).[368] That cannot be otherwise; and what is impossible, as I explained (III 15), has a nature fixed and invariant.[369] So laws cannot be tied to changing times and personal circumstances, as medical treatment is tailored to each patient's unique present temper. The rule of law must be invariant, alike for all, even if it suits some and not others. To personalize it would ruin it **3.75a**
completely: "You would make it situational" (B. Shabbat 35b).[370] So the Torah's norms of

366. "All law is universal, but some things cannot be framed rightly in universal terms. . . . The law looks to the usual case. . . . The fault is not in the law or the lawgiver but in the nature of the case" (Aristotle, *NE* V 10, 1137b12–19, tr. after Ostwald). Hence the need for judicial discretion, "to say what the legislator himself would have said had he been present" (1137b22–23), and the need for maxims of equity: "There are two kinds of right and wrong conduct toward others, one provided for by written ordinances, the other by unwritten" (Aristotle, *Rhetoric* I 13, 1374a18–19; cf. *Eudemian Ethics* IV 10 and the rule of Lesbos). The issue is prominent in rabbinic jurisprudence. Maimonides does not belabor the point here, but his echo of Aristotle highlights the need for rabbinic authority (*pace* the Karaites), which serves, in part, to fill in lacunae in the Law and so protect its authority. This the Sages do by making a hedge around it. See E. S. Rosenthal, "For the Most Part." Justice Izhak Englard discusses the issue in Plato, the rabbinic literature, Halevi, Averroes' Commentary on the *Republic*, Avraham ben ha-Rambam, and contemporary authors in "The Problem of Equity in Maimonides"; cf. W. Harvey, "Maimonides on the Generality of the Law." Maimonides' central point remains critical: Law is empty without general rules, since there will always be parties prepared to argue that theirs is the telling exceptional case.

367. See III 13, 14, 18. Like Saadiah (at Job 39; see Goodman's introduction to *The Book of Theodicy*, 98–112), Maimonides finds that nature's general course accounts for much of the suffering we know. See III 17, 3.34ab; cf. Philo, *De Providentia* 2.43–49, LCL 9.486–93.

368. The laws of nature, like those of the Torah, come from God; both regard the general case.

369. Any rule of nature may have occasional exceptions; see II 20.

370. A law that is too situational loses force.

primary intent are universal and unconditional, regardless of time and place[371]—as God says, *One law shall ye have for all the congregation* (Numbers 15:15)—looking solely to the common interest of the majority, as I've made clear.

Having laid out these premises, I'll move on to what I meant to explain.

Chapter 35

I've divided all the mitzvot into fourteen groups with this thought in mind:[372]

1. Precepts representing foundational ideas. These are the ones I listed in Laws of the Foundations of the Torah. They also include repentance and fasts, as I will explain. With commandments that impart true beliefs and foster faithfulness to the Law, there is no question as to their benefit, as I explained (III 27, 29).

2. Precepts concerning the ban on pagan worship. I listed these in Laws regarding Pagan Worship. Note that the laws about Garments of Mixed Stuffs, Produce of Virgin Trees, and Double Planting in a Vineyard also belong to this class, as I'll explain. This class, too, has known purposes. For they all support true beliefs and perpetuate them
3.75b through the years among the multitude.

3. Precepts related to the improvement of character.[373] These I listed in Ethical Laws. Good character, as we know, enhances human life and the social order critical to human well-being.[374]

371. Laws of primary intent are unconditional. There may be room for flexibility in, say, animal sacrifices: These were not matters of God's primary intent, although concerns for reverence and awe add a demand for exactness here, as is typical in other matters.

372. *MT* too divides the mitzvot into fourteen groups. But the focus here is on the warrant for each class. The first two groups (III 36–37) relate to the beliefs meant to anchor our knowledge of God—and avoidance of idolatry. These laws write a descant on the first two mitzvot of the Decalogue. Groups three through seven (III 38–42) seek to instill moral virtue and regulate human relations. The remaining groups (III 43–49) guide us toward a life that fosters the intellectual love of God. See Friedländer, *Guide*, 3.163 *n.* 1; and Twersky, *Introduction*, 300–308. The number fourteen, as Gillis shows, is cosmologically freighted for Maimonides, reflecting the ten spheres and four elements (and thus the four creatures through which God governs nature). Four books of *MT* address laws operative between man and God; ten, those at work on the human plane (Gillis, *Reading*, 70–71, 158–62).

373. See Goodman, "Moral and Intellectual Virtue."

374. The Torah grounds its normative scheme in the thoughts of God as the wise and gracious Creator, *the Rock whose work is perfect*—of whom it is rightly said that *all His ways are justice*. That verse, Deuteronomy 32:4, is the most frequently cited in the *Guide*, as Diamond notes (*Maimonides and the Hermeneutics*, 133). See I 16; II 28; III 12, 17, 25, 49; and Gillis, *Reading*, 41.

4. Precepts regarding charity, free loans, gifts, and related matters like appraisals and restrictions, rules about lenders (Exodus 22:24–26) and indentured servants, and all the mitzvot I listed in the Book of Seeds, except those on Mixed Stuffs, Vineyards, and Virgin Trees. The grounds for all these are clear, since they protect everyone in turn. For one who is rich today (or his offspring) may be poor tomorrow, and one who is poor today (or his child) may be rich tomorrow.

5. Precepts related to curbing wrongdoing and aggression. These are included in the Book of Torts in my work. The benefit is obvious.

6. Penal laws, including those against theft, robbery, and false witness—most of what I included in the Book of Judges. The benefit of such laws is obvious. For if felons went unpunished, crime would go unchecked, and those who contemplate wrongdoing would be undeterred. No fool is more fatuous than one who claims that it is humane to abolish punishment. That would be the height of inhumanity and the ruin of civil order. Real compassion is what God commanded: *Judges and magistrates shalt thou appoint in all thy gates* (Deuteronomy 16:18).

7. Rules, for financial transactions like loans, wages, deposits, buying and selling, and so on. Inheritance law, too, falls under this head. These are the mitzvot I listed in the *Book of Acquisition* and the *Book of Civil Law*. The benefit of this class is obvious. For such dealings are necessary in any society, so there must be just laws to govern and regulate them beneficially. **3.76a**

8. Precepts about days when work is forbidden—Sabbaths and holy days. Scripture gives the reason for each day of rest and specifies the grounds: to impart an idea, to rest the body, or both, as I'll explain (III 43).

9. Other devotional acts prescribed for all[375]—prayer, reciting the Shemaʿ, and others listed in the *Book of Love*—except circumcision. The benefit is plain. For all these practices confirm in us the love of God and strengthen our commitment to what we should believe of Him and ascribe to Him.

10. Precepts about the Sanctuary, its implements and those who serve there. These are the mitzvot I listed in part of the *Book of Worship*. I have already stated the benefit of this class (III 32).

11. Precepts related to the sacrifices. These are most of the mitzvot I listed in the *Book of Worship* and the *Book of Sacrifices*. I have already cited the general benefits of the sacrificial legislation and why it was needed in those days (III 32). **3.76b**

12. Precepts about what is pure and impure. The general purpose of all these is to restrict entry to the Sanctuary so that it is viewed with awe and veneration, as I will explain (III 47).

13. Precepts concerning forbidden foods and related matters. I listed these in the Laws regarding Forbidden Foodstuffs. The laws of Nazirites and vows also belong to

375. Sc., not reserved for Priests and Levites.

this group. The object of the whole class is to curtail overindulgence and gluttony and counteract the notion that food and drink are ends in themselves, as I explained in the introduction to my Commentary on Mishnah Avot (Eight Chapters, 4).

14. Precepts about forbidden unions. These are the mitzvot I listed in the *Book of Women* and Laws regarding Forbidden Unions. Crossbreeding of beasts belongs here too. Again, the purpose is to diminish the prominence of sex and curb the sexual appetite where possible, so that sex is not made an end in itself, as it is for the benighted, as I explained in my Commentary on Avot.[376] Circumcision, too, belongs to this class.

All the mitzvot, as you know, divide into two classes: transgressions between man and man and those between man and God (B. Yoma 85b). The former class includes our categories 5, 6, 7, and part of 3. The rest are between man and God. For the Sages call every
3.77a command or prohibition aiming to instill a character trait, impart an idea, or improve one's behavior "between man and God," even if it does affect human relations. For this may result only after many prior stages and may involve broader considerations; and the transgression need not cause immediate harm. This you should understand.

Once I have related the grounds for each group, I'll follow up on the mitzvot in that class that may seem irrational or without benefit. I'll explain their reasons and show how they are beneficial, except for just a few, whose purpose I have not yet grasped.

Chapter 36

The mitzvot in our first category, the tenets I cataloged in *Laws of the Foundations of the Torah*, all have clear grounds. If you study each one, you'll find this view sound and a proven fact. Besides, whatever spurs or fosters learning and teaching is clearly beneficial. For without knowledge, sound practice and true belief are unattainable.[377] To honor the exponents of the Torah is also clearly beneficial. For unless deep respect for them is

376. *Eight Chapters*, 4; and *CM* Sanhedrin 8.4. In his mention of the benighted, Maimonides uses the term *al-Jāhiliyya*, the Muslim term for the pre-Islamic "Age of Ignorance," traditionally linked with pagan license.

377. The mandate to know God prompts an open-ended quest (I 59–60). So the first two precepts of the Decalogue enjoin duties of intellectual inquiry and cultivation of the intellectual virtues critical to it: curiosity, open-mindedness, intellectual honesty, and vigor. True belief and sound practices, including ritual practices, open spiritual doorways, but knowledge is irreplaceable. Those who lack it must rely on the guidance of others or that of the Torah, reflecting Mosaic wisdom. Maimonides here echoes Baḥyā Ibn Paqūdah's major theme, that every obligation laid down by Scripture, reason, or tradition demands a commitment of heart and mind and is empty without its intellectual/spiritual foundation (*Farā'iḍ al-qulūb*, Yahuda, 8; Mansoor, 89).

ingrained in people's souls, they will not be heeded when giving sound guidance as to belief or practice. Implicit here, in the commandment *rise up before a hoary head* (Leviticus 19:32), is the cultivation of modesty.[378]

3.77b In this class, too, come the commandments that our oaths are to be sworn in God's name (Deuteronomy 6:13, 10:20) and that we not break our vows or swear in vain (Leviticus 19:12; Exodus 20:7). The grounds for all this are clear as well. For these mitzvot exalt God and instill belief in His greatness.

Also of this group are the commandment to turn to Him in every strait. Thus [*When ye wage war in your land against a foe who presses you*,] *sound the trumpet*, [*and ye shall be remembered by the* LORD *your God and rescued from your foes*] (Numbers 10:9).[379] This practice strengthens the sound belief that God knows our plight and can save us if we are true—or bring us to grief if we are not. We must not believe that this depends on chance or accident. That is what it means when it says, *If you treat Me as chance . . .*[380] [*I shall smite you sevenfold*] (Leviticus 26:21). That is, 'If you deem the chastisements I mete out against you matters of chance, I shall give you chance all the sharper and harder'—*if you treat Me as chance*, 'I'll give you real chance!'[381] For the belief that one's plight is a matter of chance makes people hold fast to their rotten views and vicious practices and

378. Citing B. Kiddushin 32b here, Pines notes that *MT* Laws of the Study of the Torah 6.9 reads Leviticus 19:32 as ordaining modesty and humility toward the aged, including pagans—the learned of any faith. Maimonides practices what he preaches in adopting Porphyry's view that idols per se are not worshipped but used as symbols of a higher power mediating access to divinity. See 1.43b; cf. Psalms 113:3. Before Abraham's courageous intellectual breakthrough, Maimonides suggests, piety had no focus for its longings beyond temples to the stars.

379. The Sages take the mitzvah to apply in any crisis (Sifre Numbers Piska 76). In *SM* Positive 59, Maimonides reads it as theologically freighted by its providential premise. Cf. Leibowitz, *Faith of Maimonides*, 42–44: "Rabbi Elazar said, 'Since the day the Temple was destroyed the gates of prayer were locked . . . (Lamentations 3:8)—but the gates of tears were not . . . (Psalms 39:13)" (B. Berakhot 32b).

380. Like Sifra, pseudo-Jonathan, Rashi, Rashbam, Chizkuni, Ibn Ezra, and Kimḥi, Maimonides takes the hapax legomenon *qeri* to mean 'chance,' based on the Hebrew root found in *miqreh* (1 Samuel 6:9). Thus Kimḥi: "'If you deal with Me as chance,' thinking the suffering I bring upon you a coincidence and not retribution for your sins . . ." Baḥyā urges one to face one's worldly fortunes as if divine determinism were true but to meet moral and spiritual challenges as if all were in our own hands. We often tend to do the opposite. See Goodman, "Baḥya on Free Will."

381. God subjects to chance those who treat providence dismissively. The penalty fits the offense.

not repent—as it says, *Thou didst strike them, but they felt nothing!* (Jeremiah 5:3). That is why we are commanded to call upon Him and turn to Him in every crisis.[382]

Repentance clearly belongs in this group as an idea that religious people need to believe in.[383] For a person will inevitably slip and sin, not knowing the view or trait that is truly better, or because some appetite or animus has gotten the better of him.[384] If one believed the rift irreparable, he might persist in his error or stray further, seeing no alternative.[385] But by believing in repentance, one can reform and even improve.[386] That is why so many practices are prescribed to support this sound and wholesome outlook—fasting, confession (Leviticus 5:5, 16:21), and sacrifices for unwitting and even some willful sins. What all forms of penitence have in common, regardless of the sin, is its renunciation. That is the point of this belief. So these practices are clearly beneficial.

3.78a

382. The threat of sevenfold afflictions is a caution against complacency. Ascribing our sufferings to external forces rationalizes evasions of responsibility. The Torah traces even natural and random events to God as their ultimate cause (II 48). But focusing on natural or random causes elides our own faults and failings and contributes to backsliding and exacerbation of our suffering.

383. According to Urbach, "The term *teshuvah* (repentance) was coined by the Sages, but the concept it signifies is a cardinal principle of the Biblical legacy" (*The Sages*, 1.462–72). The Torah's sensitivity to the need for and possibility of atonement is unique in the ancient Near East, as Unterman shows in *Justice for All* (108–32). Capricious pantheons made repentance problematic in ancient pagan cults, since confession might seem to be no more than admission of guilt. The problem reemerged when Ash'arite theologians submerged divine mercy in the absoluteness of God's will. In *MT* Laws of Repentance, after listing the penitential acts prescribed in Scripture (sin offerings, the scapegoat, etc.), Maimonides writes, "In the days when the Temple no longer functions and we have no altar of atonement, there is only repentance" (1.8). Later he adds, "What is complete repentance? It is this: The occasion recurs, and the transgressor has the chance to sin again but does not because he is penitent, not from fear or loss of nerve" (2.1). Repentance here opens the door to atonement.

384. Appetite and anger, given rein, bring down the soul (Plato, *Phaedrus* 246b; Plato, *Republic* IV 439–40; cf. Philo, *De Decalogo* 142, LCL 7.76–77).

385. In *Iggeret ha-Shemad*, Maimonides vehemently rejected the claim that those who had professed Islam under duress only compounded their sin by retaining Jewish practices. In the same spirit, he wrote that although sin injures the soul, the injury can be healed. Quoting Jeremiah, *Let us probe and try our ways and return to the* LORD (Lamentations 3:4), he urges, "This is something we have the power to do" (*MT* Laws of Repentance 5.2). At 2.1 he anatomizes sincere repentance, citing the examples of Judah (Genesis 38:26) and Joseph (42:21–22, 45:4–15).

386. In the Midrash, Adam meets Cain years after the expulsion from the Garden and asks the outcome of his case. Cain tells of his reconciliation to God, and Adam claps his hands to his face: "So great is the power of repentance, and I did not know!" (Genesis Rabbah 22.13).

Chapter 37

The commandments in our second group are all the ones I listed in Laws regarding Pagan Worship. They all clearly aim to free us from the errors of polytheism and the other unsound notions that follow in its train—belief in wizards, witches, diviners, mediums, and such (Deuteronomy 18:10–11). If you read all the books that I have cited, you will see that all the magic you hear of amounts to Sabian, Chasdean, and Chaldean practices, most of them current among the Canaanites and Egyptians,[387] who deluded others or themselves into believing that these rites had strange and marvelous effects in the world, on individuals or whole populations.

There is no logical or rational basis to think such magical performances have any effect at all—setting out to gather certain herbs at a certain hour, or so many of this **3.78b** object and so many of that. The range is vast, but I can group them all for you under three headings: (1) the object, animal, vegetable, or mineral; (2) the precise times an operation is performed; and (3) the human performance, acts like dancing, clapping, shouting, laughing, hopping, throwing oneself to the ground, burning something, fumigating something in smoke of a certain kind, or chanting something, intelligible or not—the sort of things magicians do.

Of their magical operations, some call for all three factors. They will say, for instance, that such and such leaves of a certain plant must be taken when the moon is in the east, in a certain sign of the zodiac, or at some other cardinal point; a certain quantity of horn, dung, hair, or blood from a certain beast must be obtained with the sun at the meridian, say, or some other specific point; a certain mineral, or several, must be taken and smelted when a given sign is in the ascendant and the stars are in certain positions; then certain incantations must be uttered as you puff the smoke from these leaves or such over the casting you have forged. Then the magic will work.[388]

Other magical procedures, as they have it, need just one type of operation. But most, they stipulate, must be done by women. You'll find them saying, for example, that to find water, ten virgins, bedizened and in red robes, must dance and creep to and fro and **3.79a** point to the sun. They must keep up this tedious rite, they urge, until water gushes forth. Similarly, they avow, if four women lie on their backs, raise and spread their legs, and say such and such in that bizarre position, hail will not fall in that spot.

With much of their idiocy, you'll find, the only conditions they set are that women must perform the ceremonies and that all the magical procedures must regard the state of

387. Maimonides' generic account of pagan practice and the superstitions it spawned draws, as he stresses, on texts like the *Nabatean Agriculture*. But since his present concern is the grounds for the mitzvot, he links "Sabian" rituals with Canaanite and Egyptian practices forbidden to Israel (Leviticus 18:3).

388. Maimonides elides details, not meaning to offer recipes.

the stars. For a given plant, they hold, falls under the dominion of a certain star, as does every animal and mineral. So, by their own account, their magical operations amount to worship of that star, which is pleased with what they say or do, or with that smoke, and grants their wishes.

Given this background, which you can confirm by reading such of their books as we have, to which I have introduced you, hear my argument: The entire goal of our Torah, the axis on which it turns, is to efface paganism and erase its influence, to make it unimaginable that any star can help or harm human individuals at all. For that view invites star worship. It follows, perforce, that every sorcerer must be slain. For a sorcerer is a pagan, of course, although practicing in special, exotic ways unlike those the vulgar use in worship-
3.79b ping those gods. Since most of these acts must be performed by women, the Torah says, *Thou shalt not suffer a sorceress to live* (Exodus 22:17). Given the natural human aversion to killing women, for idolatry specifically, it says *man or woman* (Deuteronomy 17:2) and repeats it: *the man or the woman* (17:5). No such thing is said about profaning the Sabbath or anything else. The reason is the great natural sympathy for women.[389]

These wizards claimed their magic worked: Their practices kept dangerous animals like lions, snakes, and such out of villages and could rid plants of various blights, just as you see that they claimed to keep hail from falling and that other rites of theirs killed worms and kept them from ruining vineyards. (They go on at length, these Sabians, in the *Nabatean Agriculture*, about how such "Amorite ways" kill vineyard worms.) They claimed, too, to have rites to keep leaves and fruits from dropping. Since these claims were so widely credited in those days, our Covenant stated that the pagan rites and magic practices supposed to prevent such harms would, in fact, bring them on: *I will loose wild beasts against you that will snatch* [*your children and ravage your cattle. They will decimate you, and your roads shall be desolate*] (Leviticus 26:22); *The fang of beasts shall I send against them, and the venom of vipers that slither in the dust* (Deuteronomy 32:24); *The fruit of the earth, left to the cricket inherit* (28:42); *Vineyards shalt thou plant and work but not drink or cellar their wine. The worm shall lay them waste* (28:39); *Ye shall have olives*

389. Wishing on a star originates in a belief that stars can grant wishes. In *MT* Laws regarding Pagan Worship 11.16, Maimonides calls all notions of witchcraft and divination fraudulent, the flotsam and jetsam of appeals used by pagan preachers to gull the credulous. Israel (he hopes) are too wise to be taken in. The Torah's severity toward necromancy and the like grants such practices no latitude. They are pagan relics, impositions on human energy, dignity, intelligence, and allegiance. Locating the Torah's struggle with pagan piety largely in the past, since he sees polytheism as massively displaced by Christianity and Islam, Maimonides is not proposing witch hunts. He sees witches not as misfits or miscast crones but as misguided individuals. His severe tone aims to drive home an abiding awareness of the roots of superstition in pagan cults whose biblical image is tinged with horror by bitter memories of child sacrifice and temple prostitution.

everywhere, but no oil to anoint you; the olives shall drop (28:40). In a word, every trick the pagans used to keep their cult alive, deceiving people with promises of protection from specific ills and provision of specific benefits, was countered by the Covenant's stipulating that by these rites, those goods are lost and those ills unleashed. You can see clearly, my dear inquirer, why Scripture mentions these blessings and curses specifically in the Covenant—and how great the good is.[390] **3.80a**

To distance us yet further from all magic practices, the Torah bans all Sabian customs, even those linked to agriculture, animal husbandry, and such—anything supposedly helpful but not in fact prescribed by natural science rather than in deference to the supposed occult properties of things: *Follow not the practices of the nation* [*I cast out before you*] (Leviticus 20:23). The Sages call these "Amorite ways," since they stem from magic rites not called for by science but harking back to magical operations reliant on astrology and leading to veneration and worship of the stars.[391]

The Sages permit anything therapeutic, if free of Amorite ways (M. Shabbat 6.10). So whatever natural science prescribes is licit; anything else is forbidden. Thus when it says, "A tree that drops its fruit is loaded down with stones and marked with red chalk," they object: "Why loaded down with stones?—To lessen the flow of sap. And why marked with red chalk?" (B. Shabbat 67a). This might count as "Amorite ways," like any such practice with no rational basis.[392] Similarly, "The afterbirth of a consecrated beast must

390. The Torah's useful fictions (3.61a) turn superstitions against the pagan cults that bred them.

391. The superstitious acts forbidden need not be pagan in intent, but they have pagan roots and may sprout pagan ramifications. Hence Maimonides' case: The Torah aims to erase paganism *and* its traces. Astrology does preserve pagan traditions. Even Galen's *De Diebus Decretoriis* (On Critical Days) had turned to astrology in charting the crisis points of diseases. But Avicenna's *Qānūn fī 'l-Ṭibb* (Canon of Medicine), adopting Galen's conclusions, drops such passages and skirts Galen's (already slimmed down) astrological arguments. Qusṭā b. Luqā (820–912) had done much the same. See Cooper's introduction to Ḥunain's Arabic translation of *De Diebus*, 50, 71. So Maimonides is in good company (although many disagreed) in condemning astrology as not only pagan at the root but unscientific. The sun, moon, and planets, he held, may "influence" natural processes. Indeed, such influences are God's chief means of governing nature. But "judicial" astrology, which seeks messages from the gods in the stars, endorses, leans on, and breeds a determinism at odds with moral responsibility (*Eight Chapters*, 8), and thaumaturgy makes matters worse when it aims to countermand natural laws, as if to force God's hand. Responding to inquiries from Provençal Jews, Maimonides' Letter on Astrology, citing arguments from his predecessors and his own Arabic writings, blames the loss of the Second Temple on ancient Jews' turning to astrology rather than studying the arts of war; see II *n.* 120.

392. If a tree was marked to indicate it was diseased and needed to be removed lest other trees be affected, the practice was not irrational. But specifying *red* chalk suggested that more than natural science was in play. Fruit growers today know that fruit can drop because of

3.80b be buried." They said, "but not at a crossroads, nor hung on a tree—because of Amorite practices" (M. Ḥullin 4.7). You can see the reasoning.

Do not be troubled by their allowing things like a fox tooth or a nail from a cross (M. Shabbat 6.10).[393] In those days these were thought to be known empirically to be therapeutic, like pinning a peony on an epileptic, or using dog droppings for a sore throat, or fumigating with vinegar and marcasite for hard, swollen tendons.[394] Any such

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frost, wind, hail, lack of nutrients, inadequate pollination, pests (like the worms that troubled the audience of the *Nabatean Agriculture*)—or bearing too much fruit when young, which the Torah seeks to curb. Modern growers recommend pinching back blossoms or thinning young fruit, since a tree that has not yet built up sufficient nutrient reserves may drop all its fruit, starved by bearing too heavily.

393. The corresponding talmudic page, B. Shabbat 67a, prescribes numerous spells and incantations and recommends the fox tooth and the nail against insomnia and fever, respectively. As Stroumsa explains, Maimonides saw "such talismans as sheer nonsense" (*Maimonides in His World*, 150). Better observation and fuller experience, he was confident, would discredit such notions. But he seems to leave room for psychosomatic effects, reasoning that the Sages exempted seemingly superstitious practices where experience might reveal some benefit, even if not explicable by natural science. Hence the placement of the fox tooth and the nail in the same class as less symbolically freighted remedies. Kraemer writes, "Ibn Zuhr believed in the efficacy of charms and prescribed them in his medical books." But Maimonides, despite his admiration for Ibn Zuhr and his empirical methods, "denied their power to heal and permitted their use only if the patient believed that they were effective" (Kraemer, *Maimonides*, 91)—an early anticipation, it seems, of the idea of a placebo effect. In *CM*, Maimonides simply describes the remedies cited, but he does call the use of a nail from a cross a magician's practice. He himself prescribes no talismans and commends only scientific physicians. But for him, as Bos writes, "experience, i.e. the repeated successful application of these kinds of medicines by reliable ancient or contemporary physicians is the ultimate criterion allowing for or disallowing them, as one may conclude from his introduction to the list of remedies recommended by Ibn Zuhr" ("Maimonides' Medical Works," 259). Ibn Zuhr's son, Maimonides reports, had told him of his father's extensive testing of the surprising remedies he had found successful (*Medical Aphorisms* 22.35–70, and Bos's introduction, xx–xxii).

394. Marcasite (Arabic, *marqashita*), Bos informs us, features in Tamīmī's *K. al-murshid* (chap. 14, ed. Schönfeld). It was known to the ancients as "pyrite" (cf. Dioscorides, *De Materia Medica* 5:125; Pliny, *Natural History* 36.30). Galen discusses its properties in *De simp. med.*, Kühn 12.199 f.; Ibn al-Bayṭār (*Traité des simples*, tr. Leclerc, no. 2116) mentions its application with vinegar for skin affections. Avicenna recommends marcasite with pine resin for hard swellings (*Qanūn* 1.366). Maimonides adopts the remedy, saying that it works "like magic" (*Medical Aphorisms* 22.17, Bos, 5). Tamīmī (d. 980) had come to Egypt from Jerusalem in 970 as physician to the wazīr Ibn Killis. He had lived, Maimonides writes, on the Temple Mount. His handbook, heavily reliant on earlier sources, was said to reflect extensive experience. So, despite its errors, including misunderstandings as to the materia medica cited by its sources, Maimonides finds it helpful if used critically (*Medical Aphorisms* 20.82, Bos, 91), and he records selected examples (20.83–89).

empirically confirmed remedy is allowed therapeutically, on the analogy of laxatives, even if not prescribed by reason.[395] Do master and remember the distinctions I lay out here, dear reader—*They will be a garland for thy head and beads about thy neck* (Proverbs 1:9).

I explained in my major work that clipping the corners of one's hair and beard is forbidden (Leviticus 19:27) because this was the insignia of pagan priests.[396] *Shaʿaṭnez* is banned (19:19; Deuteronomy 22:9–11) for the same reason:[397] It, too, was the mark of such priests. They would blend animal and vegetable fiber in their clothing, adding a closure of some mineral. You will find this set forth in their books. For the same reason it says, *There shall be no men's gear on a woman, nor shall a man dress as a woman* (22:5). You'll find it in the book of Ṭum Ṭum that a man must wear a woman's dyed dress to appear before Venus, and a woman must bear arms and armor before Mars. Another reason, I think, is that such cross-dressing can be arousing and stir up dissolute behavior of various kinds.

The ban on profiting from idolatry makes good sense: One might seize idols to be **3.81a**
broken up, but that could prove a snare to him if they're kept. Even if broken up, melted down, or sold to a non-Jew, one is not to profit from the sale. The reason: Common folk often believe they see causes in coincidences, just as you'll find many people saying that since they have lived in this house, or bought that beast or tool, they've prospered and done well, so it must have brought a blessing. Someone perhaps did well in business or profited from the proceeds of such a sale and supposed this transaction was the cause: The profit was a blessing from the image sold. So he would believe just the opposite of what all the Torah hopes he will.

The same reason explains the ban on profiting from the ornaments of an idol or from pagan offerings or implements (B. ʿAvodah Zarah 51b)—all to safeguard us from such notions.[398] For in those days, people took such superstitions very seriously. They thought such objects had powers of life and death; all good or ill came from them—that is, from the stars. So the Torah pressed to eliminate that belief using covenants, asseverations,

395. Experience can confirm that a remedy is therapeutic—not magical—even absent a firm theory. Maimonides respects experience but avoids a doctrinaire empiricism. For the ancient debate on medical empiricism, see Galen, *On Medical Experience*. Theory, Ghazālī argues, ascribes the soporific effect of opium to its coldness, but pounds of the "cold" elements, earth and water, do not induce sleep, while experience shows that half a gram of opium will (Ghazālī, *Munqidh*, Jabre, 51; Montgomery Watt, 78).

396. *MT* Laws regarding Pagan Worship, 11.1, 12.1–7; *SM* Negative 43.

397. *MT* Laws of Kings 1.1–2, 5, 6.4; *SM* Negative 42.

398. "Clothing, utensils, coins resting on an idol's hand, if found in an irreverent position, are licit; but if found in a manner showing reverence, they are forbidden. A purse, say, suspended round an idol's neck, or a garment folded on its head may be used. So may a vessel cocked over its head since it indicates mockery. But if what was on its head was an offering, it is forbidden" (*MT* Laws regarding Pagan Worship 7.16).

binding oaths, and the anathemas I cited (3.79b). It warned against taking anything from an idol or benefiting from it in any way. Any proceeds of such sales, God taught us, if commingled with one's assets, would bankrupt and ruin him. Thus it says, [*The idols of their gods shalt thou burn. Thou shalt not covet the silver or gold on them or take it for thyself, lest thou be snared by it. It is an abomination to the* LORD *thy God.*] *And bring no abomination into thy house, to become, like it, accursed* (Deuteronomy 7:25–26)—let alone believe that there is any blessing in it. If you study the individual mitzvot regarding pagan
3.81b worship, you'll find them clearly grounded in excising these rotten beliefs and turning folk in quite a different direction.

It is worth noting that those who framed these lies, useless and pointless as they are, devised means to entrench them by putting it out that harm would befall one who failed to perform the actions enshrining that belief. Something might happen to anyone one day, quite by accident, and he would then start taking the pagan practice seriously and embracing the belief. Most people's worst fear, naturally, is loss of their property or their children, as we know. So fire worshippers in those days put it about that if anyone did not *pass his son or daughter through the fire* (Deuteronomy 18:10), his children would die. Based on this outrageous nonsense, everyone, of course, rushed to do so, anxious and protective of his children, seeing how simple and easy it would be—one need only wave the child over the fire[399]—especially since small children were cared for by women, and we know how emotional they are and how weak their understanding generally is.

399. Unaware that "passing children through the fire" was the biblical description of their sacrifice to Molech, Maimonides pictures a father passing a child over fanned flames to those ministering to the idol. He does know of child sacrifice to other gods, condemned in Deuteronomy 12:31, 18:10; 2 Kings 17:17, 17:31, 21:6; Ezekiel 16:21, 23:37; and Psalms 106:37–39. But he insists that the "passing" did not sacrifice the child: "A great fire is lit, and one takes certain of his offspring and passes him to the fire-worshiping priests, who return him to his father. So he is passed with his father's consent, who makes him pass through the fire, as directed by those priests: He makes him walk through the flames on foot, with fire on both sides—not that he burns him to Molech, as they burnt their sons and daughters in other forms of pagan worship" (*SM* Negative 7). Maimonides is misled here by the Talmud: Abaye pictures the children treading a brick pathway between two fires. It was, Rava says, "like children's capering about on Purim" (B. Sanhedrin 64b). Naḥmanides does know that human sacrifice was the issue (at Leviticus 18:21; cf. 2 Kings 16:3, 21:6). *Midrash Tanḥuma* describes this highest of the seven sacrifices of the cult of Molech, as practiced at the Valley of Ben-hinnom near Jerusalem: The child was placed in the hands of a bronze, calf-headed idol heated until red hot. Drums were beaten to muffle the dying child's screams (va-Etḥanan, appendix, per Buber's 5th Oxford MS, tr. after Townsend, 2.297). See Milgrom, *Anchor Bible Leviticus*, 1551–65. Some modern scholars say the brazen god's true name was Melekh (King; cf. Baal, Lord), called Molech by the Prophets for assonance with *boshet*, 'shame' (*JE*, s.v. "Moloch"). Jeremiah (7:31; cf. 19:5) denies that God ordered any such sacrifice; Ezekiel (20:26, 31) calls it a blight. Textual and archaeological evidence confirms extensive Phoenician sacrifice of

So the Torah combats this practice vigorously (Leviticus 18:21), underscoring its ban in terms unparalleled for any other pagan act: [*He hath given his seed to Molech*,] *defiling My sanctuary and profaning My holy name* (20:3). Moses, the truth-teller, told the people at that point, in God's name, 'What you do to save your children's lives will lead God to destroy those who do it and erase their progeny: *I will set My face against that man and his family* (20:5). Traces of the rite survive to this day, you know. It was that widespread. **3.82a**
You can see midwives today taking infants in their swaddling clothes, casting some foul-smelling fumigant into the fire, and passing the little one over it through the smoke. This, surely, is a way of "passing them through the fire," as forbidden.[400] Just think how insidious he was who spread that view, to give it so lasting a hold on the imagination that it would be uneffaced for thousands of years.

Likewise with property: Pagans would dedicate a certain tree to the object of their worship, an asherah. They would make an offering of some of its fruit and eat the rest in their temple, as I explained in the Laws regarding the Asherah (*MT* Laws regarding Pagan Worship 7.10, 8.4). This, they ruled, should be done with the first edible fruits of any tree: some given as an offering and some eaten in their temple. Here again, they spread the notion that any tree whose first fruits were not so treated would wither, drop its fruit, bear meagerly, or suffer some other harm—just as they put it out that any child not passed through the fire would perish. Given people's concern for their property, they hastened to comply. The Torah combats this view, and God ordered that for the first three years, all the yield of a fruit tree must be burnt. For some trees bear fruit after one year, some after two, and some after three. That last is most common when trees are started in one of the three usual ways: planting, sinking, or grafting (see M. Shevi'it 2.6). Using a seed or fruit stone is ignored, for the Torah tracks the most common methods.[401] **3.82b**
It sets the delay for first fruits in the Land of Israel at the maximum, three years. God promised that if we destroy and discard its early yield, a tree will be more productive—as it says, *to increase its yield to you* (Leviticus 19:25). And He commanded us "to eat the

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one's own children. See Diodorus Siculus, *Bibliotheca Historica* 20.14; Stager, "Rite of Child Sacrifice"; Bailey, "Gehenna"; Shelby Brown, *Late Carthaginian Child Sacrifice*; and Guzzo and Lopez, "Epigraphy of the Tophet." The archaeological evidence is extensive at Carthage, a Phoenician (Punic) colony *Karta Ḥadatha*, or "New Town." The Torah's use of the verb 'to pass,' which misled the Sages and Maimonides, echoes Phoenician euphemisms. See Krahmalkov, *Phoenician-Punic Dictionary*.

400. Maimonides may have observed attempts to fumigate infants against lice or other pests.

401. Sinking, as Neusner explains in his translation of the Mishnah (at M. Shevi'it 2.6, where the three methods are listed), means burying a vine to sprout a new plant. Growers rarely start trees and vines from seed.

fourth-year fruit before the LORD" (M. Maʿaser Sheni 5.4)—not virgin fruit in a pagan temple, as I explained.

Another practice of the ancient pagans, mentioned in the *Nabatean Agriculture*, was to let certain things rot while waiting for the sun to enter a certain sign of the zodiac and performing many magical operations. Everyone should do this, they held, and when planting a fruit tree, they should spread around it or plant with it some of the putrid stuff they had prepared. This would speed the tree's growth, and it would soon bear fruit. They said this was a wonderful technique, comparable to the effects of a talisman—[402] a marvelous, magical way of hastening the production of fruit. I have told you why the Torah shuns all such magical practices and so bans all edible fruit in the first three years after a tree is planted, leaving no need to hasten fruit bearing, as they claimed to do. After three years most fruit trees in Syria[403] bear mature fruit quite naturally, with no need of their much-touted magical operations. Do understand this striking fact as well.

3.83a One belief widespread in those days, preserved by the Sabians, dealt with grafting one species of tree to another. They said that if this was done when a certain star was in the ascendant and the graft was fumigated in a certain way, with certain incantations, the result, so they claimed, would be highly beneficial. Their most telling account comes at the start of the *Nabatean Agriculture*, about grafting an olive tree to a citron. (Truth be told, I think the Book of Remedies suppressed by Hezekiah must have been of this sort.)[404]

The pagans, similarly, said that in grafting one species of tree to another, the scion should be held by a pretty slave girl while a man services her in a foul manner, which they describe. The woman makes the graft while he is in the act.[405] The custom was doubtless

402. Thus the heading of *Nabatean Agriculture*, text 41, Arabic, 1312.

403. Roman and medieval Syria included what is today Lebanon, Syria, and the Land of Israel.

404. The Mishnah (Pesaḥim 4.9) tells of Hezekiah's hiding away a book of recipes for a cure-all. The Rabbis were said to have praised him for doing so, since possession of such panaceas would weaken faith in God, the true Healer. The praise, Maimonides argues (in his Commentary on the Mishnah, ad loc.), was not for suppressing medical knowledge but for rejecting the paganizing practices the book must have held. See Gellman, "Maimonides and the Cure All Book"; Goodman, "Baḥyā and Maimonides," 89 *nn.* 78–79.

405. "If you wish to graft one tree to another . . . the process involves a subtle piece of magic based on the talisman masters' art. . . . Take a lovely slave girl of exceptional beauty, they say, hold her hand and let her stand under the tree to be grafted. Prepare the branch for grafting and approach the tree, the girl standing below. Now cut into the tree and take off the girl's clothes and your own. Hold the branch in place while coupling with the girl, standing up. Make the graft while copulating, trying to ejaculate just as you make the graft. Afterwards, avoid the girl. If she conceives, the scion will have the full odor and taste of the stock; if not, only some" (*Nabatean Agriculture*, tr. after Hämeen-Anttila, *The Last Pagans of Iraq*, 282).

popular. Who would want to be left out if it joined sexual pleasure with promises of profit? This is why the Torah forbids grafting one tree species to another, to keep us far from pagan ways and their revolting and unnatural sexual practices. And because of the ban on cross-species grafting, the Torah forbids combining any two species of seeds, or even putting them side by side. If you study this halakhic mitzvah, you'll find cross-species tree grafts "everywhere punished by stripes, as a biblical commandment." For this is the core prohibition, whereas "combining seeds of diverse kinds"—placing them near each other—is forbidden only in the Land of Israel (B. Kiddushin 31a, 39a).

In the *Agriculture*, they explain that their practice was to sow barley and grapes together, claiming that only so would a vineyard flourish. So the Torah forbids double planting of vineyards and orders all such material burnt (Deuteronomy 22:9; M. Kil'aim 8.1). For any gentile custom claimed to be lucky, even those with no whiff of paganism, is **3.83b**
forbidden, as I explained (at 3.80ab) anent their saying "nor hung on a tree" (M. Ḥullin 4.7). All such acts are forbidden—any customs they call "Amorite ways," since they bring paganism in train.

If you study their agricultural mores, you will find that in farming of certain kinds, they looked to the stars; in others, to the two luminaries. Often, they timed their sowing at the rise of certain stars. They would fumigate, and the sower or planter would circle five times, some held, for the five twinkling planets; or seven, others said, for the five plus the two luminaries. All this, they claimed, loosed special properties highly beneficial to their farming. But the real aim was to bind people to star worship. So all these gentile practices are banned—globally: *Follow not the practices of the nation* (Leviticus 20:23). Those practices most common and current, or overtly idolatrous, were banned specifically—such as virgin fruit (*orlah*), crossing species, and double planting in an orchard or vineyard.

I am surprised that Rabbi Josiah held that the (biblical) ban on double planting in a vineyard (B. Berakhot 22a, Kiddushin 39a, Ḥullin 82b, 136b) is not breached unless one sows wheat, barley, and grape seed in the same cast. Surely he knew that such planting was rooted in "Amorite ways."[406]

You can see now that the bans on *shaʿaṭnez*, *ʿorlah*, and double planting respond to pagan rites, of course. The customs I cited were banned for drawing people to paganism, as I explained.

406. Rabbi Josiah held that only rabbinic and not biblical law was breached unless one sowed diverse seeds with the same cast of the hand. Maimonides demurs since he derives the ban against double planting from the Torah's global ban of idolatrous practices.

3.84a

Chapter 38

Commandments of the third type are those that I listed in *Ethical Laws*. The value of them all is clear and evident. For all these traits improve people's lives together. This is too obvious to dwell on. Some mitzvot are meant to improve our character even when the actions prescribed seem mere scriptural decrees with no end in view. I'll explain these individually in the proper places. But those that I listed in *Ethical Laws* all expressly pursue the gaining of moral virtues.[407]

Chapter 39

The mitzvot in the fourth group are covered in my *Book of Seeds*, except the Laws regarding Mixed Species, Valuations, and Votives; the commandments I listed under Lender and Borrower; and the Laws regarding Indentured Servitude. If you study these laws individually, you will find them all clearly beneficial: They foster compassion for the
3.84b helpless and disadvantaged and aid the poor in many ways. The hard pressed must not be put upon; nor are the unfortunate to be grieved at heart.

It is clear why we have Laws of Gifts to the Poor. Likewise the Laws of Tithes and Terumah (Heave Offerings) for the Priest—*for he hath no portion or inheritance amongst you* (Deuteronomy 14:29). The whole priestly line, as you know, is consecrated to God's service and study of the Torah.[408] They must not be taxed with plowing and reaping but should be free to devote themselves to God, as it says, *They shall teach Jacob Thy judgments, Thy Torah to Israel* (33:10). In many passages you will find the Torah speaking of "the Levite, the stranger, orphan, and widow," always counting the Levite among the poor, since he has no estate.

The Second Tithe (Deuteronomy 14:22–29, 26:12–13; M. Maʿaser Sheni 1–3) had to be spent on foodstuffs in Jerusalem. So much of it would have to go to charity: Since it

407. For virtue as the Torah's normative theme, see *Guide* 3.85b, 93b, 95a, 96ab, 113b, 117a, III 53–54.

408. Rabbinic sources do not see all Kohahim as learned. The priestly caste is critiqued obliquely in a rabbinic remark later embedded in the Yom Kippur liturgy, reflecting on the High Priest's service on the Day of Atonement: "If he was a Sage, he would expound the Torah; if not, disciples of the Sages would expound before him" (M. Yoma 1.6). Maimonides, taking a biblical perspective, cites Moses' blessing of Levites as teachers—and the Kohanim, being Levites, as descendants of Aaron. Philo casts Levites as moral exemplars in the Torah's Cities of Refuge, where their ethos might rub off on those guilty of manslaughter (*De Sacrificiis Abelis et Caini* 128, LCL 2.186–87).

could be spent only on food, one would readily share it. That brought people together in the same place, building strong bonds of brotherhood and fellowship.[409]

The fruits of the fourth year (Leviticus 19:24): Despite the scent of pagan practice in the link with virgin fruit that we touched on (3.82ab), it parallels the priestly dues (Terumah; Deuteronomy 18:4), the dough offering (*challah*; Numbers 15:20), first fruits (Exodus 23:19, 34:26; Deuteronomy 26:2), and first fleece (18:4). All firsts are devoted to God, fostering the virtue of generosity and reducing gluttony and greed. The Priest's share is *the thigh, the two cheeks, and the stomach* (18:3). For the cheeks come first in a beast's anatomy;[410] the thigh is the right thigh (Numbers 18:18), the first to branch off;[411] and the stomach comes first in the alimentary tract.[412]

The recitation made on presenting the first fruits (Deuteronomy 26:3–10) also fosters humility. Pronounced by the one who bears the basket on his shoulders (M. Bikkurim 3.4), it acknowledges God's grace and bounty and reminds us that one way of serving God **3.85a**
is to recall past hardships when times improve. That aim is often stressed in the Torah: *Remember thou wast a slave* (5:15, 16:12). The concern is with a weakness all too common in those brought up in ease: complacency, self-satisfaction, taking things for granted—*lest when thou hast eaten thy fill and built fine houses . . .* [*thy heart grow proud and thou dost forget the* LORD *thy God, who brought thee out of the land of Egypt*] (8:11–14); and *Jeshurun grew fat and kicked . . .* [*forsook the God that made him and mocked the Rock that saved him*] (32:15). It is with this concern that the Torah commands our annual recitation when the first fruits are offered before God in the presence of His Shekhinah. You know how the Torah urges us always to remember the plagues visited on the Egyptians—*that thou mayest recall the day of thine exodus* (16:3), *that thou mayest tell thy children* (Exodus 10:2)—rightly so, for these narratives confirm the truth of prophecy and the reality of reward and punishment. So every commandment that keeps alive the memory of a miracle and preserves this belief is beneficial, clearly.

The Torah itself explains the treatment of the firstborn, man or beast: *When Pharaoh obdurately refused to release us*, [*the* LORD *slew every firstborn in Egypt, man and beast*.] *Therefore do I sacrifice to the* LORD [*every male first issue of the womb; but every firstborn son do I redeem*] (Exodus 13:15). It specifies cattle, sheep, and asses (Numbers

409. Cf. Philo, *De Specialibus Legibus* 1.67–70, LCL 7.138–41. Miskawayh, similarly, explains the Ḥajj as meant to build a spirit of fellowship and a community of faith and devotion among Muslims of diverse lands (*Tahdhīb al-Akhlāq*, 130–31, Zurayk, 128). Cf. *Guide* 3.96a.

410. In grazing animals, the musculature of the jaw is also well developed for cropping and mastication, as Galen explains (*De Usu Partium* 10.1–2, May, 505–6).

411. For the prominent musculature of the thigh, see Galen, *De Usu Partium* 3.16, May, 198–203.

412. For the strategic placement of the stomach, the only digestive organ with nerves, making an animal aware of its need for food, see Galen, *De Usu Partium*, 4.7, May, 208–12.

18:17), plainly, since these are the domestic animals they raised, still found widely, especially in Syria, and not least among Israelites. For we are all of shepherd stock, our fathers and grandfathers: "Shepherds were thy servants" (Genesis 47:3 with 46:34). Shepherds do not usually have horses or camels, nor are these beasts found everywhere. Think of the raid against Midian. Cattle, sheep, and asses were the only beasts in the booty (Numbers
3.85b 31:43). For the ass is indispensable to all, especially to field workers: *I have cattle and asses* (Genesis 32:6). But only a few normally have camels and horses, and only in certain places. Breaking the neck of a firstling ass is mentioned to ensure it is redeemed. As it says, "Redemption is better" (M. Bekhorot 1.7).[413]

Of the commandments I listed in *Laws of the Sabbatical* (Shemiṭṭah) *and Jubilee*, some foster compassion and generosity to others, as the Torah explains, so *that the needy of thy people may eat of it, and the beasts of the field eat what they leave* (Exodus 23:11), and to let the land rest and recover its fertility by lying fallow. Others promote kindness toward indentured servants and the poor by remission of debts and manumission. Still others look to long-term economic welfare by making all the land inalienable, not sold outright: *The land shall not be sold in perpetuity* (Leviticus 25:23). One's land is kept intact for him and his heirs; he may only use its produce. I have now given grounds for all the commandments covered in my *Book of Seeds*, except crossbreeding of beasts, which I shall discuss later (III 49).

All the commandments I listed in *Laws of Valuation and Consecration* also promote charity—some toward the Priests, some to maintain the Temple. They all promote the virtue of generosity, encouraging one to think little of money where God is concerned and not be stingy. For most civil corruption stems just from the rabid pursuit of property, profit, and gain.

You will find, too, when you consider them individually, that all the commandments I listed in Laws of Lender and Borrower promote compassion, caring, and concern for the
3.86a poor. They forbid retaining utensils needed in food preparation: *Thou shalt not take in pledge a mill or millstone*. [*That would be taking a life in pledge!*] (Deuteronomy 24:6).[414]

413. An ass cannot be sacrificed, and a farmer is expected to balk at breaking the neck of his firstborn ass. The Rabbis infer from the word order that redemption is preferable: *If thou wilt not redeem it, break its neck* (Exodus 34:20).

414. Maimonides characteristically generalizes on the Torah's concern, treating the millstone as a paradigm case of a broader interest (see *SM* Negative 242). Deuteronomy 24:10–11 underscores his moral reading of the mitzvah, forbidding a creditor from entering a debtor's home to retrieve a pledge; he must wait outside. In *SM* Negative 240, Maimonides lists a prohibition against taking in pledge anything needed by its owner, generalizing on the command to return a poor man's garment by nightfall; restoring it is called an act of *tzedakah* before God (Deuteronomy 24:12–13), confirming Maimonides' thesis that *tzedakah* asks more than bare justice (*mishpaṭ*); *Guide* 3.131ab.

All the laws I listed in Laws regarding Indentured Servitude, too, are imbued with kindness and compassion toward the needy. There is immense compassion in the commandment to free an injured Canaanite slave—not compounding the injury with continued slavery, even if the harm is but the loss of a tooth, let alone something more (Exodus 21:26–27). One may strike his slave only with a strap, a switch, or such, as I explained in *Mishneh Torah* (Laws regarding Murder and Preservation of Life 2.14). And if a master abuses his slave, beating him to the point that he dies, the master is executed like anyone else.

The Torah says, *Thou shalt not return to his master a slave* [*who seeketh refuge with thee*] (Deuteronomy 23:16). Besides the act of kindness, there is a further great benefit in this mitzvah in that it instills nobility of character: We shelter and protect the fugitive and do not surrender him to those he fled. One must not only aid and comfort him but look to his interests, treat him well, and cause him no pain, even verbally. As God says, *Let him live with thee where he chooses within thy gates. Thou shalt not aggrieve him* (23:17). If this is what is owed a slave—the humblest, most abased of men—just think of what you owe a person of distinction who seeks your protection and the treatment and the welcome he deserves.[415]

A criminal, by contrast, is not to be granted asylum out of pity. His lawful sentence is not abated even if he plead to the most illustrious and distinguished grandee: *Take him from My altar for execution*, it says (Exodus 21:14). This felon sought God's protection, grasping an object linked to His name.[416] Yet God denies it—still less may a human **3.86b**
being grant it. He must be turned over to the authority he fled, not pitied and protected. Pity for violent felons is cruelty to all mankind. The virtuous middle lies right here,[417] as God's *just laws and statutes* prescribe (Deuteronomy 4:8), not where the mores of the pagan age place it, when heroes were praised for proudly taking anyone's part, victim or violator, as celebrated in their poems and stories.

So all the mitzvot falling under this head have clear grounds and manifest benefits.

415. Maimonides keeps his promise to read the mitzvot in line with their biblical context (III 41). The Talmud B. Giṭṭin (45a) "limits application of this law to a slave who escapes to the land of Israel," as Maimonides explains in *SM* Negative 254 and *MT* Laws regarding Indentured Servants 10.8. See M. Z. Cohen, *Opening the Gates*, 135–36.

416. See 1 Kings 1:50, 2:28 for the early practice of grasping the horns of the altar. Once local shrines were abolished, cities of refuge became a practical necessity. But as Greenberg explains, neither an altar nor a city of refuge obviates a trial in biblical law ("Biblical Conception of Asylum," in *Studies*, 44).

417. Sheltering the innocent but not sparing the guilty.

Chapter 40

The mitzvot in the fifth group are those I listed in the Book of Torts (Nezikin). They all aim to check wrongdoing and prevent harm. To ensure that people are very careful to avoid causing damage, one is held accountable for the preventable harm caused by his actions or possessions. So we are liable for damage done by our beasts to ensure that we control them. Likewise with fire and pits, man-made hazards that we can manage and secure for safety's sake. Note how fair the Torah's rules are here: In a public thoroughfare, one is not liable for damage caused by an animal's mouth or tread, since such
3.87a damage is rare but unpreventable. One who leaves things where throngs pass has only himself to blame for putting his goods in harm's way. There is liability for such damage only if it is on the injured party's land (B. Bava Kamma 14a, 19ab).[418] But the harm done by a beast's horn or such, preventable anywhere and unavoidable by those in a public thoroughfare, is treated alike everywhere.[419] The key distinction is between a beast cited as dangerous and one that is not (Exodus 21:28, 35–36; B. Bava Kamma 26a). If the behavior is unwonted, the owner pays just half the damages; if habitual and notorious, he is liable in full.

A bondman is generally appraised at half the usual rate of a free person.[420] For you will find a man is usually valued at sixty shekels maximum (Leviticus 27:3); a slave, at thirty silver shekels (Exodus 21:28–32).[421]

418. Cf. *MT* Laws regarding Damage by Chattels 1.8.

419. *MT* Laws regarding Damage by Chattels 1.10.

420. The custom of pledging to the Sanctuary one's worth in silver, as Baruch Levine explains in the JPS *Leviticus Commentary*, may reflect an ancient practice of dedicating persons to Temple service, as Hannah did (1 Samuel 1). Leviticus (27:2–8) schedules the sums needed to redeem such pledges and permits individual assessments of those who cannot afford the standard fee, hence Maimonides' "generally." King Jehoash committed to the Temple's maintenance *any moneys brought as a personal assessment* (2 Kings 12:5–6). Maimonides explains: "Things devoted to heaven become sacred and must be redeemed at fair value. . . . Whoever consecrates himself consecrates his monetary worth only and owes just that. . . . No one may consecrate what is not his own. So no one may devote his son or daughter, his Hebrew slave, male or female, or the field he has brought. . . . One may consecrate only one's own property" (*MT* Laws of Appraisal 6.4, 20–21). Maimonides' present concern is with liability for damages. He sees a fitting proportionality in the Torah's appraisals.

421. Leviticus mentions fifty shekels here, as does *MT* Laws of Appraisal 1.3. Maimonides' summary reflects the maximum payment for a man in his prime, between ages twenty and sixty.

A beast that killed someone is killed (Exodus 21:28) not to punish it, as schismatics outrageously pretend,[422] but to punish the owner:[423] The meat is banned to ensure that an owner minds his beast with great care, knowing that if it kills anyone, child or adult, free or slave, he is sure to lose its worth—and if already warned about it, he is liable for damages as well. It is for the same reason that we kill a beast that someone has coupled with (Leviticus 20:15–16)—to ensure that an owner guards and tends his animal like a member of his family, lest he forfeit it. For people protect their property as jealously as their persons—sometimes even more so, but typically as much—as it says: *Take us as slaves, and our asses too!* (Genesis 43:18).[424]

In this class, too, comes the commandment to slay a pursuer. This rule, killing the aggressor before he commits his crime, applies only to two offenses: pursuit to slay or to violate someone. For in both cases, the harm, once done, is irreparable.[425] Every other transgression subject to death by court order—such as pagan worship or profaning the Sabbath—harms no one else but involves thought alone, so the sinner is slain not for his intent but only for acting on it. **3.87b**

Cupidity, as we know, is forbidden (Deuteronomy 5:18) because of coveting (Exodus 20:14), and coveting is forbidden because of robbery, as the Sages explain.[426]

422. Animals are not responsible to obey mitzvot (1.13b). The schismatics here are called "recusants" (*khawārij*), a term Halevi applies to the Karaites (*Kuzari*, 1.1). Daniel al-Qumīsī and Levi ben Japheth, Karaite authorities, did hold that the offending beast is punished. Our thanks to Daniel Lasker, who conferred on the matter with his student, Karaite Chief Rabbi Moshe Firrouz. As Lasker notes, the view jibes with Karaite acceptance of the notion that Maimonides rejects, of recompense to beasts (3.35b). Cf. Stroumsa, *Maimonides in His World*, 39–42; and Wasserstrom, *Between Muslim and Jew*, 36.

423. *The owner is acquitted* (Exodus 21:28)—treated not as a homicide but as a tort-feasor.

424. Joseph's brothers lump together their persons and their beasts.

425. The laws regarding the *rodef*, or pursuer, derive from Deuteronomy 25:11. The Sages read the intervention as protecting the aggressor from committing a heinous crime: "These may be saved from transgression at the cost of their lives: one who pursues another to slay him, or who pursues a man, or a maid who is betrothed, but not one who pursues a beast or profanes the Sabbath or commits idolatry" (M. Sanhedrin 8.7). See *MT* Laws regarding Murder and Preservation of Life 1.8; and *SM* Negative 293.

426. The Decalogue in Deuteronomy forbids cupidity (*ta'avah*), or lusting after what another has. That formulation complements (rather than replicates) *Thou shalt not covet* in the Exodus Decalogue. Only an act is punishable, but craving what another has is forbidden, Maimonides argues, given where it leads: "Cupidity leads to coveting, and coveting to robbery. For, if owners do not sell, even for a steep price and at others' urging, one might turn to robbery, as it says, they covet homes and seize them (cf. Micah 2:2). If owners hold out, to save their property or prevent its seizure, that can lead to bloodshed. Only consider the case of Ahab and Naboth (1 Kings 21)" (*MT* Laws regarding Robbery and Lost Property 1.11). Coveting involves pestering an owner (1.9). It is punishable by stripes. Any highly pressured

With the return of lost property, the benefits are clear. It fosters virtue, improves relations, and promotes reciprocity: If you do not return what someone lost, you will hardly get back what you lost—just as if you fail to honor your father, your son will not honor you. There are many parallels.

The unintentional homicide is exiled (Numbers 35; Deuteronomy 19:1–10) to allow the blood redeemer to become calm and not confront the one responsible for the accident. The exile's return awaits the death of the most august and beloved personage in all Israel. That will soothe the spirit of the slain victim's kin. For it is human nature for one who suffers a loss to take comfort when another suffers a like or greater loss,[427] and no loss of one person is a greater source of grief to us than the High Priest's death.

With the commandment to break a calf's neck [when a body is discovered and the assailant is unknown] (Deuteronomy 21:1–8), the benefit is manifest. Those who must perform this rite are the people of the city nearest the body. Usually, the killer is from
3.88a there. The city elders must attest before God that they have not neglected the safety and upkeep of the roads and the security of all who travel them, as our glosses specify:[428] This person was slain—'not by our neglect of public welfare. We know not who slew him.' The elders' inquiry and investigation, measurement of the distance to the nearest city (21:6), and the presentation of the calf will generally provoke much comment and discussion. As the case becomes notorious, the killer may be identified. Someone who knows him or has heard about him or has evidence may say, 'So-and-So is the killer!' Once someone, even a woman or a housemaid, charges 'So-and-So killed him,' the calf's neck is not broken. The assumption is that it would be a dreadful sin and an outrage if the killer were known and nothing were said when all have sworn to God that they did not know who did it. So even a woman, if she knew, would speak out. To identify the killer is a great good. For even if a court does not execute him,[429] the ruler can, since he can execute on circumstantial evidence. Or, if he does not, the blood redeemer will find a way to lay hands on him and slay him. So breaking the calf's neck is clearly beneficial in exposing a murderer. Confirming

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sale crosses the line (B. Sanhedrin 25b). Maimonides cites the Mekhilta (to Exodus 20:14) to define coveting as scheming to acquire what another has, even at full price (*SM* Negative 265). But cupidity opens the door. As Rabbi Elazar ha-Kappar (second century) warns, cupidity "drives one out of the world" (M. Avot 4.21).

427. "A welcome means of easing grief is to recall our own past sorrows, now surmounted, or those of others whose grief and recovery we have witnessed. We can then compare the situation at hand with these bygone hardships and consider the factors that helped ease them" (Kindī, "On How to Banish Sorrow," in *Rasāʾil*, §6).

428. See B. Soṭah 45b. The city fathers are not suspects. But they must attest that the traveler was not left unescorted or unprovisioned. See *SM* Positive 181; and *MT* Laws regarding Murder and Preservation of Life 9–10.

429. Sc., lacking the two witnesses required in a capital case.

our explanation is the fact that the site where the calf's neck is broken *may not be tilled or sown*—ever (21:4). So a landowner will bend every effort to find the killer, lest the calf's neck be broken and that land of his be barred to him forever.[430]

Chapter 41

The penal laws make up the sixth group. Their general benefit is well known, and I have mentioned it already (III 35). Hear some specifics now and the grounds for any that seem odd. **3.88b**

The general penalty for harming another is to suffer like harm: If the injury is bodily, the assailant should suffer bodily; if material, materially. A property owner can be generous and waive restitution. But a killer, specifically, given the enormity of the crime, is not to be exonerated. There is no question of redress: *The land is purged of the blood shed in it only by the blood of him who shed it* (Numbers 35:33). So, even should the victim linger for an hour or for days and prove able to speak and have his wits about him and say that his killer should be let go—'I pardon and forgive him'—his pardon is not acceptable. It must be life for life—young or old, free or slave, learned or ignorant alike.[431] For no human crime is weightier.

One who causes loss of a limb must lose the like member: *As he hath maimed another, so shall it be done to him* (Leviticus 24:20). Do not be concerned that we assess damages here. My present aim is just the warrants of the biblical laws, not our jurisprudence—although I do have a view about the halakhic point that may be conveyed orally. Damages were assessed for injuries in cases where like harms could not be inflicted: *He must pay him for his lost time and see to his treatment* (Exodus 21:19).[432]

430. Maimonides sees a practicality in what may seem a primitive ritual. But he takes its actual performance as a worst case and seems also to bracket the institution historically by predicating its effectiveness in part on the norms of blood vengeance.

431. "*Life for life*—It is with life that the murderer must pay for life. He cannot make restitution with money" (Mekhilta, Nezikin 8). See Unterman, *Justice for All*, 27–28, 91.

432. In reading the biblical *lex talionis* literally and making the substitution of compensation rabbinic, Maimonides echoes the Sages: "When Scripture says, *As he hath maimed a man so shall it be done to him* (Leviticus 24:20), it does not mean that the offender should be wounded just as he wounded the other, but only that he deserves loss of a limb or like injury and so must pay for the harm he did" (*MT* Laws regarding Wounding and Damaging 1.3). The tort-feasor *deserves* to lose a limb, but for reasons of practicality, humanity, and safety, the penalty is commuted to compensation—although some guilt remains. This may have been what Maimonides meant to explain orally. See Saadiah and Abraham Ibn Ezra, for their treatment of the norm; see Haberman, *Maimonides and Aquinas*, 150–54; Atlas, "Novellae on Tractate Baba Kamma," 364 *n.* 3; and Levinger, "Oral Law in Maimonides."

3.89a One who harms another materially must suffer a proportionate loss: *He whom the judges find guilty must repay the other twice over* (Exodus 22:8). The thief must return what he took, plus the equivalent of his own.

The more frequent and feasible the crime, the stiffer the penalty needed to deter it; the rarer, the lighter the penalty. So the penalty for stealing sheep is fourfold—double that for stealing other moveables (Exodus 21:37), assuming the sheep are no longer in the thief's possession, either slaughtered or sold. For sheep are typically stolen from a field where they cannot be guarded as goods would be in town. So thieves make it a point to sell them quickly, lest they be found in possession, or slaughter them, so they cannot be found. Hence the penalties are greater in more common cases such as this. The penalty for stealing an ox is greater by one (five oxen are due the victim, loc. cit.), oxen being more readily stolen. For sheep graze in a flock where the shepherd can watch them, and they are usually stolen at night. But oxen graze well separated, as the *Nabatean Agriculture* notes. The herdsman cannot see them all, so they are stolen more frequently.

False witnesses, too, must suffer the harm they intended for their victim (Deuteronomy 19:19). If their object was his death, they must die; if they meant him to be flogged, they are flogged; if they hoped he would be fined, they face a like fine. The punishment must fit the crime. That is what is meant by *just laws* (4:8).[433]

3.89b A robber repays no more than a thief.[434] The extra fifth paid by the robber is just for his false oath (Leviticus 5:24). For robbery is rare. Theft takes a heavier toll, since it is possible anywhere, whereas robbery is difficult in the city. Besides, things can be stolen whether in the open or hidden and safeguarded, but only things visible or vulnerable are subject to robbery. And one can take precautions against robbers, but the same safeguards are not possible with theft. Further, a robber is identifiable and can be sought and made to return what he took, but a thief is unknown. For all these reasons the thief, not the robber, pays double (Exodus 22:6).[435]

Hypothesis: Penalties are heavy or light based on four factors: (1) The gravity of the crime: Greatly harmful acts bear severe punishments; those that cause slight or minimal harm bear lesser penalties. (2) Incidence: A common offense needs stiff punishment as a deterrent. A lesser punishment suffices to check a rare offense. (3) Temptation: A person moved by great passion, force of habit, or lack of self-control is restrained only

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The Torah itself affords good evidence in the biblical *eye for an eye* (Exodus 21:22–30)—that proportionality was the issue, not retributive maiming. For Leviticus 24:18 speaks of *paying life for life* for slaying an animal, clearly presuming compensation. See West, "*Lex Talionis* in the Torah"; and M. Z. Cohen, *Opening the Gates*, 130–32.

433. Cf. III 26; Aristotle, *NE* V 2, 1130b–1131a7.

434. In halakhah, a thief takes furtively; a robber, openly and forcibly. See B. Bava Kamma 79b; and *MT* Laws regarding Theft 1.1–3.

435. *MT* Laws regarding Robbery and Lost Property, 7.1, tr. Klein, 114.

by a significant deterrent. (4) Ease of commission by stealth or in secret, leaving others unaware: Covert crimes are deterred only by sanctions of some severity.

3.90a Based on this premise, you can see how the Torah orders penalties at four levels: (*a*) those demanding death by a court sentence; (*b*) cardinal offenses requiring excision (stripes, in practice[436]); (*c*) those calling for stripes (or even death at the hands of Heaven), although deemed not cardinal sins but only breaches;[437] (*d*) those that do not call even for flogging, including all that involve no action—except (*i*) vain oaths, given the reverence that is God's due; (*ii*) substitution (of another beast for one reserved for sacrifice) to avoid trifling with the offerings consecrated to Him; and (*iii*) cursing someone in God's name, for a curse is popularly believed to be worse than bodily injury. All other prohibitions involving no action cause little harm and, being verbal, are scarcely avoidable. Were they subject to stripes, backs would be flogged constantly and due warning would be impractical. The count of stripes, too, makes sense: There is no fixed number. No one is stricken more than he can bear. But there is an upper limit: The maximum is forty strokes, even if one could bear a hundred.

3.90b There is no death sentence, you'll observe, for eating forbidden foods. For this causes no great harm, and folk are not strongly drawn to it as they are to sexual pleasure. Excision is mandated for consuming certain things—blood, for one (Leviticus 7:26–27), which people were eager to consume in those days, given certain pagan practices, as the book of Ṭum Ṭum shows. That is why the point is so stressed. Consuming forbidden fat also calls for excision, since people relish it, and it was reserved as a choice portion of the beasts sacrificed (7:23–25). Eating leaven on Pesaḥ also warrants excision (Exodus 12:15), as does eating on the Day of Atonement (Leviticus 23:29). For these restrictions are demanding, and the beliefs they instill are critical, since these practices cement ideas central to our religion: our miraculous Exodus from Egypt and our belief in repentance—*on that day ye shall be cleared* (16:30).[438] Excision, similarly, is deserved for eating the remnant of a sacrifice or of a sacrifice profaned, or of consecrated meat while ritually unclean (7:16–21, 19:7)—and, again, for eating forbidden fats reserved for the sacrifices, as I will explain.

436. Excision, traditionally taken to mean early death at the hands of Heaven, was mitigated in rabbinic practice by the substitution of stripes; B. Sanhedrin 82b; see Steinmetz, *Punishment and Freedom*.

437. Thus refusal to obey a prophet's command renders one liable to death at the hands of Heaven, even if the breach itself is not a major sin; *MT* Laws of the Foundations of the Torah 9.2.

438. *SM* lists confession, the sin offering, and the service and fast of Yom Kippur as positive mitzvot, 49, 69, 73, and 164. Atonement is an outcome, not a mitzvah. It is attainable when repentance is sincere and actions are transformed. Penitent acts do not avail without repentance. See B. Yoma 85b; *Guide* III 36; and *MT* Laws regarding Inadvertent Sins 3.10.

A court ordered death sentence is mandated, you'll find, only for the gravest sins—perverting the faith or heinous offenses like idolatry, sexual crimes, shedding blood, or any act contributing to these; likewise for desecrating the Sabbath, since Sabbaths foster belief in the world's creation. The death penalty is mandated, too, for false claims to prophecy and for the fractious elder (Deuteronomy 17:12, 18:20; M. Sanhedrin 11.1–2), given the great harm that these cause. Likewise for striking or cursing one's father or mother (Exodus 21:15, 17; Leviticus 20:9), since this is such an outrage and disrupts the life of the family, the prime unit of civil society. The incorrigible son (Deuteronomy 21:18–21) likewise must be executed, given the bad end he will come to. For in the end, he will kill, inevitably. A kidnapper, too, is executed for subjecting his victim to the risk of death. Likewise the burglar caught breaking and entering (Exodus 22:1). For he is prepared to kill, as our Sages explained (M. Sanhedrin 8.6). All three—the incorrigible son, the kidnapper, and the burglar who breaks in—will ultimately shed blood.

You will find no capital crime in the Torah beyond these enormities. Not all sexual offenses bear a death sentence by a human court—only the most egregious, the most
3.91a tempting, or the most readily committed. The rest earn only excision. Nor are all forms of pagan worship punishable by death, only the more radical offenses, such as promoting idolatry, pretending to prophesy for it, passing one's children through the fire, and performing necromancy, sorcery, and witchcraft (B. Sanhedrin 60b).[439]

Since penalties must be levied, it is clearly necessary that judges be appointed in every city (Deuteronomy 16:18); evidence must be heard, and there must be a ruler who inspires fear and awe so as to render deterrents effective and support the authority of judges, which sustains his authority in turn.

Having spelled out the basis of all the laws I cataloged in the Book of Judges, I should now consider certain of them in the light of the aims of the present work. Among these are the laws regarding the fractious elder. Knowing that some rules of His Law might need supplementation or suspension as times, places, or circumstances change, God forbade adding or deleting any laws: *Thou shalt not add to or diminish it* (Deuteronomy 13:1). For that would undermine the law and give color to the belief that it did not come from God.[440] But God did allow the learned in every age—the High Court—to protect and preserve the Torah's precepts by introducing regulations to patch any gaps and to make such provisions permanent. As the Sages put it, "Make a hedge about the Torah"

439. *MT* counts just four pagan acts as capital crimes: bowing down to an idol, sacrificing to it, burning incense for it, and pouring a libation to it (*MT* Laws regarding Pagan Worship 3.3). These acts treat the idol as imbued with the spirit of a god, propitiated, adored, or beseeched.

440. Maimonides, as Gillis remarks (*Reading*, 41), understands this mitzvah as assertive and not solely prescriptive. For its prescriptive force, see *MT* Laws of the Fractious Elder 2.9. As an assertion, it declares that the Torah will not be replaced by some new dispensation.

(M. Avot 1.1).[441] They were allowed, too, in certain circumstances and in emergencies, to suspend particular biblical mandates and to permit certain biblically forbidden acts. Such exceptions are not permanent, as I explained in the introduction to my Commentary on the Mishnah, regarding Exigent Measures.[442] Regulated in this way, the Torah **3.91b**
remains one and ever in effect, come what may. But had such circumstantial rulings been open to every scholar, our people would have perished in a welter of conflicting views and divergent sects. So God forbade the learned to make such changes, save only the High Court, and He ordered the execution of those who spurned their rulings. For if just any thinker could reject that court's ruling, the goal intended would have been undermined and its benefit lost.

Breaches of the Law are of four types: forced, inadvertent, deliberate, and high-handed (Numbers 15:22–30). The coerced are not punished, the text specifies: They incur no guilt. As God says, *To the girl shalt thou do nothing; she committed no mortal sin* (Deuteronomy 22:26).

The inadvertent sinner does incur guilt. Had he used an abundance of caution and care, he would not have slipped. He is not punished, but he must atone. Hence the sin offering.[443] The Torah distinguishes a private party here from a king, High Priest, or jurist. Anyone acting on his own or offering legal opinions on his own recognizance rather than

441. The Torah presents its law as God given and perfect, not to be augmented or diminished (Deuteronomy 13:1). But the very perfection and timelessness of the Law, Maimonides argues (his eye cocked on the Karaite denial of rabbinic authority), presumes the flexibility of the living tissue of the "Oral Law," seen not as a supplement or alteration of the Torah but as a fence or margin protecting it. The twentieth-century Israeli jurist Haim Cohn eloquently describes the twofold body of law that allows rabbinic theory and practice to modulate the tension between legal fixity and flexibility in *Human Rights in Jewish Law* (1–11). Hillel's famous *prozbul* is a paradigm case. It used a legal fiction (court acquisition of outstanding debts) to circumvent the annulment of debts in an approaching *Shemiṭṭah* year, lest lending be avoided in anticipation. The Sages sought a fine balance between bending the law to popular desire or momentary exigency and rigidifying it to the point of making it a dead letter. Typically, in seeking repairs, they invoked the full thematic weight of the mitzvot to justify needed adjustments. That practice is what makes such developments organic rather than radical—that is, mechanical and external.

442. "Any court has the authority to abrogate the Torah's words temporarily" (*MT* Laws regarding Rebels). According to Yuter, "Just as Jewish law requires the suspension of every law in the Torah except the norms prohibiting murder, sexual offenses, and false religion, in order to preserve *individual* Jewish life, Jewish law also provides for its own temporary suspension in order to preserve *collective* Jewish life" ("*Hora'at Sha'ah*").

443. See M. Keritot 1.2. An intentional sin is never expiated by sacrifice. But as Milgrom explains in his Anchor commentary (1.295), glossing Leviticus 5:4–5, the sinner's sense of guilt (*ashem*), attested in his confession, can (by rejection of his past intent) render a willful sin inadvertent in effect, expiable by sacrifice. Crucially, as Maimonides writes, "Those who

those of a High Priest or a member of the High Court is deemed to act deliberately, not inadvertently. So a fractious elder is executed if he acted and made rulings based on his own determination of the law. The High Court may make original rulings; its error is deemed inadvertent. As God says, *Should the whole assembly of Israel err* [. . . *and incur guilt but then see that they have sinned, the congregation shall offer a bullock*] (Leviticus 4:13–14). So the Sages say, "An error in teaching amounts to a deliberate transgression" (M. Avot 4.13)[444]—meaning that one who lacks learning and makes a ruling reflecting
3.92a that lack and acts on it is no better than a deliberate offender. It is not the same to eat kidney fat thinking it is from the rump as it is to eat it without knowing that kidney fat is forbidden. In the latter case, one who eats it must offer a sacrifice, since the act borders on a deliberate sin. But a decisor, if ignorant, does act deliberately. Scripture forgives a decisor's error only in the case of the High Court.[445]

A deliberate sinner must suffer the statutory penalty—death by court order, stripes, or flogging for violations not subject to stripes,[446] or a fine. Deliberate offenses are deemed inadvertent when commonplace or readily committed, since they involve words rather than actions, like witnesses' oaths (protesting ignorance, Leviticus 5:1; M. Shevuʿot 4.1–4; B. Shevuʿot 29b, 31b–32a) or oaths of deposit (Exodus 22:7; Leviticus 5:21–26; M. Shevuʿot 5.1–2, 4; *MT* Laws of Oaths 1.8). Likewise relations with a betrothed bondwoman: The sin is less grave given its frequency and her being unprotected, neither wholly free nor wholly committed, since she is not yet married, as our Sages relate in glossing the commandment (Leviticus 19:20–22; M. Keritot 2.2; B. Keritot 9a; *MT* Laws regarding Illicit Unions 3.13–17).

A high-handed sinner is one whose sins are deliberate, bald faced, shameless, and notorious. He sins not just to sate his urges, nor because his vices prompt him to take what the Torah denies him, but to flout and fight the Law. That is why it says of him, [*The soul that sinneth with a high hand . . .*] *blasphemeth against the* LORD (Numbers 15:30). He is executed, of course. Such things would not be done unless the miscreant had

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bring sin or guilt offerings," must confess their sins. *MT* Laws of Repentance, Introduction 1, at once thereby owning and rejecting them.

444. At M. Avot 1.11, Maimonides argues, following *ARN*, chap. 5, that by teaching that one should serve God but not in hopes of a reward (M. Avot 1.3) Antigonos of Sokho left his teachings open to misappropriation by Zadok and Boethus, whose Sadducee and Boethusian followers the Talmud condemns for denying requital in the hereafter. The issue remained sensitive for Maimonides since he associates the Sadducees with the Karaites of his own time.

445. See *SM* Positive 68.

446. Stripes (*malkot*) are the forty blows specified in the Torah and mitigated rabbinically to a maximum of thirty-nine. Flogging (Arabic, *ḍarb bi-'l-sawṭ*) is Maimonides' generic term for corporal chastisement, which includes the whipping introduced rabbinically and known as *makkat mardut*, applied in specific cases to coerce obedience. See B. Nazir 23ab, Ketubot 41a–47b.

embraced ideas antithetical to the Torah. So our traditional commentaries say, "Scripture here regards paganism" (Sifre ad loc.; B. Keritot 7a). For star worship breaches the Torah's fundament: No one would worship a star who did not believe it eternal, as I've ex- **3.92b**
plained several times in my writings. But the same verdict, I think, applies to any sin opposed to our Law and at war with it. If an Israelite so much as consumes meat with milk, wears *shaʿaṭnez*, or rounds the corners of his beard, aiming to disparage or disrespect the Law, he flaunts his disbelief that the Torah is God given. To me, that amounts to blasphemy. He should be slain not for the specific sin but as a recusant—just as the folk of an errant city are slain for their misbelief, not their specific sins (Deuteronomy 13:13–18; *MT* Laws regarding Pagan Worship 4.5). Their property, therefore, is burnt and does not pass to their heirs, as it would for others sentenced to death by a human court. The same applies, in my view, to an Israelite community that conspires to violate any mitzvah highhandedly: All must be slain. You can see that from the case of the Reubenites and Gadites, of whom it is said that the whole congregation was resolved *to make war against them* (Joshua 22:12). They were warned clearly against a faithless conspiracy to transgress and turn renegade, in effect, against our religion altogether: [*What is this treason that you commit against the God of Israel*,] *turning this day from the* LORD*!* (22:16). They answered, [*LORD, God Almighty! LORD, God Almighty! He knows, and Israel too must know!*] *If this be treason or rebellion* [*against the Lord, spare us not this day!*] (22:22). The story shows the basis of the penalty.[447]

In the same vein, the commandments included in my Book of Judges mandate destroying the seed of Amalek (Deuteronomy 25:17–19; *SM* Positive 188; *MT* Laws of Kings and Wars 1.1–2, 6.4): A tribe or nation must be punished, as an individual is, to deter others from joining in such crimes. They will say, 'Lest we be done by as were the folk of So-and-So!' So even if there is a group in which some depraved fiend arises who thinks nothing of the harm he does, or of his own ruination, he will find no ally in his **3.93a**
tribe to abet him in the evil he intends.[448] So Amalek, who attacked by the sword, is put to the sword (Exodus 17:8–16). Ammon and Moab, who wreaked their harm with plots and schemes, were punished by a marital ban and shunned as vile (Deuteronomy 23:4–5; *SM* Negative 53; *MT* Laws regarding Illicit Unions 12.17–18).[449] All this reflects

447. In the end (Joshua 22:23–34), the Transjordan tribes convinced the priest Phinehas and their Israelite brethren that theirs was no pagan altar.

448. Punishment, for Maimonides, rests on deterrence (3.75b). So he warrants collective punishment by the need for collective deterrence.

449. Ammon and Moab, descendants of Lot's incestuous union with his daughters (Genesis 19:29–38), may not marry Israelites. Abraham had aided Lot (14:11–16), but Ammon denied bread and water to the migrating Israelites, and Moabite women seduced Israelite men, drawing them to idolatry (Numbers 25:1–9) in a scheme ascribed to a plot of Balaam's (31:16; B. Sanhedrin 106a). Hence the marital ban.

God's making penalties neither too severe nor too lenient but, as He says, *according to the wrong* (25:2).

The Book of Judges in *Mishneh Torah* also includes the mandate for a latrine and a trowel (Deuteronomy 23:13–14). For cleanliness and the clearing away of bodily wastes are among the aims of our law, as I have taught you (III 33)—lest people live like animals. The same mitzvah strengthens the troops' trust that God's Presence is with them. That is plain when the grounds are stated for the commandment: *For the* LORD *thy God moves all through thy camp* (23:15).[450]

The commandment relates to another point as well, when it says *that He see nothing foul in thee and spurn thee* (Deuteronomy 23:15), warning against the vice well known among soldiers long camped far from home. He commanded us to act in constant awareness that His Shekhinah is present in our midst in order to keep us from such conduct, as it says, so *that thy camp be holy, and that He see nothing foul in thee*. Even one who has a seminal emission must leave the camp until sunset, returning only then (23:11–12). So every soldier will see the camp as God's sanctuary, not like a gentile camp devoted just to violence, rapine, pillage, and destruction.[451] Our aim, by contrast, is to aid folk toward
3.93b God's service and a better life. As I told you, I am warranting the commandments just as biblically stated.[452]

This book (Judges in *MT*) also includes the Laws of the Fair Captive. The Sages say, as you know, "The Torah here addresses only our baser impulses" (B. Kiddushin 21b). But even here, the commandment seeks a nobler ethos for the virtuous to cultivate. To explain: One's urges may drive one to feel he cannot wait, but he must take her apart privately, as it says: *Bring her into thy home* (Judges 21:12). He may not press her while warfare still rages, as the Sages explain (22a), nor again until her grief is assuaged and her calm restored. She must not be kept from mourning, weeping, and remaining disheveled, as Scripture prescribes: *weeping for her father and mother* (21:13). For the grief stricken find solace in tears and in venting their sorrow until the bodily powers are spent that bear the soul's afflictions—just as joy finds release in play of all sorts. So the Torah treats the Fair Captive with compassion, letting her grieve until she wearies of weeping and

450. See Klein-Braslavy, *Maimonides' Interpretation of the Story of Creation*, 226.

451. Cf. Balaam's view of the Israelite camp, Numbers 24:5.

452. The Sages apply these mitzvot to the Temple precincts, "the camp of the Shekhinah, on the Temple Mount" (B. Pesaḥim 68a). Halakhically Maimonides follows their lead (*MT* Laws regarding Entering the Sanctuary 3.8–10; *SM* Positive 31; *SM* Negative 78). But here he reads contextually, taking the rules to apply to ancient Israel's migratory camp—or to an Israelite military camp; cf. Saadiah and Menahem ben Saruq. Even so, he applies a rabbinic lens. See Blidstein, "'My Purpose is to Provide Reasons for Scripture and not to Give Reasons for the Law.' Really?" On the interplay of biblical and rabbinic readings in the *Guide*, see M. Z. Cohen, Opening *the Gates of Interpretation*, 135.

mourning. Her captor slept with her, you see, while she was yet a gentile. She may openly keep her own religion all through the thirty days, even if it be idolatrous. She may not be taxed about her faith all that while, and if he does not convert her to the Torah's laws, she may not be sold or treated as a slave. The Law holds her sacrosanct because he slept with her, albeit wrongly, while she was yet a gentile. As it says, *Thou mayest not sell her since thou hast humbled her* (21:14). So some virtue shines through in this commandment.[453]

The grounds of all the commandments in the Book of Judges should now be clear.

Chapter 42

3.94a The mitzvot in the seventh group are property laws, those that I listed in part of the Book of Judgments and part of the Book of Acquisition. The warrant of them all is evident: They frame the rules of justice in the transactions people must conduct so as to keep them fair and beneficial to both parties and not let one take advantage of the other.

First, there must be no cheating in trade; margins must be those that are customary and familiar (Leviticus 25:14–17).[454] There must be clear terms for contractual validity, and even verbal deceit is barred, as we know (Exodus 22:20; M. Bava Metzi'a 4.10).[455]

Next come the laws of the four trustees (Exodus 22:6–14). Fairness and equity are the obvious principle here: One who looks after something without fee and reaps no benefit from doing so but does it just as a favor is free of liability; the costs of any mishap come out of the owner's pocket. One who borrows something and reaps all the benefit, since the owner is just helping him out, is solely responsible for any costs of a mishap. If one is paid to keep something or has hired it, both he and the owner benefit, so they share the costs of an accident. Costs resulting from negligent care are borne by the keeper. These include costs due to theft or loss. For theft or loss results from failure to use special care in safe- **3.94b** guarding another's goods. But the costs of unpreventable events, like rustling or a beast's going lame or dying—losses beyond a keeper's control—are borne by the owner.

453. Maimonides stresses the Torah's sensitivity to the dignity and feelings of the Fair Captive. Her captor is not to sleep with her until she has had her chance to mourn. If he has, he must refrain once his moment of passion is past. She keeps her own ways. Should she refuse to convert, he may not marry her but cannot sell her, having slept with her. Captive women must be either married or freed, a norm striking by its contrast with other ancient and some modern ways in warfare.

454. Talmudic norms mandate canceling a sale if the profit exceeds one-sixth of an item's worth (B. Bava Metzi'a 57a).

455. Beyond unfair pricing, Halakhah restricts asking a dealer the price of goods when meaning not to buy from him.

Then comes the special concern for a hired worker, since he is poor.[456] He must be paid promptly (Leviticus 19:13; Deuteronomy 24:15–16) and scanted none of his due but paid what his work is worth.[457] It is a matter of compassion that a worker (or even a beast!) is not to be deprived of some of the fruits of his labors, as the Torah requires (25:4 with 23:25–26; B. Bava Metzi'a 87b).

Property laws also regard inheritance. This, too, is a moral matter.[458] For no one should be deprived of any good due him (cf. Proverbs 3:27). When facing death, one must not turn mean toward his heir and squander one's wealth but should leave it to him who best deserves it, his next of kin, *the kinsman closest in his family* (Numbers 27:11).[459] Clearly, as we know, that is his son, then his brother, then his paternal uncle (27:8–10). The eldest comes first, not the favorite. For the eldest was first loved: *He may not treat as a firstborn his favored wife's son* (Deuteronomy 21:16).[460]

Our very fair and just Torah strictly upholds and protects our natural penchant here, care and concern for our kin. You know what our prophet says: *The cruel man torments his own flesh* (Proverbs 11:17). The Torah directs charity *to thy brother in need* (Deuteronomy 15:11), and our Sages laud the character of one "who loves his kin and marries his sister's daughter" (B. Yevamot 62b). The Torah teaches this virtue most eloquently—one must care for one's kin and favor blood relations, even if they have wronged or crossed us.

3.95a Even if they are rotten as can be, one must regard them protectively. As God says, *Scorn not the Edomite. He is thy brother* (Deuteronomy 23:8). By the same token, whoever you have relied on, whose help you have sought and gotten in your time of need, even though he later aggrieved you, still deserves credit for past favors: *Scorn not the Egyptian, for thou wast a stranger in his land* (Deuteronomy 23:8).[461] Everyone knows how badly the Egyptians later treated us.[462]

456. A hired hand in biblical times had no land of his own to cultivate.

457. B. Bava Metzi'a 110b–112a; *MT* Laws regarding Hiring 11.1–3.

458. That these rules have a moral warrant does not exclude them from legal oversight.

459. Notice the degrees of freedom in Jewish (as compared with Islamic) inheritance law. See Kuran, *Long Divergence*, chap. 5.

460. See Kasher, "Preferential Concern for Kin."

461. Maimonides, characteristically, makes the Torah's rules of inheritance the springboard to a broader moral theme, moving from favoring one's kin to requiting past favors. As Hermann Cohen explained in *Religion of Reason*, the Egyptian becomes a paradigm case of the *Mitmensch*, or fellow man, whom we must love (Exodus 22:21; Leviticus 19:18, 34; Goodman, *On Justice*, 7; Goodman, *Judaism*, 22).

462. "Egypt was represented in traditional accounts of national origins as the oppressor par excellence" (Blenkinsopp, *Anchor Bible Isaiah 1–39*, 313). See Isaiah 18–20; Jeremiah 46; and Ezekiel 29–32.

Just see how many virtues we learn from these mitzvot! The last two do not belong to our seventh group. But discussing the need to look after our kin in our bequests led me to speak of the Edomites and Egyptians.

Chapter 43

The commandments in the eighth group are those that I listed in the Book of Seasons. The reasons for all but a few are spelled out in Scripture. The grounds for Sabbath observance are too familiar to explain. We know the worth of the rest it affords. One-seventh of everyone's life becomes a delight, a respite from the moil and toil that no one, young or old, can avoid. Beyond that, Sabbaths keep green through the ages the vitally important idea that the world began.

The warrant for the command to fast on the Day of Atonement is clear as well: It gives us the idea of repentance. This was the day that the master of all prophets brought down the second set of tablets and gave the people the joyous news that their grievous sin was forgiven (Exodus 34; B. Taʿanit 30b). So it was made a permanent day of penitence, wholly **3.95b** devoted to worship and penance, forsaking all bodily pleasures and service of our bodily needs—abstaining from work and devoting ourselves entirely to confessing and renouncing our sins (*MT* Laws of Repentance).

All the Festivals are for rejoicing and happy gatherings that few can do without. Beyond that, they cement the bonds of fellowship critical to civil society (see 3.84b)—and each festival has its own special reasons.

The story of Pesaḥ is well known. It lasts seven days,[463] a span between a natural day and a lunar month. A seven-day period, as you know, is vital in nature but also in Scripture.[464] The Torah always echoes nature and, in a way, betters it.[465] For nature is not conscious or reflective,[466] but Scripture sets the rules and measures of God, who gives reason to all who have it. But that is not my point in this chapter. So I shall return to my theme.

463. Pesaḥ, biblically, lasts seven days. See Leviticus 3:5–6; and Deuteronomy 16:4.

464. Cf. Galen *De Diebus*, Cooper, e.g., 428.

465. Cf. Halevi, *Kuzari* 1.57; Zerubavel, *Seven Day Circle*.

466. According to Alexander, "Nothing devised by reason is haphazard. . . . unlike things that arise by nature. For what arises by nature has its origin in itself . . . but what comes about by art and choice is caused and set in motion by something outside it, not internal. The cause is its maker's thinking" (*De Fato* 4, Bruns, 168.7–19, tr. after Sharples, 44–45). The work of divine intelligence in nature, Averroes writes, "is like that of a single ruling, productive form with varied active, productive forms under it. So, when nature produces something showing consummate design, although nature itself is not rational, one must understand that it is inspired by beings actually ensouled—though nature itself is such only in potential" (*Tafsīr*

Shavuʿot is the day the Torah was given. To celebrate and elevate that day, we count the days leading up to it from our first holiday,[467] just as one eagerly awaiting his beloved counts the days and the hours. That is why we count the Omer, from the day we left Egypt to the day the Torah was given, the object and goal of our departure: [*I bore you on eagles' wings*] *and brought you to Me*. [*Now, if indeed ye hear My voice and keep My covenant, ye shall be My treasure amongst all nations. For Mine is all the earth*.] (Exodus
3.96a 19:4–5). This great epiphany lasted but a day. So its annual commemoration lasts just one day—whereas if we ate matzot for just a day, we would barely notice it, and its meaning would not sink in. For often one eats one sort of food for two or three days. But the point of eating matzah is made vivid, and the story behind it is made known to all by our eating it all through the festival.[468]

Rosh ha-Shanah, too, lasts only a day. It is a day for penitence, awakening folk from their heedlessness. Hence the blasts of the shofar, as I explained in *Mishneh Torah* (Laws of Repentance 3.4), preparing us, in effect, for the Day of Atonement, as you can see from the nation's embrace of penitential observances during the ten days from Rosh ha-Shanah to Yom Kippur.

Sukkot, meant for gladness and joy, lasts seven days to publish its meaning to all. Why in this season, the Torah makes clear: *when thou hast gathered in thy produce from the field* (Exodus 23:16)—when you have leisure and can rest from necessary labor. As Aristotle states in the *Ethics* IX, the practice was ubiquitous in ancient nations: "Ancient sacrifices and gatherings took place once the fruits of the harvest were gathered, offered as if in

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mā Baʿḍa al-Ṭabīʿa [*Commentary on Aristotle's* Metaphysics], Bouyges, 3.1502–3). Maimonides tracks Alexander and Averroes here. He rejects Galen's Stoicizing view that nature itself is creative and artistic, giving immanent guidance in the design of things (see *On the Natural Faculties* III 1, Brock, 224–25). To Galen, as Brock writes, "the most important characteristic of the Physis or Nature is its *τέχνη*—its artistic creativeness. In other words, the living organism is a creative artist. This feature may be observed in its primary functions of *growth* and *nutrition*; these are dependent on the characteristic *faculties* or powers by virtue of which each part draws to itself what is proper or appropriate to it and rejects what is foreign" (introduction to *On the Natural Faculties*, xxix). Maimonides agrees that such faculties are active but denies that they reflect the power of nature; ultimately, they reflect God's work.

467. Pesaḥ is the first holiday in the biblical calendar: The Torah ordains Nisan, "the spring month," the month of the Exodus and liberation, as the start of Israel's year (Exodus 12:2).

468. Leaven is forbidden throughout Pesaḥ, but the actual eating of matzah is biblically required only on the Seder night (Exodus 12:17–18). Maimonides here gives the warrant for the rabbinic extension of the obligation to the full duration of the festival (B. Pesaḥim 120a; *SM* Positive 158).

thanks for the respite."[469] Besides, dwelling in the sukkah is manageable in this season, when it is not oppressively hot or stormy.

Both festivals, Sukkot and Pesaḥ, convey an idea and instill a virtue. The idea behind Pesaḥ is to commemorate the miracles wrought in Egypt and preserve that memory through the ages; that of Sukkot, to preserve through the ages the miracles we experienced in the wilderness. The virtue: ever to remember our days of hardship in better **3.96b**
times, making us all the more grateful to God and all the humbler and accepting.

We eat matzah and bitter herbs on Pesaḥ to recall our experience. On Sukkot, similarly, we leave our homes and live in shanties like people who have no home but live in desert or desolate places, recalling how we lived long ago: *I made the Children of Israel live in sheds* (Leviticus 23:43). From these we moved into elegantly appointed homes in the finest, most fertile place on earth—by God's grace, true to His promises to our forefathers, Abraham, Isaac, and Jacob, men perfect in mind and character. This, too, is pivotal in our Torah—that every blessing we enjoy or ever will comes just by the merit of our Patriarchs. For they kept the LORD's way, doing justice and right (Genesis 18:19).[470] The shift from Sukkot to another festival, Shemini 'Atzeret, caps our rejoicing in ways not feasible in booths but only in spacious, well-built homes.

The four species in a Lulav [palm frond, willow withe, myrtle, and citron, used on Sukkot,] are glossed by our Sages midrashically, a manner known by those who understand their idiom to be poetic, not meant to explicate the text. Readers of midrash are of two sorts: those who fancy that the Sages offered these homilies as exegeses and those who belittle and ridicule such glosses, since they plainly leave Scripture's sense untouched. The former group battle mightily to validate and vindicate the homilies, presuming they **3.97a**
bear the text's true meaning, sure and solid as halakhah. Neither party sees that these are poetic tropes, as no sensitive reader could fail to realize.

The style was customary then. Everyone used it, as poets use their imagery. Our Sages say, "Bar Kappara taught, '*Thou shalt have a trowel in thy gear* (Deuteronomy 23:14). Read not *azeineikha*, thy gear, but *oznekhah*, thine ear'—teaching that on hearing something improper one should plug his ear" (B. Ketubot 5a). I wish I knew if these dunces thought the tanna believed that is what the verse means—that the trowel in the mitzvah was a

469. The passage is at *NE* VIII 9, 1160a25–28. Maimonides' eye may have fallen on the chapter heading rather than the book number. Aristotle's text: "Ancient sacrifices and festal gatherings seem to take place after the harvest, as a kind of first fruits, this being the season when people had the most leisure." Akasoy and Fidora's *Arabic Version of the* Nicomachean Ethics is consistent here, but the Arabic translator shifted to "the Deity," Aristotle's reference to the gods. The Torah, as Narboni's commentary on the *Guide* remarks, retained harvest thanksgiving customs, if free of pagan overtones.

470. Not that personal choices make no difference (see *Eight Chapters*, 1–2), but even private virtues retrace pathways Israel's forebears opened up. For 'righteous' and 'just,' see III 54.

finger and one's gear was his ear! I do not suppose that any sane person would think that. It was a witty play on words that he used to point to a moral: that it is as wrong to hear indecencies as to utter them. He pegs his point, poetically, to a biblical verse. And in general, when a midrash says, 'Read not so but so,' that is the intent. Well, I have digressed, but this was a useful point that every sound rabbanite exegete should know.

Returning now to our theme: The four species in a lulav seem to me to express the joy and delight of leaving the desert, *a place without seed or fig, vine or pomegranate—nor water to drink* (Numbers 20:5), and reaching sites where fruit trees grow and rivers flow. To keep alive the memory of that moment, we take the fairest of those fruits—the loveliest, most verdant leaves, and the finest foliage of the streamside willow. Our four species
3.97b combine three features: First, they were plentiful then in the Land of Israel, so anyone could get them. Second, they were fresh and lovely to look at. The citron and myrtle were fragrant too; the palm frond and willow neither fragrant nor rank. Third, the four of them stay fresh for seven days, unlike peaches, pomegranates, asparagus, pears, and such.[471]

Chapter 44

The mitzvot in our ninth group are the ones I listed in the Book of Love. They all have clear warrants: The object of all these rites is constant mindfulness of God, in love and fear, holding fast to His commandments and believing what every religious person should believe of Him. These duties include prayer and reciting the *Shemaʿ* (Deuteronomy 6:4–9, etc.) and the Grace after Meals (8:10) with their companion blessings.[472] They also include the Priestly blessing,[473] *tefillin*, *mezuzah*, and having a *Sefer Torah*[474] and

471. Leviticus Rabbah 30.12 likens the etrog (citron), which has both taste and fragrance, to Jews with both learning and good deeds; the palm has taste in its dates but no fragrance, like those with learning but lacking in deeds; the myrtle is fragrant but without taste, like those with good deeds but lacking in Torah learning; the willow suggests lack of both. Binding the four together teaches the interdependence of all Israel and the need to unite their strengths. Maimonides elides this and other homilies, reaching for the base meaning of the symbols as he sees it; cf. 1.6b.

472. Maimonides targets the Karaites, who do not include all the blessings that Rabbanite Jews link to the Shemaʿ and the Grace after Meals; see M. Berakhot 1.4.

473. The Kohanim are to bless Israel using the words prescribed at Numbers 6:23–26.

474. *SM* Positive 17–18, Deuteronomy 31:19. Maimonides takes the commandment, that each king of Israel must write (or commission) a Torah scroll, to apply to all Israelites. It is praiseworthy, for each Israelite who can, to write the full Torah personally; making excerpts of the Torah is forbidden.

reading it at the proper times.[475] All these acts teach valuable lessons.[476] This is perfectly clear. Further discussion would just be redundant.

Chapter 45

3.98a The mitzvot in the tenth group are those that I listed in Laws of God's Chosen House, Implements of the Sanctuary and Those who Serve There, and Laws of Entry to the Sanctuary. I've already related the general benefits of this class of duties (III 32). Pagans, we know, typically built their temples and erected their icons in the highest places they could find in the area—*on lofty mountains* (Deuteronomy 12:2). So our Father Abraham chose Mount Moriah,[477] the highest peak nearby,[478] to proclaim God's unity. He specified due west as the direction to face in prayer, the Holy of Holies lying to the west. That is what the Sages mean by saying, "God's Shekhinah is to the West" (B. Bava Batra 25a). They explain in tractate Yoma that in prayer, we face the Holy of Holies, the direction that Father Abraham set (28b, 54b). The reason, I think, is that sun worship was then widespread all through the world. With the sun as god, everyone, of course, faced east in prayer. So Father Abraham on Mount Moriah (in God's Sanctuary!) faced west, his back to the sun. Remember what Israel did when, backsliding, they reverted to their old, warped views, *their backs to the* LORD*'s Temple, their faces to the East, bowing eastward, toward the sun* (Ezekiel 8:16). You must not miss that striking shift.[479]

I'm sure the site that Abraham was inspired to choose was known to our Teacher Moses and to many others. For Abraham had advised them that there would be a shrine there, as the translator brings out: "Abraham prayed and worshipped in that place, saying, 'Here shall generations worship before the LORD.'"[480] I see three good reasons

475. See *SM* Positive 11, citing Deuteronomy 6:1. Maimonides quotes Sifre (va-Eṯḥanan 34.7): "*Teach them diligently*, means that the words of the Torah should be fluent in your mouth so that when someone asks any question about them, you do not stumble but respond directly." The times for these readings are specified in the Talmud.

476. These ritual acts foster sound beliefs, which open doorways to knowledge of God.

477. Genesis (22:2, 9) states that God chose the place. A few lines on, Maimonides calls Moriah the site that Abraham "was inspired" to select. To a prophet, what is experienced in a prophetic vision is real (3.54a). The experience is subjective but also revelatory: Abraham's choice was God's.

478. Tradition takes Ezekiel (20:40) to intend the Temple Mount when he has it that God chooses *the mountain heights of Israel* as the place for offerings to Him.

479. See M. Sukkah 5.4 and the discussion in Urbach, *The Sages*, 1.59–63.

480. At the close of his trial, having seen God's true character, Abraham names the site *the mount where God is seen* (Genesis 22:14). Onkelos, as Drazin and Wagner note, "rewrites the entire verse," having it state that Abraham prayed there and singled out the future site

3.98b why the place is not expressly named and identified in the Torah but only alluded to as *the place that the* LORD *will choose* (Deuteronomy 12:11; cf. Genesis 22:2): (*a*) lest the nations, once they knew it as the Torah's cynosure on earth, would lay hands on it and fiercely fight for it; (*b*) lest those who hold it now lay it waste and do all they can to destroy it;[481] and (*c*) (most likely), lest the tribes of Israel vie for it, each seeking to include it in its allotment, fomenting internecine conflict and civil war, like their battles over the Priesthood.[482] Hence the command that God's Chosen House not be built until the monarchy was established and there was a united rule to quell such wrangling, as I explained in the Book of Judges (*MT* Laws of Kings and Wars 1.1–2).[483]

We know they used to build temples to the stars and place in them the icon they meant to serve, the image linked to a certain star or sector of the heavens.[484] So we were

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of the Temple (1.137), anticipating the commandment instituting Israel's pilgrimage festivals: *Three times in the year shall all thy males be seen before the* LORD *thy God, in the place that He shall choose* (Deuteronomy 16:16).

481. The Crusaders still held sway when Maimonides saw Jerusalem. The city fell to Saladin in 1187, but its Muslim recapture did not inspire in him a happier vision of its future.

482. Schwarz and Kafiḥ, in their translations of the *Guide*, relate the conflict Maimonides rues to Koraḥ's mutiny (Numbers 16), placing the conflict ahead of the allotment of land to the twelve tribes. But that struggle was more an émeute against the leadership of Moses and Aaron (16:3) than a struggle over the priesthood. Maimonides more likely intends the Hasmoneans' struggles in shifting alliances with rival Seleucid lines in the second century BCE, after the brief triumph commemorated on Hanukkah. Priestly and royal succession remained bones of contention into the Common Era. Hence the grave affirmation of Davidic legitimacy in the blessings still chanted after the haftarah in the synagogue: "No longer will others usurp his glory. For Thou hast sworn to him by Thy holy name that his flame will never be doused!" (cf. 2 Samuel 7:11–16). Dissension hardly ceased with the founding of the monarchy. But the status of Jerusalem and its temple was settled among the tribes of Israel in the reigns of David and Solomon, respectively.

483. Three commandments were to be executed on Israel's entry into the Promised Land: the establishment of a king (Deuteronomy 17:15), the destruction of Amalek (25:19), and the building of a sanctuary (12:5). According to Maimonides, "A king who succeeds his father is anointed only if his succession is contested. In that case he is anointed to end the dissension" (*MT* Laws of Kings and Wars 1.12).

484. Relating the word *nomos* (law) to the verb *nemein* (to mete out), Cornford explains that ancient cults saw diverse sectors of the sky as the domains of diverse gods, each god having a place where honors were accorded and powers (including oracles and auspices) witnessed. A sacred grove (Greek, *nemos*; Latin, *nemus*), Cornford finds, following hints in the *Eumenides* of Aeschylus and in Pindar, was a clearing or enclosure in the wood, perhaps around a sacred tree. A *templum*, as Varro explains (*Lingua Latina* 7.6), was a site bounded by trees, from which an augur could mark out with his sacred staff or wand those sectors of the heavens where signs were to appear (Cornford, *From Religion to Philosophy*, 28–32; cf. 52, 66–70, 171).

ordered to build a temple to God and to place in it the ark holding the two tablets bearing the words *I am . . .* and *Thou shalt not have . . .* (Exodus 20:2–3).

Belief in prophecy, as we know, anchors belief in the Torah. For without a prophet, there is no revealed law. But prophets are inspired only through an angel—as it says, *The angel of the* LORD *called* (Genesis 22:15) and *The angel of the Lord said to her* (16:9–11). This phrasing occurs countless times. Even the mission of our Teacher Moses began with inspiration from an angel: *The angel of the* LORD *appeared to him in the heart of the fire* (Exodus 3:2). So belief in prophecy evidently depends on belief in angels, just as belief in a revealed law depends on belief in prophecy.

The Sabians, ignorant of God's existence and taking the sphere and the stars to be the eternal beings that could not fail to exist, from which powers emanated to their idols **3.99a**
and to certain trees—their *asherot*—supposed that it was these trees and idols that inspired prophets, uttering oracles to inform them of what was helpful or harmful, as I explained in telling you of their doctrines of the prophets of Baal and the Asherah (III 29). Once the truth was known to the learned and it was demonstrated that a Being exists that is not a body or a physical force but the one true God and that other incorporeal beings emanate from His Being—the angels, as I explained (I 49; II 6), all far transcending the sphere and stars—it was certain that real prophetic inspiration comes from the angels, not those idols and *asherot*.[485]

So belief in angels was clearly a corollary of belief in God, as I said, confirming prophecy and the Torah. To cement this core belief, God ordered two angels' images to be fashioned above the ark, fixing the reality of angels in the faith of the masses—a true belief, supporting belief in God and vital to prophecy, the revealed Law, and rejection of paganism, as I explained. Having the image of just one cherub might have been misleading. It might have been presumed to be an image of the deity to be worshipped, as in pagan practice. Or a single cherub might have been seen as another god, leading to some sort of dualism. But two angels were made, and it was proclaimed, *The* LORD *is our God, the* LORD *is one* (Deuteronomy 6:4), underlining the fact that angels are real, but many, **3.99b**
and checking any illusion as to their divinity.[486] For one God created all their host.

Next, a menorah was set before the ark to give the Temple dignity and splendor. For a space ever lit and veiled in curtains has a powerful impact spiritually. The Torah, as you know, sets great store in the sense of the Temple's dignity and sanctity, which inspires emotions of humility and awe at the very sight of it. *Ye shall revere My Sanctuary*

485. Maimonides upholds the agency of the celestial bodies and incorporeal intelligences. But they are no longer deities but angels, subordinate to God and mediating His will and wisdom to the world. To the ancient pagans, as Halevi writes, divinity was a generic term, as reflected in the plural form of the Hebrew word for God, *elohim* (the divine). The Tetragrammaton, by contrast, is a proper noun: It names one being (Halevi, *Kuzari* 4.1).

486. God's unity, moreover, was proclaimed on the tablets of the Decalogue within the ark.

(Leviticus 19:30), it says, and it links that command with Sabbath observance, underscoring the reverence the Temple is due.

It is clear why an altar is needed for incense and an altar for the burnt offerings and their implements. But in the case of the table and the bread always set upon it (Leviticus 24:5–9), I do not know the reason,[487] having seen no connection to the aim of inspiring awe.[488]

As for the prohibition of dressing the altar stones (Exodus 20:22; Deuteronomy 27:5; *SM* Negative 79), you know the rationale the Sages gave for this: "It is not fit to raise what shortens life against what prolongs it" (M. Middot 3.4). That is lovely homiletically, as

487. Shem Ṭov Ibn Falaquera, in his commentary on the *Guide* (ad loc.), volunteers, "It seems to me that God arranged His house like a king's. A royal palace has everything we have described: people to mind it and others to serve as befits a king—to prepare his food and do whatever else he requires; others to sing lovely songs for him each day in fine, melodious voices. A king's palace has a special place for preparing food and a place for burning fragrant incense before him. It has a table and a special place for the king to retire, where no one else may enter but his second in command and those he most favors. The LORD, accordingly, was pleased to have in His house anything that no earthly king would lack—although He is a Supernal King, who needs no such things. The perquisites of Priests and Levites are based on these concerns, just as a mortal king provides such for his retinue. This is so that the masses will be confident that our King, the LORD of Hosts, dwells among us, a Monarch august and awesome, reigning over all peoples, as it is written: *the Sanctuary, O LORD, that Thy hand hath established—The LORD reign forevermore!* (Exodus 15:17–18). The King's sovereignty and majesty are proclaimed in this palace. That is why God commanded all these things."

488. Jeremiah suggests the symbolism of the Showbread when he inveighs against pagan rites: *Do you not see what they do in the towns of Judah and the streets of Jerusalem? The children gather sticks, the fathers build a fire, the mothers knead dough to make cakes for the Queen of Heaven; they pour libations to alien gods, rousing My anger* (7:17–18). The Showbread in the Temple remained uneaten, for Israel's God asks no food or drink from His worshippers. Thus the Book of the Secrets of Enoch says, "God needs not bread, candles, or flesh, or any other sacrifice. All that is as nothing. What God requires is a pure heart" (45:3). The *Nabatean Agriculture* relates that "on a special night in Nisan," followers of the religion of Seth, "every one of them, man, woman, or child, sleeps that night with three pieces of bread, four dates, seven raisins, and a bag of salt under his pillow, because an old woman called the Servant of Venus comes that night, and visits everyone." Everyone in the clime of Babel does this, the text urges (Ibn Waḥshiyyah, *Nabatean Agriculture*, Hämeen-Anttila, 234–35). Ibn al-Nadīm reports similarly, relying on a manuscript he has read. On the thirtieth of Adar, marking the start of the month of Tamr (dates), when gods and goddesses marry, "They divide the dates, put kohl on their eyes, and under their pillows at night place seven dried dates, in the name of the seven deities, as well as a piece of bread and some salt for the god who touches the bellies [of those hoping to conceive]. The chief takes two silver coins from each for the treasury" (Ibn al-Nadīm, *Fihrist*, Arabic, 325; Dodge, 764). The Temple loaves, by contrast—publicly displayed, not hidden away—remained intact through the week.

I put it (cf. 3.97a). But the reasons for the ban are clear enough: Pagans built their altars of hewn stones. So God forbade our doing the same and ordered us to make His altar of earth and not copy them, as it says: *An altar of earth shalt thou make Me* (Exodus 20:21). Or if it must be of stones, leave them in their natural form, unhewn. Also forbidden: a *figured stone* (Leviticus 26:1) and a tree planted *by the altar* (Deuteronomy 16:21). These rules all serve the same end: We are not to worship God in the manner of any pagan cult. Hence the global ban: [*Take care lest thou be ensnared into following them . . . lest thou inquire after their gods, saying,*] *"How did those nations serve their gods? I shall do likewise"* **3.100a** (12:30). This means that one must not do the same for God: *For every horror hateful to the* LORD *did they perform for their gods* [*—even burning their sons and daughters to their gods!*] (12:31).

You know how common worship of Peor was in those days. The practice was to expose oneself. So God commanded our Priests to make breeches, *to cover their naked flesh* (Exodus 28:42) in worship—and even so, not to ascend to the altar by stairs, *lest thy nakedness be exposed there* (20:23).

The (Levites') constant rounds of watch at the Sanctuary were to show it honor and reverence and to keep the impure, unkempt, and uncouth[489] from breaching its precincts, as I will explain: A critical mark of the deference and respect due the Sanctuary, to inspire us with reverence for it, was the exclusion of anyone drunk, defiled, or disheveled—with hair unkempt or garments rent (*SM* Negative, 163)—and to ensure that every worshipper sanctifies *hands and feet* (by washing, Exodus 30:19–21; *SM* Positive 24). Again, in reverence for the Temple, those who served there were honored and distinguished, the Kohanim and Levites. The Priests wore the finest, most sumptuous attire, *sacred garments . . . for honor and for splendor* (28:2). No one might serve who was disfigured. Not only the deformed were disqualified (Leviticus 21:17–21) but even the misshapen, as the halakhic treatment of this precept details (M. Bekhorot 7, *MT* Entry to the Sanctuary 8). For the masses do not respect one's true form unless his limbs are well knit and he is well attired, and the intent was that the Temple and those who served there be revered by all.

A Levite did not offer sacrifice and was not envisioned as appealing for the forgiveness of sins like a Kohen: *He shall make atonement for him. . . . He shall make atonement for her* (Leviticus 4:26, 12:8). His role is to sing. So he is not qualified if he cannot sing. Song **3.100b** aims to move the spirit with its words, and only lovely melodies can do that, instrumentally accompanied, as they always were in the Temple.

Even Priests eligible to serve in the Sanctuary were not to sit down there. Nor could they enter the Temple at just any time—or the Holy of Holies at all, except the High

489. The rule excludes those too ignorant to respect the rules of Temple purity and decorum.

Priest on Yom Kippur, and then only four times. All this was to enhance the dignity of the Temple.

In this sanctified site, many beasts were slaughtered each day, their flesh butchered, their entrails washed and burnt. It would surely have smelt like an abattoir if left alone. Hence the command to burn incense there twice daily, once in the morning and once before dusk (Exodus 30:7–8; *MT* Laws regarding Daily Offerings 1.3; *SM* Positive 28), to improve the odor of the place and that of the clothes of those who served there. You know how they said, "The incense could be smelt as far as Jericho" (cf. M. Tamid 3.8). This, too, helped preserve reverence for the Temple. Had it not smelled fragrant or, even worse, the contrary, the effect would have been quite the opposite of awe. For one's spirit is lifted and drawn by fragrant odors but recoils and shrinks at those that are foul.

The anointing oil (Exodus 30:22–23) served two purposes: It perfumed what was daubed with it, and it gave a sense that what was anointed was special, holier than other things of its kind, whether persons, garments, or utensils. All this enhanced the sense of awe for the Sanctuary—and thus for the LORD. For the impact of visiting the Temple was to gentle and
3.101a soften an obdurate heart. God, in His grace, devised all this long in advance (cf. Isaiah 25:1) to make hearts tender and humble on entry, receptive to His wise precepts and counsels, and filled with reverence toward Him, as the Torah spells out: *Thou shalt consume the tithe of thy new grain, wine, and oil, and the firstlings of thy herds and flocks before the* LORD *thy God in the place He chooseth for His name to dwell, that ye may learn ever to revere the* LORD *thy God* (Deuteronomy 14:23). So you see the point of all these practices.

The reason one may not duplicate the anointing oil or the incense (Exodus 30:32; *SM* Negative 83) is very clear: This scent may be smelt only there. That heightened its impact—and no one could presume that just anyone anointed with this oil or one like it was consecrated by it. That would foment dreadful conflicts and anarchy.

The Ark is borne on men's shoulders, not by wagon (Numbers 4:1–15), out of respect, clearly—but also lest its contours be disturbed, even by removing the staves from the rings (Exodus 25:15). The design of the Ephod and Breastplate, too, must not be disturbed, even by separating them (28:28). It was also ruled that each priestly garment must be of the whole cloth, uncut (28:32),[490] so as not to mar the weaving. By the same token, those who served in the Sanctuary were not to shift roles. For when a team has tasks but not individual responsibilities, general negligence and disorder result. The graded requirements for entry—to the Temple Mount, the Atrium, the Women's Pavilion, the Courtyard, and so forth, up to the Holy of Holies (M. Kelim 1.8–9)—were clearly also meant to enhance reverence for the place and instill mounting awe in the hearts of all who approached.

I have now given the grounds for each mitzvah in this group.

490. B. Yoma 72ab; *SM* Negative 86–88.

Chapter 46

The commandments in the eleventh group are the ones I listed in the rest of the Book of Worship and in the Book of Sacrifices. I have already mentioned their general benefit (III 32). I shall take up the grounds for particular mitzvot now, so far as I have understood them. The Torah, I say, as Onkelos reads it, tells us clearly that the ancient Egyptians worshipped the sign of Aries. So they banned slaughtering sheep and abhorred shepherds, as it says: *If we sacrifice what is odious to the Egyptians* [*before their very eyes, will they not stone us?*] (Exodus 8:22), and *Egyptians abominate all shepherds* (Genesis 46:34). Some Sabian sects, moreover, worshipped jinn and believed they took the form of goats. So they called the jinn fauns. That doctrine was quite prominent in the days of our Teacher Moses: *No more shall they offer sacrifices to fauns* (Leviticus 17:7). These sects banned eating goat meat. And bovine slaughter was abhorrent to nearly all pagans. They all venerated these beasts. Even today, you find that Hindus never slaughter cows, even in lands where other beasts are slaughtered. To expunge the trace of such unsound beliefs, our law specifies these three kinds of cattle for sacrifice: *Bring your offering of the herd* **3.102a** *and flock* (1:2). Acts deemed extremely impious by pagans for us became a way of nearing God and seeking forgiveness of our sins: Unsound beliefs are psychic illnesses, treated by opposites.[491]

For just this reason, we were commanded to slaughter the Paschal lamb and sprinkle its blood on the outside of our doors in Egypt, to advertise our disbelief in such a notion and proclaim the opposite, showing our confidence that an act thought fatal by the Egyptians would, in fact, protect us: *The* LORD *will pass by that doorway and not let the destroyer enter your homes to smite you* (Exodus 12:23), rewarding our loyalty in spurning those pagan phobias. That is why these three species were chosen for sacrifice—besides the fact that they are common domestic animals, unlike the offerings of pagans, who used to sacrifice lions, bears, and other wild beasts, as stated in Ṭum Ṭum.

Most people cannot afford to offer beasts, so God provided that birds, too, may be sacrificed, the best and commonest in Syria and the most easily caught: turtledoves and young pigeons.[492] One who could not afford even birds could offer cakes baked in any of the ways then common—oven, pan, or griddle (M. Menaḥot 5.3). Or if baking was hard, one could bring flour. All this was for those who wished to make an offering. But there

491. In "heroic medicine," humoral excesses are treated by use of their opposites—thus, cold for fever and so on.

492. Thus *if one's means do not suffice for a sheep, he shall bring the* LORD *. . . two turtle doves or two pigeons* (Leviticus 5:7). See *MT* Laws regarding Offerings 1.6, 14.2.

3.102b is no fault, it goes on to explain, if one does not worship in this way, with sacrifices: *If you make no vow, you bear no sin* (Deuteronomy 23:23).[493]

Pagans offered only leavened cakes, typically sweet and laced with honey, as the books I cited relate,[494] and there was no salt in any of their offerings. So God forbade our offering any leaven or honey (Leviticus 2:11) and commanded us always to use salt: *With all thine offerings shalt thou offer salt* (2:13).

Whatever we offer, God commanded, must be perfect and in the finest condition so as not to demean what is offered in His name or cheapen the act: [*You bring a blind beast to sacrifice—Fine! You bring one lame or sick—Fine!*] *Give it to your governor. Will he be pleased and favor you?* (Malachi 1:8). For like reasons, one may not offer a beast not yet seven days old: It is immature, squalid, like a stillbirth. The ban against offering *the hire of a whore or the price of a dog* (Deuteronomy 23:19) has the same reason.[495] These are vile. We offer mature turtledoves and young squabs (B. Ḥullin 22a), since these are the best. An old pigeon is tasteless. And we mingle oil with fine flour in the meal offerings to make them the best and pleasantest. Hence, too, the choice of frankincense, for its fragrant smoke in places redolent of burning flesh.

For due dignity, lest our sacrificing seem a foul and sordid business, we were commanded to flay the beast and wash it inside and out, even when it will be burnt entirely. This, you'll find, was always closely seen to: [*"From where the sun rises to where it sets, My name is honored amongst the nations, and everywhere incense and pure offerings are brought Me. For My name is great amongst the nations," saith the* LORD *of hosts. "But ye*
3.103a *profane it*,] *saying, 'The Lord's table is revolting. Its meat, disgusting!'"* (Malachi 1:11–12).[496]

For the same reason, no one unclean or uncircumcised may eat sacrificial meat (Exodus 12:48 with M. Yevamot 8.1, Shabbat 19.6; Leviticus 22:4; *SM* Negative 127, 129). Nor may it be eaten if tainted (7:19; *SM* Negative 130), or past the proper day (7:15–17), or with improper intent[497] (7:9, 19:7, with M. Zevaḥim 2.2). It must be eaten in a specific place: The burnt offering, wholly consecrated to God, is not eaten at all. An offering made because of wrongdoing—a sin or guilt offering—is eaten in the Courtyard the day the beast is slaughtered or that night (M. Berakhot 1.1). Offerings of well-being, lesser and less holy, may be eaten anywhere in Jerusalem, but only there. They may be eaten the day after slaughter, but no later. After that, the meat is spoiled.

493. One avoids responsibility for votive offerings if one avoids vows of, say, a thank offering.

494. See Ibn Waḥshiyyah, *Nabatean Agriculture*, Hämeen-Anttila, 208.

495. *SM* Negative 100.

496. The New Living Translation may best convey the sense Maimonides finds here: "But you dishonor my name with your actions. By bringing contemptible food, you are saying it's all right to defile the Lord's table."

497. One might, for example, have meant to keep some for a later meal.

Due deference demands that anyone who benefits from what is consecrated to God's name in the Sanctuary is guilty and must bring a sin offering to make good, one-fifth again, even if the inroads were inadvertent (Leviticus 5:15–16; *SM* Positive 71; *MT* Laws of Me'ilah 8.8). Consecrated beasts, likewise, may not be worked or sheared (Deuteronomy 15:19). The rule against exchanging sacrificial beasts is a precaution: If one could substitute a good victim for a bad, one might switch bad for good and call it the better. So the law treats both the original and the substitute as consecrated (27:10, 33). We can see why someone wishing to redeem what he has consecrated must add one-fifth (27:13, 15, 19, 27, 31): People are self-serving (B. Sanhedrin 10a), naturally tightfisted and not open-handed or precise in their appraisals. The surcharge was to compensate, letting the beast be sold for its true value. All these rules restrict depreciating what is dedicated and offered in God's name.[498]

A Priest's meal offering is burnt (6:16). For any Priest may make such offerings: If he brings the offering and then eats it himself, in effect, he has given nothing: A private meal **3.103b**
offering is just a handful of flour and some incense—little enough! If he eats it, too, he seems to have performed no act of worship at all. So it is burnt.

The specific rules for the Paschal lamb—to be eaten roasted, in one house, *breaking no bone of it* (Exodus 12:8–9, 46)—all have clear grounds: Like the unleavened bread, the roasting reflects haste. There was no time to organize a meal and prepare varied dishes or even wait to break the bones and extract the marrow. The basic idea: *Ye shall eat it in haste* (12:11). That would not leave time to crack bones, send meat from house to house, and wait for the messengers to return. That would be too slow and leisurely. Speed and dispatch were the point, lest anyone delay, miss departing with the main body of the people, and be exposed to ambush and attack. These measures were preserved to keep alive the memory of the Exodus—as it says, *Preserve this statute at the appointed time each year* (13:10).

The Paschal lamb is eaten only by those invited (Exodus 12:4; M. Zevaḥim 5.8)—to ensure that one gets a lamb of one's own and does not rely on friends and relatives, or chance encounters, but takes the initiative to make the necessary preparations. Our Sages explain why this lamb is not for the uncircumcised (12:48; Exodus Rabbah 19 at Exodus 12:44): The covenant of circumcision fell into disuse during our long sojourn in Egypt, when the people were copying the Egyptians. So when this sacrifice was instituted, it was conditioned on the circumcision of the one who made it and that of his sons and every **3.104a**

498. "The Torah plumbs human thoughts and knows how far one's evil inclination can go. Human nature seeks material gain and to keep what one has. Although a man vowed to dedicate something, he may regret it and renege, preferring to replace the gift with something less valuable" (*MT* Laws regarding Substituted Offerings 4.13). Maimonides finds the thrust of these commandments in one's attitude about the gift: Lack of due reverence vitiates the spiritual experience that was the real purpose of the sacrificial act.

male in the household, who only then could take part, when all were circumcised (12:48). So many were circumcised at once, as the Sages relate, that the blood of their circumcision ran together with that of the sacrifice. Scripture reflects this when it says *weltering in thy blood* (Ezekiel 16:6)—the blood of circumcision and that of the Paschal lamb.[499]

The Sabians, you know, considered blood highly polluting. Yet they consumed it, deeming it demon food: By consuming it, one consorted with the jinn, who would come and tell the future, as the vulgar imagine that spirits do. For some, consuming blood was overmuch. For it is naturally revolting. So they slaughtered a beast, collected the blood in a vessel or trough, and ate the meat while gathered around the blood, fancying that the jinn got their blood repast while the people had the meat. This made them commensal with the spirits, which, they claimed, would then appear to them in dreams to aid them and inform them of things unknown.

All these beliefs were widely followed and favored in those days. The common folk never doubted them. So the Torah, whose perfection is recognized by those who know it well, aimed to end this chronic illness. It banned consuming blood as strictly as paganism itself: God said, *I shall turn My face against one who consumeth blood* (Leviticus 17:10), just as He says of one who gives of his seed to Molech, *I shall set My face against that man* (20:4). No other commandment is treated just as these two are: pagan worship and consuming blood. For consuming blood was a pagan practice, spirit worship.

3.104b

In the Torah, blood is considered pure and is made a means of purifying those who come in contact with it: *Sprinkle it on Aaron and on his garments. . . . He and his garments shall be sanctified* (Exodus 29:21). It orders blood to be dashed on the altar and makes spilling it, not collecting it, an act of worship: *I gave you the blood on the altar to make atonement for you* (Leviticus 17:11). Blood was poured out on the altar: *All the blood shall he pour out* (4:18) and *The blood of thy sacrifices shall be poured out on the altar of the* LORD *thy God* (Deuteronomy 12:27). The Torah commands spilling out the blood of any beast slaughtered, even if not as a sacrifice: *Pour it on the ground like water* (12:16, 24). And it forbids gathering around the blood to eat: *Ye shall not eat by the blood—*[*or cast spells or practice divination!*] (Leviticus 19:26).

When rebellious Israelites kept up the custom they'd been raised with, seeking to consort with jinn by gathering around the blood for a meal, God commanded that in the desert, we were not to eat meat just as we liked but only in our offerings of well-being. The reason, clearly, was to ensure that the blood would be spilled at the altar and people not gather around it, as it says: *So that the Children of Israel may bring* [*the*

499. Exodus Rabbah 19.5 takes Ezekiel's speaking of blood in the plural to suggest that the blood of circumcision mingled with that of the Paschal lamb: God was delighted with the people's return to sealing His covenant in their flesh and with the public show of loyalty and solidarity in smearing the lamb's blood on their doorposts.

sacrifices they have been making in the open fields . . . to the entrance of the Tent of Meeting, to the Priest, and offer them as sacrifices of well-being to the LORD, *that the Priest may dash the blood against the* LORD's *altar . . .*] *and they no longer sacrifice to fauns* [se'irim] (Leviticus 17:5–7).[500]

That leaves fowl and wild beasts. There are no sacrifices of wild beasts, nor may fowl be sacrificed as an offering of well-being. The blood of any beast or bird whose flesh is licit, God commanded, must be covered over with earth (Leviticus 17:13), lest folk gather around it to eat. This thwarts fraternizing with jinn by their spirit-mad devotees.[501] Around the time of Moses our Teacher, you see, such beliefs had a great following among the beguiled. You can see that from the song of Moses: *They sacrificed to demons, no-gods,* **3.105a** *gods that they knew not* (Deuteronomy 32:17). By *no-gods*, the Sages explain, Moses means that they adhered to the worship not only of real but even of fanciful things. As it says in Sifre, "Not content with worshipping the sun, moon, stars, and constellations, they worship even their *babu'ah*!"—*babu'ah* being a word for a phantom.[502]

Returning to our argument: Eating meat as desired was forbidden only in the desert, you see. For the vulgar notion was that the jinn haunt wild places, where they appear and accost people, but do not appear in cities or settled places. So any townsman wishing to share in the idiocy had only to leave town and take to the desert or some isolated place. Once Israel entered the Land, then, they could eat meat when they liked. The mania, by then, must have abated, leaving fewer followers of such beliefs. It was difficult, if not impossible, for anyone wishing to eat meat to come to Jerusalem, so meat other than that of a sacrifice was barred only in the desert era.

Notice that the greater the transgression, the lesser the sacrificial victim:[503] Only a nanny goat for an inadvertent pagan act (Numbers 15:27); other sins of a private party

500. The Jewish heretic Ḥīwī al-Balkhī had pointedly asked why the biblical God accepts and expects the blood of sacrifices. See Israel Davidson, *Saadiah's Polemic*, 68–71. Maimonides' response: First, the Torah disenchants blood, dissociating it from demonic powers. It must be spilled on the ground like water. But the Torah's sacrificial cult reverses the semiotic polarities: Once purged of the muddling of sanctity with violence, the blood of a sacrificial victim becomes a sacred symbol, emblematic of life, not death.

501. In Arabic, the mad are called *majnūn* (be-jinned). *Fraternizing* here echoes Zechariah 11:14.

502. See Sifre to Haazinu Piska 318, Hammer, 327; but the word *babu'ah* is not found there in our texts. Schwarz does find it in Piska 320 (Hammer, 330) on Deuteronomy 32:21 (Schwarz, "Maimonides and the Babu'ah"). Maimonides may have had a variant text, or he may be quoting from memory or just linking the two related passages. The key word in Deuteronomy 32:21 is *hevleihem* (their vanities), the false gods Israel is rebuked for serving. Maimonides takes it to denote beings of fantasy.

503. Punishments reflect the gravity, risk, temptation, and ease of the crime. But with atonement, the scale is reversed. The sacrifice still fits the offense, but in the realm of

require a nanny goat or a ewe lamb (Leviticus 4:28, 32), the female of the species being the lesser. For no sin is greater than pagan worship,[504] and no beast lesser than a nanny goat. Given his rank, a king's offering for an inadvertent sin is a he-goat. When a High Priest or the public (sc., the Sanhedrin) sins inadvertently, that act alone is not the only sin. There is also the precedent set.[505] So this sacrifice is special: They must offer bullocks; or, for pagan worship, he-goats (Leviticus 4:4, 14; Numbers 15:24; B. Horayot 13a).

3.105b Offenses requiring a guilt offering differ from those that call for a sin offering. For a guilt offering, the victim is a ram or a male lamb, the species and sex specified: a sheep and male. You can see that a burnt offering, wholly dedicated to God, must be male. But the sacrifices of a sinner or a Soṭah (she being suspected of sin) are not as fine. They may not be enhanced with oil and incense. For the deeds of the sinner who brought them were not fine. Penitent now, he is told, in effect, 'Your actions were foul, so your offering is less.' As for the Soṭah, whose offense is worse than an unwitting sin, hers must be the humblest offering: barley meal. All the specifics fall into order—marvelous how telling!

A calf, a young bullock, was offered on the eighth day of the consecration of the Tabernacle as a sin offering (Leviticus 9:2), the Sages state, to atone for the sin of the Golden Calf (*Tanḥuma* Shemini §4). On Yom Kippur, likewise, the sin offering was a bullock (Leviticus 16:3)—again in atonement for the sin of the Golden Calf. On the same principle, in my opinion, the reason that all our sin offerings, public and private, are goats—on the Festivals, the New Moon, and Yom Kippur or in atonement for pagan acts—is that ancient Israel's gravest sins lay in sacrificing to goat-demons, as Scripture makes clear: *No more shall they offer sacrifices to fauns, after which they go awhoring* (17:7).

3.106a The reason we always offer a goat as atonement for communal sins, the Sages hold, harks back to the sale of righteous Joseph, whose story says, *They slaughtered a kid from the flock* [*and dipped his coat in its blood*] (Genesis 37:31). Do not presume that this is a weak explanation. The whole point of these rites is to impress upon the conscience of every wrongdoer that he must reflect on and be ever mindful of his sin—as it says, *My sin is ever before me* (Psalms 51:5). One must realize that he and his progeny, and their progeny too, must seek forgiveness for his sin by some corresponding meritorious act: If the misdeed was monetary, one must spend on some worthy cause. If it involved bodily pleasure, one must mortify and afflict his flesh—by fasting or vigils. If the affront was moral, one must press in the opposite direction, as I explained in Ethical Laws (*MT* 3.2–3) and elsewhere (Eight Chapters, 4). If it was intellectual—holding an unsound

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ritual, semiotics comes to the fore; issues of stigma, honor, dignity, and other intangibles predominate.

504. Idolatry is an ultimate act of hubris, affirming, in effect, that one can create not only values but gods. Its atonement is rightly humbling.

505. Maimonides uses the term *fatwa* here in a generic sense; cf. 'decisor' (*muftī*) at 3.92a.

view from incapacity, laxity, or aversion to inquiry—one must counter by curbing his musings, checking all worldly distractions, and focusing on what is rational, with careful study of the beliefs one ought to hold.[506] As it says, *My heart was inly swayed, but I put my hand to my mouth* (Job 31:27)—an image of hushing and self-restraint in the face of specious notions, as I explained at the start of this work (I 5).

Thus when Aaron stumbled in the episode of the Golden Calf, his offering, and that of all his successors, was a bullock or a calf (Leviticus 8:2, 9:2, 16:3).[507] When the offense involved a goat, the fit sacrifice was also a goat. Entrenched in one's soul, these ideas are sure to make one take sin seriously and shun it, lest he slip and need a painful and protracted penance that may or may not be fully achieved. He will shun sin and eschew it to **3.106b** start with. So here, too, the benefit is very clear. Do take this in.[508]

I should like now to point out quite a striking fact not obviously relevant in this work: The goat sacrificed as a sin offering on the New Moon specifically is called *a sin offering to the* LORD (Numbers 28:15). This is not said of any goat offered on a Festival or of any other sin offering. The reason seems quite clear to me: The sacrifices, offered by the public on those festal days, the Musaf offerings, are all burnt offerings. On each Festival day, we also offer *a goat of the flock as a sin offering* (28:19). This is eaten. A burnt offering was wholly consumed by fire, so it was plainly called *a fire offering to the* LORD (29:13, 36). It was never called "a sin offering to the LORD" or "offerings of well-being to the Lord." For these were eaten. One would not call even sin offerings that are burnt "fire offerings to the LORD," as I'll explain in this chapter. But calling the former goats sin offerings to the LORD would make no sense, since they are eaten, not burnt up. But the goat sacrificed on the New Moon might have been fancied an offering to the moon, such as the Egyptians offered at each New Moon. So the Torah specifies that this offering belongs to God, not the moon. No such confusion would touch the sacrifices offered on our pilgrimage festivals or other occasions. For those days are not New Moons and not marked in nature but set by the Torah. But New Moons are fixed not by law but by nature, and different religions made offerings to the moon at that time, just as they did to the sun when it rose or set or reached a certain point seasonally, as those books of theirs declare. So this goat, the Torah stresses, is offered *to* **3.107a** *the* LORD, dispelling any delusions still lodged in those moonstruck hearts. You should not miss this nice nuance.

506. Cf. Ibn Ṭufayl, *Ḥayy Ibn Yaqẓān*, Goodman, 150–51. Ḥayy's grave error, confounding himself with God, reflects his incomplete transcendence of his embodiment.

507. As Friedländer notes in his translation of the *Guide*, Maimonides reads Leviticus 8:2 with 8:34, confirming that the dedicatory sacrifices were for expiation.

508. The offerings are more than merely ceremonial. Their moral impact is forward looking.

Every sin offering, you know, is believed to be made to seek forgiveness for grave sins or for one such sin, such as that of (a High Priest's or a Sanhedrin's) ignorance (Leviticus 4:13–21; B. Yoma 44ab; *SM* Positive 68) and the like. The offering is wholly burnt outside the Camp, not on the altar. Only a burnt offering or the equivalent is burnt on the altar—the reason it is called the Altar of Burnt Offerings (Exodus 30:28). The scent of a burnt offering is a *sweet savor* (Leviticus 1:13). So is any "token portion" of it (2:2).[509] Of course. For the aim is to abolish pagan notions, as I explained (III 32). But sin offerings are burnt to symbolize the effacing of a sin, erasing and obliterating all traces of it, just as the carcass of the sacrificial victim vanishes. No trace is to remain of that act, just as none is left of the offering burnt. Here the scent is not a *sweet savor to the* LORD—quite the opposite; it has foul, revolting fumes. So it is wholly burnt outside the Camp. You can see for yourself what it says about the meal offering of the Soṭah: [*an offering of jealousy,*] *an offering of memory, a reminder of wrong done* (Numbers 5:15)—nothing pleasant.

The scapegoat is offered in quest of forgiveness of sins too weighty for a communal sin offering, to seek atonement as this one does—bearing away all those sins, as it were. So the goat is not slaughtered, burnt, or ritually sacrificed but banished, cast into the wilder-
3.107b ness, a desolate place far from human habitation (Leviticus 16:22). Sins, we all know, are not physical objects to be shifted from one back to another. These rites are all symbolic, meant to elicit a new form in the soul, a passion for penitence, saying, in effect, 'We have purged all our past acts, cast them behind us, and banished them utterly.'

Regarding the wine offering, I have been perplexed about it until now: How could God command this, when pagans, too, offered wine? The reason eluded me. But another person explained it: 'Dearest to the appetites seated in the liver is meat; dearest to the animal spirits, seated in the heart, is wine; and the powers in the brain, being spiritual, most delight in instrumental music. So every faculty offers God what it most prizes: meat, wine, and melody—that is, song.'

The good that pilgrimages do is well known: These gatherings revitalize devotion to the Torah by the emotions they arouse and the fellowship they engender among the people—not least from gathering as commanded *to hear* [*and learn to revere the* LORD *thy God and keep all the words of this Law.*] (Deuteronomy 31:12). The money of the Second Tithe (Deuteronomy 14:25–26) was to be used there, as I explained (III 39); so was the fruit of trees in their fourth year (III 37) and the Tithe of Cattle. It was all to be consumed there in Jerusalem: the meat of that tithe, the wine of the fourth-year fruit,

509. As Milgrom explains, the term here rendered "token portion" has vexed scholars: "Provisionally it is best to understand *azkara* as related to *zeker*, 'remembrance,' referring to the fact that the entire cereal offering should really go up in smoke and that the portion is *pars pro toto*: it stands for the remainder" (Milgrom, *Anchor Bible Leviticus*, 1.182). Maimonides seems to agree.

and the funds of the Second Tithe. The result was food in abundance. For none was to be sold, nor could consumption be delayed. Everything had to be used, as He said, *year by year* (Deuteronomy 14:22). So it had to be given as charity, underscoring the theme of beneficence in the Festivals, as it says: *Rejoice on thy Festival, thou, and thy son, thy daughter . . . and the stranger, orphan, and widow* (16:14). **3.108a**

So I have given grounds for each mitzvah in this group and for many of their particulars.

Chapter 47

The commandments in the twelfth group are the ones I listed in the Book of Purity. I have already mentioned their benefits broadly (III 35), but I shall have more to say in due course about the grounds for this class, after which I will give the reasons I can see for some individually. The Torah God gave Moses (which is therefore called his) sought nothing if not to lighten the load and ease the burden of ritual. If you picture any of our mitzvot as onerous or irksome, it can only be because you do not know the doctrines and the way of life of those earlier days. Just compare burning a squab with burning one's child as an act of worship! The Torah says plainly, *They even burn their sons and daughters in fire to their gods* (Deuteronomy 12:31). That is how they served those gods. We burn a pigeon or a handful of flour! Hence were we rebuked when backsliding: *How have I wronged you, My people? How have I burdened you? Tell Me!* (Micah 6:3). In the same vein, *Have I been a wasteland to Israel, a land of darkness? Why do My people say, "We have broken free"?* (Jeremiah 2:31)—meaning 'What great burden did this Law impose, that they have spurned it?' God pleads with us, *What fault did your forefathers find in Me to stray so far from Me?* (2:5). All these texts make the same central point, not to be missed. **3.108b**

This said, I continue: The whole object with the Sanctuary, as we have seen (3.99b), was to inspire reverence and awe in those who came; as it says, *Revere My Sanctuary* (Leviticus 19:30).[510] But constant contact with anything awesome can diminish its emotional impact. Our Sages cautioned us about this, saying that it is not advisable to visit the Sanctuary too often. They cited the verse *Rarely visit thy neighbor, lest he have enough and grow tired of thee* (Proverbs 25:17). It is with this intention that God barred the impure from the Sanctuary. For there are so many kinds of impurity that scarcely a handful could be found who were ritually pure. Even if spared contact with a corpse (Leviticus 11:27), one might not avoid touching one of the eight kinds of vermin (11:29–30) that often get

510. See Halevi, *Kuzari* 1.97, Baneth, 29–32, Hirschfeld, 67–70.

into the house or onto one's food or drink—or are readily stumbled over.[511] Or if clear of these, one might not avoid touching a menstruant woman (15:18), a man or woman oozing flux (15:2), a leper, or his bedding (13:46, 15:5). And if spared all those, one might not avoid a nocturnal emission or sleeping with his wife. But once cleansed of such impurities, one still could not enter the Sanctuary until nightfall. But it was closed at night, as the Mishnah details in Middot (1.8–9) and Tamid (1.1). By then, one has probably slept with his wife or suffered some new impurity and must start over the next day. All these

3.109a things kept one out of the Sanctuary, preventing casual visits.

You know the text: "One may not enter the Courtyard to worship, even if ritually pure, before immersing oneself" (M. Yoma 3.3). Such actions preserve a sense of awe and foster emotions of due humility. The more common the breach of purity, the more protracted and elaborate the purgation. Being under the same roof as a corpse, especially that of a relative or neighbor, is the commonest cause of impurity. So one is not cleansed of it without the ashes of a red heifer (Numbers 19), rare as they be—and then only after seven days. Oozing flux or menstrual flow is more common than contact with something impure. So these need seven days. But contact with someone so affected demands only a day (Leviticus 15:13, 19, 28). Purification of a man or a woman with running issue or of a woman after childbirth is completed by a sacrifice, these being less frequent than menstruation.[512]

All these conditions provoke disgust—menstruation, flux in a man or woman, leprosy, corpses and carcasses, vermin, and seminal issue. So the rules serve multiple ends: One is to distance us from filth. Second, to safeguard the Sanctuary. Third, to preserve decency and decorum. Sabians, as you will soon hear, were laden with oppressive restrictions on pollution. So, fourth, our rules ease those burdens: Matters of purity and impurity do not keep one from any activity. For our rules regard only holy objects and the Sanctuary, nothing more: *She shall touch no holy thing nor enter the Sanctuary* [*until her days of purification are complete*] (Leviticus 12:4). Otherwise, there is nothing wrong with remaining impure as long as you like and eating whatever you please that is not consecrated.

3.109b The well-known practice of Sabian sects in the East down to our own time—the remaining Zoroastrians—is for a menstruant woman to remain at home alone. Anything she steps on is burnt; anyone she speaks with becomes unclean. If so much as a breeze wafts over her and onto someone clean, he becomes unclean. What a difference between that custom and ours: "Whatever a woman normally does for her husband she may do

511. The eight polluting crawling species, according to *MT* Categories of Impurity 4.1, are the weasel (or rat or mole), mouse, great lizard of any kind, gecko, lizard (or newt or salamander), skink (or snail), chameleon, and sand lizard.

512. Friedländer writes, "It is true that cases of death are *less* frequent than cases of menstruous women. That, however, is not the question; but whether the occasions for communicating uncleanliness are greater" (*Guide* 3.245–46).

for him during her period, except [fill his cup, make his bed, and] wash his face, [hands, and feet]" (B. Ketubot 4b, 61a).[513] He just must not have congress with her while she is unclean and impure. Another custom of theirs, well known to this day, is that whatever a body sheds—such as hair, nails, or blood—is polluting. So for them, all barbers are unclean, since they handle blood and hair, and anyone who shaves must bathe in running water. They have a great many such onerous duties. But our concerns with purity and impurity regard only the Sanctuary and things consecrated.[514]

God's saying *Sanctify yourselves and be holy, for I am holy* (Leviticus 11:44) is not about purity and impurity at all. Sifra explains: "This regards the sanctity of the mitzvot," the same as God's saying *Ye shall be holy* (19:2). This, too, the Sages say: "This concerns the sanctity of the mitzvot."[515] So breaching the mitzvot is called impurity, as are cardinal sins that violate core precepts: pagan worship, sexual crimes, and bloodshed. Of pagan worship it says *he hath given his seed to Molech, defiling My sanctuary* (20:3). Of sexual crimes, *Defile not yourselves in any such way* (18:24). Of bloodshed, *Defile not the land* (Numbers 35:34).[516]

'Impurity,' we see, has three different meanings: It is said (1) of sinful and rebellious acts and thoughts; (2) of dirt and filth, as in *the stain clingeth to her skirts* (Lamentations 1:9);[517] and (3) of the ritual defilement notionally conveyed by contact, carrying, or being under the same roof with such. It is in this last sense that we say, "Matters of Torah are not defiled" (B. Berakhot 22a).[518] Holiness has three corresponding senses. **3.110a**

Corpse impurity is purged only after seven days and only with the ashes of a red heifer. But the Kohanim were always needed to enter the Sanctuary to offer sacrifices. So they

513. Such intimacies may lead to foreplay.

514. Rabbinic regulations significantly augment the purity code, extending its rules well beyond questions of entry to the Temple. The *Guide* here concerns biblical laws, disarming the claims of those who target its perceived "contradictions" with *MT*.

515. Sifre to Numbers 15:40, Shelaḥ 115 (not Sifra, as Buxtorf rightly noted). The Torah, Maimonides stresses, shifts the emphasis from ritual purity toward moral and spiritual purity. The mitzvah to affix fringes to one's garment (Numbers 15:40), the Sages explain, regards the holiness ordained in Leviticus 11:44 and 19:2, vested in the mitzvot. The fringes are a reminder. Maimonides associates the point with Sifra, where holiness is the theme.

516. Maimonides here has *defile not* in the plural rather than the singular as in the Masoretic text; the plural is a variant attested in *Biblia Hebraica*.

517. Lamentations here speaks of a moral stain metaphorically, in physical terms.

518. Rabbi Judah ben Beteira taught that study of Torah topics is not precluded by ritual impurity, and he practiced what he preached. The Steinsaltz Talmud commentary explains, "Ritual impurity is intangible and is experienced intellectually"—not communicated physically. "Since the words of God are like fire, they do not become ritually impure. However, filth offends the senses and creates a clear impression that one is in a despicable place." So words of the Torah are not to be uttered in an unclean place.

were forbidden to contract such impurity except in exigent cases, cases naturally hard to avoid: contact with the bodies of parents, offspring, or siblings. The High Priest was barred from any contact with a corpse, even of close kin, given the need for him to be present for service at all times in the Sanctuary—as it says, [The golden frontlet] *shall be ever on his brow* (Exodus 28:38). Clearly the ban does not extend to women—it says *the sons of Aaron* (Leviticus 21:1). Women are not needed to offer sacrifices.

Inevitably, someone will enter the Sanctuary or eat something consecrated while in an impure state, in error or deliberately—for malicious people typically commit the most egregious offenses on purpose. So specific sacrifices were ordained to atone for defiling the Sanctuary or consecrated objects inadvertently or intentionally (M. Shevuʿot 1.4–6). These are the goats offered on the pilgrimage festivals and at the New Moon and the scapegoat, as I explained—lest the deliberate offender presume he has done nothing serious in desecrating the LORD's Sanctuary. He must know that he needs atonement by
3.110b offering a goat—as it says, *lest they die unclean* (Leviticus 15:31) and *Aaron shall bear the guilt regarding holy things* (Exodus 28:38). This is a recurrent theme.

The impurity of leprosy (*tzaraʿat*) is of a type that I have discussed before,[519] as did the Sages. Their core doctrine here: It is a penalty for slander (B. Arakhin 16b). The

519. *CM Negaʿim* 12.5; *MT* The Impurity of Leprosy 5. Leprosy (*judhām*) is not the biblical *tzaraʿat*, often called leprosy in older biblical translations (Leviticus 13:2). The Sages link *tzaraʿat* with slander, given the sequelae of Miriam's criticism of Moses (Numbers 12:1, 10; Deuteronomy 24:8–9; see Davidson, *Maimonides*, 227 *nn.* 164–65). Belief in such a linkage may have been a useful fiction (III 28), but Maimonides seems to confine the miracle to ancient times and never identifies *tzaraʿat* as *judhām*. Leprosy, now called Hansen's disease, is a chronic infection of the skin, upper respiratory tract, and nasal mucosa by the bacillus *Mycobacterium leprae*, today successfully treated with antibiotics. Untreated, it damages the peripheral nerves, harming the blinking reflex and in time leading to blindness. Insensitivity to cuts and burns harms the face, nose, hands, and feet and leads to eventual resorption. Hence the Arabic name *judhām*, a falling away. The disease, first described by Lucretius (*De Rerum Natura* 6.1112), is not to be confused with elephantiasis, a vast enlargement of the legs now known to be caused by a parasitic filarial nematode, *Wuchereria bancrofti*. Maimonides discusses *judhām* (alongside cancerous tumors, which he calls *sarṭāniyya*, using the classical term) in *Medical Aphorisms* 9.107. Like his medical predecessors, he associates *judhām* with warm climates like that of Alexandria and cites Galen's *De Methodo Medendi* 2 (K. 11.143) for its absence in Mysia (south of the Sea of Marmara) and Scythia, where the cold climate perhaps seemed to impede it. Avicenna describes *judhām* circumstantially, stressing its prevalence in Alexandria. He blames diet for the disease. Ibn Zuhr (1090/91–1161/62) calls *judhām* contagious but also ascribes it to bad food (cf. Part III, *n.* 86), as does al-Zahrāwī (936–1013). The rough, red complexion of victims distinguishes *judhām* from *tzaraʿat*, biblically described as a whitening. Maimonides renders the Hebrew *sheḥīn* (boils) using the term *judhām* at *CM* Ketubot 3.4 and 7.7. Some take this to mean *tzaraʿat*, but wrongly, as Kafiḥ explains (Maimonides, *K. al-Sirāj*, 73). At M. Avot 4.2, Maimonides uses the term *judhām*

change first appears on the walls of one's house (Leviticus 14:34–48). If one repents, the point was made. If he persists, it spreads to his bed and furniture. If he still persists, it spreads to his clothing and even his body—a recurrent miracle for us, like the waters of a Soṭah (Numbers 5:27–28). It is clear why this belief is beneficial—all the more so since the lesion is contagious and naturally revolting to almost everyone.[520] The Midrash gives a reason why the affliction is purged with cedar, hyssop, scarlet thread, and two birds (Leviticus 14:4, 51; Leviticus Rabbah 16.7). But that is not germane here. I have not yet learned the reason for any of this, nor why cedar, hyssop, and scarlet thread are used in preparing the ashes of the red heifer (Numbers 19:6), nor why a sprig of hyssop is used for sprinkling the blood of the Paschal lamb. I cannot find the basis for using these species.

The red heifer is called a sin offering because, once done, it completes the purging of corpse impurity, allowing one to enter the Sanctuary. The basic idea is this: Having been rendered impure by contact with a corpse, one might have been barred permanently from entry and from eating consecrated foods had not the heifer "borne off" the sin—just as the frontlet the High Priest wears bars impurity (Exodus 28:36), or as the goats that are burnt bear off sins symbolically (Leviticus 16:27; Numbers 15:24). That is why "one who handles the heifer or the goats that are burnt renders his clothing unclean" (M. Zevaḥim 12.5)—just as the scapegoat, thought to carry off so much sin, renders impure all who handle it (Leviticus 16:26). **3.111a**

I have now given all the grounds I can see for this class of mitzvot.

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metaphorically. At M. ʿArakhin 1.1, he speaks of a victim of *judhām* as one whose limbs are consumed; at Ṭohorot 7.5, he suggests the term as a possible translation of the Hebrew *muval* (constrained). The last two passages do suggest symptoms of Hansen's disease. *MT* devotes a full treatise to a rather clinical discussion of the handling of *tzaraʿat* by the Kohanim. At the close of its sixteenth and final chapter, he reports the sequence of conditions miraculously visited on ancient Israelites: Its escalating warnings affect dwellings, furnishings, garments, and finally flesh. Maimonides does cite the case of Miriam, who had spoken in deprecation of her brother, "even though she did not speak spitefully, and was the elder, and had dandled him on her knee and risked her life to save him from the Nile, but erred only in equating him with other prophets—and although he did not take umbrage at all that she had said" (*MT* The Impurity of Leprosy 16.10, citing Numbers 12:2–3). Even today, in popular imagination, the sin of speaking ill of others (*lashon ha-raʿ*) is widely linked with biblical *tzaraʿat*. Maimonides wraps in folds of sacred history the portents rabbinically expected, thus insulating contemporary belief from the expectation that the warnings once afforded by divine grace are still operative. But he retains and underscores the Sages' midrashic moral cautions. Our thanks to Gerrit Bos for the citations of Maimonides' *Aphorisms* and Galen.

520. As Munk explains in his translation of the *Guide*, the character of the lesions enhances caution against slanderous talk.

Chapter 48

The commandments in the thirteenth class are the ones I listed in Laws regarding Forbidden Foods, Laws of Ritual Slaughter, and Laws of Vows and the Nazir. In the present work (I 35) and in my commentary on Avot, I explained the benefits of these commandments quite fully and clearly.[521] I shall clarify further by following up on some specific mitzvot in this group.

Every food forbidden to us in the Torah, I hold, is bad. None of them might even seem harmless except pork and fat.[522] Not so. Pork is waterlogged and loaded with waste. The Torah loathes swine, chiefly because they are so filthy and live on filth. You have already heard how fastidious the Torah is about keeping ordure out of sight, even outside an army camp (III 41), let alone a city. Were swine used for food, our markets, and even our homes, would be fouler than a toilet. You can see that in Europe today.[523] You know what our Sages say: "A swine's mouth is a walking sewer" (B. Berakhot 25a).

Belly fat, for its part, produces bloating and indigestion. It chills and thickens the
3.111b blood and is best burnt. Blood, too, (Leviticus 17:1) and meat from an animal that died (Deuteronomy 14:21) are ill digested and unwholesome; that of a diseased or injured beast (Exodus 22:30), as we know, is no more than carrion.

The signs of a licit animal—a split hoof and rumination for a beast; fins and scales for a fish (Leviticus 11:3, 9–10; Deuteronomy 14:6–9)—are, as you know, not the grounds on which it is permitted; nor is their lack the reason an animal is forbidden. These are just the markers that distinguish licit from impermissible species.

The reason the sciatic nerve is barred is given in the text (Genesis 32:33). The reason we do not consume a body part from a living animal (Genesis 9:4; Deuteronomy 12:23; B. Sanhedrin 57a; Ḥullin 101b; *MT* Laws regarding Forbidden Foods 5) is that this elicits cruelty. Gentile kings used to do this in those days, and it was also done in pagan worship: A limb was cut from a living beast and eaten.

As for the ban on milk with meat—besides its being quite gross, of course, and highly surfeiting—I think it hardly unlikely that it was involved in pagan worship or festivals. There is evidence for this, I think, in the fact that the first two mentions of the ban come when the Torah lays out our *thrice yearly* festivals (Exodus 23:17–19, 34:26; cf. Deuteronomy 14:21 and Onkelos ad loc.), telling us, in effect, 'When you make the pilgrimage

521. See *Eight Chapters*, 4; at M. Avot 3.13, citing M. Ḥagigah 2.7, Maimonides explains the value of vows like that of the Nazir as means of strengthening virtues like abstemiousness.

522. As Friedländer explains in his translation of the *Guide*, "Not all fat is prohibited. . . . The Law only forbids the fat of cattle, sheep, and goats . . . species of which sacrifice could be offered. . . . Of these animals only that fat is prohibited which would have been burnt upon the altar (Leviticus 3:4–5)."

523. Europe here is *Bilād al-Faranj*, the Land of the Franks, the homelands of the Crusaders.

and enter the House of the LORD thy God, do not cook as they do.' To me, this seems the likely basis for the ban. But I have not seen the practice described in any of the Sabian books that I have checked.

The mitzvah regarding animal slaughter (Deuteronomy 12:21; B. Ḥullin) is necessary. For man's natural food comes only from the cereals grown in the soil and animal flesh, **3.112a** the meats permitted to us. No physician is unaware of this. Since good nutrition requires killing animals, the intent was an easy death for them. It was forbidden to torment them by cruel slaughter: We may not behead them or sever a limb or organ, as I explained (3.58b).

We are also forbidden to slaughter a beast and her young on the same day (Leviticus 22:28), lest we slaughter the young in the sight of its dam. An animal suffers grievously from this,[524] just as a human would. For a mother's love and tenderness toward her offspring come not from reason but at the call of imagination, active in most animals as it is in humans.[525] The mitzvah specifies cattle and sheep. For of the domestic animals permitted to us, these are the most common in our usual diet—and the mothers do know their young.[526]

We shoo away the mother bird (Deuteronomy 22:6–7) for the same reason.[527] Eggs brooded and chicks still needing their mother are generally not fit to eat. So if the mother is shooed off or escapes on her own, she will not suffer the pain of seeing her young taken. Usually this will lead people to spare the whole nest. For what is left is rarely worth eating.

If psychic suffering of this sort in beasts and birds concerns the Torah, all the more does grief to any human being. Do not object that the Sages say, "One who says, 'Thy mercy reaches the bird in its nest,' [is silenced]" (M. Berakhot 5.3).[528] Turning their words against my view presumes one of the two positions that I have laid out, that of those who see the Torah's laws as arbitrary and groundless. But I hold fast to the other view (III 26, 31).[529] **3.112b**

524. Cf. Ikhwān al-Ṣafā', *AvM*, 107, 117–18.

525. See Avicenna's *Psychology*, Rahman, 30.

526. We follow Ibn Tibbon for the sense here.

527. The Torah's calling the bird a mother confirms Maimonides' account. The promise of long life and good fortune made in these verses was one of the two over which Elisha ben Avuya was said to have come to grief (the other was the promise of long life linked to the command to honor one's father and mother, made at Exodus 20:12). The first seeks to instill kindness, just as the other seeks to commend filial piety. But the Torah does not promise that releasing the mother bird (or honoring one's parents) guarantees long life. For Maimonides' position as regards shooing away the mother bird, see Weiss, "Maimonides on *Shiluaḥ ha-Qen*."

528. Rabbi Phinehas takes the Mishnah as meaning to silence the bitter complaint that if God's mercy reaches birds, why not human beings? (J. Berakhot 5.3, 40a). Rabbi Simeon, similarly, reasons that what should be squelched is the angry complaint that God's mercy reaches *only* birds—as if to affirm general but deny special providence.

529. The critic, in effect, has begged the question. Maimonides has already refuted the legal positivist's treatment of the mitzvot as arbitrary decrees, since it implies that God acts

I have already noted that the Torah itself makes clear why we cover the blood, specifically, of clean animals and birds (III 46).

Besides the laws we were given banning certain foods, we are given laws about self-restraint (Numbers 30:3–17). If one forswears 'this meat' or 'that bread,' he may not consume it. This is simple self-discipline, to curb one's cravings and train oneself in temperance in food and drink. "Vows," the Sages say, are "a safeguard of continence" (M. Avot 3.17).[530]

Since women are emotional, easily vexed, and not stout hearted, much domestic trouble, stress, and confusion would have resulted had regulation of their oaths been left up to them: A food would be allowed the husband but not the wife; another would be forbidden the daughter but not the mother. So the whole matter and everything related to it was left up to the head of the household. An independent woman, as you know, of course, who needs no man to manage her house, being single, fatherless, or of age—that is, past puberty—has the same status as a man regarding vows (see Numbers 30:17; B. Nedarim 70ab).

The reason for Nazirship (Numbers 6) is quite clear—to promote abstinence from wine, the ruin of many a man in modern as in ancient times: *Many . . . and mighty are those laid low by it* (Proverbs 7:26), *They too stagger with wine* (Isaiah 28:7). The well-known ban on anything derived from the vine expands the rules of Nazirship (Numbers 6:4; Judges 13:14), encouraging folk to use as little wine as possible. The one who abstains
3.113a is called holy and ranked in sanctity next to the High Priest. For like a High Priest, a Nazirite may not render himself ritually impure even for his father or mother (Numbers 6:7). So greatly is he honored for his abstinence.

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pointlessly (III 25). What the Sages warned against was the charge that providence is arbitrary: God's mercy, as the Psalmist avows (145:9), reaches all His creatures. The bird's release is paradigmatic of the Torah's broad concern with Israel's ethos. Those who think birds beneath God's notice may reduce the mitzvah to allegory; those who find it arbitrary fail to see its reach: The positivist misses its purpose; the allegorist, its practice. On hearing a rabbi pray, "O Thou who hast shown mercy to the bird in the nest, show us too Thy mercy and compassion!" Rabbah is said to have responded, "How well this rabbi knows how to plead with his Master!" Rabbah meant this in all sincerity, the Talmud explains, "not just to sharpen Abaye's wits!" (B. Berakhot 33b). See Lauterbach, "Ancient Jewish Allegorists." The Torah's concern with Israel's ethos is underscored in the commandment to help right a fallen beast of burden (Exodus 23:5; Deuteronomy 22:4). The two mitzvot are linked by the use of the same Hebrew word (*rovetz/rovetzet*) for both brooding and sprawling.

530. Rabbi Akiva's words in full: "Tradition is a safeguard of the Law, tithes are a safeguard as to affluence, vows are a safeguard of continence, but the safeguard of wisdom is silence" (M. Avot 3.17).

Chapter 49

The commandments in the fourteenth group are the ones I listed in the Book of Women and in Laws regarding Forbidden Unions. The laws on Crossbreeding of Beasts and the commandment of circumcision belong to this class as well. I have already given my account of the object of this group (III 35). So I shall focus now on the particulars.

I say, we know that friends are indispensable to man lifelong. Aristotle explained this in the *Ethics* book IX (*NE* VIII–IX, esp. VIII 1). In health and well-being, one enjoys their company. In hardship, one counts on them. In old age and infirmity, one needs their help.[531] All the more with children and relations. Ties of fellowship, affection, and mutual support reach their peak only among kin. So when a group shares an ancestor, even remotely, caring, mutual aid, and affection flourish among them.[532] To foster such fellowship is the Torah's high aim.[533] That is why prostitution is forbidden (Deuteronomy 23:18): It ruins lines of descent. Children are estranged from their people. They do not know their kin, and their kin do not know them. Nothing could be worse for them or their progenitor.[534]

Another major reason for forbidding prostitution is to curb sexual excess and obsession. Ever-changing partners fuel lust. Arousal is not the same in relations with a regular, familiar partner as with ever new prostitutes of varied mien and manner. Another key benefit is curbing social strife. Were prostitution licit, several men might pursue the same woman, making conflict inevitable. They might well kill each other or her. This happens, as we know, all too often—*trooping to a whore's house* (Jeremiah 5:7). **3.113b**

To curb these grave evils and safeguard the social good of known lineages, prostitution, male and female, was forbidden. No licit avenue of intercourse was left than for a man to find a woman and marry her publicly. If just finding a woman sufficed, most men would simply bring home a whore for a time, on terms agreed, and call her his partner.[535] That is why a definite act and commitment are prescribed, signifying the choice of *this*

531. Cf. Cicero, *Pro Archia* 16; and see Ecclesiastes 4:9–12.

532. For the strength of family bonds, see Ibn Khaldūn, *Muqaddimah*; cf. Seeman, "Kinship and Sentiment." Note Maimonides' use of the term *ʿaṣabiyya*, which will become a key term in Ibn Khaldūn.

533. Maimonides builds on the Torah's concept of *reʿut*, extending Aristotle's idea of *philia*, as Seeman explains, to all Israel (and beyond!) and suffusing the ideal of fellowship with the moral and spiritual/intellectual virtues. See Seeman, "Maimonides and Friendship"; Goodman, *Judaism*, 84–101; and Melamed, "Ha-Rambam ʿal ha-Ofi Medini shel ha-Adam," 301.

534. Cf. Saadiah, *ED* X 6, Kafiḥ, 300; Rosenblatt, 373.

535. See *MT* Laws regarding Women 1.1. Maimonides may allude to Shīʿite norms of *mutʿa*, or temporary marriage. Saadiah rejects a comparable practice as prostitution in effect. See *MT* Laws regarding Forbidden Intercourse 21.28–29; and Salaymeh and Septimus, "Temporalities of Marriage."

woman.[536] This is betrothal, and when solemnized before witnesses, it is marriage: *Boaz took ten men* (Ruth 4:2).

A match may fail, leaving a troubled household. So divorce is permitted. But if divorce were valid by word of mouth alone[537] or simply turning a wife out of the house, a woman might just wait for her chance and leave, claiming to be divorced. Or if she had a lover, the two might pretend she was divorced. So the Torah requires a writ attesting to her divorce: *He shall write her a bill of divorcement* (Deuteronomy 24:1).

3.114a Jealous fantasies and suspicions about women are all too common. So the Torah gave us rules about a suspect wife (Numbers 5:11–31). These laws of Soṭah compel every married woman to be extremely careful with herself to make sure as can be that her husband does not sour toward her, lest she face the awful Soṭah ordeal. If a wife is chaste and circumspect, most men would give anything to spare her this trial.[538] They would rather die than subject her to the shame of baring her head, loosing her hair, ripping her garment to expose her breast, and being paraded through the Temple before men and women and the High Court. Such fears check dreadful ills and the chaos adultery brings not a few households.

A virgin may marry any man, but only one who seduces her *must* marry her. She may prefer him, and their marriage is doubtless a better remedy than her marrying someone else.[539] But if she or her father refuses, the seducer must dower her (Exodus 22:16).[540] A further penalty: if he forced her, *he may not divorce her as long as he lives* (Deuteronomy 22:29).

The reason for levirate marriage is stated in the text: This was the ancient practice before the Torah was given (Genesis 38:8) and preserved there.[541] Ḥalitzah (Deuteronomy 25:5) uses acts then thought degrading to pressure a survivor to marry his brother's widow

536. Halakhic marriage requires a binding act, the bridegroom's giving his bride something of value or a marriage certificate. Since intercourse, too, can constitute a marriage bond, resorting to casual or temporary relations does not erase the normative demand for commitment. See *SM* Positive 213.

537. As in Islamic law.

538. Before invoking the ordeal, Maimonides holds, the husband must warn his wife before two witnesses not to be alone in private with a certain man long enough to cohabit (*MT* Laws of Soṭah 1.1.3). The ordeal fell into disuse when the Temple was destroyed. But even earlier it was deemed impossible to presume, as required, that the accuser himself was innocent. In effect, the Sages so hedged about the law as to make the ordeal inoperative; see Goodman, *God of Abraham*, 137–38.

539. She is assumed to be unbetrothed (Deuteronomy 22:28).

540. She is not to be disadvantaged.

541. Maimonides' developmental understanding of biblical law resurfaces here. The biblical laws of levirate marriage, as Diamond writes, are "emblematic of the law looking back to and embracing its antecedents" (*Maimonides and the Hermeneutics*, 27). Cf. Burrows, "Ancient Oriental Background."

rather than face shame, as the Torah's words show: *Thus is it done* [*to a man who will not shore up his brother's house.*] *In Israel shall he be called* [*"Unshod"*]*!* (25:9–10).

We learn a point of principle and propriety from Judah's story, when he says, *Let her keep it lest we be disgraced—See, I sent this kid* (Genesis 38:23). To explain: Sleeping **3.114b**
with a whore before the Torah was given was like sleeping with one's wife thereafter. It was lawful and not repugnant. To pay a prostitute her agreed fee in those days was like paying a woman's dowry when divorcing her now.[542] It was the woman's right. So Judah's saying *lest we be disgraced* shows us that all sexual matters, even those that are permitted, should be treated discreetly. We should not speak of such things but keep them private, even to our cost. You can see this in Judah's saying, 'Better to suffer a loss and let her keep what she took [his staff, signet, and cord (38:18)] than raise a hue and cry looking for her and disgrace oneself.'

That is how the story teaches propriety. Principle is seen in Judah's spurning any intent to scant the woman or break his promise: *Look, I sent this kid*—doubtless a fine specimen, hence "*this* kid." He showed the justice of the heritage he and his brothers had gotten from Jacob, Isaac, and Abraham: keeping one's word without quibble and meeting one's obligations fully and handsomely, whether in paying a debt, returning a pledge, or giving others their due for services rendered or anything else. A woman's dowry is her due, like wages. There is no difference between withholding it and refusing a man his pay, no difference between finding fault with a worker to dismiss him unpaid and doing so to **3.115a**
a woman to divorce her without paying her dowry.[543]

542. We use the term *dowry* here in *OED* sense 3. In halakhic practice, this was a sum promised in case of a divorce. Being stipulated in the marriage contract (*ketubah*), the sum itself is often called the ketubah.

543. Maimonides' digression reflects a case he addressed in a responsum, using the traditional substitution of placeholder names to preserve the parties' anonymity:

> Reuben married Leah in Alexandria, specifying in writing a delayed marriage payment of 100 Egyptian dinars. She was of a prominent family in Alexandria and bore him a son. Nearly three months later there was a falling out between him and her family. He swore before witnesses that he would no longer recognize her as his wife unless she reduced the sum by thirty dinars. He meant to take advantage of her relations. Hearing of this, her kin were furious. How could he reduce the promised sum for no fault of hers? They thought it shameful and would not have her comply. He brought the matter to court, which informed him that he could not force her hand about this. But someone there instructed him that if he demanded she go with him to live in the Land of Israel and she refused to do so and give up her family, she would forfeit the sum; so she would have to do as he wished. He acted on this advice and held the threat over her head. Returning to court he charged her on that ground. The court held, "If the journey is not dangerous and nothing prevents it, the woman must go to the Land of Israel and live there. Should she refuse, she is divorced without payment of her *ketubah*." The court

You can see how very fair are *these just statutes and laws* (Deuteronomy 4:8)—witness their ruling against a man who blackens his wife's name (22:13–19). A villain who slanders his wife just because he has tired of her and finds her unattractive could divorce her like any husband. Nothing stops him. But he would have to give her what is hers by right. So he traduces her instead to free himself for nothing. He defames her absurdly to keep what is rightfully hers: fifty silver shekels, the Torah's statutory dowry for a virgin. So God sentences him to pay a hundred, on the rule that *the one the judges find in the wrong shall pay the other double* (Exodus 22:8) and the law of false witness, as I explained (III 41). On this basis, one who defames his wife hoping to cheat her out of her fifty shekels must pay a hundred, the penalty for withholding her due. But the penalty for sullying her honor with scurrilous charges of unchastity is that his own honor is sullied: He is flogged—*they*

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relied on the Mishnah: "Anyone may be compelled to go up [to] the Land of Israel, [but not to leave it]" (M. Ketubot 13.11). It is taught: "If he wishes to go up and she refuse, she must go (or be divorced without her *ketubah*)" (Tosefta Ketubot 12.6; *MT* Laws regarding Marriage, 13.19–20). Word spread about the man's charge against his wife, and when the community leaders heard of it, they were incensed and said, "Now, anyone who hates his wife and wants to be rid of her without paying her *ketubah* can use such a pretext, and many women may be divorced!" Teach us, holy eminence, in the light of your great wisdom, is there anything to this, or should we retain our settled practice and usage? May your reward be great. Maimonides replied: "The practice of courts in the West, as I have seen it, is to excommunicate anyone who does this to his wife. She says, 'Go ahead and enjoy the blessings of the Land of Israel without me, with or without paying the *ketubah*!' He says, 'Very well.' But then they can force her either to go with him or to be divorced without her *ketubah*. I have seen them do this. But my view and my holding here (as we should rule) is this: Whoever knows what the Torah means by *Justice, justice shalt thou pursue* (Deuteronomy 16:20) and *Thou shalt not spread a false report* (Exodus 23:1) and who grasps the import of these precepts, knows, as the Sages put it, that 'one may not pass judgment without direct knowledge' (B. Bava Batra 131a). If a man wishes to go up to the Land of Israel in good faith and has no quarrel at all with his wife, she must go with him. Absent any of these conditions, we do not require her to go. The little fox who taught this husband to levy these or like aspersions is suborning perjury. For anyone who uses a false report to evade an obligation—like withholding a worker's pay—is stealing, the same as any robber. I see no difference between seeking some pretext to cheat a worker of his promised wages at day's end and doing the same to a wife to scant her of the dowry due her. So the Torah teaches us in the case of Judah and the (seeming) whore, when he says, *Look, I sent this kid* . . . (Genesis 38:23). Back before the Torah was given, prostitution was legal (*MT* Women, Laws regarding Marriage, 1.1, 1.4), and a whore's pay then was like a wife's dowry now. The truth is, it's all too easy for many a man to ill use his wife by withholding her *ketubah*. So we must guard against this abuse and put a stop to it—*breaking the arm of the villain and wrongdoer* (Psalms 10:15) and *freeing the victim from the deceiver* (cf. Jeremiah 22:3). Signed, Moses (Maimonides)." (*Teshuvah* #365)

shall chastise him (Deuteronomy 22:18, with Onkelos). And for his lust, seeking only pleasure, his penalty is to remain wedded to her permanently: *He may not divorce her for the rest of his life* (22:19). For he did all this just because he no longer found her attractive. That is how vices are cured when the prescription is God's command.

The more you reflect on it, the more you will appreciate how justice shines in the Torah's rules: The slanderer who impugns his wife's virtue, hoping to keep what is hers by **3.115b**
law, fares the same as a thief who stole another's goods; and a false witness who intended harm, even if he failed, faces the same loss he intended: Slanderer, perjurer, or thief—all three fall under *the same law and rule* (Numbers 15:16).

See how wonderfully wise God's laws are, as wondrously wise as His works. It says, *He is the Rock whose work is perfect. All His ways are justice* (Deuteronomy 32:4). Just as His works are consummately perfect, His laws are consummately just. Our minds may not fully grasp the perfection of all His works—or the justice of His every ruling.[544] We see some of the marvels in His creatures—in the organs of animals and the movement of the spheres. And similarly, we see the justice in some of His laws. But the unseen, in both cases, far exceeds what meets the eye.

Returning now to this chapter's topic: The bans on sexual trespass all aim to diminish and disparage sexual activity and keep it to a minimum. With homosexuality and bestiality (Leviticus 18:22–23), the grounds are obvious. If natural sex is frowned upon and kept within the bounds of necessity, all the more restricted are acts that flout nature's course and seek only pleasure (cf. 3.76a).

Incestuous female partners have this in common: most of them are constantly with the man in question—in his home, easily accessible and readily taken, their presence untrammeled and unquestioned. If these women were treated the same as any single woman **3.116a**
and forbidden to a man only because they were not married to him, most men would be at constant risk of straying and seducing them. But since such relations are strictly forbidden with the strongest of sanctions—court-ordered execution and excision (III 41)—these women are out of the question. Barred from such advances, men look elsewhere.[545]

That ease of access shapes our incest laws is very clear: If a man has a wife, her mother, grandmother, daughter, granddaughter, or sister are typically present much of the time. He will see them constantly as he comes and goes. A wife, similarly, is in contact with her husband's brother, father, and son. Obviously, a man is regularly with his sisters, his aunts, and his uncle's wife. He grew up with them. These are the women with whom

544. God governs nature through its laws and humanity by the principles so perfectly expressed in the Torah's precepts, the fairest instances of natural law for human beings (2.84b)—even if the grounds for some of their details may elude us.

545. Libido may seem indiscriminate, but the Torah channels it outside the home and family. Fornication, too, is forbidden. But incestuous relations, Maimonides reasons, are singled out for severe penalties given the temptations of accessibility.

relations are incestuous. So access, you can see, is one factor in the incest prohibition. But another, I believe, is to protect intimacy. Linking root and branch—by sex with one's mother or daughter—is an outrage. So sex with them is forbidden, root with branch or branch with root or both with a third party, exposing themselves to that other. That is
3.116b why it is forbidden to sleep with a woman and her mother, or with one's father's wife, or one's son's: In all these cases, the nakedness of root and branch are exposed to one another.[546] But siblings are like root and branch. And since a sister is forbidden, so are a wife's sister and a brother's wife: That would sexually link to a third person two others who are like root and branch.

Given the grave prohibition of sibling incest, treating brother and sister as root and branch, or indeed alike, sex with a maternal aunt is forbidden too, as she is the counterpart of one's mother, and with a paternal aunt, the counterpart of one's father. But just as the daughters of a paternal uncle and of a paternal aunt are not forbidden, the daughter of a brother or sister is not forbidden. That a paternal uncle may marry the wife of his brother's son, although that son may not marry his paternal uncle's former wife, is explained by our first consideration. For a brother's son is very much present in his uncle's home and as familiar with this wife as with his brother's wife. But an uncle does not so frequent his nephew's home and is not so close with his nephew's wife. Obviously, a father has the same access to his son's wife as the son has to his father's. So the prohibition is symmetrical: capital offenses in either case.

546. The Torah forbids sixteen types of incest. The Sages add twenty more; see *MT* Laws of Marriage 1.6. In *Eight Chapters* 6, Maimonides treats the Torah's incest prohibitions as *ḥukkim*, mitzvot with no obvious rationale. But he responds sensitively here to the Torah's moral linkage of intimacy with privacy. A man who sleeps with, say, his brother's wife *has uncovered his brother's nakedness* (Leviticus 20:21). Breaching the bonds of sexual privacy, like the commodification of sex in meretricious prostitution or its fetishization in temple prostitution, renders public the intimacy that asks privacy. For the imagery of root and branch, see David, "*Hi Hu ve-Hu Hi*" (She is he, and he is she), appendix. The trope, he reports, is common in Islamic Jurisprudence. Its Karaite use marks displacement of earlier efforts to ground incest prohibitions on appeals to the premise that man and wife form *one flesh* (Genesis 2:24). Reliance on this (basically irrelevant) verse to warrant the biblical laws against incest, as Leon Nemoy reports, underwrote the Karaite catenary (chain reaction) theory of incest with its ever-expanding network of forbidden mates. *Rikkūb*, the compounding of consanguinity, produced ever-diminishing pools of potential spouses, an unsustainable outcome that Nemoy argues provoked the only substantial reform in Karaite legal history. See Nemoy, "Two Controversial Points." The root and branch imagery, David writes, was underwritten by images of a family tree (*Kinship, Law and Politics*, 49–56). Its adoption by Maimonides is as striking as his expectation that it affords a compelling explanation of incest prohibitions. The Karaite jurist Judah Hadassi of Constantinople had treated it as such: "It is not fitting to mate branch with root or root with branch." *Eshkol ha-Kofer*, 118a. Our thanks to Joseph David for this reference.

The reasons sex is banned with a menstruous or a married woman are too obvious for words. As you know, we may not take sexual pleasure of any sort, even visually, in a woman not permitted to us. I explained this in Laws regarding Forbidden Unions (21.1–2). As I spelled out there, our Law allows no erotic daydreaming; nor may we excite ourselves sexually in any way. If one does become aroused unwittingly, he must turn his **3.117a** thoughts elsewhere until it passes. To encourage the virtuous, the Sages say, "Son, if that monster afflicts you, drag him to the study hall. If he is iron, he will melt; if he is stone, he will shatter, as it says: *Is not My word like fire, saith the* LORD, *like a hammer that shatters rock!*" (B. Kiddushin 30b, citing Jeremiah 23:29). The sage counsels his son in self-discipline: 'If you are aroused and it troubles you, go to the study house and read, think, and ask and answer questions; it will pass.' Marvelous, his saying "this monster"—and what a monster! This is the norm not just in our religion. The Philosophers say the same thing. I have already taught you the text where Aristotle calls the sense of touch a shame to us, since it leads us to privilege food and sex (II 36, 40; III 8).[547] His writings decry those who favor sex and gourmandizing. He derides and disparages them at length, as you will see in his *Ethics* (*NE* III 10, 1118b2–5) and *Rhetoric* (I 11, 1370a18).

In the interest of chaste thinking, a virtue devoutly to be wished, our Sages banned watching beasts or birds mate (B. ʿAvodah Zarah 20b). It is for the same reason, I think, that we are forbidden to crossbreed beasts. For we know that different species are not generally moved to mate unless stimulated manually. This, you can see, is always done by the poor louts who breed mules. The Torah hates the thought of any Israelite's stooping so low, dealing with things it finds distasteful even to mention, let alone touch without **3.117b** necessity. But there is no necessity for such crossbreeding.

I think the reason for the ban on teaming different species in work of any sort is just to make crossbreeding less likely. It says, *Thou shalt not plow with an ass and an ox together* (Deuteronomy 22:10). If they are teamed, one might mount the other. The rule is general, as the Sages indicate, not just for oxen and asses: "An ox with an ass, or any pair from different species: Scripture just names the common case" (M. Bava Kamma 5.7).

One reason for circumcision, too, in my view, is to curb sexual activity—to weaken the organ and render sex as pacific as possible—and make it less frequent. Some would have it that circumcision repairs an inborn defect.[548] But then one might object, 'How

547. Maimonides so often cites Aristotle's disparagement of the tactile sense since it steadies his orienting framework, with physicality at the low end and intellect rising toward God.

548. Saadiah, for one, sees circumcision as an improvement (*ED* III 10, Kafiḥ, 147, Rosenblatt, 177). Galen sees the prepuce as an ornament, preserving human dignity against exposure of the naked glans (*De Usu Partium* 11.13, tr. May, 529–30). To Philo, circumcision is a hygienic measure practiced by Arabs, Ethiopians, and others in warm climates, as well as Jews, protecting the foreskin from infection. He also holds that it promotes fertility. But the admonition to circumcise one's heart (Deuteronomy 10:16) leads him to read biblical circumcision

could something natural be defective and need repair, especially since we know how useful the foreskin is to this member?' The mitzvah was given to correct a moral, not a physical, defect. The damage to the organ is just the point. No function needed for personal survival is impaired, nor is procreation checked. What is checked is a frenzied appetite beyond all need. That circumcision blunts arousal and may lessen pleasure is unquestionable. For an organ made to bleed and stripped of its sheath in infancy is doubtless weakened. The Sages shed light on this when they say, "A woman who has slept with an uncircumcised man finds it hard to leave him" (Genesis Rabbah 80.11[549]). This, in my
3.118a opinion, is the main reason for circumcision. Was the practice not inaugurated by Abraham, famed for his chastity, as the Sages relate (B. Bava Batra 16a) concerning his saying, *Lo, I know thou art a woman lovely to look at* (Genesis 12:11)?[550]

Circumcision has a further vital meaning for us, I think: Those who share our monotheistic conviction should also share a bodily sign, letting no one who is not one of us feign otherwise. A stranger might do so to gull or exploit our religion's adherents. But no one would do this to himself or his son without firm conviction. For this is no scratch on the leg or burn on the arm. It is very, very serious.

We know how powerful love and solidarity can grow when people all share the same sign of their common bond and pact. Circumcision, in this way, is the bond of allegiance to the covenant our Father Abraham made, marking his belief in God's unity. All who are circumcised join that pact and take on his commitment to that covenant of monotheism—[*I will raise up My covenant between Me and thee, and thy seed after thee through the generations to come, a covenant eternal*:] *to be God to thee and to thy seed after thee* (Genesis 17:7).[551] This, too, is a powerful reason for the commandment, like the first—and perhaps even stronger.

This law is observed and preserved only if circumcision is performed at an early age, for three wise reasons: (1) Were a boy let be until grown, he might not do it. (2) An infant does not suffer as much pain as an adult. For the foreskin is pliant and the imagination

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as emblematic of the spiritual call to excise idle thoughts that promote the passions (Philo, *Questions on Genesis* 46–52, LCL Supplement 1.240–47). For Maimonides' multiple reasons for circumcision, see Stern, *Matter and Form*, 338–39.

549. When Simeon and Levi took their sister Dinah from the house of Shechem (Genesis 34:25–26), the midrash has it that "they dragged her." Hence the rabbinic inference.

550. Struck by Abraham's *lo*, the Talmud proposes that until that moment, Abraham was so abstemious that he had not noticed Sarah's beauty!

551. Entering the covenant, Maimonides holds, reflects commitment, not birth alone. Thus his responsum regarding Obadiah the Proselyte: Having joined Abraham's community, Obadiah had as much right as a born Israelite to call the Torah his heritage. See Kellner, *Maimonides' Confrontation*, 79; and Diamond, *Converts*, 11–32. Isocrates wrote, "The man who shares our culture (*paideia*) is a Greek in a higher sense than he who shares our blood" (*Panegyricus* 13.51, Norlin, 1.148–49).

undeveloped. An adult would blench and dread circumcision, picturing it in advance. (3) Parents are not so anxious about a newborn. The image that cements parental love is **3.118b**
not yet fully formed. It fills in as parents and child interact, growing as the child grows, then beginning to wane and fade—the fantasy image, that is. So a mother and father's love for their child at birth is not like their love for him at one year; nor do they love him at one as they do at six. Were he left alone for two or three years, circumcision would inevitably fall by the wayside, given a father's love and tender feelings. But at birth, the mental image is still quite weak, especially in the father, who bears the responsibility to keep this commandment (B. Kiddushin 29a).

We circumcise on the eighth day (Leviticus 12:3). For all animals are extremely delicate and tender at birth, as if still in the womb, until seven days have passed. Only then are they deemed ready to go out in the air. You will see this with beasts too: *Seven days shall it be with its dam* (Exodus 22:29; cf. 3.102b). Until then, it is all but a fetus. Just so in the human case: circumcision after seven days. That is the standard: Do not let it vary.[552]

Also in this class comes the ban on mutilating the genitals of any male animal (see Leviticus 22:24),[553] on the principle of *just laws and statutes* (Deuteronomy 4:8). Things are kept in balance: There should be no sexual excess, as I said, but neither should sex be wholly rejected. Did God not give the command, *Be fruitful and multiply* (Genesis 1:28)?[554] So the organ of generation is weakened by circumcision, but there is no gelding. **3.119a**
We leave the genitals in their natural state but guard against excess. *One whose testes are crushed or whose penis is severed* (Deuteronomy 23:2) may wed no Israelite woman. For sexual relations of this kind are perverse as well as futile, and such a union, quite clearly, would be a stumbling block to her and to her suitor.[555] That is very clear.

To forestall illicit unions, a *mamzer* is barred from relations with an Israelite woman (Deuteronomy 23:3; M. Yevamot 4.13; *MT* Laws regarding Illicit Unions 15.1–2), warning would-be fornicators that what they contemplate would stigmatize their issue irreparably. Illegitimate offspring are looked down upon in every nation and culture, and Israel's seed is too noble to sully with bastards. Given their dignity, Kohanim may wed no whore or divorcée, nor may they wed the offspring of a Kohen's forbidden union (Leviticus 21:7;

552. There are exceptions to the eight-day rule—as when an infant is jaundiced or at risk of uncontrolled bleeding (*MT* Laws of Circumcision 1.17). The rabbinic expression "do not let it vary" reflects the setting of a fixed standard (cf. B. Shabbat 35b, Ḥullin 9a)—but not at the risk of life.

553. See Targum Jonathan ad loc.; B. Ḥagigah 14b, Bava Metzi'a 90ab; *SM* Negative 361; and *MT* Laws regarding Forbidden Unions 15.10, 13. See also Josephus, *Antiquities* 4.8.80.

554. *SM* Positive 212; cf. Saadiah, *ED* X 6. Procreation is a law of nature but also a blessing (Genesis 1:22).

555. The woman may be tempted to seek an illicit partner who can father a child.

B. Kiddushin 77a). The High Priest, noblest of the Kohanim, may not wed even a widow but only a virgin. The grounds are clear enough. If union with *mamzerim* is forbidden to all Israel, still more are unions with male or female slaves.[556] The grounds for the prohibition of marriage to a non-Jew are stated biblically: *When thou takest of their daughters for thy sons* [*and those daughters still go whoring after their own gods, they will seduce thy sons to go whoring after them too*] (Exodus 34:16).

Most of the statutes whose grounds are obscure to us serve just to distance us from paganism. For some of the particulars, the reasons remain unclear to me, and I do not know the benefits. Hearsay is not the same as eyewitness.[557] What I do know of Sabian ways, gleaned from their writings, lacks the specificity of seeing their practices firsthand—especially since these beliefs have crumbled over the past two thousand years and more. If we knew those practices circumstantially and heard the beliefs about them
3.119b described in detail, the wisdom of our own practices regarding sacrifices and ritual impurity would be clear to us, as would the wisdom of other practices whose grounds I find less than transparent. All these laws, I am confident, were laid down to efface those unsound beliefs and abolish the vain practices that made *welter and waste* (Isaiah 49:4) of people's lives. The object was to erase the superstitions that distracted mankind from rational inquiry and wholesome pursuits, as our prophets put it vividly: *They followed folly* (tohu) and *chased futility* (1 Samuel 12:21 with Jeremiah 2:8). As Jeremiah says (speaking for the pagans), *"Naught but lies was our fathers' heritage—vain and useless!"* (16:19).

Just think how baneful this was and how vital the struggle to end it. Most of the mitzvot, as I have shown, serve simply to expunge those beliefs and free us of the massive, oppressive toil and trouble of paganism: Every biblical ban and command whose grounds you cannot see is but medicine for an illness now, thank God, unknown! That is what an enlightened mind should believe, who sees the truth of His words: *I said not to the seed of Jacob, "Seek Me in a world of waste"* (Isaiah 45:19).

I have now covered all the mitzvot in our fourteen categories and noted their grounds. Only a few and some small details remain to be explained. But even for these, in fact, I have laid the basis of an explanation, if one reflects on it thoughtfully.

556. As Friedländer explains in his translation, Jews in antiquity were halakhically allowed to hold pagan slaves if the servant abandoned idolatry. See Onkelos at Deuteronomy 23:18. The slaves became full-fledged proselytes on manumission.

557. For the primacy of firsthand knowledge, see *Guide* II *n.* 333, 3.119a, 121b; and B. Bava Batra 131a.

Chapter 50

Certain Torah mysteries remain to be cleared up, issues where many have stumbled: sto- **3.120a**
ries that may seem otiose, like the account of Noah's line branching into diverse lineages, giving their names and territories (Genesis 10), or Seir the Horite's progeny (36:20–30), or the kings who reigned in the land of Edom (36:31), and the like. The Sages tell, as you know, how wicked Manasseh plied his vile court with constant carping about such passages. "He would sit," they say, "and pick at the narrative: 'Had Moses nothing better to write,' he would say, 'than *the sister of Lotan was Timna* (36:22)'!" (B. Sanhedrin 99b).[558] I shall give you the general theme first and then come back to the specifics, as I did with the grounds for the mitzvot. Every narrative in the Torah, you see, does contribute to it critically as a body of law, whether by anchoring some core biblical principle or by improving our actions to check wrongdoing and aggression. I shall spell this out for you.

It is a core teaching of the Torah that the world began, that the human race began with the creation of one man, Adam, and that some 2,500 years passed from Adam to our Teacher Moses. Given only this account, people would soon have raised questions. For mankind now covered the earth in diverse races and widely varied tongues. Such **3.120b**
skepticism was allayed with data on the lineage and divergence of all these peoples, naming their notable figures—So-and-So, son of So-and-So—and citing their lands and life-spans, explaining their dispersal to the ends of the earth and the divergence of their tongues, although at first their forebears had all lived in the same place and spoke one language, as they must have done, as descendants of one person.

Similarly, the stories of the Flood and of Sodom and Gomorrah are told to confirm a sound belief: *Yea, there is a meed for the righteous, divine justice on earth!* (Psalms 58:12). The Torah recounts the War of the Nine Kings (Genesis 14) for the same reason, to inform us of Abraham's miraculous triumph over four mighty kings, leading just a handful of men, under no monarch.[559] It also teaches us how zealously he defended his kinsman, risking his life in battle to save him, since Lot shared his belief. And it shows us how modest and unselfish he was, scorning greed and devoting himself to virtue—as he said, *not a thread or sandal strap . . .* (14:23).

The listing of the tribes of Seir and detailing of their lineages (Genesis 36:20–30) regard one mitzvah, God's command to destroy the seed of Amalek. Amalek was descended from Eliphaz and Timna the sister of Lotan. But God did not command that the rest of Esau's progeny be slain. Esau was related by marriage to the progeny of Seir,

558. Manasseh, a king of Judah described in 2 Kings 21 who "did what was evil in the eyes of the Lord" (2 Kings 21:2), is the Talmud's archetype of captious readers of Scripture.

559. Abraham had allies, but with just a few of his men and no king, Efodi explains, he pursued the fleeing enemy.

as the text makes clear (36:25). He had progeny and power there, and his line mingled with theirs (36:8, 12, 20–22, 30–31, 40). So the land of Seir and that of all those tribes
3.121a bore the name of the dominant tribe, the house of Esau—and specifically, of Amalek, the most aggressive. Had the Torah not untangled these lineages, all would have been slain indiscriminately. So Scripture distinguished the tribes, saying that those now living in Seir and under Amalekite dominion are not all children of Amalek but of So-and-So and So-and-So. They are called Amalekites only because of his mother (Timna; Genesis 36:12). All this was justice on God's part, lest tribe be swept away with tribe. For the decree was only against the line of Amalek.[560] I have already given the reason (III 41).

The Torah lists the kings who ruled the land of Edom (36:31–39), since one of our commandments is *Set over thee as king no stranger that is not thy brother* (Deuteronomy 17:15).[561] Of these kings named in the Torah, not one was an Edomite. It gives their pedigrees and homelands. You can see it: So-and-So of Such and Such, So-and-So of Such and Such. Most likely, I think, their history and ways were well known—the mores of those kings who ruled Edom, and it was notorious that they abased and abused the Edomites. By naming them, Scripture says, in effect, 'Take a lesson from the experience of your brethren, Esau's descendants, whose kings were So-and-So and So-and-So, whose deeds were infamous.' For no nation has been ruled by a foreigner without suffering harm, great or small.[562]

In a word, just as Sabian doctrines are distant to us now, as I noted (III 49), the chronicles of those ancient ages are lost to us today. If we knew those histories and the events they record, the reasons for much of the detail in the Torah would be clear to us.[563]

3.121b You need to bear in mind that reading history is not like living it. There are telling details in lived experience that are impossible or tedious to relate. A narrative recounting them can seem rambling and repetitious. But an eyewitness would know why all this had to be said. So when you find nonhalakhic biblical narratives otiose, prolix, or repetitious, it is because you did not live through the events that called for all these details to be recorded as they are.

560. Cf. 1 Samuel 15:6: *Saul warned the Kenites, "Go, depart, get ye down from amongst the Amalekites, lest I destroy you with them. Ye showed kindness to all the Israelites when they came up out of Egypt."*

561. See Kasher, "Preferential Concern for Kin."

562. Maimonides may think of Herod here, an Idumaean.

563. Maimonides, Strauss writes, "thought very slightly of history." Granted, Maimonides "did not know and could not know history in the modern sense" (*Persecution*, 58). Granted, too, that history, as a discipline, does not loom large in the Aristotelian canon. For history aids scientific inquiries only when facts impart general lessons like those Aristotle drew from his extensive historical studies of Greek *poleis*. But history, even in its particularities, is of critical import to Maimonides for the contextual understanding of many of the mitzvot. And historical facts are morally freighted for him, as in history's object lessons about foreign rulers; cf. 3.92b–93a.

A case in point: the enumeration of the stages of Israel's journey through Sinai. On the surface, the list may seem completely useless. Lest one jump to that conclusion, it says, *Moses wrote the stages of their journey at the* LORD*'s command* (Numbers 33:2). The need for this listing is of moment. For only eyewitnesses are sure of any miracle. To those who hear about it, it's just a story, and quite possibly untrue. A miracle, as we know, cannot conceivably last through the ages for all to see.[564] One biblical miracle, one of the greatest, was Israel's survival in the wilderness for forty years, finding manna daily. This was a desert, as Scripture states, of *venomous snakes and scorpions, a thirsty, waterless land* (Deuteronomy 8:15), unwelcoming and far from human habitation—*unfit for seed, fig, vine, or pomegranate . . .* (Numbers 20:5), [*a land of deserts and ravines, drought and darkness,*] *a land untraveled* (Jeremiah 2:6), where, as the Torah relates, *ye ate no bread and drank no* **3.122a**
wine or strong drink (Deuteronomy 29:5).

All this was miraculous, plain to see. But God knew a time would come when such miracles were doubted, as traditions are. The presumption would be that Israel was in a desert near settled, habitable land, like the deserts where Bedouins live today, or in arable land where crops could be grown or food gotten from the local vegetation, or that manna always fell there naturally, or that there were natural springs there. To rule out any such misgivings, the account of all these miracles was bolstered by listing the stages of Israel's journey, letting future generations see the details and realize just how great a miracle it was for human beings to survive forty years in such terrain. For the same reason Joshua cursed anyone who ever rebuilt Jericho (Joshua 6:26), to preserve the miracle. For anyone who saw Jericho's battlement sunk into the ground would realize this was no ordinary ruin but a wall miraculously sunk.

Likewise, it says, *At the word of the* LORD *they pitched camp, and at the word of the* LORD *they departed* (Numbers 9:20). This might seem sufficient, and whatever follows might seem needless verbiage—its saying, for example, *when the cloud tarried long* (9:19), *At times the cloud* [*lingered over the Tabernacle just a few days*] (9:20), *or whether it lingered two days over the Tabernacle* (9:22). I shall tell you the reason for all this detail: to confirm the account and exclude gentiles' presuming, then and even now, that Israel was lost and could not find their way, as it says: *trapped in the land* (Exodus 14:3).[565] The Arabs to this day call that desert the Tih, presuming that Israel was lost (*tāhu*) there and

564. The parting of the sea is a temporary departure from the familiar pattern. It is no miracle for water to seek its level. A lasting miracle would belong to the regular fabric of nature.

565. The word 'trapped' here is *nevukhim*, Ibn Tibbon's choice in rendering 'the perplexed,' giving the *Guide* its familiar Hebrew title, as we mentioned in our introduction. Pharaoh expects the fleeing slaves to be trapped (*nevukhim*), their backs to the sea (Exodus 14:3). In Esther (3:15), *navokhah* signifies the consternation of Jews in Susa at Haman's genocidal decree. God out-strategizes Pharaoh when the Reed Sea opens a pathway to the liberated slaves.

unable to find their way out. So Scripture details the uneven stages of the journey, the occasional backtracking, and the stays of varied length at each stop—one for eighteen years, another for a day, another for just a night—all at God's direction, not that Israel was lost, but based on the raising of the pillar of cloud. That is the reason for the added detail. The Torah is clear that the distance was short and the route familiar and well traveled, not unknown, from Horeb, which they had reached by design, at God's command—*Ye shall serve God at this mount* (3:12)—to Kadesh Barnea, at the fringe of civilization, as it says: *Lo we are in Kadesh, a town at thy border* (Numbers 20:16). That is eleven days' march, as it says: *It is eleven days' journey from Horeb by way of Mount Seir to Kadesh Barnea* (Deuteronomy 1:2)—not a route to wander for forty years. The causes stated in the Torah are the sole reason.

The same holds true for any story included in the Torah for reasons obscure to you: There is a good reason for its inclusion. As the Sages say, "*It is no empty thing* (Deuteronomy 32:47)—and, if it is, it is you!" (J. Peah 1.1, Sukkah 4.1, Ketubot 8; cf. 3.58a).

Chapter 51

3.123a The chapter I send you now contains no new themes beyond those in the rest. It serves only as a kind of seal.[566] But it does spell out the kind of worship that befits one who grasps God's uniqueness, one who has come to realize what God truly is. It will guide him toward such worship, man's highest goal, and teach him how God's providence reaches him in our present abode until he moves on, to be *bound up the bond of life* (1 Samuel 25:29).

I shall open by coining a parable for you: The ruler is in his palace. Of his subjects, some are in the city, some outside it. Of those within, some have their backs to the royal palace and face away from it. Others face it and approach, seeking to enter and stand

566. This low-key opening may lull the unwary. With its famous Parable of the Palace, its format retracing the architecture of the *Hekhalot* literature, the chapter rises to ponder what it means to stand in God's presence. Here, as Shatz argues, the *Guide* reaches its climax; see Shatz, "Worship, Corporeality, and Human Perfection." Cf. Steven Harvey, citing Shatz, Kraemer, Benor, Seeskin, Blumenthal, Fox, Stern, Kellner, Manekin, and others and comparing Fārābī, Halevi, Ghazālī, Ibn ʿArabī, and the impact of Maimonides' coda on his grandson Obadiah's Sufi-tinged ideas of worship, reflected in his *Treatise of the Pool* (Harvey, "Maimonides on Prayer"). Kellner offers a detailed commentary in *Maimonides on Human Perfection*. Maimonides' conclusion is foreshadowed in I 34 and *Eight Chapters*, 5: Our highest goal is intellectual, but the mind's perfection requires a character purified in a life of moral virtue. So the present chapter, although opening a vista of the heights, cannot be quite the end of the *Guide*.

before the king, although they have not yet seen its walls. Of those who approach, some reach this house and circle around it, seeking the gate. Some enter and tread the anterooms. Some reach the inner court, the royal chambers, and are with the king in his royal abode. But entry does not mean seeing the ruler or speaking with him. Further effort is needed before one can present oneself and see him, close up or from afar, or hear him **3.123b** speak, or talk to him.

Now to interpret the parable I framed for you here: Outside the city is everyone with no religious creed,[567] rational or traditional—Turks to the far north, or Blacks to the far south, and their ilk in our own climes. They are all but dumb animals—to me, subhuman, although above the apes.[568] For their anatomy and features are human, and they are more discerning than apes.

Inside the city but with their backs to the ruler's dwelling are those who have ideas and beliefs but whose beliefs are unsound, either through some grave intellectual error or because they blindly follow someone else's error. Given their false beliefs, the more they walk, the farther behind they leave the palace. These folk are far worse than the first. It is they who must at times be slain and all trace of their beliefs effaced, lest they mislead others.[569]

Those who approach and seek entry but have never seen the palace are the masses of Torah followers, ignorant but observant of the mitzvot.[570] Those who reach the palace and circle it are the jurists who hold true beliefs by sheer faith. They pore over the laws of pious practice but do not probe their foundations intellectually or seek reasons to con- **3.124a** firm their faith.[571]

Those who do probe those principles have entered the antechambers. They reach widely different ranks, of course. Those who have proved all that can be proved and have won what certainty is possible in theology, or have neared certainty where only near certainty is possible, have reached the ruler in the inner precincts of the palace.

567. Humanity, for Maimonides, advances toward perfection on the ladder afforded by a religious creed. See his remarks about Seth (1.17b–18a). Cf. Ibn Ṭufayl, *Ḥayy Ibn Yaqẓān*, Goodman, 153–54.

568. Cf. Isaac Israeli, *Works*, ed. Altmann and Stern, 139–40; see Melamed, *Image of the Black*, 140. But note that Maimonides' harsh appraisal focuses on culture, not race.

569. See 1.66ab, 3.64a, 66b, 79a.

570. Maimonides calls these pious persons ignoramuses, or *ʿamei ha-aretz*, using the talmudic term the rabbis applied to the ritually innocent or ignorant. Cf. Ibn Ṭufayl, *Ḥayy Ibn Yaqẓān*, Goodman, 161–63.

571. Intensifying the disparagement implied in Baḥyā Ibn Paqūdah's contrasting of the duties of the heart with those of the limbs, Maimonides treats the rabbinic leaders often revered by the pious masses as ritually erudite but spiritually obtuse and intellectually impoverished. Like their followers, they may face the right way. But hidebound by their legalism and ritualism, they fail to advance but instead move about in circles.

You must know, my son, that as long as you study the mathematical sciences and the art of logic, you are still with the crowd circling the palace and seeking entry[572]—as the Sages said poetically, "Ben Zoma is still outside" (B. Ḥagigah 15a). Once you have mastered the natural sciences, you are inside the palace, treading the anterooms. But when you have not only mastered the natural sciences but gained theological understanding, you have reached the ruler in the inner court (cf. Esther 4:11), the king's own chamber. This is the rank of the aware, in their diverse degrees.

Those who have perfected themselves theologically and strive to turn their every thought toward God—renouncing all else and devoting their every intellectual act to contemplating all that is and seeking, in every facet of reality, the signs that teach them of His rule, insofar as they can grasp it—stand in the ruler's court, in His council.[573] This is the rank of prophets. One of them was so deeply aware and so unmindful of all but God that it could be said of him, *he was there with the* LORD (Exodus 34:28), asking and
3.124b getting answers, conversing with Him in that holy place, so profoundly ecstatic that *no bread did he eat nor water did he drink* (34:28).[574] For his mind had grown so strong that every gross bodily power was silenced[575]—every sense dependent on physical contact.[576]

Some Prophets could only see—closely or remotely, as it says: *From afar did the* LORD *appear to me* (Jeremiah 31:3). I have already treated the degrees of prophecy (II 36–38, 45). So I shall return to this chapter's theme, the need to focus on God alone, once He is known, as I explained. Such is the special worship of those who grasp reality. The more they turn their thoughts to Him and to being with Him, the deeper their worship. But those who, lacking knowledge, think and talk much of God, following some fantasy or dogma, to me are not just outside the palace but far removed from it. It is not really God at all that they think or speak of. For nothing real corresponds to what they say or think, only a figment of their imagination, as I explained in treating attributes (I 50).

This higher worship should be pursued only when one has a rational idea. But once you do know God and His acts, as reason demands, devote yourself to Him, striving to draw nearer and to strengthen the bond that links you to Him, which is reason. As it

572. Ibn Ṭufayl quotes verses by Waqqāshī of Toledo (d. 1095) complaining of the poverty of a philosophy seemingly unable to rise from logic and mathematics to a higher wisdom:

How can it be that life's so small?
Two sciences we have—that's all,
One is truth beyond attaining.
The other, vain and not worth gaining.

573. Cf. Plato, *Phaedrus* 249cd.

574. Genesis Rabbah 48.14.

575. Cf. Augustine, *Confessions* 9.25.

576. Recall Maimonides' praise of Aristotle for disparaging the sense of touch (2.79a). Now, for Moses, even imagination is left behind, his converse with God purely intellectual.

says, *To thee it hath been clearly shown that the* LORD [*is God, and there is none else.*] (Deuteronomy 4:35); *Know this day and take it to heart* (4:39); and *Know that the Lord is God* (Psalms 100:3).[577]

The Torah is clear that the special worship I point to in this chapter comes only once awareness is won—as it says, *loving the* LORD *your God with all your heart and all your soul* (Deuteronomy 11:13). Love, as I have explained more than once (I 39; III 28), depends on knowing, and it is from love that the worship springs that the Sages, following the Torah, call "the worship of the heart" (B. Taʿanit 2a, J. Berakhot 4:1, Sifrei Deuteronomy 11.13, Mekhilta Rabbi Shimon bar Yoḥai chap. 23). To me, this means turning every thought to the Highest, focusing, so far as one can, on Him alone. That is why you find David so urging Solomon to devote himself to these two things, striving to know Him and to serve Him once known: *And thou, Solomon, my son, know thy father's God and serve him. . . . If thou seekest Him He will be found of thee* (1 Chronicles 28:9).[578] Such awareness is always conceptual, not fanciful. For what we imagine is not called knowledge but just *what springs to your fancy* (Ezekiel 20:32). David's clear intent: Once you know Him, devote yourself to Him unreservedly, turn your mind to constant, passionate love of Him.[579] Generally, this is won in solitude and isolation. So the virtuous are all much given to seclusion and consort with others only as they must. **3.125a**

N.B. The intellect God sheds on us is our link to Him, as I told you (II 12, 37). The choice is yours whether to make that bond stronger and stouter or ever weaker, until you sever it. Only use will strengthen it, devotion to the love of Him, drawing ever nearer, as I explained. Distraction thins and frays it, dwelling in thought on anything else. Were you as learned as can be in theological truths but without a thought of God, wholly occupied with your needs for food and other necessities of life, your link to God would then be severed by you. You would no longer be with Him, nor He with you. The bond would be broken. That is why the virtuous are so jealous of every moment of distraction **3.125b**

577. The heart, biblically, is the mind. So the Torah's appeals to the heart are appeals to reason. We follow the JPS rendering of Deuteronomy 4:35, which recognizes in *hareita laḍaʿat* a biblical idiom for proof, to which Maimonides is sensitive.

578. Cf. Plato, *Timaeus* 28c: God is hard to find; but once found, impossible to declare to all mankind. Abraham, in Maimonides' view, did find God with the help of God-given reason and of God Himself—and did declare Him to all mankind (Genesis 21:33).

579. Maimonides chooses the strong word *ʿishq* here, passionate love. He links the Arabic term with the Hebrew *ḥeshek* (citing Psalms 91:14 at 3.128b). Erotic imagery is a standby of Sufi poetry and prose. The treatment here echoes Avicenna's *On Prayer* (Arberry, esp. 53, 61; Mehren, 18). Arberry's volume includes Avicenna's *Treatise on Love*. See S. Harvey, "Meaning of Terms," 181–85. Ghazālī, too, links passionate love of God (*ʿishq*) with knowing Him (*Iḥyāʾ* book 36, tr. Ormsby, 67). Eros here is hardly construed strictly sexually. It is "more expansive," projecting "a symbolic that pervades every sphere of life, the libidinal stuff out of which culture itself is formed" (Gordon, "Erotics of Negative Theology," 7).

from Him and warn against it: "Turn not your thoughts away from God" (B. Shabbat 149a). As David said, *I have set the* LORD *ever against me. With Him at my right I'll not list!* (Psalms 16:8). He says, 'I never let the thought of Him out of my mind. He is my right hand, as it were, its strokes too swift to slight for an instant, lest I list'—lest I fall.

All our devotional practices—reading the Torah, praying, and performing the other mitzvot—aim only to train us to focus on His precepts and free us from worldly distractions, engrossed, as it were, in Him and lost to all else. If you pray by just moving your lips, facing the wall but thinking of buying and selling;[580] or your tongue reads the Torah, but your heart is on building your house, oblivious to what you are reading; or when you perform any commandment with your limbs alone, as if digging a hole in the ground or cutting wood in the forest, disregarding the meaning of the act and its object and Author, do not think that you have fulfilled a commandment.[581] You would be more like those of whom it says, *Thou art near to their mouths but far from their reins* (Jeremiah 12:2).

So I have some guidance for you in training yourself to reach this sublime end. The
3.126a first step: Clear your mind of anything else when reciting the *Shemaʿ*, or your prayers. You should not think it is enough to concentrate just on the first line of the *Shemaʿ* or the first blessing of the *ʿAmidah*.[582] Once you have done this steadily for some years, commit yourself, whenever reading the Torah or hearing it read, to giving it your total attention, focused on what you read or hear. Let nothing escape you. Once you have achieved this, hold your mind free of all distractions in whatever you read in the other prophets—then, at each blessing in the *ʿAmidah*, focus on the meaning of the words you utter.[583]

580. Islamic norms ban worldly thoughts during the Friday *khuṭba*, or sermon; see Qurʾān 62:9–10.

581. See Baḥyā Ibn Paqūdah, *K. Farāʾiḍ al-qulūb*, Introduction, Yahuda, 6, Mansoor, 87.

582. See M. Berakhot 2 and 4.5–6; *MT* Laws of Reciting the *Shemaʿ* 2.1; and *MT* Laws of Prayer and Priestly Blessing 2.2.

583. The talk of training here echoes Sufi usage and harks back to Plato's modeling of morality on athletic training. Avicenna had called the obligatory prayers of Islam (*al-ṣalāṭ*) the outward mark (*athar*) of the higher, inner prayer that leads to direct experience of God (*mushāhadah*). Worship is man's true purpose, the Qurʾān urges (51:56). No gloss (*taʾwīl*) is needed, Avicenna writes, to show that such worship is intellectual: The very word means 'knowledge' (*On* Prayer, Mehren, 33–35; Arberry, 55). Cf. the biblical usage, which speaks of sexual intimacy in cognitive terms. For Maimonides, in much the same way, spiritual intimacy means being in the King's presence, consummating the intellectual love of God addressed in the opening words of *MT*, where knowing and loving interpenetrate. Beyond contrasting the "duties of the limbs" with those of the heart, as Baḥyā did, Maimonides develops Avicenna's reading of repetition and habituation of the prescribed orisons as training for a higher, spiritual worship: The liturgy is a spiritual gateway. But the committed seeker finds a proving ground in Israel's sacred texts. So training, too, is a spiritual endeavor, its goal approached through focus on the meaning of the verses heard, recited, or read.

Once these devotional acts and your thoughts in performing them are clear of all worldly distractions, you will be able to see to all your needs and wants in life, any worldly concerns—eating, drinking, bathing, talking with your wife or youngsters or ordinary people. I have left you plenty of time, all that you will need, to think about your property, your household affairs, and your bodily welfare. But in the time for religious observances, fill your mind with what you are about, as I explained. And when you are by yourself or lying awake in bed, guard those precious moments and turn your thoughts solely to intellectual worship of this kind, which brings you close to God, standing in His presence, **3.126b** in the genuine way I taught you, using reason, not the passions of fancy. This, as I see it, is the goal that can be reached by one who knows, if he brings his soul to merit it by the discipline I have described.

So rapt may one become in higher things and so joyous in their contemplation that he can converse with people and see to his every need of body and mind without quitting his ecstasy. His heart remains before Him while outwardly he is with others. The Torah puts it poetically: *I sleep, but my heart waketh—Hark, my beloved knocking!* (Song of Songs 5:2). Not every prophet reached this degree, I say. But I do say it was the plane our Teacher Moses reached, of whom it was said, *Let Moses alone approach the* LORD*; but they shall not* (Exodus 24:2), *he was there with the* LORD (34:28), and *thou, stand here by Me* (Deuteronomy 5:28)—as I explained in glossing those verses (I 18, 34; II 32).[584] It is also the plane our Patriarchs reached, coming so close to God that He became known to the world through them: *God of Abraham, God of Isaac, and God of Jacob. . . . This is My universal name* (Exodus 3:15).[585]

One result of this union of their minds with thoughts of God is His eternal covenant with each of them: *I shall remember My covenant with Jacob* [*—and also My covenant with Isaac, and My covenant with Abraham shall I remember*] (Leviticus 26:42). For these four—the Patriarchs and our Teacher Moses[586]—were plainly united with God by love and knowledge of Him, as our texts proclaim. Another result was His supernal providence over them and their seed after them, even as they were engaged as leaders or in **3.127a**

584. Maimonides took *I am asleep, but my heart waketh* as emblematic of the possibility of living in God's presence while providing active leadership to others, as modeled in the descent of the "angels" on Jacob's ladder, descending as well as ascending for ever-growing spiritual nourishment (1.22ab). Cf. Philo, *De Somniis* 232–33, LCL 5.546–48. As Ben-Zaken notes, Maimonides was criticized by later admirers, even including Samuel Ibn Tibbon, for seeking to combine his practical with his spiritual labors (*Reading* Ḥayy Ibn-Yaqẓān, 48–49).

585. The verse is often translated as *This is My name forever*. But as Schwarz notes in his translation of the *Guide*, Maimonides takes the Hebrew *ʿOlam* here, as in the line he makes the epigram of all his works, to mean the universe. So what Abraham proclaimed was the God of all the universe; see 2.58b.

586. Cf. Fārābī, *Ārāʾ* 13.5, 15.9–11, Walzer, 205–6, 242–47.

acquiring property and making their fortune. To me, this shows that while they did all this bodily, their minds never left His presence.[587] These four, it seems to me, were able to remain at this pinnacle of perfection, with God and under His constant care, even while making a living, pastoral or agricultural, and heading their households, because their object in all these activities was to draw close to Him.[588] And how close! For the object of their efforts, lifelong, was to found a nation that knew and served God: *For I have known him, that he may charge* [*his children and his house after him to keep the way of the Lord, by doing right and justice*] (Genesis 18:19).

Their every endeavor, you can see, was devoted to spreading monotheism through the world, guiding people to the love of God. So they earned the rank they reached. For their every effort was purest, highest worship. To give guidance in reaching this rank is not something the likes of me can hope to offer. But the plane I mentioned earlier is one that others can aspire to reach with the training I have cited. One must beg God to remove the barriers between us and Him. But most of these, as I made clear in several chapters of this work (e.g., III 11–12), are of our own making: *Your sins have sundered you from your God* (Isaiah 59:2).

I have just had a most amazing flash that will loose many a knot and lay bare many a divine mystery: In the chapters on providence (III 17–18), I explained that providence over any rational subject is in the measure of his reason. So providence is constant over an
3.127b enlightened person whose focus on God is unbroken. But should that person's thoughts stray for a moment, he is cared for only while he concentrates on Him. Providence recedes while he is distracted, although it does not leave him in the same state as someone who has never known such thoughts. It is diminished for him as long as he is distracted. He is still a perfect man but not actually aware just then. But he is potentially not unlike a

587. In the *Life of Plotinus* (§8) that he prefaced to the *Enneads*, Porphyry writes that even when interrupted on some business matter, Plotinus kept up his end of the necessary conversation—but never lost his philosophical train of thought. Themistius, the distinguished Neoplatonic Aristotelian (317–ca. 390) that Maimonides cites for the need to conform our ideas to the facts rather than seek to fit the facts to our wishes (1.95b), is a key predecessor in Maimonides' rejection of the dichotomy between an active and a contemplative life. Although a pagan, Themistius served as a senator at Christian Constantinople and became Prefect of that capital city, even as other philosophers grew increasingly reclusive. Christians and pagans, he held, shared in a vital classical heritage. See Browning and Heather, "Themistius."

588. A key factor in Maimonides' objection to the professionalization of the learned work of rabbis is his concern that commodifying rabbinical wisdom reverses ends and means: One should sustain oneself so as to seek knowledge of God and of His law and works—not vice versa. See M. Avot 4.7 and *CM* ad loc.; see Twersky, *Introduction*, 82–83.

skilled scribe who is not actually writing.[589] But one who has never had a rational thought of God is like someone in the dark who has never seen light, as I explained anent the words, *the wicked are dumbstruck in the dark* (1 Samuel 2:9; III 18).

One who is wholly aware and open to Him whom he knows is like one drenched in unbroken sunlight. But someone who has known awareness but is distracted is, while preoccupied, as if screened by clouds on an overcast day. So my thought is that any prophet or person of perfect virtue stricken by some worldly ill must have been struck in a moment of distraction, its gravity depending on how long the distraction lasted and how far he sank. If so, the serious problem dissolves that led Philosophers to deny personal providence and equate persons with other animals. For what gave color to their case were the grave ills that good and virtuous people suffer.

The quandary then dissolves, even on their premise: God's providence is constant over **3.128a**
one who enjoys the emanation open to all who strive for it. If one frees his mind from all distractions and joyfully focuses on God, no sort of ill can strike him. He is with God, and God with him. But when he turns away and loses sight of God, he is curtained from God and God from him, exposed to any ill that may strike. For what freed him from the sea of chance and protected him providentially is that intellectual emanation. A good and virtuous person may be curtained from such awareness for a time; a bad or lacking person may never attain it. So either one may be touched by random events. My idea is confirmed, I think, when God says in the Torah, *I shall hide My face from them, and they shall be ready prey. Many an ill and hardship will befall them, and on that day they shall say, "Is it not that God is no longer with us that these ills have found us!"* (Deuteronomy 31:17).

This hiding of God's face is clearly our own fault. We cause the concealment—as it says, *I shall indeed hide My face that day because of all the evil they have done* (Deuteronomy 31:18).[590] The same doubtless holds true for an individual as for a group. The reason one might be left to chance like a beast to predators, you see, then, is that he is curtained off from God. With God within,[591] no ill will befall him, as He says: *Fear not, for I am with thee; be not afraid, for I am thy God* (Isaiah 41:10) and *When thou dost cross the water I shall be with thee; torrents will not sweep thee away* (43:2).[592] When one is duly **3.128b**

589. Aristotle distinguishes first from second potentialities: A child, unlike a bush, is a potential speaker, but a child who can talk is potentially a speaker in a higher sense, even while asleep (*De Anima* II 5, 417a22–27).

590. Maimonides omits the last words of the verse: *by turning to other gods*. Other gods are the ultimate distraction. But letting one's thoughts wander is, perhaps, a lesser idolatry. Porphyry, too, proposes that providence abides with those whose thought is with God (*To Marcella*, 20–24); he, too, segues to thoughts of the ills we bring upon ourselves.

591. Maimonides echoes Deuteronomy 31:17—*be-kirbo*, literally, 'in his midst'—stressing the parallel of personal to communal providence.

592. The verses poignantly recall the loss of Maimonides' brother at sea.

prepared and the divine emanation of intelligence reaches him, providence cleaves to him and bars all evil to him, as it says: *The* LORD *is mine, I shall not fear. What can a man do to me?* (Psalms 118:6) and *Know Him, and all will be well* (Job 22:21)[593]—turn toward Him and you shall escape all evil.

Consider the Psalm of Afflictions (so named in B. Shevuʿot 15b). You will find it describes this all-embracing providence and how it safeguards and protects the community and the individual from all bodily harm, natural or humanly devised.[594] It says,

> *He will save thee from the fowler's snare*
> *And deadly plague*,
> *Cover thee with His pinions*.
> *Under His wings shalt thou shelter*,
> *His truth, thy shield and buckler*.
> *Thou shalt not fear the terrors of the night*,
> *Nor the bolt that flies by day*,
> *The pestilence that stalks in darkness*,
> *Nor the scourge that ravages at noon*. (Psalms 91:3–6)

Turning to human plots, it describes the protection God affords: Even should you cross an open battlefield where a thousand are slain on your left and ten thousand on your right, no ill shall touch you; you will only witness God's judgment and the recompense of evildoers, slain as you pass unharmed:

> *Though a thousand fall at thy side*,
> *A myriad at thy right hand*,
> *It will not come near thee*.
> *Thou shalt but gaze with thine eyes*
> *And see how the wicked are requited*. (91:7–8)

He follows this by speaking of God's care and then states the reason grounding His awesome care:

> *He loved* (ḥashak) *Me—*
> *Therefore do I deliver him*.
> *I raise him high*
> *Since he hath known My name*. (91:14)

593. Saadiah, in *The Book of Theodicy*, translates *hasken* as "rely on"; Maimonides stresses the cognitive side of the relationship, underwriting the intellectual roots of providence.

594. Maimonides quietly rejects the vulgar practice of wielding this psalm against demonic forces, as approved in the Responsa of Rabbi Solomon b. Adret, 2.281.

3.129a As I explained in earlier chapters (I 61–64), knowledge of God's name means awareness of Him. This person, it says, is protected because he has known and loved (*ʿashiqa*) Me. You know the difference between love (*ohev*) and passionate love (*ḥoshek*). Passionate love is extreme; the lover can think only of his beloved.[595]

The Philosophers have shown that in youth our bodily powers impede most moral virtues[596]—let alone the purer thinking that reflects those higher ideas that foster passionate love of God. Higher thoughts are stifled when bodily humors rage. But as our bodily powers wane and the fires of lust are banked, the mind grows stronger and the light spreads: One's awareness grows purer, and one takes more joy in the One he knows. Ultimately, when an enlightened person is stricken with age and near death, his awareness greatly heightens, and so do his joy and passion—until his soul quits the body in an ecstatic bliss. The Sages allude to this in the deaths of Moses, Aaron, and Miriam—saying that all three died with a kiss (B. Bava Batra 17a). The words *Moses, God's servant, died there in the land of Moab, by the mouth of the Lord* (Deuteronomy 34:5), they say, "teach us that he died with a kiss." Of Aaron too: *by the mouth of the* LORD*—and he died there* (Numbers 33:38). Miriam, too, they say, died with a kiss; but in her case, it does not say "by the mouth of the LORD," the figure being unseemly for a woman.[597] Their sense: All three died in an ecstatic transport of intense and passionate love.

3.129b The Sages used a well-known trope here, calling the intense experience of knowing God in passionate love a kiss, as in *Let him kiss me with the kisses of his mouth* (Song of Songs 1:2). Such a death (that, in truth, rescues one from death) they ascribe only to Moses, Aaron, and Miriam.[598] Other prophets and virtuous persons reached lesser heights. But in them all reason's awareness strengthened as the soul departed—as it says, *Thy rightness shall go before thee; the* LORD*'s glory, thy rearguard* (Isaiah 58:8). The intellect survives, enduring as it was,[599] for the veils that masked it are lifted; its bliss persists, a joy of no bodily kind, as I, like others before me,[600] have explained in my writings. Take this chapter to heart and bend every effort to increase the time you spend with God or

595. Cf. *MT* Laws of Repentance 10.3.

596. Moral virtue depends on *phronesis*, which grows with maturity and experience; see Plato, *Republic* IX 580–82; and Aristotle, *NE* VI 11, 1143b6–14 and X 9, 1179b32.

597. The Sages avoid suggesting an erotic facet to Miriam's kiss. As Kellner notes, Maimonides holds (despite some disparagement) that women, like men, can serve God in love (*Maimonides on Human Perfection*, 72 *n.* 7). See *MT* Laws of Repentance 10.1.

598. See Langermann, "Saving the Soul," 152–53.

599. Maimonides relies on Avicenna's thesis that self-awareness can individuate disembodied souls—and to agree with Ibn Bājjah and Ibn Ṭufayl that rational souls in touch with the Divine are no longer quite enumerable. See 1.121b.

600. "The good reserved for the righteous is the life of the world to come" (*MT* Laws of Repentance 8.1). Cf. Plato, *Phaedo* 115c; Aristotle, *De Anima* II 2, 413b25–27.

striving toward Him and to reduce the time spent elsewhere or not striving toward Him. That should be guidance enough, given the object of this work.

Chapter 52

One does not sit, move, or act in the same way when at home alone as one does in a great king's presence. Nor does one speak in the same way when relaxing with his wife and family as he would at the king's court. So one who hopes to perfect his humanity and
3.130a become a true man of God must be ever aware that the great majesty who is with him constantly is greater than any human king, even Solomon or David. The great monarch, inseparably bonded to us, is the mind that flows forth to us and links us with God. Just as we know Him by the light He sheds on us—as it says, *By Thy light do we see light* (Psalms 36:10)—so does He regard us in that same light and, for its sake, abide with us and watch over us: [*"I am a near God, not a distant god," saith the* LORD.] *"Can anyone so hide that I cannot see him,"* [*saith the* LORD, *"when I fill heaven and earth!"*] (Jeremiah 23:23–24). Understand this well.[601]

When the enlightened grasp this, you see, they attain such reverence, humility, and awe of God—such true, not fanciful, piety and reserve—that their intimate moments with their wives or in the privacy of the bathroom seem, by comparison, like public presentations. Such was the conduct of our most celebrated Sages conjugally, "uncovering a few inches and covering a few inches" (B. Nedarim 20ab). As they say, "Who is modest? One who acts the same by night as by day" (B. Berakhot 62a). You know how they forbade "haughty bearing, since *All the earth is filled with His glory* (Isaiah 6:3)" (B. Kiddushin 31a). All this is to fix in your mind what I have been telling you: We are always in God's presence, walking in the aura of the Shekhinah. Our greatest Sages were careful not to go bareheaded, since man is enveloped in the Shekhinah (B. Kiddushin 31a). For

601. Altmann illuminates what Maimonides hopes his reader will see here: Although the scheme is modeled on that presented in the *De Intellectu* of the "outspoken anti-Platonist" Alexander of Aphrodisias, Ibn Bājjah in "a remarkable synthesis," paints "man's liberation from matter" in the "imagery of darkness, shadow, and light," drawing on Plato's Myth of the Cave and the likening of the soul to the mirror that we encountered in Ibn Ṭufayl (see I *n.* 22). The soul rises to the realm of Ideas. But the Forms are now no longer static objects but active subjects. The rational soul cleaves to them, joining in the unity of knower, known, and knowing. The "acquired intellect" is no longer "from without" but "has taken full possession of the human intellect." Only lingering distractions by material concerns can mar the moment (Altmann, *Studies*, 78–79). We can see why it is critical for Maimonides to affirm that the incorporeal intellects that mediate God's governance of nature and convey inspiration and understanding to human minds must be seen as active and intelligent—and why it is critical to him that Ezekiel's four creatures were called living beings; cf. I 42.

the same reason, they spoke little. I have already said what I should about this reticence in commenting on Avot:[602] *God is in heaven; thou art on earth. Therefore, let thy words be few* (Ecclesiastes 5:1).

What I want to highlight here is the object of all the practices the Torah prescribes. **3.130b**
For it is by repeated performance of those practices that certain of the virtuous win the discipline to reach human perfection, to live in fear of God, in dread and awe of Him, knowing who it is that is with them and how, therefore, they must live. God made it clear that the goal of all the Torah's practices is our attaining the passion that I have proved in this chapter befits one who knows things as they really are: fear of Him and awe at His command. As He cautions, *If thou art not careful to perform all the words of the Law written in this book, fearing this awesome and revered Name, the* LORD *thy God . . .* (Deuteronomy 28:58). Just think how clearly this tells you that the object of the Torah's every word is but one: fear of the Lord. That this goal is won through these practices you can see from the verse itself: *careful to perform . . .*

These practices, clearly, are the *thou shalt*s and *thou shalt not*s. But the ideas imparted in the Torah—the knowledge that God exists and is one—imbue us with love, as I have explained more than once. You know how the Torah stresses love: *with all thy heart, with all thy soul, and with all thy might* (Deuteronomy 6:5). The two goals, love and awe, are reached by two pathways: love through Torah's ideas, which instill awareness of Him as He really is,[603] and awe through all its practices, as I explained. This summation, too, you should understand.[604]

Chapter 53

This chapter defines three terms I need to explain: *ḥesed*, *mishpaṭ*, and *tzedakah*. In my **3.131a**
commentary on Avot (5.7), I explained that *ḥesed* connotes going to extremes in some way,[605] usually *for* someone. This, as we know, can mean benefiting someone who has

602. "Simeon the son (of Gamaliel) said 'I grew up among Sages and found nothing better for anyone than silence" (M. Avot 1.17). Maimonides explains (ad loc.) that prolixity is not just a rhetorical but a moral fault. For loquacity leads to saying things best left unsaid.

603. The Torah teaches obliquely, through its poetry.

604. Efodi explains that the practices praised here yield fear of God because they target moral virtue. But love of God, the higher station, exercises an intellectual virtue: Undertaking paves the way to understanding.

605. Aristotle calls love a kind of excess (*NE* VIII 6, 1158a12). For *ḥesed* used with negative force, see Leviticus 20:17 and Proverbs 25:10. Maimonides elaborates a semantical point made by Ibn Ezra, as Frank Talmage notes (*Apples of Gold*, 56). The bivalence of *ḥesed*, reflecting the intensity of its semantic root, more than evident in the word's Arabic cognates, is a

no claim on one or helping someone who has a claim but doing more than is deserved. Biblically, *ḥesed* most often involves benefits answering to no prior claim. So every favor bestowed by God is called an act of grace (*ḥesed*), as in *the LORD's favors shall I recount* (Isaiah 63:7). And the whole world, given being by God, is a work of grace, as it says: *The world is built by grace* (*ḥesed*; Psalms 89:3)—meaning that God made the world as an act of grace, as He said in proclaiming His attributes *abundant in ḥesed* (Exodus 34:6).[606]

The word *tzedakah* derives from *tzedek*, 'justice,'[607] which means giving everyone his due, treating all beings as they deserve. But meeting your obligations in this basic sense is not what the Torah calls *tzedakah*—just paying a worker's wages or repaying a debt. *Tzedakah* is what virtue demands in your treatment of others—like healing the hurts of
3.131b all who are broken.[608] So of returning the pledge of the poor by nightfall,[609] it says, *This will be* tzedakah *to thee* (Deuteronomy 24:13). For a life of moral virtue gives your rational soul its due: You have given it what it deserves.[610] Every moral virtue is called *tzedakah*, so it says of Abraham, *He trusted in the LORD, and this was counted* tzedakah *in him*

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caution of sorts: The saintly may press to the extreme, but there can be too much even of a good thing (*CM* Avot 5.7, tr. David, 104).

606. In his introduction to the Book of Job, Saadiah argues that God's grace is infinite. For Isaiah (55:9) calls God's ways as high above mankind's as the heavens are above the earth—the radius of the lowest sphere, as it were; but the Psalms have it that God's goodness ranges from the eastern to the western horizon (103:11–12)—extending to the diameter of that sphere, as it were. But only what is infinite equals both a quantity and its double. Less midrashically, Saadiah, citing Psalms 89:3, as Maimonides does here, calls creation an act of infinite grace, since there was no prior desert of the gift of being (*Book of Theodicy*, Goodman, 123–25).

607. The Arabic here is *'adl*, 'justice,' which connotes balance, as we have noted. *Ḥesed* goes further, reaching beyond desert. Thus the obligation to restore *to his former condition* one who has fallen upon bad times (*MT* Gifts to the Poor 7.8). Biblical *tzedakah* is not contractual. It imputes positive deserts to all beings. Hence the concern for their suffering.

608. See *CM* Peah 1.1; *MT* Gifts to the Poor 9.1–3; Ethical Laws 6.3, Robbery 11.13; and Mourning 14.1. In speaking of "the hurts of all who are broken," Maimonides reads the obligation of *tzedakah* universally; see J. Vows 9.1/41c, where universal beneficence is grounded in the universal human brotherhood attested at Genesis 5:1.

609. The pledge is a pawn. One might feel entitled to hold it until it has been redeemed. But the Torah demands a debtor's garment taken in pledge not be held overnight: *If thou takest thy neighbor's garment in pledge, thou shalt return it by sundown. It is his only clothing, the covering of his flesh. In what shall he lie down? Should he cry out to Me, I shall hear him, for I am caring* (Exodus 22:25–26)—and again, *that he may sleep in his garment and bless thee, and it shall be* tzedakah *in thee* (Deuteronomy 24:13). See *SM* Positive 199.

610. The rational soul is the true self, being one's human essence. Hence tzedakah *to thee*. Moral virtue supports reason in pursuit of its highest goal, but the moral virtues, in turn, are attuned by reason. We must heed its counsels lest we fall prey to our appetites and passions as victims of moral weakness (*akrasia*) do, failing to *use* their moral knowledge and so playing false to their humanity.

(Genesis 15:6)—referring to the virtue of loyalty: *It will be* tzedakah *in us carefully to keep* [*all this command*] (Deuteronomy 6:25).[611]

Mishpaṭ means justice at law, giving those judged the reward or retribution they deserve.

In short, *ḥesed* denotes gratuitous favor; *tzedakah*, doing good for virtue's sake, improving the soul; while *mishpaṭ* may call for reward or retribution.

As I explained in rejecting attributes, every predicate biblically applied to God points to His actions (I 53–54): As Creator of the universe, He is called gracious. For His mercy toward the helpless, governing all living beings through their natural powers, He is called righteous. And for the relative goods and ills and the cosmic upheavals mandated by His wisdom and justice, He is called Judge.[612] All three terms are used biblically: *Judge of all the earth* (Genesis 18:25), *Righteous and upright is He* (Deuteronomy 32:4), and *abundant in grace* (Exodus 34:6). My object in explaining these terms was to prepare for the next chapter that I will send.

Chapter 54

The term *wisdom* in Hebrew is applied to four different things: (*a*) Grasp of reality, with God at its summit—as it says, *Wisdom, where is it found?* (Job 28:12) and [*If thou criest out for wisdom . . .*] *seek her like silver*, [*hunt for her like hidden treasure, thou wilt know fear of the* LORD *and find knowledge of God*] (Proverbs 2:3–5). This sense is frequent. (*b*) Mastery of a craft, any craft: *Let each of you who is wise of heart* [*come and make all that the* LORD *commanded*] (Exodus 35:10) and *Every woman wise of heart* [*did spin*] (35:25). (*c*) Moral virtue: *Teach his elders wisdom* (Psalms 105:22) and *Doth wisdom come with age?* (Job 12:12)—for age only prepares one for moral virtue. (*d*) Cunning: *Let us deal wisely with* **3.132a**

611. *The Jerusalem Bible* (ed. Harold Fisch), indeed, translates *tzedakah* here as 'virtue.' Maimonides cites the two verses to show that *tzedakah* has a generic sense, covering the full range of moral virtues. When translated as 'righteousness,' the word takes on stiff and archaizing connotations. But as the normal Hebrew word for 'charity,' *tzedakah* bears the connotations not of alms but of generosity. Hence the Torah's use of the term as a stand-in for virtue in a broad sense, since *tzedakah* is a paradigm case of the virtues that are marshaled under its banner.

612. Goods and ills are relative not simply because they are not absolute, nor to suggest that they are subjective, but because events are deemed helpful or harmful only from a given, interested perspective: What harms one creature sustains another; see 3.16b. Forest fires harm many creatures, but they are critical to new woodland growth. God's wisdom looks to the sustenance of nature as a whole. So divine judgment ordains the natural cycles that set limits for all natural things, exacting justice in Anaximander's poetic sense and making every curtailment a punishment and every benefit a reward; see 3.34b.

him (Exodus 1:10). In this sense it says, *He got a wise woman thence* (2 Samuel 14:2)—adept in tricks and dodges. It is in this sense that it says *wise in wrongdoing* (Jeremiah 4:22).[613]

'Wisdom' in Hebrew, then, can mean adroitness or facility of mind attuned to virtue, moral or intellectual; or to mastering a craft; or in service to vice and evil. So one is called wise who has moral or intellectual virtues, or masters a craft, or uses cunning for vice and evil. One who rightly and fully understands the Torah is called doubly wise, given the moral and intellectual virtues the Torah conveys. Yet its rational truths are conveyed by tradition, not by rigorous argument. So Scripture and the Sages' discussions treat biblical ideas as wisdom of one sort and wisdom tout court as another, putting to proof the rational ideas introduced biblically by way of tradition.[614]

3.132b

Every biblical passage you find celebrating wisdom and extolling it for its marvels and its rarity—*Not many are wise* (Job 32:9); *Wisdom, where is it found?* (28:12); and many more—regards the wisdom that proves the Torah's precepts. The Sages' discourse, too, often treats scriptural knowledge as one sort of wisdom and wisdom itself as another. They call our Teacher Moses "father of wisdom, father of Torah, father of prophets" (B. Megillah 13a). And when Scripture calls Solomon *the wisest of all men* (1 Kings 5:11), they demur: Not wiser than Moses!—*all men* meant those of his day (cf. B. Rosh ha-Shanah 21b). It compares Solomon with *Heman, Chalkol, and Darda, the sons of Mahol*, celebrated sages of his day.

The Sages say one must seek Torah knowledge first, then wisdom, then what the Torah demands halakhically, deriving one's duties. The right order: Ideas first, imbibed by tradition; then proof; then mapping out the Torah's life-enhancing practices. The Sages put it in terms of the reckoning one must give on these three counts, in that order: Arraigned for judgment, one is first asked, "Did you set fixed times for Torah? . . . Have you sought wisdom? . . . Have you inferred anything?" (B. Shabbat 31a).[615] To them, you see, Torah knowledge was wisdom of one sort; wisdom itself, another: cogent reasoning confirming scriptural truths. Now that I have laid this groundwork, hear what I am about to say.

613. Aristotle defines *phronesis*, 'practical wisdom,' as insight in finding means to an end. But lest it amount to mere cunning, *phronesis*, to rank as wisdom, demands well-chosen ends (*NE* VI 12–13).

614. The sabbath, paradigmatically, introduces two core themes by way of practice: creation and providence as seen in the Exodus (II 31). Both themes address *Maʿaseh Bereshit* and *Maʿaseh Merkavah*. Wisdom is tasked with demonstrating the relevant theses.

615. Maimonides quotes rather freely, omitting a few of the questions found in the text we have.

Philosophers ancient and modern[616] distinguish four sorts of human attainment. The first and least of them, to which most people on earth devote their lives, is material—wealth, clothing, tools, slaves, lands, and the like. A royal crown is of the same order: It is not one's own really but only notionally. Most of the joy of it is pure fancy—'my house, my slave, my wealth, my troops.' In terms of one's self, these things are all external, not truly one's own.[617] Without them, the once mighty king is no different from the humblest of men, and all he had is left behind.[618] All the toil and trouble spent to win such things, as the Philosophers explained, were for a sheer fantasy, nothing enduring. Even if one kept his goods lifelong, he would still gain nothing for himself.[619] **3.133a**

The second sort of attainment, closer to the self, is bodily health and fitness—a robust constitution and strong, apt, well-knit organs. But this, too, would not be one's end. Being physical, it belongs to us not as humans but as animals, something we share with the lowest of beasts. And even at its peak, a man's strength is no match for a healthy mule, let alone a lion or an elephant. Attainments of this sort, I say, may help one bear a heavy load or break a stout bone. But they are no great use to the body and none at all to the soul. **3.133b**

The third type graces one personally more than the second. This attainment is moral, perfecting the virtues of character in oneself. Most of the mitzvot seek just this end. But even this is a stepping-stone, not one's highest goal. For all moral virtues only relate one to others. Moral perfection just prepares us to be helpful, as it were—making such attainments instrumental.[620] Given an isolated person, whose acts affect no one

616. Aristotle is foremost among the ancient philosophers referenced here; among the moderns, Maimonides tracks Ibn Bājjah. See Altmann, "Maimonides' Four Perfections," *Essays*, 65–76.

617. See Plato, *Alcibiades* 128–30; *Philebus* 48c–50a; and Aristotle, *NE* I 8.

618. Rabbi Michoel Lipschutz observed to Goodman orally that the externals Maimonides lists are the very goods that Job lost. Cf. Shakespeare's Lear: "Why, thou wert better in thy grave than to answer with thy uncovered body this extremity of the skies.—Is man no more than this? Consider him well.—Thou owest the worm no silk, the beast no hide, the sheep no wool, the cat no perfume. . . . Thou art the thing itself. Unaccommodated man is no more but such a poor, bare, forked animal as thou art" (*King Lear*, Act 3, Scene 4).

619. The royal persona in Ecclesiastes 1:12, 16, 2:4–11, 18–23, 26 has not lost all his possessions, but he has confronted their ultimate insubstantiality: All his pomp and circumstance is *hevel*, a puff of hot air. Cf. Plato, *Laws* III 697b, V 728e, 743e, *Philebus* 48e, *Apology* 36cd; Aristotle, *NE* I 8, 10; and Solon's challenge to Croesus' boast that he was the happiest of men (Herodotus I 32).

620. The highest Aristotelian good must have intrinsic, not merely instrumental, value (*NE* I 1). Exercise of our intellectual strengths, Aristotle argues, is our most distinctively human activity and our most godlike, given the (relative) self-sufficiency of thought (*NE* X

else,[621] you will find all his moral virtues idle, useless to him, and unneeded: They do not improve him but become useful and needful again only when others come back into view.

The fourth kind is the truly human attainment, winning the intellectual virtues, the conceptual thinking that yields sound views of divinity. That is our highest goal: truly perfecting the self, an attainment indeed one's own, winning immortality by fulfilling in oneself what makes a human *human*.

Consider the three attainments mentioned already, and you will find they all serve
3.134a others, not yourself—or even in the common view, others as well as oneself. But this last is wholly and solely yours: [*Drink water from thine own cistern, fresh from thine own well . . .*] *thine alone* (Proverbs 5:15–17). This is what you should cherish, yours forever, not tiring yourself and toiling for others. Listen! You neglect yourself and blacken the

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6–8). With such thoughts in mind, Maimonides calls theology/metaphysics, *Maʿaseh Merkavah*, a "great thing" and the punctiliae of halakhists like Rava and Abaye "a small thing" (*MT* Laws of the Foundations of the Torah 4.13). Most of the mitzvot targeted by the devout are of instrumental value. The risk is losing sight of the ends those mitzvot serve. Most mitzvot, indeed, seek to improve human character and relations. So the virtues they foster are largely if not wholly other-regarding. Even the most personal (self-discipline, moral courage, and the like) are instrumental, in service to the higher goal of intellectual/spiritual perfection. Contemplation—and, specifically, of that which is highest—stands forth for Aristotle as the highest good, the goal we are free to pursue once our external needs are secure, with Sabbaths opening a special window on our pursuit of intellectual/spiritual self-perfection. Contemplation, for Aristotle, is the activity that most clearly marks the free man, since it is not sought for the sake of anything else (*Metaphysics* I 2, 982b–983a). Maimonides agrees, especially if we discipline our notion of needs with clarity about which needs are genuine. But like Aristotle, he does not divorce contemplation from the practical and, indeed, political arts that make it possible, nor from the acts of generosity (*tzedakah*) that are its fairest fruits. Abraham and Moses exemplify the union of active engagement with focus on God (3.126b)—a synthesis possible for others, too, so long as we hold true to our highest purpose in our active engagements and do not allow its subversion by false self-serving. Note the prominence of the intellect in Maimonides' ideal of an active life: For Aristotle, too, the intellect played an equally prominent role in guiding the exercise of all the virtues. But the good life, as he envisioned it (somewhat nostalgically and romantically in the age of Alexander), included active participation in public deliberations. For Maimonides, the ideal is a return from the heights to share insights won, offering leadership and guidance to those able to profit from it. For Aristotle's synthesis, see Reeve, "Practical Wisdom"; for Maimonides' integration of the moral with the intellectual, see Goodman, *God of Abraham*, 153–66.

621. Moral virtues cluster in the social theater, where they are enacted (cf. Miskawayh, *Tahdhīb al-Akhlāq*, 20). Ibn Ṭufayl's Ḥayy does live a moral life even outside human society, caring for the plants and animals of his island domain, emulating the generosity of the heavenly bodies, and seeking physical and spiritual perfection through ascetic practices and self-devised rituals (*Ḥayy Ibn Yaqẓān*, Goodman, 146). Other living beings serve as his "society"; but he is never in isolation from God.

white of your soul in thrall to your bodily powers, as the poetry symbolizing these themes says at the start: [*Don't stare at me because I am dark. . . .*] *My mother's sons were mad at me. They made me watch the vineyards. But my own vineyard I did not watch* (Song of Songs 1:6)—and in the same vein, *lest thou give others thy glory, thy years to those who care not* (Proverbs 5:9).[622]

Our prophets taught us the same ideas here as the Philosophers, declaring wealth, health, and character not what one should boast of or yearn for. The attainment we should long for and take pride in is to know God—real knowledge. Jeremiah says it, naming these four attainments: *Thus saith the* LORD, *"Let not the wise man glory in his wisdom, nor the hero glory in his might, nor the rich man glory in his wealth, but let him who would glory glory in this: that he understandeth and knoweth Me—*[*that I am the* LORD, *who worketh grace, justice, and righteousness on earth—For in these do I delight," saith the* LORD] (Jeremiah 9:22–23).[623]

Note how he ranks them as the vulgar do: To them, the highest attainment is the rich man's wealth, then the strong man's power, then the wise man's wisdom—meaning moral virtue, for the virtuous are esteemed by the masses, whom the prophet addresses here. Hence the sequence. The Sages read the verse just as I have in this chapter: Wisdom **3.134b**
unqualified, named our ultimate goal in every context, is to know God. But the goods vied for and prized as real attainments are nothing of the sort. Likewise, all those biblical practices—the acts of piety and morality so beneficial in our human interactions—hold not a candle to this ultimate goal but only pave the way to it.

Hear what they say of all these ends in their own words in Genesis Rabbah (35.3): "One passage says, [*Wisdom is more precious than rubies.*] *No object of desire compares to her* (Proverbs 8:11). Another says, [*Wisdom is dearer than silver, more precious than gold . . .*] *Nothing you wish for compares* (3:15). Mitzvot and good deeds are desired; gemstones and pearls are

622. Maimonides takes the anger of the young girl's brothers in Song of Songs and the brutish concupiscence of the usurpers in Proverbs to represent the blind demands of bodily powers, whose dominance he warns against; cf. Plato, *Phaedrus* 246–56.

623. Although instrumental, the three lesser goods are not nugatory: To know God is our highest goal. Moral wisdom serves that end. Since wealth, rabbinically, is contentment, and prowess is self-control, Maimonides enlists such virtues under our highest purpose: The moral virtues restrain, and the intellectual virtues guide the appetites and passions. All our strengths of character and mind serve us if we choose to strive toward our ultimate fulfillment. Plato's account of the four cardinal virtues and Aristotle's thesis that we find our highest realization in contemplation of God are fused here with the mitzvah to love God with all our hearts and souls and might (Deuteronomy 6:5). Knowledge and love of God go hand in hand in the intellectual love of God invited here (see *MT*, opening passage, and Laws of Repentance 10.6). Justice still presides over the virtues, and wisdom rightly rules, as Jeremiah and Plato are seen to agree. See Plato, *Phaedo* 114e, *Theaetetus* 176b; Philo, *De Decalogo* 81, *De Migratione Abrahami* 58, LCL 7.46–48, 4.164–65.

wished for. But they are not comparable: *Let him who would glory glory in this, that he understandeth and knoweth Me*." Just think how pithy the words are and how profound the speaker![624] He omits nothing that I have broached, analyzed, and expounded so diffusely.

Having cited this verse with all its marvelous implications and what the Sages had to say about it, I turn to what it says at the end. For Jeremiah does not stop at naming our highest goal, knowledge of God. Were that his intent, he would have said, *But let him who would glory glory in this: that he understandeth and knoweth Me*, and stopped
3.135a there—or "understandeth and knoweth Me, that I am One," or "have no shape," or "that there is none like Me," or the like. But what he said one should be proud of is awareness *of Me*—knowledge of God's attributes, meaning His actions, as I explained (I 54) anent the words *Show me, pray, Thy ways* (Exodus 33:13). The verse specifies the actions we must know and emulate: grace, justice, and righteousness (*ḥesed*, *mishpaṭ*, and *tzedakah*).[625]

He then adds a final nuance by saying *on earth*. This is the Torah's polestar. Contrary to what the rash[626] pretend, who suppose God's care stops at the sphere of the moon and slights the earth and everything on it—that *the* LORD *hath forsaken the earth* (Ezekiel 9:9)—the master of all who know told us plainly, *The earth is the* LORD*'s* (Exodus 9:29). Providence, Jeremiah says, cares for the earth, too, as befits it, just as it cares for the heavens as befits them. That is why he says *"that I am the* LORD *who worketh grace, justice, and*

624. Genesis Rabbah ascribes the words to Rabbi Aḥa, in the name of Rabbi Tanḥuma b. Rabbi Ḥiyya. Maimonides praises but does not name the author.

625. "For Maimonides," Leibowitz writes, "morality has no intrinsic and essential value." A striking contrast to Levinas! Leibowitz overstates his case a bit here, provoked, perhaps, by modern reductions of spiritual to moral aims and the sublimation of moral concerns to political agendas that expect more of others than of ego. Maimonides himself opened the door to Leibowitz's spiritual extremism by proposing (rhetorically) that the moral virtues serve only others (3.134a) and urging that true fulfillment comes in knowing God, on Aristotle's grounds, that the highest felicity must be an end and never a mere means. Hence Leibowitz's summation: Maimonides "does not regard morality as anything more than a means for liberating man from servitude to his emotions and his passions, which constitute obstacles and impediments on his way toward a knowledge of God, who is the only true being and the sole value" (*Faith of Maimonides*, 29). Three thoughts may bank Leibowitz's fire here: (1) Maimonides does not rest content with knowing God but urges his reader to read to the end of the verse and capture Jeremiah's recognition of the moral fruits of spiritual knowledge; cf. Isaiah 11:9, where universal knowledge of God holds the promise of universal peace. (2) Leibowitz himself sees the life of the mitzvot as the true worship of God (p. 22). For as Maimonides urges (3.133b), the thrust of most of the mitzvot is moral. Maimonides denies none of that in his hope that the life of the mitzvot allows one to rise yet higher. (3) We know God through the mercy and grace manifest in the creation and governance of nature—attributes that we are called to emulate on the human social plane.

626. Again, Maimonides uses Ghazālī's term *tahāfut*: Eternalists rashly and hastily conclude that providence is confined to the species of things and the "principal parts" of the cosmos.

righteousness on earth," and completes the thought by saying, *"For in these do I delight," saith the* LORD—meaning, 'My intent is that you show grace, justice, and righteousness on earth,' as I explained anent the thirteen attributes (I 54). The point is to emulate those attributes and pattern our lives on them.

What the verse means, then, is that the human attainment rightly gloried in, clearly, is to reach, so far as one can, an awareness of God and His care for His creatures, giving them being and ruling them as He does. One who wins such awareness will ever show grace, justice, and righteousness in life,[627] emulating God's acts, as I have explained more than once in this work.

This is as much as I think I should set down in this work of what I believe will most help those like you. I hope, as you give it due study, that you will grasp all that I have sought, with God's help, to convey and that He grant us, and all Israel, our brethren, all that He promised. *Then shall the eyes of the blind be opened and the ears of the deaf be unstopped* (Isaiah 35:5).[628]

The nation that walked in darkness shall see a great light. On those who live in the land of deep gloom a light shall dawn! (Isaiah 9:1).

> Amen!
> Near indeed is God to all who call Him,
> If their call is clear and sincere.
> He is there for all who seek Him,
> If their path is straight and unstraying.[629]

Part III is completed, with God's help. With this the *Guide to the Perplexed* is complete.

627. Cf. Spinoza: "Those ruled by reason, who seek their own interest under reason's guidance want nought for themselves that they do not desire for others; so they are just, faithful, and honorable" (*Ethics* Part IV, Prop. 18, Schol., Gebhardt, 2.223 *ll.* 15–18). Spinoza grounds his promise of virtue not on knowledge of God but on self-interest. But self-interest of the enlightened kind looks to God for its understanding and therefore prizes virtue for its own sake and holds nothing more precious (2.222 *ll.* 29–31). Anchored in joy rather than guilt, shame, or sorrow, true character does not reduce virtue to self-interest but finds genuine self-interest in virtue.

628. Maimonides returns to the image with which the *Guide* began, the opening of the mind's eye to a truth that liberates and perfects the soul. He trusts those who gain enlightenment to pursue perfection for themselves and share their understanding to elevate their fellows. As Raphael Jospe notes in his review essay of Menachem Kellner's *We Are Not Alone*, Maimonides' verses at the close of the *Guide* recap and underscore the universality of his vision, foregrounded in the opening chapter of the work and in Maimonides' account of the Messianic Age. And see Goodman, *On Justice*, chap. 5.

629. Maimonides' verses echo Isaiah 17:7–8 and Psalms 145:18.