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REPENTANCE AND FREE WILL IN MAIMONIDES'  
*BOOK OF KNOWLEDGE: LAWS OF REPENTANCE*

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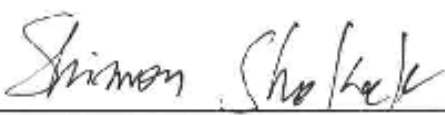



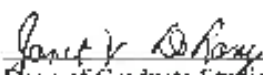
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DISSERTATION APPROVAL PAGE

This is to certify that the dissertation prepared by Laurretta H. Halstead entitled  
"Repentance and Free Will in Maimonides' *Book of Knowledge: Laws of Repentance*"  
has been approved by the thesis committee as satisfactorily completing the dissertation  
requirements for the degree Doctor of Philosophy.

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Dedicated to Almighty God, my Creator, Savior, and Ultimate Sustainer.

In honor of my mother, Marie Antoinette Dudley Hammond; In tribute to my father,

Raymond Benjamin Hammond, Sr..

## Acknowledgments

Special thanks to my husband, partner, and friend, Dr. Philip William Halstead, whose support on so many levels made this work a reality, walking the mountainous terrain with me, “We Got By”; to my sons, Thaddeus Hammond Halstead and Julius Augustus Halstead, who boosted me along the way as only they could do; to my editors Sandra Jones and Ivory Bostick, who attended to the manifestation of this project as midwives, bringing it to its present reality; to Bishop Ralph Dennis for praying me through, reminding me of the ‘Author’ and ‘Finisher’ of my faith; and to the illustrious Dr. Shimon Shokek, for supervising this work with great wisdom and fortitude.

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## Abstract

This dissertation argues that there is an unresolved tension between the loss of the ability to repent and the idea of absolute free will in Maimonidean thought. It explores the idea that confession, which is the biblical Law requiring that the penitent must first confess, is the substance of repentance. The research explores repentance and free will in Maimonides' *Book of Knowledge: Laws of Repentance*, with insights from his other works, to include the *Guide of the Perplexed, Eight Chapters*, and other ethical and *halakhic* writings.

Maimonides explains repentance as the essential pathway, which ultimately leads to love of God, resulting in attainment of life in the World to Come. If the will is impinged upon by God, circumstances of life, external sources, etc., it creates a psychological and existential dissonance and cannot simultaneously be “free,” as the biblical account of the hardening of Pharaoh’s heart seems to imply. Therefore, the question of absolute free will arises.

Consequently, this study is driven by the following questions: Is repentance an act of human will or is it a divine endowment? According to Maimonides, does God impinge upon the ability to repent, and if so, is this necessarily a usurping of the will? Is the loss of the ability to repent the same as the loss of the ability to exercise free will? Is the human will absolutely free to repent as Maimonides believes or is it a gift given by God at some times and not others? What does it mean to have the heart “hardened” by God

and how does this affect free will? What is the ultimate purpose of human life according to Maimonides?

The path of research entailed analyzing repentance and free will according to Maimonides in light of current research in the field as well as consideration of classical Jewish texts, such as Saadia Gaon's *The Book of Beliefs and Opinions*, Ibn Paquda's *Duties of the Heart* and Rabbenu Yonah of Gerona's *The Gates of Repentance*. This study illuminates the influence on Maimonidean thought by philosophers such as Aristotle, Avicenna and Al-Farabi, as well as the intellectual climate of Andalusia into which Maimonides was born.

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## Chapter 1

### Introduction

The aim of this dissertation is to analyze repentance and free will according to Maimonides' *Book of Knowledge: Laws of Repentance*, in light of the invariable reality which illuminates the problem that persists—namely, there remains an unresolved tension between the loss of the ability to repent and the idea of absolute free will in the teachings of Maimonides. This is the first book of the fourteen-volume compendium in which Maimonides codified Jewish law in his great *halakhic* work, *Mishneh Torah*. It was written between 1170 CE-1180 CE while Maimonides was living in Egypt.<sup>1</sup> There, he composed most of his works in Arabic. This great philosophical work is the codification of *halakha* with the purpose of providing instruction to the Jewish people regarding proper conduct. Maimonides' introduction of philosophy into the Code was innovative, because it moved the practice of Judaism toward rational and spiritual understanding of the Law, as opposed to mechanical or otherwise incorrect adherence to it.<sup>2</sup> *Mishneh Torah* is his only work written in Hebrew, opening with these words:

The basic principle of all principles and the pillar of all sciences is to realize that there is a First Being who brought every existing thing into being. All existing things, whether celestial, terrestrial, or belonging to an intermediate class, exist only through His true Existence. If it could be supposed that He did not exist, it would follow that nothing else could possibly exist. If, however, it were supposed

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<sup>1</sup> H. Norman Strickman writes: "The *Mishneh Torah* quickly spread from Egypt to the land of Israel, Syria, Babylonia, Yemen, Spain, Provence, and ultimately to France and Germany. Indeed, Maimonides spoke of the *Mishneh Torah's* fame all over the Jewish world. There were places where the *Mishneh Torah* was studied in the place of the Talmud." H. Norman Strickman, *Without Red Strings or Holy Water: Maimonides' Mishneh Torah* (Academic Studies Press, 2011), p. 23.

<sup>2</sup> See Raymond Weiss, "Some Notes on Twersky's 'Introduction to the Code of Maimonides,'" *Jewish Quarterly Review* 74, no. 1 (1983): p. 66. He writes: "Ordinary Jewish observance is touched by, and 'spiritualized' through, philosophy. (One might wonder whether the *halakhah* lacked a spiritual dimension prior to the introduction of philosophy into the Code)."



that all other beings were non-existent, He alone would still exist. Their non-existence would not involve His non-existence. For all beings are in need of Him; but He, blessed be He, is not in need of them nor of any of them. Hence, His real essence is unlike that of any of them.<sup>3</sup>

I will focus on *Laws of Repentance*, with the precise goal of clarifying the philosophical, *halakhic* and ethical elements that sustain the foundations of this influential work, in which Maimonides presented the study of repentance systematically. I will explore how repentance is pivotal to the concept of love of God. I will examine the way in which free will is essential to repentance and central to the ability of human beings to function as free moral agents. Repentance is inextricably intertwined with Maimonides' intellectual philosophy, as found in the *Guide of the Perplexed*<sup>4</sup> and other works of ethics, such as *Eight Chapters*.

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<sup>3</sup> Maimonides, *Book of Knowledge: Laws Concerning the Basic Principles of the Torah*, trans. Moses Hyamson (Jerusalem: Feldheim, 1974), Chap. I, p. 34a.

<sup>4</sup> "Maimonides' *Guide of the Perplexed* is the first sustained attempt to interpret Judaism in philosophical terms, and it was certainly the most influential, as both the 'Great Eagle's' followers and opponents well understood." Moshe Idel, "Maimonides' *Guide of the Perplexed* and the Kabbalah," *Jewish History* 18, no. 2/3 (2004): p. 198. For further study of the quality of the *Guide* as a philosophical or intellectual work, see Raymond Weiss, "Some Notes on Twersky's 'Introduction to the Code of Maimonides,'" *Jewish Quarterly Review* 74, no. 1 (1983): pp. 77-79.

See also, James A. Diamond, who states: "In the introduction to his philosophical magnum opus, the *Guide of the Perplexed*, Maimonides provides us with the rationale for the composition of this work as well as instructions for the targeted reader on how to decipher its elusive and enigmatic style. Such devices as contradiction, diffuse and seemingly discordant treatment of subject matter, and deliberate ruses are employed to accommodate both *halakhic* legal constraints on the overt teaching of physics and metaphysics and the wide intellectual disparity of his potential readers. The sensitive nature of the topics to be explored demands an unorthodox pedagogy that both illuminates and conceals, allowing entrance to the qualified few while excluding those who cannot cope with the intellectual rigors involved." James Diamond, "The Use Of Midrash in Maimonides' *Guide Of The Perplexed*: Decoding The Duality Of The Text," *AJS Review* 21, No.1 (1996): pp. 39-60.

Cf. Leo Strauss, a prominent Maimonidean scholar, in the *Introductory Essay: 'How to Begin To Study the Guide of the Perplexed,'* in S. Pines' translation, argues: "... it is not a philosophic book—a book written by a philosopher for philosophers-- but a Jewish book: a book written by a Jew for Jews" (p.xiv). Donald McCallum responds: "In essence, Strauss argues that Maimonides wrote his book in such a way that it presented different levels of doctrine, with the surface level intended for those Jews who had sufficient education to tackle it, and with a deeper level intended to present the hidden teachings of the Torah to an elite cadre of Jews, who were intellectually capable of 'decoding' the text and unearthing the secret teaching written 'between the lines,' to use a metaphor of which Strauss is especially fond. This metaphor is intended to indicate a style of writing which presents an author's real views in a manner so

The idea of repentance in Judaism is interspersed throughout writings and teachings of rabbinic thought, but Maimonides enumerated and elaborated upon these ideas as a unified code as crystallized in the *Laws of Repentance*. There is an undercurrent which flows between *Mishneh Torah* and the *Guide of the Perplexed*, which assumes the idea that the human will is free, and the development or perfection of the rational virtues will necessarily lead to ethical actions. The affinity between *Laws of Repentance* and *Guide of the Perplexed* is clearly exemplified in Maimonides' self-expressed goal of closing the chasm between Judaism and philosophy. He emphasized the importance of understanding the Jewish faith as rational, while simultaneously attempting to solve any irreconcilable differences between the faith tradition of the Jewish Patriarchs and Greek philosophy.<sup>5</sup> The one foundational truth upon which all of

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indirect as to avoid attracting unwelcome attention from religious or political authorities, the ultimate aim for the author being to avoid persecution for presenting teachings open to the charge of heterodoxy. This distinction between the open or 'exoteric' level of the *Guide* and the concealed or 'esoteric' level is not just about Maimonides protecting himself from persecution – it is complicated by the fact that he apparently believed that by presenting these teachings in writing he was transgressing, albeit for good reasons, a rabbinic injunction not to do so, and that by hiding them within the *Guide* in such a manner that only those readers would find them who were intellectually capable of doing so, he was limiting as much as possible his departure from this injunction. If Strauss' explanation is accepted, then a reader of the *Guide* interested in penetrating its true meaning is indeed faced with a daunting task. As Strauss puts it, the fact that the *Guide* is an esoteric explanation of the Torah, which Maimonides believes is itself an esoteric text, makes the latter's book '... a book sealed with seven seals', at least as far as modern generations are concerned. However, it is this very fact – that the *Guide* is an esoteric explanation of an esoteric text – which is the key to decrypting it." Donald McCallum, "Approaches to Maimonides' *Guide*," *European Judaism* 37, no. 2, (2004): p. 20.

<sup>5</sup> Strickman writes: "The *Guide* deals with the various issues confronting faith. It deals with proof of God's existence, the problems posed by the Bible's description of God in human terms, prophecy, providence, freedom of will, miracles, and other challenges to faith. Some twenty chapters of the *Guide* are devoted to a rational explanation of the Commandments. The *Mishneh Torah* has a similar agenda. It is worthy of note that the ban pronounced against the *Guide* by the French rabbis also included the *Book of Knowledge*. Rabbi Ya'akov Emden, who was a great critic of Maimonides' philosophy, also noticed a parallel between the *Guide* and the *Sefer Ha-Mada*. Rabbi Emden writes: 'I will not deny that I spoke against the book *Guide of the Perplexed*, which, in my opinion, was never authored by the same Maimonides who created the book *Yad Ha-Chazakah* in which we glory...even though in *Sefer Ha-Mada* there are also found some of the mistaken notions of the *Guide of the Perplexed*.' With all due respect to Rabbi Ya'akov Emden, not only does the *Sefer Ha-Mada* contain 'some of the mistaken notions of the

the precepts hang is that there is God and God is One.<sup>6</sup> Maimonides wrote:

But as for the Creator, blessed be He, His knowledge and His life are One, in all aspects, from every point of view, and however we conceive Unity. If the Creator lived as other living creatures live, and His knowledge were external to Himself, there would be a plurality of deities, namely; He himself, His life, and His knowledge. This however, is not so. He is one in every aspect, from every angle, and in all ways in which Unity is conceived. Hence the conclusion that God is the One who knows, is known, and is the knowledge (of Himself)—all these being One.<sup>7</sup>

Sin separates the individual from God, breaking the desired unity of the creature to the Creator. The pathway to restore this breach is through the gates of repentance.

Among the ideas central to repentance is the command that the sinner confess. This idea presupposes the underlying precept that human beings have free will, placing the

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*Guide of the Perplexed*’ but the spirit of the *Guide* permeates the entire *Mishneh Torah*.” See Norman Strickman, *Without Red Strings or Holy Water: Maimonides’ Mishneh Torah*, pp. 31-32.

<sup>6</sup> The monotheistic belief in the oneness, vitality, omnipotence, omniscience, and uniqueness of God in the Jewish tradition was previously supported by Maimonides’ illustrious predecessor, Saadia Gaon, born in Egypt, (882-942). He is credited with the first successful effort to present Judaism systematically as a religion of reason and rationality:

Saadia writes:

As for the fact that God is one, that is expressed in the statement of Scripture, *Hear, O Israel, the Lord our God, that Lord is one* (Deuteronomy 6:4), as well as in the statement, *See now that I, even I, am He, and there is no god with Me* (Deuteronomy 32:39), and its statement, *The Lord alone did lead him, and there was no strange god with Him* (Deuteronomy 32:12). As for God’s vitality that is borne out by the statement of Scripture, *For who is there of all flesh, that hath heard the word of the living God speaking out of the midst of the fire?* (Deuteronomy 5:23) and its statement, *But the Lord God is the true God, He is the living God, and the everlasting King* (Jer. 10:10). As for God’s omnipotence, that is made explicit by the statement of Scripture, *I know that Thou canst do every thing, and that no purpose can be withholden from Thee* (Job 42:2), and its statement, *Thine, O Lord, is the greatness, and the power, and the glory, and the victory, and the majesty, etc.* (I Chronicles 29:11). As for God’s omniscience, that is made explicit by the statement of Scripture, *He is wise in heart, and mighty in strength* (Job 9:4), and its statement, *His discernment is past searching out* (Isaiah 40:28). Finally, the view that nothing resembles either God or His works is supported by the statement of Scripture, *There is none like unto Thee among the gods, O Lord; and there are no works like Thine* (Psalm 86:8).

See, Saadia Gaon, *The Book of Beliefs and Opinions*, trans. Samuel Rosenblatt (New Haven, CT: Yale University Press, 1948), pp. 94–95.

<sup>7</sup> Maimonides, *Book of Knowledge: Laws Concerning the Basic Principles of the Torah*, Chap. II, pp. 36a, 36b.

responsibility for sin and confession on the shoulders of the individual; the practice of confession as an act of the will. There are many ideas connected with the necessary command to repent and confess; among them are forgiveness, atonement, the world to come and the love of God.

My research emerges from the biblical and Talmudic texts, which assume the freedom of the will and the need to repent. Rabbi Hanina of the Talmud put it most succinctly: “Everything is in the hands of heaven, except for the fear of heaven.”<sup>8</sup>

Moses Maimonides was undoubtedly one of the greatest Jewish thinkers of all time. He was a philosopher, *halakhist* and Talmudist, with great emphasis on hermeneutics, as many scholars observe the significance of biblical exegesis in his works especially *The Guide*. Maimonides had the goal of framing Judaism as a rational religion with implications, namely, for beliefs to have corresponding actions. Maimonides’ predecessor, who likely influenced him, Rabbi Saadia Gaon, recognized that the lack of understanding among many Jews concerning the basis for religious practices created a derisive environment, which he (Saadia) sought to impact.<sup>9</sup> Maimonides expanded on this train of thought concerning scripture, which included that God be understood as a non-corporeal Being, as re-emphasized in his *Thirteen Principles of Faith*. He followed the

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<sup>8</sup> B.T. *Berakhot*, 33b.

<sup>9</sup> See Norman Strickman. *Without Red Strings or Holy Water: Maimonides’ Mishneh Torah*, p. 42. “Rabbi Saadia Gaon (882-942) describes how the enemies of Judaism poked fun at believing Jews. He points out that many believing Jews had no answers with which to respond to the scoffers. In fact, one of the reasons for writing his *Sefer Emunot Ve-de’ot* (*The Book of Beliefs and Opinions*) was to defend Judaism against these scoffers. Rabbi Saadia Gaon attacks the concept of God’s corporeality. He insists that scripture teaches that God has no body. Rabbi Saadia Gaon argues that Judaism teaches that God is incorporeal and ‘does not resemble any of his works.’ Rabbi Saadia Gaon says that all anthropomorphic terms and scripture are to be understood as being figures of speech.”

rich intellectual traditions of Andalusia and Africa, which greatly influenced him.<sup>10</sup>

Inarguably, Maimonides thought was impacted by Greek philosophy to the extent that it is sometimes proposed that his theological construct owed more to Aristotle than to the traditions of Jewish sages in his understanding of Judaism.<sup>11</sup> He understood the importance of studying *Halakha* as necessary to the survival of Jewish thought, belief,<sup>12</sup>

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<sup>10</sup> According to Mordechai Z. Cohen, “To get an idea of his [Maimonides’] potential library, it is therefore helpful ... to outline the authorities cited regularly by Maimonides’ near contemporaries—which would give us a sense of the works that were influential in his intellectual milieu. We can assume that the exegetical library available to Maimonides in his native al-Andalus would have been similar to that of his older contemporary Abraham Ibn Ezra, who readily acknowledge his debt to the Babylonian geonim Saadia and Samuel ben Hofni ... as well as the great and Andalusian linguists and exegetes named Judah Hayyuj (late tenth century), Jonah Ibn Janah (early eleventh century), Samuel ha-Nagid (early eleventh century), Moses Ibn Chiquitilla (mid-eleventh century) and Judah Ibn Bal`am (mid-eleventh century). Interestingly, Ibn Ezra also cites—albeit with reservations—a number of Karaite exegetes, especially Yefet ben Eli (Jerusalem, tenth century)....

Another suggestive indication of the authors that made up Maimonides’ exegetical library is to be found in the biblical commentaries of his son, Abraham Maimonides (1186-1237), which feature interpretations from his father and grandfather, Rabbi Maimon, alongside citations from Saadia, Samuel ben Hofni, Samuel ha-Nagid, Ibn Janah and Ibn Ezra. Even considering the likelihood that Abraham developed some of his own interests independent of his father’s (e.g., his Sufi tendencies), it seems reasonable that Maimonides’ perception of scripture likewise was shaped by those very authors—despite the fact that he mentions them far less frequently than his son did. Maimonides does, however, draw quite prominently on two other sources for his biblical interpretations: rabbinic literature and Greco-Arabic philosophical works. While this tendency has perpetuated a portrait of Maimonides as a Talmudist-philosopher disconnected from the mainstream Geonic-Andalusian exegetical tradition, just beneath the surface we can detect that tradition’s impact on his biblical interpretation.” pp. 21-23.

Mordechai Z. Cohen, “Opening the Gates of Interpretation: Maimonides’ Biblical Hermeneutics in Light of His Geonic-Andalusian Heritage and Muslim Milieu” (In *Études Sur Le Judaïsme Médiéval Leiden*: Brill, 2011), pp. 21-23. <http://web.b.ebscohost.com/ehost/detail?sid=d108bf40-2395-4531-856d-b0b1b8502de6>

<sup>11</sup> “Plato’s *Republic*, Aristotle’s *De Anima* and *Nicomachean Ethics*, together with the works of some of his commentators, such as Alexander of Aphrodisias, and an abridged version of Plotinus’ *Enneads*, *The Theology of Aristotle*, entered into the Islamic world, and had a decisive influence on the conceptions of human perfection found in the various schools of thought—theological and mystical as well as philosophical—which in turn influenced the Jewish thinkers. The philosophy of Alfarabi, followed by that of Avicenna [Ibn Sina] and Ibn Bajja, had a particularly sharp impress upon Maimonides’ thought.” Howard Kreisel, “*Imitatio Dei* in Maimonides’ *Guide of the Perplexed*,” p. 173.

<sup>12</sup> Harry Wolfson, in “Maimonides on the Unity and Incorporeality of God,” states “... matters of belief, just as matters of action, are included under the 613 commandments, and consequently matters of belief are to be treated like matters of action. Now in matters of action a line of demarcation, rigidly defined by law is, drawn between what one is required to do and what one is not allowed to do. So also in matters of belief, according to Maimonides, a line of demarcation, rigidly defined, must be drawn between what one is required to believe and what one is not allowed to believe.” *Jewish Quarterly Review* 56, no. 2 (1965): pp. 134-135.

understanding and practice. According to Maimonides, study leads to understanding, which leads to belief, which ultimately drives the ethical actions of practicing Jews, leading to a moral lifestyle exemplified fundamentally through free will and repentance. Although he was born in 1138 according to recent scholarship, during great cultural and religious wavering in Cordoba, Spain, he was greatly affected by the self-perceived need to do what was in his power to capture and catapult the understanding and practice of Judaism. He recognized the decreasing number of those studying the Torah and Talmud, from which Jews directly or indirectly defined themselves in the world. He acknowledged the ever-increasing lack of Torah study, in the absence of an easily accessible source of understanding topics in the Talmud, often interspersed through the writings and enveloped by discussions between rabbis on *halachic* issues.<sup>13</sup> He surmised that this system of study was inaccessible to many, which led to a “perplexed” people.

One of Maimonides’ major works, the *Guide of the Perplexed*, completed in 1190, fourteen years prior to his death in 1204, was written directly in response to a letter

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<sup>13</sup> “The Jewish tradition, itself built upon the discussions of the ancient rabbis in the Talmud and related literature, posed the greatest difficulty for the philosophical mind of Maimonides. The challenge was to organize in an architectonic structure a vast body of data that, on the surface anyway, appears to be hopelessly disjointed and even random. Others before him have tried to tackle this problem—most notably, Isaac Alfasi as regards the legal data and Saadia Gaon as regards the theological data. Their impressive efforts were still piecemeal compared to that of Maimonides. Alfasi essentially paraphrased rabbinic texts (and not on every subject at that), and gave them a partial topical order. Maimonides was convinced that the philosophical assumptions of Saadia were too eclectic to sustain the truly systematic theology the Torah required. For these philosophical assumptions, Maimonides turned to Plato, the Arabic neo-Platonist Alfarabi, and even more to Aristotle and the Arabic neo-Aristotelian Ibn Sina (Avicenna).” David Novak, “The Mind of Maimonides,” *First Things: America’s Most Influential Journal of Religion and Public Life*, (February 1999): pp. 27-33.

from his beloved student Joseph ben Judah, to whom he dedicated it.<sup>14</sup> Maimonides declared his purpose of the work:

Know that I did not compose this *compilation* in order to become preeminent among Jews nor to become famous. Thus I greatly regret that the purpose for which I composed it is disputed. God knows I compose that first of all for myself, to free myself from the [kind of] investigation and inquiry it requires, and also for the period of my old age. And [I composed it] for the sake of God, may He be exalted. Indeed, by God, I have been very zealous for the Lord, God of Israel. I saw a religious community without a true law code and without correct and precise opinions, and so I did what I did purely for the sake of God.<sup>15</sup>

Ben Judah desired to instruct others from *Mishneh Torah*, an idea that was met with contentions from religious and secular leaders in Baghdad. Maimonides was careful to remind him:

This compilation is not comparable, God forbid, to the Torah, which is truly the guide for mankind. Nor does it reach the level of the speech of the prophets. Still, only some people have followed it [the *Mishneh Torah*], while others have turned away from it.<sup>16</sup>

Maimonides' approach was to challenge the faithful to understand what he termed the "inner meaning of Judaism," an ideal that he believed was almost lost to successive generations. This compelled him to write, in order to prevent the knowledge and understanding that he acquired over the years from inevitably passing away at the time of

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<sup>14</sup> "It is important to keep in mind that the *Guide* is not intended to be a philosophical work devoted to an exposition of physics and metaphysics, as well as the nature of the human soul, nor is it designed to serve as a substitute for such works. Maimonides repeatedly refers his readers to the extensive philosophic literature on these subjects, which he treats as mandatory reading for those striving to attain perfection. Rather, the *Guide* is a theological-exegetical work devoted to a solution to the dilemmas which arise from a broad comparison between Jewish tradition and Islamic Aristotelian philosophy (*Guide* 1: Introduction, 2:2). . . . Maimonides certainly accepts the Aristotelian approach to understanding existence and most of its essentials, an acceptance already discernible in his earliest writings." Kreisel, "*Imitatio Dei* in Maimonides' *Guide*," p. 170.

<sup>15</sup> Maimonides, *Letter to Joseph* in *Ethical Writings of Maimonides*, eds. Raymond Weiss and Charles Butterworth (New York: Dover, 1975), p. 115.

<sup>16</sup> *Ibid.*, p. 116.

his death. Previously, there had been a tradition of not writing down the hidden truths of the sacred texts and concepts, with an emphasis placed on teaching one to one, in order to preserve and protect the mysteries of Judaism. He understood that committing these ideas to writing was forbidden, but recognized dissemination of truth as the greater good that needed to be pursued:

If I had omitted setting down something of that which has appeared to me as clear, so that the knowledge would perish when I perish, as is inevitable, I should have considered that conduct as extremely cowardly with regard to you and everyone who is perplexed. It would have been, as it were, robbing one who deserves the truth of the truth, while begrudging an heir his inheritance. And both these traits are blameworthy. On the other hand, as has been stated before, an explicit exposition of this knowledge is denied by the legal prohibition, in addition to that which is imposed by judgment. In addition to this there is the fact that in that which has occurred to me with regard to these matters, I followed conjecture and supposition; no defined revelation has come to me to teach me that the intention in the matter in question was such and such, nor did I receive what I believe in these matters from a teacher. But the text of the prophetic books and the dicta of the sages, together with the speculative premises that I possess, showed me that things are indubitably so and so.<sup>17</sup>

Maimonides saw it as his duty to write down what he believed he clearly understood of Jewish law and tradition through his study and the strength of his intellect. He justified doing so, because Torah study and the understanding of what it meant to be Jewish was greatly needed in an environment of exile, spiritual decay, and the decline of religious self-awareness among his people. Perhaps, the void produced by perpetual sojourning and challenges to his faith drove his work. With continual oppression and eviction by other nations, what might it mean to be God's chosen people? Surely, it seemed as though other nations and peoples were the victors, while the people of Israel appeared to themselves as victimized through alienation and oppression. This

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<sup>17</sup> Maimonides, *Guide of the Perplexed*, trans. Shlomo Pines (Chicago: University of Chicago Press, 1963), Introduction to Part III, pp. 415-416.



undoubtedly affected Maimonides' understanding of himself and his life's purpose. He specified and qualified his understanding of Judaism as knowledge apprehended through his own study, and not as one who received this understanding through divine endowment or at the hand of the sages. Understanding Maimonides' perception of his own motivations for his extensive writings informs us of the internal and external environment that shaped or impacted his worldview.

All of Maimonides' teaching on repentance presupposed a reality that all human beings have free will:

Free will is bestowed on every human being. If one desires to turn toward the good way and be righteous, he has the power to do so. If one wishes to turn towards the evil way and be wicked, he is at liberty to do so. And thus it is written in the Torah, "behold, the man is become as one of us, to know good and evil" (Genesis 3:22)—which means that the human species had become unique in the world—there being no other species like it in the following respect, namely, that man of himself and by the exercise of his own intelligence and reason, knows what is good and what is evil, and there is none who can prevent him from doing that which is good or that which is evil.<sup>18</sup>

The implementation of the Law implies the ability to freely observe it. The idea of sin itself becomes meaningless if one is unable to keep the Law, which was considered holy. For actions, emanating from the essence or the substance of a thing is not a matter of obedience or disobedience, but is actually a manifestation of its nature. If the Creator has hardwired into the very nature of humankind to be ethical and morally upright at all times, and therefore unable to execute immoral or sinful actions, we are not functioning as free agents; we become slaves to our individual nature, not having the choice to act in some other way. According to Maimonides in *Laws of Repentance*, our ethics are not

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<sup>18</sup> Maimonides, *Book of Knowledge: Laws of Repentance*, Chap. V, p. 86b.

predetermined, nor are we slaves to our individual nature, precisely because “free will is bestowed on every human being,”<sup>19</sup> bringing with it moral and spiritual consequences.<sup>20</sup>

The fact of free will within an individual grants freedom of choice in a given situation. It follows that passions can be redirected or disciplined through the practice of sound moral actions. Maimonides assumed an inseparable link between free will and moral responsibility,<sup>21</sup> an idea that is pervasive in philosophy, but is not exclusively or universally accepted, and therefore begs further consideration.

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<sup>19</sup> Maimonides, *Laws of Repentance*, chapter V, p.86b

<sup>20</sup> Concerning the relationship of free will and responsibility, Bruce Waller wrote: “Perhaps free will is inseparably linked to moral responsibility by definition, in such a manner that it is an analytic truth that an autonomous act is one for which the actor is morally responsible and can justly be praised or blamed. Possibly it is just a matter of common knowledge that free will always carries with it moral responsibility as an empirical fact. If the link between free will and moral responsibility is a matter of definition, then free will is weighted with confusion, and should be replaced by a more useful term. If instead the link is claimed to be empirical, it is empirically unsubstantiated.

Whether empirically doubtful or analytically true, the traditional connection between free will and moral responsibility is an impediment to our understanding of free will. Claims of moral responsibility are moral claims: they are claims about what is fair and just, claims about just deserts and fair treatment. If we start our investigation with the assumption that our concept of free will must justify moral responsibility, then any attempt to empirically investigate free will is tightly constrained by this moral requirement.” Bruce Waller, “Empirical Free Will and the Ethics of Moral Responsibility,” *Journal of Value Inquiry* 37: pp. 533-542, (Kluwer Academic Publishers. Printed in the Netherlands. 2004, p. 535).

Traditional streams of thought include the following: *Compatibilists* hold that free will is compatible with determinism while *incompatibilists* maintain the contrary idea that it (free will) is not compatible with determinism. On the other hand, *libertarians* insist that we are free and morally responsible, and therefore determinism is false. For further study on these ideas, See Thomas Pink, *Free Will*, (Oxford University Press, 2004); See also Joseph Keim Campbell, *Free Will*, Cambridge, UK: Polity Press, 2011, pp. 19-42. For other views and current noteworthy ideas on the problem of free will, such as *Mysterianism* (which suggests that we are not able to resolve the free will problem), *Illusionism* (the notion that free will appears to be one thing but is in actuality something else) and *Revisionism* (the idea that the concept of free will should be reconstructed), See also Meghan Griffith, *Free Will: The Basics* (London: Routledge, 2013), pp. 91-101.

<sup>21</sup> Aristotle, who indubitably influenced Maimonides, was chiefly concerned with responsibility, emphasizing it instead of freedom. See J. Trusted, *Free Will and Responsibility*, (Oxford: Oxford University Press, 1984), pp.9-19.

Maimonides believed that although individuals have proclivities or propensities to behave in a particular manner, they have the power to choose to be obedient or disobedient, righteous or wicked, according to their own will, intellect, and the dictates of the soul. “It is the intellect which is the human soul’s specific form. And to this specific form of the soul, the scriptural phrase ‘in our image, after our likeness’ alludes.”<sup>22</sup>

Maimonides, in the tradition of Aristotle, taught that human beings have a single soul, with five parts, each with its own individual nature: *nutritive*, which deals with attracting, retaining, digesting, excreting, growing, and procreating; *sentient*, which pertains to the five senses of sight, hearing, taste, smell, and touch; *imaginative*, which concerns itself with object permanence; *appetitive*, pertaining to desire, passion, and repulsion (attraction or avoidance); and *rational*, which perceives intelligibles, deliberates, acquires sciences, and distinguishes between base and noble acts.<sup>23</sup>

The soul is the part of human beings that is most benefitted through apprehending knowledge. It is the faculty which allows for observance of the command to love God, which is the desired and best end for humanity. Such love is accomplished through the soul’s knowledge, and therefore Maimonides’ understanding of it looms large in his theology, and in some ways lies at the center of it. He maintained that the Law had as its principle purpose, the elevation of body and soul, giving significant attention to it, as reflected in *Eight Chapters* and other places: “ Know that the soul of man is a single soul. It has many different actions, some of which are sometimes called souls. One might

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<sup>22</sup> Maimonides, *Book of Knowledge: Laws Concerning the Basic Principles of the Torah*, Chap. IV, p. 39a.

<sup>23</sup> Maimonides, *Eight Chapters*, in *Ethical Writings of Maimonides*, eds. Raymond Weiss and Charles Butterworth, pp. 61–63.

therefore think, as the physicians do, that man has many souls. Even the most eminent physician stated that there are three souls: natural, vital, and psychic. These are sometimes called powers and parts... You know that the improvement of moral habits is the same as the cure of the soul and its powers.<sup>24</sup>

The will is affected by the development of the soul through the practice of the divine precepts, which restore freedom from bondage caused by acts of sin. In this dissertation, I will elaborate on the nature of the human soul and its power as it pertains to sin, in the exercise of free will and repentance, according to Maimonides.

Repentance demands transformation, which requires that the individual soul (which becomes “sick” from the practice of vices, according to Maimonides) becomes healthy. He argued that the practice of moral vices is the result of sick souls. Maimonides diagnosed:

People with sick souls, I mean, bad and defective men, imagine bad things as good and good things as bad. The bad man always has a desire for ends that are in truth bad. Because of the sickness of his soul, he imagines them to be good. When sick people not proficient in the art of medicine become aware of their illness, they seek out the physicians. They [the physicians] inform them of what they need to do, prohibit them from [taking] what they imagine to be pleasurable, and compel them to take vile, bitter things which will heal their bodies so that they will again delight in pleasant things and loathe vile things. Similarly, those with sick souls need to seek out the wise men, who are physicians of the soul. The latter will prohibit the bad things which they [the sick] think are good and treat them by means of the art that treats the moral habits of the soul.<sup>25</sup>

The maintenance of a healthy soul is indispensable to the proper exercise of free will. Maimonides agreed with both Plato and Aristotle concerning the idea of sickness of the soul. The body can become ill for a variety of reasons, and ultimately balance directs

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<sup>24</sup> Maimonides, *Eight Chapters*, p.61.

<sup>25</sup> *Ibid.*, p. 66.

the integrity of it's health. Illness results when any aspect of the body is incongruent with the rest of the body. As a physician, Maimonides believed that the overall health of the body was essential to the desired spiritual well-being.<sup>26</sup> Likewise, the soul can suffer from spiritual disease, in which case one must seek the care of a physician of the soul, which is the sage. Wisdom provides for the health and well-being of the soul.

It was important for Maimonides to show that *halakha* incorporated understanding of the nature of the soul, believing that the Law was mandated by God through the Patriarchs of the faith. *Halakha* included full understanding and explanation of exactly what was needed to aid the perfection of the soul. To understand the Law was to understand the significance of the soul and the means to its perfection. It is essential for the perfection of the soul to practice moderation, discovering and living within a mean between extremes.

The properly balanced soul would lead to right moral action, which acquires merits resulting in righteousness. According to Maimonides, it is essential that merits outnumber iniquities for an individual who wishes to be righteous. Human beings are made in the image of God and are to reflect God's attributes in this world. In the words of Maimonides:

[T]he sages taught, "Even as God is called gracious, so be thou gracious; even as He is called merciful, so be thou merciful; even as He is called holy, so be thou

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<sup>26</sup> Sherwin Nuland explains: "It was a Maimonidean precept that the purpose of keeping the body healthy is to enable the unhindered pursuit of knowledge of God, and of the perfect morality for which God is the model; the study of medicine is a religious activity. In saying this, Maimonides was echoing a thesis promulgated by the rabbis of the Talmud, who spoke of the physician as a messenger—or in certain ways even a partner—of God, and is central to the pursuit of an understanding of God's ways... Throughout the sacred writings, one is aware of the tension between the concept of God's will and the concept of human free will, manifest in an unspoken compromise that leaves care of the body to man—the intervention of God is not to be assumed." *Maimonides* (Schoken, NY. Nextbook, 2005), pp. 5, 7.

holy.” Thus too the prophets described the Almighty by all of the various attributes “long-suffering and abounding in kindness, righteous and upright, perfect, mighty and powerful,” and so forth, to teach us, that these qualities are good and right and that a human being should cultivate them, and thus imitate God, as far as he can. How shall a man train himself in these dispositions, so that they become ingrained? Let him practice again and again the actions prompted by those dispositions which are the mean between the extremes, and repeat them continually till they become easy and are no longer irksome to him, and so the corresponding dispositions will become a fixed part of his character. And as the Creator is called by these attributes, which constitute the middle path in which we are to walk, this path is called the Way of God....<sup>27</sup>

Contemplation of virtuous acts is necessary to allow for the imitation of God, *imitatio Dei*, as it pertains particularly to the attributes of loving-kindness (*hesed*), judgment and righteousness, as Maimonides specified in the *Guide of the Perplexed*:<sup>28</sup>

He makes it clear to us that those actions that are to be known and imitated are loving-kindness, judgment, and righteousness. He adds another corroborative notion through saying, and the earth—this being a pivot of the Law. For matters are not as the over bold opine who think that His providence, may He be exalted, terminates at the sphere of the moon and that the earth and that which is in it are neglected: the Lord has forsaken the earth. Rather is it as has been made clear to us by the master of those who know: that the earth is the Lord’s. He means to say that His providence also extends over the earth and the way that corresponds to what the latter is, just as His providence extends over the heavens and the way that corresponds to what they are. This is what He says: that I am the Lord who exercised loving-kindness, judgment, and righteousness, in the earth. Then He completes the notion by saying: for in these things I delight, saith the Lord. He means that it is My purpose that there should come from you loving-kindness,

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<sup>27</sup> Maimonides, *Book of Knowledge: Laws Relating to Moral Disposition and to Ethical Conduct*, Chap. I, p. 48a.

<sup>28</sup> “Perfect political leadership, a leadership ‘translating’ knowledge of physics and metaphysics into a set of rules and directives for human society, is the ultimate human expression of *imitatio Dei*. The perfection of the intellect is regarded by Maimonides as a necessary condition—a thorough understanding of reality being required for directing society to pursue mankind’s true good—but it is not the end in itself. Nor does Maimonides refer here, in contradistinction to his legal writings, to the individual’s own ethical perfection, though this is a necessary condition for achieving intellectual perfection, as well as integral to perfect leadership. A person who is a slave to his passions can hardly attain intellectual perfection or lead others to their perfection.” Kreisel, “*Imitatio Dei* in Maimonides’ *Guide*,” p. 177–78.

righteousness, and judgment in the earth.... And that this should be our way of life.<sup>29</sup>

For the imitation of God on earth, balance and discipline are required, and this is attained through study of the Law, contemplation and practice. Study is necessary for the acquisition of wisdom, which is the pathway to the perception of fear and awe of God.

According to Maimonides:

Man is required first to obtain knowledge of the Torah, then to obtain wisdom, then to know what is incumbent upon him with regard to the legal size of the law—I mean the drawing of inferences concerning what one ought to do.<sup>30</sup>

Contemplation of the works of God leads to a glimpse of the wisdom of God, which then leads to the love of God, which is the ultimate aim of life, achieved through human perfections.<sup>31</sup> Wisdom manifests through action. As Maimonides explained in the *Guide*, it is a wise decision to exemplify the perspectives and directives of the Torah. While knowledge of the Torah was fundamentally intellectual, he emphasized that it follows that love will be reflected in our actions emulating God's attributes. This becomes possible through study and comprehension of its teachings. Such study is the immense responsibility of humankind, becoming central to the ultimate expectation of God concerning His people. Maimonides wrote:

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<sup>29</sup> Maimonides, *Guide of the Perplexed*, trans. Shlomo Pines, Part III, Chap. 54, p.637.

<sup>30</sup> *Ibid.*, p. 633.

<sup>31</sup> "God, however, is not only the wise ruler who through an act of will gives existence to what is other than He and organizes the order of existence in a flawless manner—*imitatio Dei* consequently lying in the perfection of our own activities and the virtues underlying them, particularly in the realm of politics. God's essence is intellect. Maimonides, for all his insistence on the equivocality of the term "intellect," never frees himself from this basic Aristotelian conception, neither in the *Guide* nor in his legal writings. Intellection for Maimonides, no less than for Aristotle, is what characterizes divinity. To the degree that man engages in intellection, he approaches divinity. . . . Thus despite the unbridgeable chasm between God's intellect and the human intellect, it is intellect which provides the point of resemblance and "contact." Kreisel, "*Imitatio Dei* in Maimonides' *Guide*," p. 179.

They [the opinions of the Torah] should be demonstrated; then the actions through which one's way of life may be ennobled, should be precisely defined. This is what they, may their memory be blessed, literally say regarding man's being required to give an account with respect to these three matters in this order. They say: when man comes to judgment, he is first asked: have you fixed certain seasons for the study of the Torah? Have you rationated concerning wisdom? Have you inferred one thing from another?<sup>32</sup>

Maimonides described this process of imitating of the attributes of God as expressed in the Torah, through the concept of four perfections of man:<sup>33</sup> perfection of possessions, perfection of the body, perfection of the moral virtues and perfection of the rational virtues.<sup>34</sup> Of the four perfections, the perfection of possessions is the “most defective,” according to Maimonides.

Maimonides called perfection of possessions imaginary because one cannot truly possess anything external to the self. Objects or even people as possessions have an existence external to their owner, and the owner-object relationship is not permanent. Ultimately, when the relationship no longer exists, there is little difference between the one who owned much and the one who possessed nothing. The way that this owner-object relationship exists in the world has only a superficial connection to those who feel as though they actually own material things, such as money, houses, land or even slaves. The fallacy of ownership is synthetic, depending on a temporary relationship between the two objects (owner and possessions) for its existence. Even if it were possible to make

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<sup>32</sup> Maimonides, *Guide of the Perplexed*, trans. Shlomo Pines, Part III, Chap. 54, p.634.

<sup>33</sup> “There is probably no topic in Maimonides’ philosophy more thoroughly explored than that of human perfection, many of the studies dealing explicitly with the notion of *imitatio Dei*. Maimonides’ view of ultimate perfection has been interpreted alternatively as primarily either intellectual, political, ethical, or *halakhic*. Many have interpreted Maimonides as positing a harmonious combination of the contemplative life and the life of socially oriented activity—*bios praktikos*—despite the evident tension between the two.” Kreisel, “*Imitatio Dei* in Maimonides’ *Guide*,” p.169.

<sup>34</sup> Maimonides, *Guide of the Perplexed*, trans. Shlomo Pines, Part III, Chap. 54, p. 634.



ownership of material things permanent, it would not create or bring perfection to an individual.

All human relationships to objects are transient and without the ability to change the essence of the one who possesses an object or the object itself. When the relationship between the two is no longer intact, the two entities continue to exist independently of each other, having no real effect on their respective natures. Although the perfection of possessions is the one on which the most time and effort is spent, it is the lowest state attained by human beings and, in actuality, gives no authentic edification to the individual soul at all, according to Maimonides.

The second perfection is that of the body. It is concerned with the health, beauty, and strength of the body, as well as its temperament. This is not unique to human beings, but is a quality shared in the animal kingdom. Interestingly, Maimonides describes the importance of this perfection of man, noting:

Man needs to subordinate all of his soul's powers to thought...and to set his sight on a single goal: the perception of God (may He be glorified and magnified), I mean knowledge of Him...The purpose of his body's health is that the soul find its instruments healthy and sound in order that it can be directed toward the sciences and toward acquiring the moral and rational virtues, so that he might arrive at that goal.<sup>35</sup>

Maimonides emphasized the importance of physical and mental health, convinced for example, that depression limits access to prophecy and is an illness of the soul in need of healing. Although a healthy body is required for creativity and study, it is not in and of itself the most important aim of life, which is realized only through the apprehension of the wisdom of God. Health, strength, and beauty of the body does not directly assist the

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<sup>35</sup> Maimonides, *Eight Chapters*, p.75

soul in its endeavor to know and love God. However, health of the body is extremely important, and the study of medicine became “religious” to Maimonides. As a renowned physician, he dedicated many works to the subject of medicine.

The third perfection is the perfection of the moral virtues. Its primary focus concerns the quality of ethical actions between human beings. It is the ruling principle in dealing correctly with one another, which has intrinsic value, allowing civil societies to exist, aiding in the fundamental command to love one’s neighbor. Most of the commandments are aimed toward this perfection, which serves the distinct purpose of directing actions between people. This perfection deals more directly with the self than the first two, although it too, is not an end in itself. It is however, to be understood as preparation for a higher perfection—the fourth, which is the perfection of the intellect. Intellectual perfection is the highest perfection human beings can attain.<sup>36</sup> Maimonides states:

Our Sages have pointed out to us that it is a service of the heart, which explanation I understand to mean this: man concentrates all his thoughts on the First Intellect, and is absorbed in these thoughts as much as possible.<sup>37</sup>

Through the intellect, we are to pursue the knowledge of God, and this perfection is thereby the highest true perfection that human beings are to seek.<sup>38</sup> This perfection,

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<sup>36</sup> “Maimonides understood that the fundamental set of problems underlying human perfection is the nature of intellect and its relation to the human soul and body on one hand, and its relation to God and the Active Intellect on the other.” Kreisel, “*Imitatio Dei* in Maimonides’ *Guide*,” p. 174.

<sup>37</sup> Maimonides, *Guide for the Perplexed*, trans. M. Friedländer (New York: Dover, 1956), Part III, Chap. 51, p. 386. Please note, Friedlander’s translation of the *Guide for the Perplexed* is used in instances where it renders a more crystallized interpretation of a particular text. Otherwise, S. Pines’ translation is used throughout this dissertation.

according to Maimonides, is the one that most deserves our focus and attention, making the most effective and permanent difference within an individual. To this matter, we are to give our utmost attention and intentionality in the care of the soul. Of the four perfections, the fourth one pertains to the individual most directly, and does not exclusively depend upon a relationship with others. Maimonides declared that the fourth perfection grants immortality and, in fact, makes a human being human. It is the most important one, in direct connection with the care and development of one's own soul, and the love of God. This perfection alone is most attentive to the soul, bringing life and health to it. We are to be most consumed with the perfection of the intellect, through attainment of the knowledge of God, which Maimonides referred to as the "true science."<sup>39</sup> This is derived from the biblical precept found in the words of the Torah:

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<sup>38</sup> Ruth Birnbaum, in "The Role of Reason in Bahya and Maimonides" posits, "Bahya intends from the very beginning to lead the believer to the wholehearted worship of God in which the duties of the mind and body are 'equal and balanced.' In the *Guide*, however, perfect faith is the corollary to the perfection of the intellect, but it is not at the pulse of the book, where the highest achievement, next to prophecy, is in man's contemplation of the First Intellect." *Shofar: An Interdisciplinary Journal of Jewish Studies* 19, no. 2 (Winter 2001): p.81.

<sup>39</sup> Considering the inevitableness of science as a process of learning, Kellner posed the question about whether Maimonides understood that the science upon which he based fundamental principles in *Mishneh Torah* would undoubtedly develop and unfold over time, bringing new information and expanding understanding as has always been the case. It is clear that science, philosophy, and metaphysics will never reach perfection, as it pertains to human knowledge. The depth of what we do not know concerning science is endless, and so, must be our quest for the understanding of these disciplines. This reminds us of the ever-present quest of the attainment in this life of absolute understanding of the requirements of God and the law, knowing that, for Maimonides, we are to comprehend human responsibility in this life from these truths. Kellner writes:

...Maimonides presented his account of nature in the *Mishneh Torah* provisionally, as a statement of the best science available to him, and not as the final, absolute account of the universe as it truly is, was, and always will be. Maimonides held that human history was largely marked by a development away from falsehood and toward truth, in matters both philosophical and religious. May we not assume that he held that this would continue after his day as well? With respect to the ever greater approximation of truth in the various spheres of philosophy (what we would today call "science"), we just saw that Maimonides held that the mathematical sciences were incorrectly understood in Aristotle's day; in his own day they had reached a much higher level of perfection. This is true not only of the mathematical sciences, but also of anatomy: "[Galen] attained

“Thus said the Lord, let not the wise man glory in his wisdom; Let not the strong man glory in his strength; let not the rich man glory in his riches. But only in this should one glory: In his earnest devotion to me.”<sup>40</sup>

Through the perfection of rational virtues, we are able to give ourselves to the pursuit of God, which distinguishes the human being from the lower beasts.<sup>41</sup> Through the pursuit of rational perfection, we aspire to the awe, fear, love and service of God. Service to God is embodied in obedience to the Commandments, while the love of God is embodied in the understanding of the Torah, which teaches: “Now all has been heard; here is the conclusion of the matter: Fear God and keep His commandments for this is the whole duty of man.”<sup>42</sup> To fear God is to revere and stand in awe of God. Fear (*yare*), is to

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enormous success in anatomy, and things became clear to him in his time that were not apparent to anyone else. In addition, the activities and functions of organs, and their physiology, as well as conditions of the pulse which were not clear at the time of Aristotle [were understood] and explained by Galen.” Finally, with respect to astronomical matters Maimonides thought that his own knowledge might be superseded: “It is possible that someone else will find a demonstration by means of which the true reality of what is obscure for me will become clear to him.” (*Guide* 2.24, p. 327) Without getting into the vexed question of when the idea of progress entered Western culture, we can see here that Maimonides admitted the fact of scientific development and even anticipated that science would develop beyond what he himself, or, more accurately, his generation, had been able to accomplish in it. In terms of what we can call “spiritual progress,” Maimonides indicates that human beings grow and develop from generation to generation, both as individuals and as a race. As individuals, Maimonides maintained in one of the most notorious passages in the *Guide*, [3.32, p. 526] the generation of the Exodus were unable to worship God in a truly mature fashion and needed a sacrificial cult.

Menachem Kellner, “Maimonides on the Science of the ‘*Mishneh Torah*’: Provisional or Permanent?” *AJS Review* 18, no. 2 (1993): p. 184–85.

<sup>40</sup> *Jeremiah* 9:22–23 (NJPS). All Biblical references are taken from the *New International Version* (NIV) unless otherwise noted.

<sup>41</sup> “God in Maimonides’ thought is pure intellect (*Guide* 1:68), yet the completely simple and unfathomable One to whom no positive attributes may be attributed (1:56–60). He is both Wisdom and Will, which are identical with His essence (1:69). He is the wholly transcendent God, not dependent upon any other existent nor even related to any other existent (1:52), who nevertheless is the Cause—efficient, formal, and final—of all existence (1:69). All the problems emerging from this paradoxical conception of God are ultimately resolved by the complete ‘otherness’ of His existence, which can only be known by what He is not or by what He does.” Kreisel, “*Imitatio Dei* in Maimonides’ *Guide*,” p. 174.

<sup>42</sup> *Ecclesiastes* 12:13.

be understood as respect, awe, and submission to a proper relationship with God. Contemplation of God's works will cause one to recognize His wisdom (*hokhmah*), which is essential to attaining the highest perfection. The Torah declares: "Wisdom is supreme; therefore get wisdom."<sup>43</sup>

To revere God is to revere the works and the word of God, because God and His word are one; His word is not external to Him. Contemplation of and obedience to God's words result in submission, service and worship. The love of God is inspired through the perfection of the rational virtues by way of understanding and reflecting the commandments. Comprehending and practicing the commandments and precepts of God is enabled by His gift of repentance (*teshuvah*) to humanity. Through repentance, we are allowed to escape the inevitable separation that sin creates. We are empowered in our efforts to cleave unto God (*devekut*) through walking in the ways of God, obeying His dictates, articulated by the prophet Jeremiah: "Let us search and examine our ways, and turn back to the LORD;"<sup>44</sup>

For Maimonides, the epitome of free will is exercised when one stands to repent. Proper repentance requires recognition of sin, which is to be followed by confession. He clarified:

Every commandment in the Torah, whether it be a commandment to perform some act, or a commandment to refrain from some act—if a person transgresses one of these commandments, whether unintentionally or intentionally, he must confess before God when he does *teshuvah* for his sin.<sup>45</sup>

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<sup>43</sup> *Proverbs* 4:7.

<sup>44</sup> *Lamentations* 3:40 (NJPS).

<sup>45</sup> Henry Abramson, *Moses Maimonides on Teshuvah: The Ways of Repentance. A New Translation and Commentary*, 2nd ed. (Middletown, DE: Smashwords, 2012), p. 16. *See also*, Maimonides,

Repentance and confession are interdependent, with ramifications in this life and the world to come. Only in conjunction with repentance and confession during the time of the Temple, sin offerings and trespass offerings were acceptable sacrifices. God did not forgive grave sin unless the guilty person (or community), repented and confessed while presenting appropriate offerings. Maimonides taught: “But if he did not repent, then the scapegoat only secures forgiveness for the light transgressions.”<sup>46</sup>

Repentance and confession are powerful concepts for Maimonides, essential to the pursuit of human perfection, which is central to the attainment of the love and awe of God, which is the aim of human life on this earth. This world is a corridor through which human beings are to pass, securing a place in the world to come by attaining perfections in the pursuit of God.

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*Laws of Repentance*, Chap. I, p.81b. Please note, for the sake of clarity, Abramson’s translation is used here and other places as indicated. Otherwise, Hyamson’s rendition is used.

<sup>46</sup> Maimonides, *Laws of Repentance*, Chap. I, p. 82a.

## Chapter 2

### Life and Works

Moses ben Maimon, also known as Moses Maimonides or RaMBaM (*Rabbeinu Moshe Ben Maimon*—or our rabbi/teacher Moses, son of Maimon), was born in 1138 CE, in Cordoba, Spain, and died in 1204 in Cairo, Egypt. With his exceptional ability to comprehend the Torah and Talmud,<sup>1</sup> he began to study the Law at an early age under the auspices of his father, a well-respected rabbi. Nothing is known definitively about his mother, with later historians surmising that she died in childbirth. Maimonides had three sisters and one brother. He did marry later in life (possibly for the second time), and fathered one son, Abraham. He spent his early years in the intellectually and culturally rich Andalusia.<sup>2</sup>

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<sup>1</sup> Twersky notes: “He is known as a Talmudist, whose magisterial reformulation of Jewish law became the object of microscopic study by later generations of scholars; as a correspondent, whose authoritative, compassionate, and enlightening letters were treasured by Jewish communities throughout the world; as a rationalist, whose careful and searching exposition of Judaism became both paradigm and challenge to all concerned with Jewish theology and philosophy; as a philosopher, whose proofs of the existence of God or whose allegorical interpretation of the Bible were copied and adapted by non-Jewish scholastics; as a student of Aristotle—and of ancient philosophy and science in general—whose own writings mark an important stage in the history of Aristotelianism and medieval Hellenism; and as a creative thinker who approached problems of intellect, sensibility, and will with passion and vigor.” See Isadore Twersky, *A Maimonides Reader*, (Behrman House, Inc., 1972), p. xiii.

<sup>2</sup> “Maimonides emerged as a major figure in Jewish thought and religious life in a period of unprecedented Jewish cultural rebirth, which was marked by an openness toward theological and especially philosophical ideas, and, in particular, as these ideas were mimetic of Arabic learning. Yet exposure to Arabic thought also made this into a time of perplexity, which also meant that the ‘perplexed’ required ‘guidance.’ However, the most creative Center for Jewish-Arab cultural interaction, Al-Andalus, had been decimated. The Almohade invasions of the twelfth century brought with them destruction, forced conversion, but also Jewish emigration, including that of Maimonides’ family. This last event was fateful for subsequent Jewish culture.” Idel, “Maimonides’ *Guide of the Perplexed* and the Kabbalah,” *Jewish History* 18, no.2 (2004), p. 197.

The Andalusian region<sup>3</sup> was under Muslim rule and was invaded in 1148 by the Almohads.<sup>4</sup> Andalusian Jews believed themselves to be the direct descendants of the exiles of Jerusalem. Combining Torah study with math, science, and other disciplines was the hallmark of Andalusian Jewish intellectuals. Maimonides was greatly influenced by Aristotle and referred to him as the chief of the philosophers. He lived the majority of his life in Muslim culture, and in his writings, obviously drew upon both Greek and

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<sup>3</sup> Andalusia was Spanish territory divided into eight provinces. According to Joel Kraemer: “Maimonides believed that Andalusian scholars superseded the Babylonian (Iraqian) Geonim. Jewish scholarship had been transplanted from Bagdad to Cordoba, and Andalusia rivaled the East in intellectual splendor, just as learning in the Islamic world had been transferred from East to West in the tenth century.” *Maimonides: The Life and World of One of Civilization’s Greatest Minds*. New York: Doubleday, 2008, p.43.

<sup>4</sup> The Almohads were fundamentalist Muslims, and their increasing influence marked the end of religious and ethnic coexistence in Spain. Their level of influence was not the same everywhere, having more or less influence in various regions, which many Jews fled to settle in a less hostile environment. The leader of the sect claimed direct descendance from Muhammed. Maimonidean biographer Joel Kraemer wrote:

Ibn Tumart founded the Almohad movement among the Masmuda Berbers in the High Atlas Mountains of Morocco and was recognized as their Mahdi, or messianic leader. The Mahdi was a religious revolutionary who aspired to restore the pristine faith of Islam, based on the Qur’an and the Sunna (accepted practice), and to enforce the precepts of the sacred law. He harked back to a golden age and anticipated a global rule of Islam. The Almohads were distinguished externally by their burnouses and special turbines [sic].

The Mahdi preached a spiritual conception of the deity, free of anthropomorphism, and drew up a creed of faith for his followers. Ibn Tumart was both a traditional North African holy man, saint, and miracle worker and a Shi’i Mahdi. He did not preach Shi’ism, but was able to mobilize the Berbers, with their veneration of holy men, but the claim was that he was the Mahdi. Ibn Tumart’s miracles comported well with Andalusian Sufism and its belief in karamat (miraculous signs of divine grace) by the friends of God (awliya’). He taught a puritanical Islam, which strictly prohibited socializing between the sexes, drinking wine, and playing musical instruments. He intensified the humiliation of *dhimmi*s (non-Muslim subjects of an Islamic state) and active jihad against infidels. As Mahdi, his decisions had to be obeyed on pain of death, and those who opposed the Almohads, such as the Almoravids and their supporters, could be killed with impunity. The same dire fate awaited any Muslims whose loyalty was in doubt or who disobeyed the shari’a (Islamic law).

Ibid., p. 35–36.



Islamic philosophers. It was a vulnerable time for the Jewish people, but Maimonides benefited from the culturally and intellectually rich region.<sup>5</sup>

At that time, non-Muslims were given the choice of conversion, exile or death. For this reason, Maimonides' family was forced to leave Cordoba and eventually settled in other places around the Mediterranean, living in Spain for twenty-two years, Morocco for five years, Acre for one year, and Egypt for thirty-eight years.

Maimonides began writing in his early years, and completed *Commentary on the Mishnah*, written in Arabic and completed in 1168. This was his first prominent work and in it, he introduces *Thirteen Principles*, structuring the foundational tenets of Jewish faith. One of the most significant ideas that he emphasized was monotheism as defined by the Second Principle, the Oneness/unity of God. Monotheism remains a cornerstone of Judaism against a polytheistic backdrop rooted in idolatry, a recurrent theme in the Torah, forbidding the Israelites to make and worship images, which according to Maimonides necessarily implied the corporeality of God. Warren Harvey explained:

God is One in the sense that he is unique. He is the Cause of all created things, but wholly different from them. He has nothing in common with them. Not only is God wholly different from all created pluralities, He is also wholly different from all created unities. He is a One that is different from all ones. He cannot be numbered and cannot be divided. His is 'a Oneness to which no other oneness is similar in any way.' His Oneness means *incomparability*. It may be understood only by the *via negativa*. It is *not* like the oneness of an individual (for example, Socrates); it is not like the oneness of a species (for example, humanity); and it is not like the oneness of a genus (for example, animal). The word (one) is thus a homonym. It is used absolutely equivocally with regard to God and

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<sup>5</sup> "Whatever danger he faced as a heterodox thinker and an alien living under Muslim rule, Maimonides was also able to reap the advantages of living in a Muslim world that had recovered the Aristotelian sciences. His intellectual kinship with the Muslim philosophers transcended the rigid boundaries set by religion." Raymond L. Weiss, "Introduction," *Ethical Writings of Maimonides*, (New York: Dover, 1975), p.1.

created things. Its meaning in the sentence ‘God is One’ is wholly different from its meaning in the sentences, ‘Socrates is *one* individual,’ or ‘there is *one* human species,’ or ‘all animals belong to *one* genus.’ This strict monotheism is taught, according to Maimonides, by the biblical verse, ‘Hear, O Israel, the Lord our God, the Lord is One’ i.e., the Lord is *incomparable*.’<sup>6</sup>

Maimonides wrote *Mishneh Torah*, literally interpreted “repetition of the Torah,” and relative to authoritative texts, ranked second only to the Torah. It is comprised of fourteen volumes, and among his most significant theological writings. The codification covered the law and precepts pertaining to daily living. It magnified the importance of the Oral Law, addressed to intellectuals as well as the unenlightened. After studying the Torah, Talmud, and Tosefta, Maimonides wrote a systematic compendium of the ideas and solutions which he found therein, in a more readily understandable style. He believed reading *Mishneh Torah* was sufficient, making it almost unnecessary to study the Talmud and Tosefta anymore, because all rules, prohibitions, and practices of the Written as well as the Oral Law were included in it. He declared:

On these grounds, I, Moses the son of Maimon the Sephardi, bestirred myself, and, relying on the help of God, blessed be He, intentionally studied all these works, with the view of putting together the results obtained from them in regard to what is forbidden or permitted, clean or unclean, and the other rules of the Torah—all in plain language and terse style, so that thus the entire oral law might become systematically known to all, without citing difficulties and solutions or differences of view, one person saying so, and another something else,—but consisting of statements, clear and convincing, and in accordance with the conclusions drawn from all these compilations and commentaries that have appeared from the time of Moses to the present, so that all the rules shall be accessible to young and old, whether these appertaining to the (Pentateuchal) precepts or to the institutions established by the sages and prophets, so that no other work should be needed for ascertaining any of the laws of Israel, but that this work might serve as a compendium of the entire oral law, including the

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<sup>6</sup> Warren Zev Harvey, “Maimonides’ Monotheism: Between the Bible and Aristotle.” A paper presented at the Center for Interdisciplinary Study of Monotheistic Religions at Doshisha University, Kyoto City, Japan, June 30, 2013.

ordinances, customs and decrees instituted from the days of our teacher Moses till the compilation of the Talmud, is expounded for us by the Geonim in all the works composed by them since the completion of the Talmud. Hence, I have entitled this work *Mishneh Torah* (repetition of the law), for the reason that a person, who first reads the written law and then this compilation, will know from it the whole of the Oral Law, without having occasion to consult any other book between them.<sup>7</sup>

It was a significant claim to suggest that the Talmud and Mishnah no longer needed to be studied. Maimonides believed *Mishneh Torah* was so thorough that it was inclusive of the Oral and Written Law, suggesting that other writings and codifications to be retired from the scene of relevant study.

The first book of the *Mishneh Torah* is the *Book of Knowledge*, and the last section of the book is *Laws of Repentance*. It expounds upon the central idea, “that the sinner shall repent of his sin before the Lord and make confession.”<sup>8</sup> This idea is further explained and contextualized with appropriately related principles in the context of ten sections. There are 613 precepts in the Torah that the practicing Jew is commanded to follow, and Maimonides listed and explained them. If any one of them is broken, the sinner is required to repent and confess. For Maimonides, repentance must be coupled with confession (which he perceived as a manifestation of repentance itself).

In the time of Temple worship, it was necessary that expiation be made for all of the offenses and transgressions of Israel, according to the law.<sup>9</sup> The High Priest sacrificed

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<sup>7</sup> Maimonides, *Book of Knowledge: Laws of Repentance*, “Introduction,” p.4b.

<sup>8</sup> *Ibid.*, p.81b.

<sup>9</sup> “Maimonides’ treatment of the law and the *Mishneh Torah* was comprehensive. It included laws tied to the land of Israel and to a recovered national sovereignty, such as ordinances concerning agricultural tides and ritual sacrifice that were irrelevant in his own time. It has been suggested that the sweeping range indicates that he drafted his law code to be the constitution of a revived Jewish sovereignty. In the messianic age ‘all the ancient laws will be instituted... Sacrifices will again be offered; the sabbatical and jubilee years will again be observed in accordance with the Commandments set forth in the law.’ He

the blood of the scapegoat, coupled with repentance and confession of the sins committed by the community. If the community did not repent, only those offenses that were classified as light transgressions were forgiven. Light transgressions included a neglect of the affirmative precepts, and those prohibitions that were not punishable by death or excision. Failure to follow the dietary laws strictly is an example of a light transgression.

Grave transgressions were violations of the negative precepts, which included sins such as murder or adultery, for example. Grave transgressions were punishable by stripes, a judicial sentence of death, or excision. The sacrifice of a scapegoat did not atone for grave sins unless it incorporated repentance and confession.

*Mishneh Torah* covered the code of the law topically. Maimonides thought that this took away the need to study any unsystematic records of law. He believed that a comprehensive, topical presentation and discussion of the law was most useful to individual Jews' understanding of what was required of them. This was not done without critics, some of whom believed that the elimination of the names of the Sages in the Talmud was a grave disservice, and was an interruption of the flow designed to perpetuate Talmudic study. Some accused him of bringing a wisdom that was outside and alien to Judaism.<sup>10</sup>

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described the *Mishneh Torah*'s comprehensiveness in the introduction, stressing that it contains the entire oral law and that it frees everyone from needing any other legal compilation. Surprising as it may sound, he included the Talmud and Midrash in the category of books that no longer need to be studied." Kraemer, *Maimonides*, p. 323.

<sup>10</sup> "Critics were disturbed by Maimonides' effort to impose a system upon the traditional multilayered and dynamic fluidity of Talmudic discourse; one hears this criticism even nowadays. Some claim that Maimonides imposed a congealed legal framework onto a dynamic tradition and enforced a homogenous Talmudic hegemony upon a pluralistic Judaism. In reality, Maimonides created his code of law to remove the Talmud from its hegemonic position and give people time to study other things, especially the sciences." Kraemer, *Maimonides*, p. 325.

Maimonides' life was influenced by his circumstances, including the exile experienced by the Jewish people. He established himself early as a writer and thinker, with his first philosophical work of note, *Treatise on the Art of Logic*, being written while he was in his twenties. He was devoted to study of the Torah, being financially supported by his younger brother David, who was a merchant. Unfortunately, David died while on a voyage, after which Maimonides plunged into deep grief, which immobilized him for a significant period.<sup>11</sup> He wrote in a letter more than eight years later that he was still in mourning for his brother, to whom he was greatly attached. He described himself: "living in grief in an alien land."<sup>12</sup>

After the death of David, Maimonides focused on the study of medicine, eventually acquiring fame as a physician. This became the means of supporting his family. Years earlier when the intellectually gifted Maimonides was eighteen years old, he studied mathematics, astronomy, logic and physics. After mastering those subjects, he studied metaphysics, ethics, politics, theology and medicine. He wrote extensively about diagnosis and cure of a variety of diseases and maladies, attaining the political position of physician to the sultan's palace in Egypt.<sup>13</sup>

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<sup>11</sup> "Heschel's Maimonides undergoes profound change in the course of his life. In a chapter entitled 'The Transformation,' we are told that Maimonides is shaped by the traumatic experience of his brother's death. There is a heroic tone to the description of this 'spiritual transformation' in the immediate aftermath of which 'all that reaches us is a mere echo of the internal bliss that filled his soul.'" Michael Marmor, "Heschel's Two Maimonides," *Jewish Quarterly Review* 98, no.2 (Spring 2008): p. 241.

<sup>12</sup> Kraemer, *Maimonides*, p. 1.

<sup>13</sup> "Maimonides himself was exposed to peril because of the unorthodox character of his thought. At one point he was denounced to the authorities by a Muslim for allegedly teaching pernicious doctrines in the *Guide of the Perplexed*, but nothing came of the accusation." Raymond Weiss, Maimonides, *Ethical Writings*, "Introduction," p. 1.

Believing strongly in the afterlife, Maimonides emphasized the inheritance of Jews after death and the implications for this life, believing that an ethical lifestyle was required of the Jewish people. As he discussed the claims of his central idea that Jews have a share in the world to come, Maimonides compiled thirteen fundamental principles of faith. These principles were binding upon every practicing Jew: the existence of God, the absolute unity of God, the incorporeality of God, the eternity of God, that God alone is to be worshiped, that God communicates to prophets, that Moses is the greatest prophet, that the Torah was given by God, that the Torah is immutable, that there is divine providence, that there is divine punishment and reward, that there will be a Messiah, and that the dead will be resurrected.<sup>14</sup> These principles constitute articles of faith, and remain relevant to the Jewish faith tradition today.

Many consider Maimonides to be the greatest *halakhist* and philosopher of all times.<sup>15</sup> His works are studied and debated today, and he has influenced the practice of the Jewish faith over the centuries, up to and including the present day. Maimonides was a prolific writer, authoring great treatises and philosophic works. His influence is widespread, transcending Judaism to reach thinkers to include Baruch Spinoza and Thomas Aquinas, to name a couple.<sup>16</sup>

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<sup>14</sup> Maimonides, *Commentary on the Mishna—Tractate Sanhedrin*, trans. and edited by Fred Rosner, (New York: Sepher-Hermon, 1981), Chapter 10.

<sup>15</sup> Philosopher Yeshayahu Leibowitz noted: “There are scholars who see Maimonides primarily as a philosopher and others who view Maimonides primarily as a *halakhist*. In reality, he was both; he cannot be understood properly without taking both aspects into careful consideration. As a philosopher, Maimonides sought to harmonize faith and reason to the extent possible.” Marc Angel, *Maimonides: Essential Teachings on Jewish Faith and Ethics: The Book of Knowledge and the Thirteen Principles of Faith, Annotated and Explained* (Woodstock, VT: SkyLight Paths, 2011), p. xxxii.

<sup>16</sup> See Warren Zev Harvey, “A Portrait of Spinoza as a Maimonidean,” *Journal of the History of Philosophy* 19, no.2 (1981): pp.151-72. See also, Marvin Fox, who wrote: “...although Aquinas is

Maimonides took seriously the notion of faith as an intellectual pursuit. For him, the Torah was necessarily rational and to be understood intellectually. Even those texts which seem obscure, are rational and to be understood over time with intellectual development and pursuit of truth. In practice, Maimonides was pious, living out the laws and traditions of Judaism, to which he dedicated himself. He believed that the goal of his religious and philosophy was knowledge and love of God.

It is known and certain that the love of God does not become closely knit in a man's heart until he is continuously and thoroughly possessed by it and gives up everything else in the world for it; as God commanded us, "with all thy heart and with all thy soul" (*Deuteronomy* 6:5). One only loves God with the knowledge which one knows Him. According to the knowledge, will be the love. If the former be little or much, so will the latter be little or much. A person ought therefore to devote himself to the understanding and comprehension of those sciences and studies which will inform him concerning his master, as far as it lies in human faculties to understand and comprehend—as indeed we have explained in the Laws of the Foundations of the Torah.<sup>17</sup>

Maimonides was a rationalist with regard to interpretation of the Law, although some scholars believe that a mystical interpretation might be plausible.<sup>18</sup> He believed that a systemization of the law would make it more accessible and applicable, giving aid to those who sought to protect themselves as a result of intellectual study. Study of the Torah was one thing that he did not restrict under the guidelines of the "golden mean,"

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influenced by Maimonides at various points, and quotes him in the *Treatise on Law*, more than a dozen times, he nevertheless stands at the opposite pole from him with respect to the question of natural law." *Interpreting Maimonides: Studies in Methodology, Metaphysics and Moral Philosophy*, (Chicago: The University of Chicago Press, 1990), p.143.

<sup>17</sup> Maimonides, *Laws of Repentance*, Chap. X, p. 93a.

<sup>18</sup> "Alexander Altmann and Gershom Scholem dedicated important studies to mystical interpretations of Maimonides. But the issues remain wide open, as does the special desirability of studying them, not the least because scholars have recently pointed to passages in the *Guide* having a mystical bent. Our knowledge of 13th century intellectual, historical, and even philological innovation will be measurably increased." Idel, "Maimonides' *Guide of the Perplexed and Kabbalah*," p. 204.

which was his idea that all things were to be done in moderation and not to the extreme of too much or too little practice.

As a physician, Maimonides prescribed the proper use of extremes for therapeutic reasons only. Maimonides believed, as did Plato and Aristotle, that the human soul could be sick with disease or robust with health.<sup>19</sup> It was paramount in his teachings that humans were to strive to be physically and spiritually healthy, in pursuit of God, which was directly related to a lifestyle of balance.<sup>20</sup>

Those who are physically sick need a physician, while those who are spiritually sick need the counsel of wise rulers who are, in fact, physicians of the soul. Much of Maimonides' work assumes that Jewish Law encompasses a complete understanding of the nature of the soul and the requirements for perfecting it. Among these essentials is the practice of moderation in all things—a mean between extremes.

The perfection of all things is found in moderation of practice. For example, one is not to be too miserly or generous. However, the therapy for those who are miserly is to practice excessive generosity for a time to bring them back to giving properly in

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<sup>19</sup> Raymond Weiss, coeditor of *Ethical Writings of Maimonides*, surmised: “Character traits or moral habits are found in the appetitive part of the soul, which contains the passions. Although a moral education required that correct opinions be taught and that actions preparatory to virtue be performed, the goal is the formation of the right character traits in the soul’s appetitive parts. Ethics, then, is primarily concerned not with opinions, which are in the rational part of the soul, nor even with human actions, but rather with the moral virtues, which are noble character traits. They formed the foundation within the soul for performing right action.” “Introduction,” p. 3.

<sup>20</sup> Sherwin Nuland noted: “Thus, there is a choice in whether to continue in the paths of wickedness or to pursue a life of morality. But, argued Maimonides, there is such a thing as trying to be overly good, which leads to excesses of its own, like self-deprivation, rigidity, and overweening pride. To Maimonides, turning to either extreme is spiritual illness... Here Maimonides is invoking the Greek ideal of the golden mean as a way, for example, to avoid immorality on the one hand and asceticism or self-righteousness on the other. Stating a premise that would be echoed in later writings, he pointed out that the ascetic life weakens and destroys the body, which must remain healthy if the highest purpose of the soul—to acquire wisdom and the knowledge of God—is to be realized. And all of this depends on the fact that man has free will.” *Maimonides*, pp.63-64



moderation. The practice of cowardliness can be balanced by acts of courage and so on. Moderation is a hallmark of Maimonidean philosophy. Overindulgence creates a lack of balance which works against the health of the soul and the body. For this reason, we are to discipline our urges and desires so that we might walk the path of moderation, as instructed:

It is also the object of the perfect Law to make man reject, despise and reduce his desires as much as is in his power. He should only give way to them when absolutely necessary. It is well-known that it is intemperance in eating, drinking, and sexual intercourse that people mostly crave and indulge in; and these very things counteract the ulterior perfection of man, impede at the same time the development of his first perfection, and generally disturb the social order of the country and the economy of the family. For by following entirely the guidance of lust, in the manner of fools, man loses his intellectual energy, injures his body, and perishes before his natural time; sighs and cares multiply; there is an increase of envy, hatred, and warfare for the purpose of taking what another possesses. The cost of all this is the circumstance that the ignorant considers physical enjoyment as an object to be sought for its own sake. God in His wisdom has therefore given us such commandments as would counteract that object, and prevent us all together from directing our attention to it, and has debarred us from everything that leads only to excessive desire and lust. This is an important thing included in the objects of our Law.<sup>21</sup>

The Law itself serves to direct the practice of moderation, avoiding excessiveness driven by lust. Through aid to the body and the soul, obedience to the law accomplishes this in the human being.

Maimonides believed that the tradition to be preserved was truth, in fact the only tradition worth preserving. Maimonides did not separate truth derived from the nature of the physical world from what was attained through religious inquiry and study. Truth has one source, and that source is God. For example, gravity is not a religious notion, but it is a truth of the physical world. It is a scientific fact that what goes up must come down,

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<sup>21</sup> Maimonides, *Guide for the Perplexed*, trans. M. Friedlander, Part III, Chap. 33, p. 327.

because the universe has ordered it to be so. Maimonides' perfection of knowledge and wisdom lead to the truth, which is to be sought vigorously for the sake of the body and soul.

Maimonides believed, before Plato and Aristotle introduced science and philosophy to the Greeks, the Patriarchs had introduced these subjects to the people of Israel, making philosophy and science a foundational aspect of Jewish faith and tradition.<sup>22</sup> Maimonides believed that there was no record of this teaching, because it was destroyed while Israel was exiled and forced to suffer oppression. There was no separation between what the Greeks believed and what the Patriarchs taught and exemplified. The appearance of a philosophical separation between Jerusalem and Athens was not relevant to the fact that truth comes from God, and this tradition must be preserved.

Maimonides sought to eradicate the idea that 'secular knowledge' was different from knowledge attained through the study of philosophy or religion, making the point that all truth comes from God. There is not a plurality of sources for truth, but it emanates from One God, who is Truth. The difficulty in this model is the intellectual complexity of the study of philosophy for the average person. Maimonides thought that the philosophical nature of the Jewish tradition, as he saw it, was difficult to understand and follow with the level of awareness sufficient to aid the study of the Torah, enhancing the love and knowledge of God.

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<sup>22</sup> "Medieval Jewish thinkers appropriated a variety of Greek views, which came to inform the contents of Jewish speculative thought and, at times, point to the relationship between competing trends. Maimonides, the greatest Jewish exponent of Aristotle, had to oppose Aristotle's master, Plato, which in turn generated opposition to Maimonides himself." Idel, "Maimonides' *Guide of the Perplexed* and the Kabbalah," p. 201.

Pursuit of God was an intellectual endeavor to Maimonides, with knowledge and love of God being directly proportional to each other. He believed: “One’s love of God is in proportion to his knowledge of God.”<sup>23</sup> This is a critical relationship, because love and knowledge of God is the desired and proper life, assisted by righteous practice of religion. He wrote: “A person should direct his heart and the totality of his behavior to one goal, becoming aware of God, blessed be He. The [way] he rests, rises, and speaks should all be directed to this end.”<sup>24</sup>

For Maimonides, properly understood, Jewish Law would improve the human experience relating to God in the world, and the stories of the Bible would be comprehended to this end, rather than the practice of literal interpretation and understanding of the text. The purpose of the Jewish Law was twofold in the mind of Maimonides. First is the improvement of the body through proper discernment of its physical needs, not over nor under indulging in anything. This includes sleep, food and sexual activity. The body requires a moderate amount of these, not simply being given to the passions of the physical self. He expounds upon this idea:

[A] person who accustoms himself to live by [the rules of] medicine, does not follow a proper path if his sole intention is that his entire body and limbs be healthy and that he have children who will do his work and toil for him. Rather, he should have the intent that his body be whole and strong, in order for his inner soul to be upright so that [it will be able] to know God. For it is impossible to understand and become knowledgeable in the wisdoms when one is starving or sick, or when one of his limbs pains him.”<sup>25</sup>

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<sup>23</sup> Angel, *Maimonides: Essential Teachings*, p. 149.

<sup>24</sup> Maimonides, *Mishneh Torah: The Laws of Personality Development*, trans. Za’ev Abramson and Eliyahu Touger (New York/Jerusalem: Monazaim Publishing Corporation, 1989), Chap. III, p.54.

<sup>25</sup> *Ibid.*, Chap. III, p.58.

Secondly, the improvement of the soul refers to its moral and ethical development. It is important to remember that according to Maimonides, study of the Torah is never excessive; only ‘too little time’ is dedicated to it. Importantly, the study of the Law perfects the soul in its love of God, bringing with it the understanding of its intent, which is not typically literal. In fact, an impasse to proper Torah study is understanding it literally. It is to be understood symbolically and metaphorically, with an awareness that the anthropomorphic language of the Bible is used for the purpose of enabling comprehension. In the absence of understanding, God might be perceived in a corporeal, physical, material way, which Maimonides believed was idolatrous, and to be avoided at all costs. Literal interpretation is not simply a matter of hermeneutical technique, but ultimately, an actual obstacle to the love and knowledge of God.

For Maimonides, understanding the Torah literally minimized, comprehension of God to a material concept, which subsequently lends itself to ascribing to Him a body. This is the grave sin of idolatry, as Judaism rejects any notion of the corporeality of God. Anthropomorphic language about God consistently confines us to an anthropomorphic understanding of God an idea, Maimonides categorically rejects. For this reason, Maimonides stipulated the importance of speaking about God’s attributes only in terms of what He is not, (*via negativa*), knowing that any attempt to describe God comes from observation of His actions, which are not to be confused with His essence.<sup>26</sup> In some

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<sup>26</sup> “Hence it is clear that He has no positive attribute whatever. The negative attributes, however, are those which are necessary to direct the mind to the truths that we must believe concerning God; for, on the one hand, they do not imply any plurality, and, on the other, they convey to man the highest possible knowledge of God; e.g., it has been established by proof that some being must exist besides those things which can be perceived by the senses, or apprehended by the mind; when we say of this being that it exists, we mean that its non-existence is impossible.... For whatever we utter with the intention of extolling and of praising Him, contains something that cannot be applied to God, and includes derogatory expressions; it is

ways, words present obstacles to our efforts to worship<sup>27</sup> and exalt God, because language inevitably minimizes the reality of the awesomeness and incomprehensible essence of God. In this manner, the most reverent approach to God in worship at times is silence, which extols God over and against anthropomorphism and idolatry. Speaking about this perpetual problem, the record of Habakkuk:

Of what value is an idol, since a man has carved it? Or an image that teaches lies? For he who makes it trusts in his own creation; he makes idols that cannot speak. Woe to him who says to wood, "Come to life!" Or to lifeless stone, "Wake up!" Can it give guidance? It is covered with gold and silver; there is no breath in it. But the Lord is in His holy temple; let all the earth be silent before Him.<sup>28</sup>

The understanding of this approach to the worship of God will aid the soul in its endeavor to love and cleave to God.

The goal of the soul is to gain knowledge of God to the extent possible through study and contemplation, which will enable her to love God according to the words of the Torah: "Love the Lord your God with all your heart and with all your soul and with all

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therefore more becoming to be silent, and to be content with intellectual reflection." Chad V. Meister, ed., *The Philosophy of Religion Reader* (London: Routledge, 2008), p.102.

*See also* Karl Pearson, who wrote: "Curiously enough, while both Maimonides and Spinoza strip God of all conceivable human characteristics, they yet hold it possible for the mind of man to attain to some, if an imperfect, knowledge of God, and make the attainment of such knowledge the highest good of life. There would be some danger of self-contradiction in this matter, if their conception of the Deity had not ceased to be a personal one, and become rather the recognition of an intellectual cause or law running through all phenomena—which, showing beneath a material succession an intellectual sequence or mental necessity, is for them the Highest Wisdom, to be acquainted with which becomes the end of human life. This intellectual relation of man to God forms an all-important feature in the ethics of both Maimonides and Spinoza; it is in fact a vein of mystic gold which runs through the great mass of Hebrew thought." "Maimonides and Spinoza," *Mind* 8, no. 31 (July 1833), p. 341

<sup>27</sup> "All human worship is defined by Maimonides' thought as penetrations into intellectual-religious perfection; this is 'intellectual worship.'" Shimon Shokek, "Jewish Ethics and Jewish Mysticism," *Sefer Ha-Yashar* (New York: The Edwin Mellen Press, 1991), p.219.

<sup>28</sup> *Habakkuk* 2:18–20.

your strength.”<sup>29</sup> To interpret and practice biblical precepts literally is to lack understanding regarding the important meaning of the love and ways of God. If the Bible is interpreted literally, it will inevitably conjure a physical, material idea of God, reducing Him to a human level.

For Maimonides, biblical interpretation was critical to living a righteous life and having a part in the world to come. Some rabbinic circles greatly resisted his writings and described them as heretical. This was particularly true of the *Guide of the Perplexed*, an esoteric philosophical work, which prompted many leaders of the faith to believe that Maimonides was more in alignment with Aristotle than he was with the prophets of the Jewish tradition.

Given his expressed perspective on the relationship between knowledge and love of God, many teachers of the faith questioned whether the worship of God would be limited to the intellectually capable, and exclude those who are not able to understand the philosophical intent of the text. This exclusiveness was unacceptable in rabbinic circles, many of which banned Maimonides’ writings. They did not welcome the idea of a different interpretation of the Torah than what they previously understood of the Law and ethical teachings of the prophets. Maimonides sought to avoid this problem by using subtle speech such as substituting the word ‘mind’ for ‘intellect’ in order to seemingly include those who were not given to intellectualism.<sup>30</sup>

Maimonides opposed the literal interpretation of the Torah, which had become a part of Jewish tradition, believing that the Torah must be understood intellectually,

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<sup>29</sup> *Deuteronomy* 6:5.

<sup>30</sup> Maimonides, *Laws of Repentance*, Chapter VI, p. 88a.

inspiring ethical behavior. Such an understanding would produce intelligent, morally sound believers. Raymond Weiss wrote:

The biblical-rabbinic tradition, however, does not distinguish ethics as such. It does not differentiate between, say, moral and ritual laws. To clearly delimit the sphere of ethics, Maimonides has recourse to the Aristotelian teaching, according to which “ethics” refers to character traits. He demarcates this subject in the code by gathering together the relevant laws in the section called *Hilkhot De’ot*, or *Laws Concerning Character Traits*. Maimonides was the first Jewish thinker to give special and explicit attention to the shaping of character in a codification of the law.<sup>31</sup>

For Maimonides, character controls making right choices, which leads to right actions; and this intellectual faculty is within the soul. Weiss continued:

Character traits or moral habits are found in the appetitive part of the soul, which contains the passions. Although a moral education required that correct opinions be taught and that actions preparatory to virtue be performed, the goal is the formation of the right character traits in the soul’s appetitive parts. Ethics then, is primarily concerned not with opinions which are in the rational part of the soul, nor even with human actions, but rather with the moral virtues, which are noble character traits. They form the foundation within the soul for performing right actions.<sup>32</sup>

Free will is the substance of any concept of moral responsibility in any given society. Without it, human beings have no control over their own behavior. No one would be held justifiably accountable for his or her own deeds, whether they are good or evil.

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<sup>31</sup> Raymond Weiss, “Introduction” to *Ethical Writings*, p.3.

<sup>32</sup> *Ibid.*

## Chapter 3

### Free Will

The idea of the will and its moral relevance is prominent in the philosophy, ethics and Law of Maimonides. Similar to the tradition of Aristotle,<sup>33</sup> he believed there was an affinity between free will and responsibility, requiring the individual consistently to make ethically sound decisions. We are not to be passive regarding our choices, but to engage our minds actively in pursuing wisdom. The consciousness of the self and the consciousness of the will are one. Our actions come out of our will, whether we choose vice or virtue, sin or *mitzvot*. In world theology, the notion of free will is at the center of discussions of good and evil, predestination and moral responsibility.<sup>34</sup> It is the ability of agents to act freely and the power to exercise choice, without coercion from external

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<sup>33</sup> Trusted wrote: “Aristotle, (384-322 BCE), was concerned with responsibility rather than with freedom. The latter presented no problem for he did not doubt that we were free agents and that unless they were physically constrained they were free to decide how to act. But there was a problem with regard to responsibility because, of course, Aristotle knew that there were circumstances in which a person might be absolved of responsibility even though there had been no physical compulsion so that the act was, technically, a free act performed by a free agent. The problem was what circumstances allowed a person (as a free agent) to plead that he or she could not be held responsible?” *Free Will and Responsibility*, p. 9.

<sup>34</sup> The idea of moral responsibility most often assumes that the human will is free. Bruce Waller, author of “Empirical Free Will and the Ethics of Moral Responsibility,” wrote: “Free will and moral responsibility have been so tightly linked in philosophical tradition that it may be difficult to take seriously the possibility of an adequate account of free will that is not also a foundation for moral responsibility. The connection was forged in the very origins of modern Western free will accounts, as philosophers and theologians grappled with the difficult synthesis of Hebrew and Greek notions of God. Aristotle viewed God as omnipotent and omniscient, but also self-sufficient and sublimely indifferent to people. The Hebrews viewed God as passionate and hot-tempered, limited in power and influence, and fiercely jealous of other gods. As those concepts of God collided, the concept of God that emerged was a concept of an obsessive controller with a monopoly on power. Philosophers and theologians asked how an omnipotent god could hold us justly deserving of his severe punishments. They advanced accounts of free will that attributed to people special miraculous powers of choice not constrained by past history or present circumstance, not limited by God or man, to make ourselves whatever we choose to be.” Bruce Waller, “Empirical Free Will and the Ethics of Moral Responsibility,” *Journal of Value Inquiry* 37, no. 4 (2004), pp. 533-534.



sources or impositions. The will guides the soul and is not predetermined to make any particular choice. This ability or freedom is at the heart of repentance for Maimonides.<sup>35</sup>

The question arises: why does God refrain from giving humans beings the will to do what is divinely desired of us? Maimonides responded:

What prevented Him from giving us, as part of our nature, the will to do that which He desires us to do, and to abandon the kind of worship which He rejects? There is one general answer to these three questions, and to all questions of the same character; it is this: although in every one of the signs [related in Scripture] the natural property of some individual being is changed, the nature of man is never changed by God by way of miracle. It is in accordance with this important principle that God said, “oh that there were such an heart in them, that they would fear me,” etc. (*Deuteronomy* 5:29). It is also for this reason that He distinctly stated the Commandments and the prohibitions, the reward and the punishment. This principle as regards miracles has been frequently explained by us and our works; I do not say this because I believe that it is difficult for God to change the nature of every individual person; on the contrary, it is possible, and it is in His power, according to the principles taught in Scripture; but it has never been His will to do it, and it never will be. If it were part of His will to change [at His desire] the nature of any person, the mission of the prophets and the giving of the Law would have been altogether superfluous.<sup>36</sup>

Free will is important to our understanding of responsibility as it pertains to civilized society, because if the individual is only capable of doing what has been predetermined, irrespective of any independent desire or choice, legal systems become

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<sup>35</sup> “‘The great root,’ without which repentance is impossible, is man’s freedom. Man is free in the sense that it depends entirely on him whether he will choose the good or the bad; it is in every man’s power to be as just as Moses or as wicked as Jeroboam, to be wise or to be foolish. No other being in the world possesses this privilege. One must go beyond what Maimonides says and say that no other being possesses that privilege: God cannot be unjust or unwise. Man would not be truly free to choose good and evil, truth or error, if he did not by his own power know good or evil or truth and error. Neither God nor anyone else nor anything compels man to act well or badly or draws him to either justice and wisdom or injustice and folly. Maimonides thus implicitly denies what he had asserted in the ‘*De ’ot*’ (I,2) that different human beings have from their birth, by nature, inclinations to different vices; in fact, he now refrains from speaking of ‘nature’ (*teva*) altogether. Since the difficulty is not disposed of by silence, he replaces the statement ‘freedom is given to every man’ by the statement ‘the freedom of every man is given to him.’” Leo Strauss, *Leo Strauss on Maimonides: The Complete Writings*, ed. Kenneth Hart Green (Chicago: University of Chicago Press, 2013), p. 566.

<sup>36</sup> Maimonides, *Guide for the Perplexed*, trans. M. Friedlander, Part II, Chap. 32, p. 325.

irrelevant. It is difficult, if not impossible, to conceptualize the idea of moral responsibility without the reality of free will. It is necessary for individuals to have access to choice rather than being forced to follow the impetus of natural urges, which tend to physical desires most urgently. For example, the most fundamental desire to satisfy hunger, thirst, and to have the experience of pleasure is all-consuming, given the corporeality of this world, of which humankind is a microcosm.

Free will is essential to any ability to exercise moral discernment, allowing for ‘choice’ of a path of virtue or vice. Physical appetites, which seek the satisfaction most often in opposition to the spiritual development required for the perfection of the soul. For this cause, the concept that humanity is fully endowed with free will exists, and this idea is non-negotiable for Maimonides. Free will allows for moral responsibility and without it we are neither moral nor responsible.

Sin remains in the hand of the sinner. The Torah implores us to “choose” who or what we will serve, and this is achieved only by a fully engaged free will. “But if serving the Lord seems undesirable to you, then choose for yourselves this day whom you will serve, whether the gods your forefathers served beyond the River or the gods of the Amorites in whose land you are living.”<sup>37</sup>

It is essential that human beings function in this world as free, moral agents. Without freedom, the idea of responsibility and ethical decision-making becomes impossible. Free will is at the crux of moral responsibility, without which obedience to the Law becomes dependent upon a power external to the self. In other words, if God

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<sup>37</sup> *Joshua 24:15.*

commands us to respond to His directives, and we are powerless to act contrary to His demands, we are not free to disobey. This is contrary to the idea of liberty and choice, fundamental to the biblical injunction to “obey.” What is the meaning of sin in the absence of laws, and what is the rationale for imposing laws upon those who are unable to obey?

To exercise free will, one must be able to make choice of action. We are responsible for our actions. Our deeds are consequential to conscious or unconscious choices, and for this we are judged. To exercise the freedom of choice in a given situation, and not have the ability to do otherwise is absent of free will. This perhaps is the result of actions that have been coerced, impeded, or otherwise imposed. Maimonides wrote:

You, however, should know that our law and Greek philosophy agree that all of man’s actions are given over to him—which has been verified by true proofs. There is no compulsion on him nor is there any external cause which makes him inclined toward a virtue or a vice, except for his being disposed by temperament so that something is easy or difficult for him—as we have explained there is no way at all that he is forced or hindered.<sup>38</sup>

The greatest threat to the idea of free will is determinism,<sup>39</sup> which is the idea that every action happens because of an antecedent action.<sup>40</sup> Any quest to understand

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<sup>38</sup> Maimonides, *Eight Chapters*, p.84.

<sup>39</sup> J. Trusted writes: “[F]or determinists freedom is an illusion that arises because there are many occasions when human actions are unpredictable. For libertarians there are degrees of freedom: the conscious self may be practically compelled or strongly influenced or less strongly influenced by external and internal physical circumstances. But although certain decisions are, and potentially all decisions could be, determined by physical conditions, it does not follow that they must be.” *Free Will and Responsibility*, p.100.

<sup>40</sup> “The intuitive idea that I have in mind when I use this term [determinism] is the thesis that all events, states of affairs, conditions, etc., of the universe (including any nonphysical parts of it, if there are any) are made necessary by preceding events, states of affairs and so on. . . . Determinism is the claim that

ourselves existentially as free moral agents begs questions regarding the reality of free will. Does humankind have authentically free will? Is the will absolutely free at all times, or are there times when it is actually bound by external sources? According to

Maimonides in *Laws of Repentance*:

Free will is bestowed on every human being. If one desires to turn towards the good way and be righteous, he has the power to do so. If one wishes to turn towards the evil way and be wicked, he is at liberty to do so. And thus it is written in the Torah, “Behold, the man is become as one of us, to know good and evil” (Gen. 3:22)—which means that the human species had become unique in the world—there being no other species like it in the following respect, namely, that man, of himself and by the exercise of his own intelligence and reason, knows what is good and what is evil, and there is none who can prevent him from doing that which is good or that which is evil.<sup>41</sup>

Determinism dictates that each action depends on the circumstances or set of reactions before it, causing an individual to respond to the environment that has been created. The environment circumstances, as well as choice and action, of the individual are predetermined.

It is erroneous to suggest that God directly controls the will of human beings. All individuals are born with a “will to do good” (*yetzer ha tov*) and a “will to do evil” (*yetzer ha ra*), and they are not predisposed toward either one of them. Although Maimonides allowed for the fact of individual proclivities toward one inclination over the other based on temperament and natural makeup, this does not preclude the ability of the individual to choose. As emphasized in the Torah:

This day I call heaven and earth as witnesses against you that I have set before you life and death, blessings and curses. Now choose life, so that you and your

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for every event there is a sufficient causal condition that results in that event.” Richard Double, *The Non-reality of Free Will* (New York: Oxford University Press, 1991), pp. 16–17.

<sup>41</sup> Maimonides, *Laws of Repentance*, Chap. V, p. 86b.

children may live and that you may love the Lord your God, listen to His voice and hold fast to Him.<sup>42</sup>

The power to choose is left under the authority of the human being. God does not take control of the will of human beings to choose either good or evil. The strength of the will may yield itself to the power of repentance. Because of free will, humans are able to exercise repentance. The Bible poses the question: “Why should any living man complain when punished for his sins? Let us examine our ways and test them, and let us return to the Lord.”<sup>43</sup> This text implies that repentance lies in the hands of people and is not relegated to the hand of heaven. It is animated by free exercise of the will.

It is generally accepted that free will lies at the center of moral responsibility. If we are destined to follow our uncontrolled and often immoral whims to do what our passions and drives dictate, it becomes preposterous to require moral responsibility. There is a need to discern and exercise good moral behavior distinguished from its opposite, which is evil. The notion of responsibility directly depends on the ability to respond to actions perpetrated against us, as well as actions that we initiate toward others. Without this responsibility, there can be no meaning to the idea ‘should’ or ‘should not,’ as it pertains to our behavior in this world toward ourselves, humankind in general, and, most significantly, God. For example, if we are slaves to our passions as is the case with addiction,<sup>44</sup> responsibility or self-control is questionable. Are we responsible for our

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<sup>42</sup> *Deuteronomy* 30:19.

<sup>43</sup> *Lamentations* 3:39–40.

<sup>44</sup> "A willing addict recognizes that he deeply favors his addiction, and that his addictive personality is profoundly his own, while also believing that his character and behavior are not within his own power. The addictive behavior is his own, and stems from who he is, but is not under his control. Furthermore, it is doubtful that the willing addict enjoys self-efficacy. The willing addict is unlikely to be confident in his abilities. Likewise, a satisfied slave may be doing as she now wishes but only because her

thoughts, words or deeds? The decision to abusively partake of a substance was at some point free choice. At some moment, it changes from a desire to an addiction, necessitating the surrender of the will to it. Addiction can be understood as surrender of the will. Human beings manifest the urge to which the will is surrendered, and this may be ‘good’ or ‘evil.’ The very idea of sin becomes complicated in such instances.

Sin is an abuse of the soul, affecting her health. Maimonides called this a “mistreatment of the soul,” but declared that the power to repair it is within our hands, beginning with the act of repentance. He noted, “Since liberty of action is in our hands, and we have, of our free will, committed all these evils, it behooves us to return in a spirit of repentance, and forsake our wickedness for we have the power to do so.”<sup>45</sup>

Without free will we cannot exercise or initiate repentance. When we sin, it is an expressed act of the will, physically manifesting the inner life of the mind. When we repent, it is likewise an act of the human will and not surrendered into the hands of the Lord, according to Maimonides. He emphasized this truth powerfully as he declared, “And as one sins, prompted by one’s own mind and of his free will, so one repents, prompted by one’s mind and will.”<sup>46</sup>

The power to act on whatever enters into the mind and imagination of humankind, whether evil or good, is under the control of the individual. This gift and responsibility

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wishes have shriveled to fit her sense that she has no control and that she cannot effectively resist the forces that enslave her. Internal locus of control and self-efficacy are important elements of freedom that philosophers have too often neglected." Bruce Waller, "Empirical Free Will and the Ethics of Moral Responsibility," pp.540-541.

<sup>45</sup> Maimonides, *Laws of Repentance*, Chap. V, p. 87a.

<sup>46</sup> *Ibid.*, Chap. VI, p. 88a.

accompanies free will. It can be argued, as some thinkers have done, that free will is itself a curse on humanity, because of the urges of the physical body to satisfy its appetitive nature, which is inclined toward sin, an offshoot of its oft-competing material and spiritual natures. The tension created by the problem of free will has historically been a contentious idea which transcends philosophy, science, and theology, remaining unresolved though examined through an interdisciplinary lens.<sup>47</sup>

The responsibility associated with free will introduces evil and immorality into the human economy by way of disobedience and multifaceted sin. Gershom Scholem opines:

The power of evil, of destruction and death, has become real in the free will of man. The purpose of the law, which as it were constitutes the Torah as it can be read in the light—or shadow!—of the Tree of Knowledge, is to confine this power if not to overcome it entirely. But in the Messianic redemption the full glory of the utopian again breaks forth, ... with the Tree of Life it is conceived as a restoration of the state of things in Paradise.<sup>48</sup>

As the account in Genesis relates, God created the world and declared that it was good. God ordained for Adam and Eve (humanity) a special place within creation that was unique to them and distinguishable from the rest of the world, by endowing them

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<sup>47</sup> James Murphy in the introduction to the book, *Where Is Science Going?* included the following words attributed to Einstein: "Honestly, I cannot understand what people mean when they talk about the freedom of the human will. I have a feeling, for instance, that I will do something or other; but what relation this has with freedom I cannot understand at all. I feel that I would light my pipe and I do it; but how can I connect this up with the idea of freedom? What is behind the act of willing to light the pipe? Another act of the will? Schopenhauer once said: man can do what he wills, but he cannot will what he wills." Maurice Zucker, trans., *The Philosophy of American History: The Historical Field Theory* (New York City: The Arnold-Howard Publishing Company Inc., 1945), p.531.

<sup>48</sup> Gershom Scholem, "Toward an Understanding of the Messianic Ideal in Judaism," *Messianism in the Talmudic Era* (New York: KTAV Publishing House, Inc., 1979), p. 73.

with the ability to employ reason.<sup>49</sup> Through the ability to reason, humans were empowered to attain knowledge of God, although this awareness, through an act of sin, became enveloped in the deficiency of good, which Maimonides perceived as “evil.”<sup>50</sup> When human beings ate the forbidden fruit of the Tree of the Knowledge of Good and Evil, exercising their free will to do so, then and only then did they realize that they were

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<sup>49</sup> “The function of reason for Maimonides is to show that biblical truth is a scientific truth. The issue for Maimonides is not so much between philosophy and faith as between Aristotle and the Bible. In attempting to synthesize Aristotelianism and Judaism, Maimonides is impelled by a speculative piety. Consequently, this philosophy is determined by factors more intellectual than moral. Maimonides’ esoteric work was therefore addressed to a select group. The wholehearted love of God for this group required a formidable capability of philosophy, a precondition which led Salo Baron to conclude that ‘Maimonides, in his extreme intellectualization of the moral demands of Judaism, could do full justice neither to the rabbinic nor to the Aristotelian ethics.’” Ruth Birnbaum, “The Role of Reason in Bahya and Maimonides,” p. 86.

<sup>50</sup> “When man really knows his true condition he will be able to appreciate the subjectivity of evil. . . . Agreeing with Saadia that empirical considerations can lead us to a correct philosophical evaluation of man’s place in the world, Maimonides presents us with a different set of facts, with the preference for the Aristotelian centrifugalism as opposed to the Pythagorean and Platonic centripetalism accepted by Saadia, and concludes therefrom that man is preeminent only on earth but not beyond it, and hence it is absurd to speak of all the universe having been created for his sake. Man should know his true value, so that he should not make the mistake of thinking that what exists is in existence only for the sake of him as an individual. . . . What exists is in existence because of the will of its Creator; and among the things that are in existence, the species of man is the least in comparison to the superior existents—I refer to the spheres and the stars. His first comparison with the Angels is concerned there is in true reality no relation between man and them. Man is merely the most notable among the things that are subject to generation, namely, in this our nether world. . . . This dethronement of man from the position of honor accorded him by the anthropocentrists does not in the least disturb the intellectual equanimity of Maimonides. Man retains significance even if his hegemony extends merely over earth instead of all the cosmos and spiritual beings. Man’s possession of reason is sufficient to grant him superiority over other terrestrial creatures, and to qualify him as similar to God: Now man possesses as his proprium something in him that is very strange as it is not found in anything else that exists under the sphere of the moon, namely, intellectual apprehension. The exercise of this, no sense, no part of the body, none of the extremities are used and therefore this apprehension was likened unto the apprehension of the deity, which does not require an instrument, although in reality it is not like the latter apprehension, but only appears so to the first stirrings of opinion. It was because of this something, I mean because of the divine intellect conjoined with man, that it is said of the matter that he is in the image of God and in his likeness, not that God, may He be exalted, is a body and possesses a shape. It is this gift of intellect which marks man off from the rest of nature in which constitutes the image of God. . . . Man’s intellectual endowments are sufficient to make him responsive to the divine command, to the whole of Torah. These rational gifts, fully developed by man in his pristine state before the sin of Adam, qualify man for the greatest imaginable ambition: the knowledge of God, both in its purely philosophic sense and in the sense of leading to man’s moral life a means of *Imitatio Dei*. There is no need to exaggerate man’s importance, and to exercise a kind of racial or global arrogance, in order to discover the sources of man’s significance and uniqueness.”

Norman Lamm, “Man’s Position in the Universe: A Comparative Study of the Views of Saadia Gaon and Maimonides,” *Jewish Quarterly Review* 55, no. 3 (January 1965): pp. 232-234.



naked and ashamed. This began what was to become the long ritualistic process of seeking covering for sin, in a futile attempt to restore the now destroyed place of Paradise. They became aware of good and bad in addition to the knowledge of true and false, with which they were endowed already. Maimonides believed that humans could be perfected through the intellect (specifically intellectual activity).

For the intellect that God made overflow into man and that is the latter's ultimate perfection was that which Adam had been provided with before he disobeyed. It was because of this that it was said of him that he was created in the image of God and in His likeness. It was likewise on account of it that he was addressed by God and given commandments, as it says: and the Lord God commanded, and so on for Commandments are not given to beasts and beings devoid of intellect. Through the intellect one distinguishes between truth and falsehood, and that was found in [Adam] in its perfection and integrity. Fine and bad, on the other hand, belong to the things generally accepted as known, not to those cognizable by the intellect. For one does not say: it is fine that heaven is spherical, and it is bad that the earth is flat; rather one says true and false with regard to these assertions. Similarly one expresses in our language the notions of truth and falsehood by means of the terms *emeth* and *sheqer*, and those of fine and bad by means of the terms *tov* and *ra*. Now man in virtue of his intellect knows truth from falsehood; and this holds good for all intelligible things.<sup>51</sup>

Adam and Eve realized they were naked and responded to the accompanying shame of this awareness, making for themselves a covering:

When the woman saw that the fruit of the tree was good for food and pleasing to the eye, and also desirable for gaining wisdom, she took some and ate it. She also gave some to her husband who was with her, and he ate it. Then the eyes of both of them were opened, and they realized they were naked; so they sewed fig leaves together and made coverings for themselves.<sup>52</sup>

Covering with fig leaves was not sufficient atonement. It is repentance which atones for sin in place of the traditional offerings prescribed in the Torah. For Maimonides, the process of atonement is crystallized when free will is exercised for the

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<sup>51</sup> Maimonides, *Guide of the Perplexed*, Part I, Chap. 2, pp. 24-25.

<sup>52</sup> *Genesis* 3:6-7.

cause of repentance. Before that, the knowledge of good and evil belonged to God.

Maimonides argued that Adam's intellect was perfect, but without the faculty to understand good and bad, but rather only to distinguish between true and false.<sup>53</sup> As God created the world, at the end of each day He declared that it was good or very good. Noticeably, He did not declare that creation was true or false, but that it was good. After creating ádam however, God declared, "It is not good that the man should be alone. I will make him a helper suitable for him."<sup>54</sup>

Again, God did not say that Adam being alone was "true" or "false," but that it was "not good." Moral discernment was in the hand of God and not a part of Adam's intellect until after he ate the forbidden fruit. The way in which Adam became 'like' God, was in his new ability to *see*, which means in this context, to have moral discernment. As Maimonides explained, human beings are made in the image (*tselem*) of God, and this is an intellectual image. Humankind was not initially given the ability to judge between good and evil.

Upon their creation, Adam and Eve were aware of their nakedness through their physical vision. Sin did not affect their natural ability to "see" through their eyes, but they were given moral vision, which broke their intimate knowledge of one another and the world around them. Against this backdrop, human beings recognized and experienced shame, guilt, and fear. They were ashamed of their nakedness, guilty because of their

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<sup>53</sup> Moshe Halbertal explained: "In the Aristotelian conception, man's defining quality is his ability to distinguish between truth and falsity. Human potential is fulfilled through apprehending, to the full extent one's intelligence is able, the truth about the world and about God." *Maimonides: Life and Thought* (Princeton, NJ: Princeton University Press, 2014), p. 138.

<sup>54</sup> *Genesis* 2:18.

blatant disobedience of God's commandment to refrain from eating. This resulted in the fear to which they responded by covering themselves with fig leaves in an attempt to "remedy" their nakedness, hiding from the omnipresent God. This marks their separation from God and each other, thereby necessarily creating the need to return to a place of unity. This healing process is activated by the exercise of free will and repentance.

For Maimonides, the absence of free will connoted the absence of moral responsibility. M. Halbertal explicates:

The denial of human free will undermines the essence of Torah and commandments. How can man be directed to observe the Torah's commandments if they are unable to choose whether to observe them or transgress? Similarly, extending divine will to each and every event seems to be an absurdity that leads, among other things, to more than a few injustices. Why should people be punished for actions that they are not responsible for? . . . God controls, through acts of His will, all details of existence except human actions. Humans exercise free choice in their actions, which are therefore subject to reward and punishment.<sup>55</sup>

Fundamentally, before obedience, reward, punishment, repentance, and the like are understandable, free will must exist within the individual. The notion of free will is pivotal to the problem of evil. If evil is ontological, at some times able to control an individual (or society) to the extent that they necessarily manifest it (evil), then the will is not free to do good. Of course, this is also true if good impacts human behavior in the same way, preventing evil choices and actions. However, good does not pose the ethical problems (i.e. harm, violence, destruction, immorality, danger, etc.) that comprise the essence of evil choices and actions in any given society. Because of evil, a code of ethics

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<sup>55</sup> Halbertal, *Maimonides: Life and Thought*, p. 337.

is needed in order to direct the behavior of humankind from a life that brings inevitable harm to the bond between the Creator and the creation.

Maimonides addressed the problem of evil through the prism of repentance, as it pertains to the omnipotent and beneficent God. Maimonidean scholar Moshe Halbertal expressed it thusly: “Once a person knows good and evil, he is no longer at home in the world. He feels a tragic rending, a sense of alienation from the universe. The world appears to be meaningless, an alien place into which he is cast and left to grapple with the blind cruelty of existence and its many torments. Maimonides’ treatment of the problem of evil shows him to be troubled by the existential distress no less than by the theological conundrum, and he deals with the two of them together.”<sup>56</sup>

Maimonides believed that God is both all-good and all-powerful, implying that human will is not beyond God’s ability to affect or control, although He chooses not to. This is wrought with existential tension, which Maimonides resolved theologically by denying the existence of ontological evil. He classified evil into three categories: evils that are secondary to the fact that humans are physical/material beings, evil that is inflicted by another individual, and evil that is imposed on the self. Halbertal astutely noted:

[T]here is no evil in the world that should be attributed either to limitations on God’s power or to divine indifference to suffering. The evil suffered by a person because he is a material being, Maimonides argues, are “privations,” that is, situations that have no actual existence and that appear to us as the absence of a desired situation. Illness is the absence of health, death is the absence of life, infirmity is the absence of completeness, and so forth. In these cases, God does

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<sup>56</sup> Halbertal, *Maimonides: Life and Thought*, p. 330.

not create the evil because the evil does not really exist, and all that exists is good. Evil is the absence of certain reality; existence as such is good.<sup>57</sup>

Maimonides posited evil as a non-reality, although he recognized that all sin is contrary to the perfect, Divine Will of God. Maimonides did not deny the reality of sin, but fully recognized the Torah as the explication of the divine directive from the Creator to creation, in response to the God ordained order and nature of humankind. This is not to imply that God is the source of evil, but to distinguish more definitively the reality that the human will is free within the bounds of the laws of nature. However, this does sometimes result in evil.

Although both the urge to do good and the urge to do evil is present within the human being, the evil urge presents the greatest challenge to practicing the good and virtuous acts, unto which all persons are charged to strive. In *Duties of the Heart*, a classic work preceding Maimonides' writings, (which many scholars have suggested influenced him), Bahya ben Joseph ibn Paquda posited the evil impulse as an "enemy" of a life devoted to the way of God.<sup>58</sup>

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<sup>57</sup> Halbertal, *Maimonides: Life and Thought*, p. 331.

<sup>58</sup> Bahya ben Joseph Ibn Paquda formulated: "I say, then: oh man, you should know that the greatest enemy you have in the world is your own [evil] impulse, which is interwoven with the powers of your soul and intertwined in the character of your spirit, associated with you in governing your senses and spiritual faculties, privy to the secrets of your soul into what is hidden deep inside you, your counsellor in all your willful movements, whether observable or concealed. It lies in wait to entice you at your every step. You are unaware of it, but it is aware of you; you are unmindful of it, but it is not unmindful of you. It clothes itself in the garb of friendship for you, adorns itself with the adornment of love for you. It joins the circle of your confidants, counsellors, and choicest friends, and seems eager to do your will, as indicated in its outward movements and gestures. . . . The most powerful of its weapons, which it hurls at you and with which it assaults you and your innermost being, is its attempt to sow doubt in your mind about true notions, confound you and what had been clear to you, and confuse your soul with mistaken notions and false arguments. It thereby distracts you from your [true] interests and causes you to doubt confirmed doctrines and beliefs. If you will be wary of it and have ready the weapons of your understanding with which to fight it and turn its arrows away from you, you will be delivered from it and will escape it, with God's help. But if you abandon all your interests to it and follow its lead,

Why is free will important? Because without it the ability to do good freely would be extinguished. Given the perspective that evil comes from exercising free choice, God is not the source of evil and does not by determinism compel evil choices. Determinism is incompatible with free will, because it would shape individual proclivities toward good or evil. If determinism exists, the intentional purposes and will of God would bind human will. Maimonides delineated:

...so it is not in human power to apprehend or discover the Creator's knowledge. So the Prophet said, "For my thoughts are not your thoughts, neither are your ways my ways" (Isaiah 55:8). This being the case we lack the capacity to know how God knows all creatures and their activities. Yet we do know beyond doubt that a human being's activities are in his own hands and the Almighty neither draws him on, nor decrees that he should act thus or not act thus. It is not religious tradition alone by which this is known. It is also supported by clear proofs furnished by science. Hence, it is said in the prophetic writings that a man will be judged for all his deeds, according to his deeds, whether they be good or evil. And this is the principle on which all the words of prophecy depend.<sup>59</sup>

It is impossible to understand the incomprehensible, infinite mind of God. While this is so, the will of the human being remains free to choose to act morally or immorally as instructed by the Law, and attained through Maimonides' construct of perfections. This was the tradition of ancient and modern philosophers, and was central to his philosophical teachings. Maimonides believed there are four perfections to which humanity should strive: perfection of possessions, perfection of the body, perfection of

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it would not let you alone until it has destroyed you in both worlds and uprooted you from both abodes. . . . The evil inclination, however, will not leave you alone after one or even 100 defeats, regardless of whether it defeats you or you defeat it. For if it defeats you, it will utterly destroy you; and if you defeat it once, it will lie in wait for you all your life in order to subdue you, as our masters, of blessed memory, said: "Do not be sure of yourself until the day of your death" (*Avos* 2:4).

Bahya ben Joseph ibn Paquda, *Duties of the Heart*, trans. Daniel Haberman (Jerusalem: Feldheim, 1996), pp. 483, 485, 487.

<sup>59</sup> Maimonides, *Laws of Repentance*, Chap. V, pp. 87b–88a.

the moral virtues, and perfection of the rational virtues. For Maimonides, the perfection of the moral virtues is second only to the perfection of the rational virtues. This perfection consists of “the individual’s moral habits having attained their ultimate excellence. Most of the Commandments serve no other end than the attainment of this species of perfection.”<sup>60</sup>

Without free will, the relationship between human beings would be determined by external forces alone, and therefore not the responsibility of the individual. The relationship between God and creation depends upon the free will of God and the free will of humankind. It is necessary that an individual be able to respond freely to life circumstances, and God does not compel this ability in any direction, according to Maimonides. It is impossible to be responsible without control over one’s choices and actions. Human beings have free will, and are unencumbered by God, to choose evil, good, or repentance. To choose evil or good as desired remains in the realm of human freedom. The choice is entirely within the power of the human being and is not controlled by God. Maimonides explained:

If God had decreed that a person should be either righteous or wicked, or if there were some force inherent in his nature which irresistibly drew him to a particular course or to a special branch of knowledge, to special views or activities, as the foolish astrologers, out of their own fancy, pretend, how would the Almighty have charged us, through the prophets: do this and do not do that, improve your ways, do not follow your wicked impulses, when, from the beginning of his existence, his destiny had already been decreed, or his innate Constitution irresistibly drew him to that from which he could not set himself free? What room would there be for the whole of the Torah? By what right or justice could God punish the wicked or reward the righteous?<sup>61</sup>

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<sup>60</sup> *Guide of the Perplexed in Ethical Writings of Maimonides*, eds. Raymond Weiss and Charles Butterworth, Part III, Chap. 54, p.147.

<sup>61</sup> Maimonides, *Laws of Repentance*, Chap. V, p. 87a.

The Torah assumes the ability of human beings, with the help of God, to adhere to His laws and dictates by way of free will, without which the Commandments would be a *non sequitur*. Maimonides made it clear that human understanding of good and evil is intellectual. He did not believe in any internal moral tendency toward good, or the lack thereof predisposing humanity to evil, but by reasoning, man chooses. There are no external forces acting upon humanity to compel action in one way or another, to the exclusion of the ability to choose. By exercise of the will, action is self-determined. If humanity were ordained to act according to predestination, then any demands according to law would be fatuous. A human being would act according to impulses, instincts, or inclinations.

Human beings are endowed with two urges: the urge to do evil and the urge to do good. We are positioned equally between these two wills and granted the ability to exercise either. Whichever inclination is exercised most frequently becomes the stronger of the two, and therefore, more likely to be employed in successive instances. Although the choice ultimately remains with the individual, actions easily become habituated (usually toward vice), unless great attention and discipline is employed. Regarding ethical discipline, Maimonides offered ‘the golden mean,’ which is the perspective that human beings are to choose the middle way, and not be given to extremes. Moderation in all things is the way of God for humankind. In essence, Maimonides thought temperance is intrinsic to the notion of ‘good.’

God does not force individuals to do good or evil, but places within each one the solid ability to choose. It is not according to decree, but only according to individual will. Maimonides was consistent in the *Laws of Repentance*, maintaining that the will is



absolutely free, and at the hand of the individual to exercise according to his or her desires. If all human actions were dictated by God, there would be no moral responsibility. The presence of darkness in decisions perceived as evil would be attributed to God. Maimonides held that each of us turns to the way we desire as our own volition draws and directs us. To believe that man was ordained to act in one way or another would be inconsistent with the Torah. He wrote:

There is no one that coerces him or decrees what he is to do, or draws them to either of the two ways; but every person turns to the way which he desires, spontaneously and of his own volition. Thus Jeremiah said, “. . . Out of the mouth of the Most High, proceedeth not evil and good” (*Lamentation* 3:38); that is to say, the Creator does not decree either that a man shall be good or that he shall be wicked.<sup>62</sup>

It is a part of human nature to at some times choose evil. This is empirically obvious, as the choice is made to do what is evil to ourselves and to one another, against rationality and the dictates of God’s expressed desire for good. God did not take over the will, but the battle between good and evil, when taken to its lowest common denominator, is a battle over the will.

If we, in fact, have the power to decide the course of the will, then we collectively have the power to direct the world. If there is more good in the world than evil, then the world itself is good, and not tainted with the dark passions and proclivities which press against the very nature of God. If our choices are contrary to the way of God, our end would be separation from Him instead of cleaving to Him. This goes against the nature of the human soul, whose desire is toward God. To go against this nature is injurious to the soul. Maimonides specified:

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<sup>62</sup> Maimonides, *Laws of Repentance*, Chap. V, p. 87a.

Accordingly it follows that it is the sinner who has inflicted injury on himself; and he shall therefore weep for, and bewail what he has done to his soul—how he has mistreated it. This is expressed in the next verse, “Wherefore doth a living man complain, a strong man, because of his sins” (*Lamentations* 3:39). The prophet continues: since liberty of action is in our hands and we have, of our free will, committed all these evils, it behooves us to return in a spirit of repentance, and forsake our wickedness, for we have the power to do so. . . . “Let us search and try our ways, and return to the Lord” (*Lamentations* 3:40).<sup>63</sup>

Maimonides believed that man is truly fulfilled when he attains the intellectual virtues; God is the cause and purpose of all things. It is the goal of humankind to reflect God and the earth, because God is the beginning and the end. The way of all things is toward God and not away from God. To choose evil over good separates us from God, placing a distance between us, as we are cleaved away from him, as opposed to cleaving to him. God does not take possession of the exercise of the human will, but gives this power to humans to possess and direct their own thoughts. Maimonides wrote:

This doctrine is an important principle, the pillar of the Law and the Commandment, as it is said, “See, I set before thee this day life and good, and death and evil” (*Deuteronomy* 30:15); and again it is written, ‘Behold, I set before you this day a blessing and a curse’” (*Deuteronomy* 11:26). This means that the power is in your hands, and whatever a man desires to do among the things that human beings do, he can do, whether they are good or evil; and, because of this faculty, it is said, “O that they had such a heart as this always” (*Deuteronomy* 5:26), which implies that the Creator neither puts compulsion on the children of men nor decrees that they should do either good, or evil, but it is all left to their discretion.<sup>64</sup>

Because of the power given to humankind in the form of free choice to do evil, we are to grieve what we have done to our own souls and return to God in repentance. The moment we exercise free will to repent, we are repairing the breach that is brought by the sin of choosing to do evil instead of good. This power is given into the hands of

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<sup>63</sup> Maimonides, *Laws of Repentance*, Chap. V, p. 87a.

<sup>64</sup> *Ibid.*

humankind. For it to be otherwise would be to nullify the idea of justice, as it pertains to God and humankind. The degree to which one repents is proportional to one's ability to exercise free will.

## Chapter 4

### Maimonides' Concept of Repentance

Maimonides' concept of repentance is central to his understanding and exegesis of the Torah.<sup>1</sup> He wrote, "In our times, when the Temple does not exist and we do not have access to the altar of atonement, our only means [of atonement] is through repentance. Repentance atones for all sins."<sup>2</sup> Repentance is the gate through which we must pass in order to accept the restoration of the soul necessitated by sin.

Sin separates the individual from God: "But your iniquities have separated you from your God; your sins have hidden his face from you, so that he will not hear."<sup>3</sup>

Repentance is the first step toward resolution and reunification with God. Maimonides believed that it is possible, by way of repentance, to become a righteous person through

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<sup>1</sup> Many religious traditions, including Judaism, wrestle unceasingly with the idea of repentance as a means of repairing the ethical and spiritual breach resulting from the inevitable challenges of life. Seeking the path of return to God, from a place of brokenness to a place of wholeness, is an ever-present theme in many religions or ethical constructs. For Maimonides, the problem of sin created a great chasm between humanity and God, which necessitated a means to return. Generally, this idea assumes trauma of some sort as an assault against the soul of humankind. None of the great religions of the world, for the most part, has managed to escape the need for such existential healing and repair, which led to expansive study and works to which Maimonides made greatly significant contributions. S. Shokek explicates:

Hence, the classic texts on *Teshuvah*, written by the most prominent Jewish thinkers, do not only teach a lesson in repentance, they also reveal the existential answers that have sustained the Jewish spirit and have kept the Jews as a nation of distinctive identity—despite centuries of exile, persecution and genocide. These texts are the genuine spiritual and psychological documents that reflect the true *Pneuma* of the Jewish nation, a nation that has evolved and matured through the centuries. They reflect that the teachings of Jewish spirituality is a Jewish way of life, for they taught the Jews how to survive in strenuous times; how to become actualized and fulfilled human beings; and how to flourish and live complete and healthy lives. Most importantly, these texts taught the Jews that there is always a way of return from every sin and a path of hope for every despair, for the gates of repentance are always open; *Teshuvah*, a gift from God, is the conclusive return to God.

Shimon Shokek, *Kabbalah and the Art of Being: The Smithsonian Lectures*, ed. Michael Leavitt, London: Routledge, 2001, p. 146.

<sup>2</sup> Angel, *Maimonides: Essential Teachings*, p. 107.

<sup>3</sup> *Isaiah* 59:2.

contemplation and practice of God's laws and precepts, although we cannot comprehend the actual essence of God.<sup>4</sup>

To repent is to recognize first that one is guilty of wrongdoing and become sorrowful, because one has violated the laws of God and abused one's own soul. More specifically, the *sentient* and *appetitive* parts of the soul are injured, which are the only parts that are subject to obedience and disobedience, being directly affected by our choices and thought processes. The positive and negative commandments affect these two parts of the soul.<sup>5</sup> Maimonides held that the remedy for sin is repentance and that one who transgresses must repent in order to heal what is broken, an offense against God or fellow human beings.

We are to come to God in full repentance, with full awareness and articulate confession. The goal is for our will to become one with God's will. We are not to deny the powers or the particulars of our own will, recognizing that all actions have consequences, namely reward or punishment as appropriate. In some cases, the severity of sin requires repentance, punishment and even death before atonement is effected. On the contrary, we must be aware of ourselves, our power (or lack thereof), and our will

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<sup>4</sup> "In the contemplation of His essence, our comprehension and knowledge prove insufficient; in the examination of His works, how they necessarily result from His will, our knowledge proves to be ignorance, and in the endeavor to extol Him in words, all our efforts in speech are mere weakness and failure!" Meister, *Philosophy of Religion Reader*, p. 103.

<sup>5</sup> "There are, according to Maimonides, two basic characteristics of man which provide the basis of his ability to repent. Firstly, man possesses a soul, which is the instrumentality of his knowledge of God. This faculty must, however, be developed. Secondly, man is endowed with the power of choice. He has been given the freedom to choose, on the basis of his own will, good or evil. While Maimonides recognizes the philosophical difficulties of positing free will, he asserts that this ability is basic to the existence of command and human responsibility. Man therefore has the freedom to sin and the ability to understand sin and its implications." M. S. Stern, "Al-Ghazzali, Maimonides, and Ibn Paquda on Repentance," *Journal of the American Academy of Religion* 47, no. 4 (1979): p. 594.

that we may identify it as it relates to the will of God. When there is conflict between our own will and the will of God, we are to sublimate our will and submit to God. We are to recognize the power of our own will in order to maintain and use it to approach God with obedience, which is necessary to becoming morally upright.<sup>6</sup> Repentance is compulsory to this atoning process.

In the absence of the Temple, there was no way for a sacrificial offering of blood to be made on behalf of the people. Maimonides explained:

Now that the Temple no longer exists, and there is no altar of atonement, only *teshuvah* remains. *Teshuvah* atones for all sins. Even a person who is wicked all his life, but repents at the very end, is never considered wicked again, as it is written (*Ezekiel* 33:12), the wicked person will no longer stumble in his wickedness on the day he does *teshuvah*. The essence of Yom Kippur atones for those who repent, as it is written (*Leviticus* 16:30), for on that day, it will give you atonement.<sup>7</sup>

Repentance covers all transgression when properly accessed, although some sins are progressively pardoned. Not all offenses are forgiven immediately. Maimonides believed that some sins required time and particular circumstances for complete pardon to be granted. For example, if a man committed a light transgression and repented, he would be forgiven immediately:

Which are the light, and which are the grave transgressions? The grave transgressions are those which make the offender liable to a judicial sentence of death or to excision. Likewise, oaths taken in vain or to support a falsehood,

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<sup>6</sup> “Only when human passion and error would direct us to contravene the divine will are we called upon to foil such inner drives by setting aside our will. This, I believe, is the meaning of the teaching of the *Ethics of the Fathers*: Rabban Gamliel, the son of Judah, the Prince, used to say: ‘Do His will as if it were thy will, that He may do thy will as if it were His will. Nullify thy will before His will that He may nullify the will of others before thy will.’” Howard I. Levine, “The Experience of Repentance: The Views of Maimonides and William James,” *Tradition: A Journal of Orthodox Jewish Thought* 1, no. 1 (Fall 1958): p. 49.

<sup>7</sup> Henry Abramson, *Moses Maimonides on Teshuvah: The Ways of Repentance. A New Translation and Commentary*, 2nd ed., p.24. Maimonides, *Laws of Repentance*, Chap. I, p. 81b.

though not involving the penalty of excision, are classed among the grave transgressions. Violations of other prohibitions and of affirmative precepts, the neglect of which is not punished by excision, constitute the light transgressions.<sup>8</sup>

Maimonides' belief in what I term *progressive pardon*, suggests that repentance alone does not automatically atone for all sin. In the case of more grave transgressions such as murder or adultery, there are other requirements to complete the process of pardon. Such offenses have the sentence of death attached to them, and pardon is not granted through death in the absence of repentance and confession.

He notes:

So too, those who incurred the judicial penalty of death or punishment of stripes, do not obtain forgiveness by suffering death or receiving stripes unless they repent and confess. Similarly, one who inflicted a wound on another person, or caused him monetary damage, even though he pays what is due to the injured party, does not obtain pardon till he confesses and penitently resolves never to commit the same offense again, as it is said, "(when a man or woman) shall commit any sin that men commit. . . then they shall confess" (Numbers 5:6–7).<sup>9</sup>

Maimonides argued that repentance atones for all sins with the exception of those in specified categories or under particular conditions. An extreme example of this is one who profanes the Name of God. In such a case, although one repents, confesses, and experiences affliction directly caused by the sin, and the Day of Atonement comes, the process of atonement in the life of that individual takes place only after death.

Maimonides expounded:

Under what conditions does this apply? When the sin did not involve the desecration of the Divine Name. If the sin did involve the desecration of the Divine Name, then even though a person did *teshuvah*, and went through Yom Kippur while he remained steadfast in his *teshuvah*, and he experienced suffering, he nevertheless will not receive complete atonement until he dies. Rather, all three

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<sup>8</sup> Maimonides, *Laws of Repentance*, Chap. I, p. 82a.

<sup>9</sup> Ibid.

factors (*teshuvah*, Yom Kippur, and suffering) are suspended, and death provides atonement, as it is written (*Isaiah 22:14*), *And it was revealed to my ears by the Lord of hosts: you will not receive atonement for this sin until you die.*<sup>10</sup>

Some transgressions will not be completely atoned for in this life. The process of atonement in such instances will require the death of the individual for completeness. This is only the case for serious transgressions (again most specifically, desecration of the Name of God). There is a difference between the level of intensity and the qualitative value of transgressions, according to Maimonides. While it is true that all sin separates us from God, the process of restoration is different according to the classification of sin. What is clear, is that all sin must be expiated in order for restoration to take place. In *Laws of Repentance*, the power to repent lies totally with the individual and is not affected at all by God or any other external source. Forgiveness takes place when the process of repentance is complete (and this is so even when it is not perfect repentance). Even in death, forgiveness is not given without proper repentance and confession.

Maimonides explained:

So too, those who incurred the judicial penalty of death or punishment of stripes do not obtain forgiveness by suffering death or receiving stripes unless they repent and confess.<sup>11</sup>

The scales that discern the wholeness of the soul cannot be balanced without repentance. Through the gates of repentance, we find the means to stand in right relationship with God and creation in spite of the fact that the impulses that one feels as a human being may not always be logical or ethical. For example, if a poor starving person enters a grocery store with no money, the drive of hunger may lead to stealing food.

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<sup>10</sup> Henry Abramson, *Moses Maimonides on Teshuvah*, p. 28.

<sup>11</sup> Maimonides, *Laws of Repentance*, Chap. I, p. 82a.



There are punitive repercussions for this, of course, but the sorrow may not be realized if the crime is undetected.<sup>12</sup> The drive to satisfy the hunger instinct may be stronger than the power of the knowledge that stealing is wrong. Satisfying hunger may take precedence over any inclinations to repent and turn away from the sin of theft. Likewise, with the other passions, it may be very difficult to resist the desire to satisfy the appetitive nature of the physical body while maintaining integrity through the difficult act of self-denial.

When human efforts fail and sin is committed, it is necessary to conscientiously confess, with an acute awareness of God and spiritual sensitivity. The tendency to confess to wrongdoing with the right words, but without transformation of intent is to be avoided. There remains a complex chasm between the heart and the mind, creating the often present tension between physical, intellectual, emotional and psychological desires, and the idea of ethical duty. This paradigm is rooted in self-denial and leads to the experience of suffering, which to some degree becomes necessary to Maimonides' model of self-control, manifested through free will. This is the case although he is not a proponent of asceticism, but simultaneously demands that earthly desires (as in the perfection of possessions) are not to be exalted. The soul is to be 'trained' to enjoy virtue,

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<sup>12</sup> Rabbenu Yonah of Gerona expressed the need for sorrow in the act of repentance, which clarifies Maimonides' position: "The levels and degrees of repentance correspond to the magnitude of bitterness and the intensity of sorrow, the repentance stemming from purification of the soul and refinement of the intelligence. The increase and intensification of one's sorrowful thoughts over his many transgressions are in accordance with his intelligence and degree of enlightenment, as it is said, 'for I will not contend for ever, neither will I be always wroth; for the spirit that enwrappeth itself is from Me, and the souls which I have made' (*Isaiah 57:16*); that is, 'when the spirit which is from me, from the celestial realm, will enwrap itself in grief; when the souls which I have made will so enwrap themselves, I will no longer contend nor be wroth; for how shall I not be gracious and merciful towards the precious spirit which is from me and towards the souls which I have made?' The sin, therefore, will be attenuated to the extent of the grief that is expended upon it; for sorrow, in that it proceeds from purification of the heavenly soul, is preferred in this regard to much bodily affliction and suffering." Yonah ben Abraham Gerondi [Rabbenu Yonah of Gerona], *Shaarei Teshuva* [The Gates of Repentance], trans. Shraga Silverstein (Jerusalem: Feldheim, 1967), p. 29.

ultimately finding it pleasurable to the extent that ethical behavior is preferred over lust in its various iterations. Knowledge, love and worship of God is the delight and pleasure of the soul. Aristotle recognized that the acquisition of knowledge was both virtuous and most pleasurable. Maimonides explained:

...that the apprehension of their intellects becomes stronger at the separation [death], just as it is said: *And thy righteousness shall go before thee; the glory of the Lord shall be at thy rear.* After having reached this condition of enduring permanence, that intellect remains in one and the same state, the impediment that sometimes screened him off having been removed. And he will remain permanently in that state of intense pleasure...<sup>13</sup>

It is most important to give great effort, especially to the perfection of rational virtues. In fact, Maimonides declared: "...the goal of [the body's health] is that he attain knowledge."<sup>14</sup> This is accessed through rational virtues which lead to repentance, an intellectual act for Maimonides. Through the development of the intellect, it becomes possible to choose that which is good consistently, and thereby fulfill the objective of the Law. Although Maimonides espouses the idea of moderation in all things except situations in which "extremes" are used therapeutically, it can be argued that his perspective on the need to be disciplined regarding desires is embedded with ascetic implications, changing the focus of life from satisfaction of human appetites, to commitment to the Law of God. Such a change indisputably requires free choice.

Maimonides' belief in free choice expressed in the *Laws of Repentance*, which maintains that all are endowed with free will and the option of repentance (unless revoked by God), is complicated by a later contrasting expression in *The Guide of the*

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<sup>13</sup> Maimonides *Guide of the Perplexed*, Part III, Chap. 51, p. 628.

<sup>14</sup> Maimonides *Eight Chapters*, p. 75.

*Perplexed*, suggesting that free will is at least sometimes initiated by God's will. In the *Guide*, Maimonides allowed for "natural causes," which are by definition "God causes," placing human will under the dictates of God. In this sense, the manifestation of repentance can be understood to be ultimately initiated by God as Creator of humankind.

As written in the *Guide*:

For inasmuch as the deity is, as has been established, He who arouses a particular volition in the irrational animal and who has necessitated this particular free choice in the rational animal and who has made the natural things pursue their course—chance being but an excess of what is natural, as has been made clear, and its largest part partakes of nature, free choice, and volition—it follows necessarily from all this that it may be said with regard to what proceeds necessarily from these causes that God has commanded that something should be done in such and such a way or that he has said: "Let it be thus."<sup>15</sup>

While Maimonides argued that man has absolute free will, he allowed in the *Guide* that human beings are born with proclivities to act in particular ways as a matter of natural course. For Maimonides, the fact that something is "easier" or "more difficult," does not place an individual under compulsion or restraint. However, human nature does typically move in the direction of its inclinations. For example, it is clear that the temperament (which Maimonides recognized as influential) positions individuals in a place where they are more likely to perform a particular act, in fact almost ensuring that they do so.<sup>16</sup> For example, those who lack courage will most assuredly act cowardly in a given situation. Although free will remains with them, likely they will yield to their

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<sup>15</sup> Maimonides, *Guide of the Perplexed*, Part II, Chap. 48, p. 410.

<sup>16</sup> "Maimonides believed that human beings have some moral dispositions innately and other moral dispositions learned from others, or from experience, and become ingrained in one's behavior. He and his contemporaries did not, of course, have a concept of 'personality,' which became current only in the 18th century, but they did have a notion of character alongside individual disposition." Kraemer, *Maimonides*, p. 332.

nature, which is strengthened through repetitive actions. Maimonides held that this is established in the temperament and character. All energy does seek the path of least resistance, which depicts the nature of human behavior wrapped in a cycle; without repentance, the repetition of sin ensures the repetition of sin. The inclination (the urge to do evil or good) that is exercised most often becomes the stronger one. It requires discipline and intent to change this course.

Maimonides considered those who have desires to act in one way not necessarily good, but restrain themselves to act differently, as greater people, in that they refrain from the prohibitions given and choose the moral act in spite of contrary appetites. The natural tendency is to act according to passion or desire, which is greatly influenced the temperament. Choices are made in conjunction with individual propensity under the direct influence of inclinations. This is not to say that inclinations or temperament leave individuals without the choice to act against their nature. On the contrary, through the perfection of the moral and rational virtues, it is possible to live in the mean between extremes as Maimonides prescribes. Inclinations can be directed and habituated towards a virtuous life. The resolution of this tension is found through the Law; as Maimonides noted, “Bad moral habits are cured, when divine command is the physician.”<sup>17</sup> The nature

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<sup>17</sup> “In the *Guide*, Maimonides urges readers to carefully consider the reason for these commandments through which ‘bad moral habits are cured, when the divine command is the physician.’ His proof text, “The Rock, his work is perfect; for all his ways are judgment,” is explained elsewhere in the *Guide* to mean that all of God’s commands involved balanced approximation to the mean. It seems fair to suggest that knowledge and contemplation are treated ancillary to practice in this context, which is to say that they complete and accompany practical virtue and are not really conceptualized apart from it. Both Aristotle and Maimonides do however recognize another facet of the apprehension of virtue in which the knowledge and contemplation of virtue itself stands over and apart from the value of enlightened practice. Aristotle argues that the most pleasurable of all virtuous activities should be that of study or contemplation.” Don Seeman, “Reasons for the Commandments as Contemplative Practice in Maimonides.” *Jewish Quarterly Review* 103, no. 3 (Summer 2013): p. 308.

to be virtuous or vicious does not exist to the same degree within each individual.

Maimonides used the example of a cowardly person learning to be courageous.

According to Maimonides, this is theoretically possible but highly unlikely, because of a predilection toward some behaviors and not others. In this way, if God said, “let it be thus,” so shall it be, implying determinism, bringing an absolutely, authentically ‘free’ will into question. This contrasts with the idea that anyone could attain the level of righteousness that Moses had (or the wickedness of Jeroboam) by exercising the individual will. The reality or non-reality of determinism remains central to the discussion of the problem of free will. Having natural, God-given proclivities or inclinations to uncontrollably act in one way over another is a form of determinism, (most specifically *soft determinism*). Without free will, there is no moral responsibility.<sup>18</sup>

Maimonides’ insistence that human free will is indeed without any external influence controlling it, while at the same time suggesting in the *Guide* that free will comes from God’s initial will or cause. Are our proclivities God-ordained? Does God set our course in such a way that we are inclined toward our preferred choices? It is God who created the soul and the inclinations which comprise the substance of humankind.

Personality is inherent within each individual and develops over time, influenced by ‘nature’ as well as ‘nurture.’ It is known today that this is genetic (not understood by

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<sup>18</sup> “It would not be too strong to say that, for many philosophers, the whole point of trying to explicate the free will concept is to show how it is possible for persons to be morally responsible. This is not to deny that some philosophers who write about the free will issue try to hold questions concerning moral responsibility in abeyance, since that concept raises enormously messy metaethical problems. But the concept of moral responsibility is so crucial to the way we view ourselves and others that any account of compatibilism that does not demonstrate how moral responsibility is possible is, at best, woefully incomplete and, at worst, a sleight-of-hand trick that fails to yield what we want most.” Richard Double, *Non-reality of Free Will*, pp. 75–76.

Maimonides in the 12<sup>th</sup> century) which can be disciplined, but not fundamentally changed. In this way, if repentance demands a change of heart, Maimonides said that it is up to humans to make such a change, while at the same time, choosing is in some way ultimately subject to God's initial will in the creation of humankind.

Humans are to consider themselves as intermediaries, having a balance of merits and iniquities, and all should consider the rest of the world in the same way (as one who has a relatively equal distribution of merits and iniquities). Humankind is to proceed through life making every effort to live righteously, aiming for Maimonides' middle way. When this is done, the entire world is uplifted to a higher plane. On the contrary, wickedness of the individual translates to the world as an oppressive quality, rendering it more evil than good. God does not cause the world to be righteous or wicked, affecting the ethical color of society. According to Maimonides, this power, privilege, and responsibility is left to the hands of human beings, who have the power to choose to do good or evil.<sup>19</sup>

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<sup>19</sup> "We, on the contrary, are convinced that our law agrees with Greek philosophy, which substantiates with convincing proofs the contentions that man's conduct is entirely in his own hands, that no compulsion is exerted, that no external influence is brought to bear upon him that constrains him to be either virtuous or vicious. . . . Were a man compelled to act according to the dictates of predestination, then the commands and prohibitions of the law would become null and void, and the law would be completely false, since man would have no freedom of choice in what he does. Moreover, it would be useless, in fact absolutely in vain, for man to study, to instruct, or attempt to learn an art as it would be entirely impossible for him, on account of the external force compelling him, according to the opinion of those who hold this view, to keep from doing a certain act, from gaining certain knowledge, or from acquiring a certain characteristic. Reward and punishment would be pure injustice both as regards man toward man, and as between God and man. . . . This theory is, therefore, positively unsound, contrary to reason and common sense, subversive of the fundamental principles of religion, and attributes injustice to God (far be it from Him). In reality the undoubted truth of the matter is that man has full sway over all his actions. If he wishes to do a thing, he does it; if he does not wish to do it, he'd need not, without any external compulsion controlling him. Therefore, God very properly commanded man, saying, 'See, I have set before thee this day, life and good, death and evil. . . . Therefore, choose thou life,' (*Deuteronomy* 30:15,19) giving us, as regards these, freedom of choice." Jacob S. Minkin, *The World of Moses Maimonides, with Selections from His Writings*, ed. Thomas Yoseloff (New York: Yoseloff, 1957), pp. 245–46.

Free will is necessary to repentance. Through repentance, Israel is realigned with God's will and finds forgiveness of sin, escaping the correlating punishment. However, there are times when a sin is so grievous that God takes away the ability to repent.

Perhaps this was the case when God hardened Pharaoh's heart.

Why then did God send Moses to tell Pharaoh to send out the Jews and do *teshuvah* when God had already told Moses that Pharaoh would refuse? This is as it is written (*Exodus* 9:30) I know that you and your servants [still do not fear God]. Yet (*Exodus* 9:16) because of this it was worthwhile to inform all humanity that when the holy one who is blessed withholds *teshuvah* from a sinner, he will not be able to repent. He will die in his wickedness, which originally began with his willful choice. The same is true of Sihon. Because of the many sins he committed he was not permitted to do *teshuvah*, as it is written (*Deuteronomy* 2:30) for God, your God, hardened his spirit and strengthened his heart. And so too the Canaanites, because of their despicable acts, *teshuvah* was withheld from them to the extent that they warred with the Jews, as it is written (*Joshua* 11:20), for it was from God that they hardened their hearts to go out to war with Israel, in order that they be destroyed. So too the Jewish people, during the time of Elijah, because of their many sins, those people who sinned were not allowed to do *teshuvah*, as it is written (*I Kings* 18:37), and you have turned their hearts away, meaning, you have prevented them from doing *teshuvah*. Thus God did not decree that Pharaoh harmed the Jewish people, nor Sihon to sin in his land, nor the Canaanites to commit despicable deeds, nor the Jewish people to worship idols. All of them sinned on their own, and all of them deserved to have the privilege of *teshuvah* withheld from them.<sup>20</sup>

Repentance is a responsibility as well as a privilege, and sometimes the privilege is revoked, making the responsibility impossible to fulfill. This is a complication in Maimonides' model of repentance. Can one be responsible to obey a law he is unable to perform? Perhaps this, too, is in the hand of heaven, not given to human understanding.

The difficulty of Pharaoh in the context of a hardened heart remains unresolved by Maimonides' declaration or the presuppositions of the Torah that everyone always has free will and the option to repent of sin. According to the Torah,

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<sup>20</sup> Henry Abramson, *Moses Maimonides on Teshuvah*, pp. 104-105. See, Maimonides, *Laws of Repentance*, Chap. VI, pp. 88a-88b.

Then the Lord said to Moses, “See, I have made you like God to Pharaoh, and your brother Aaron will be your prophet. You are to say everything I command you, and your brother Aaron is to tell Pharaoh to let the Israelites go out of his country. But I will harden Pharaoh’s heart, and though I multiply my miraculous signs and wonders in Egypt, he will not listen to you. Then I will lay my hand on Egypt and with mighty acts of judgment I will bring out my divisions, my people the Israelites. And the Egyptians will know that I am the Lord when I stretch out my hand against Egypt and bring the Israelites out of it.”<sup>21</sup>

Pharaoh lost the privileged ability to repent. More accurately it seems, God punished him through the loss of his ability to repent. Arguably, in that particular moment, Pharaoh did not have free will. How are we to understand free will in the context of God hardening Pharaoh’s heart? Did he yet maintain the ability to exercise free will? According to Maimonides, the ability to repent is itself the epitome of free will. When standing before God, tentatively asking for forgiveness and pardon for sin, free will is exercised. When Pharaoh was presented with the God-appointed opportunity to release the people of Israel, he did not, or rather he could not, let them go, because he lost access to repentance, as punishment for prior sins. Maimonides declared:

A man may commit so great a sin or such numerous sins that justice requires of the true judge, as the penalty to be exacted from this particular sinner for the sins, committed by him voluntarily and of his own mind, that repentance shall be withheld from him and liberty to turn from his wickedness shall not be accorded him, so that he may die and perish in the sins which he committed. . . . This means that they sinned of their own will, and multiplied transgressions to such an extent that they incurred the penalty of having repentance, which is the remedy for sin, withheld from them. Hence also, it is written in the Pentateuch, “And I will harden Pharaoh’s heart” (*Exodus* 4:21). Because Pharaoh sinned on his own impulse and ill-treated the Israelites who sojourned in his land, as is said “Come let us deal wisely with them . . .” (*Exodus* 1: 10), justice required that repentance should be withheld from him till retribution had been visited upon him. The holy one, blessed be He, accordingly hardened his heart.<sup>22</sup>

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<sup>21</sup> *Exodus* 7:1–5.

<sup>22</sup> Maimonides, *Laws of Repentance*, Chap. VI, p. 88a.



According to the Torah, there were times when Pharaoh hardened his own heart and times when “God hardened Pharaoh’s heart.” In the moments when God hardened Pharaoh’s heart even though this was consequential to sin, he could not freely exercise his own will. He could not choose to do otherwise. Significantly, if God “knows” that Pharaoh will choose not to let the Israelites go free, then he was not able in that moment to act contrary to the knowledge of God, unless the knowledge of God is somehow absurdly deficient. Maimonides disagreed with this point, believing that the foreknowledge of God is not predestination, attributing choice to providence. “One can piece together a large panorama of Maimonides’ view of divine providence. Its starting point is a discussion of the famous maxim of Rabbi Akiva in *Avot* 3:19—a short maxim of four words in the Hebrew original: “Everything is foreseen, yet freedom of choice is given.”<sup>23</sup>

The use of the language, “I will harden Pharaoh’s heart” presents a difficulty in reconciling these two thoughts: it was “foreseen” with questionable “freedom of choice.” Either Pharaoh was free or he was not. He cannot simultaneously be bound to refuse to “let the people go” and free to “let the people go.” This is further complicated by the language used in other instances, where it says, “Pharaoh hardened his heart,” as in *Exodus* 8:15, for example. Why the distinction? The Torah does not tell us, and there certainly is tension between doing it himself and having it done “to” him.

Pharaoh prevented the Israelite community from going to serve God. It can be debated that God used Pharaoh for His own purposes, namely, ultimately to deliver the

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<sup>23</sup> Yeshayahu Leibowitz, *The Faith of Maimonides* (New York: Adama Books, 1987), p. 72.

children of Israel. This is problematic; was Pharaoh ordained to *not* hear Moses and Aaron in that moment? Some scholars suggest that God knew that Pharaoh would harden his own heart, so he did not lose the opportunity at any point to change his mind and let the people go. If God foreknew He would harden Pharaoh's heart, then his heart must be hardened. Could Pharaoh make a different choice in that moment? The Torah does not say that God knew that Pharaoh would harden his own heart, but rather "I will" harden his heart. In this context, it seems that Pharaoh was manipulated by God to accomplish His purpose.

Did God use the sins of Pharaoh to fulfill His own plan, which was the ultimate deliverance of the Jewish people? Pharaoh's obstinence was a vehicle, setting the stage for a display of miracles and power. This highlights the existential tension between free will, repentance, responsibility and the problem of evil. If everything God created was declared "good," how is evil used in the pivotal role critical to the manifestation of divine purpose in the narratives of Pharaoh, as well as Adam and Eve?

Upon the exercise of free will to disobey God's commandment, Adam and Eve partook of the forbidden fruit and brought condemnation upon themselves and generations following. "Their eyes were opened," and they knew good and evil. They became aware and ashamed of their nakedness, causing them to attempt to move themselves away from the presence of God. Anything that draws one away from Divine Presence is to be avoided. Sin separates us from God and one another. It creates disunity where God desires unity, while simultaneously, the reality of free will and the gift of repentance are given to reunify the intellectual soul with God, according to Maimonides.

Notably, Adam did not confess or repent of his sins before God, but instead blamed Eve. No repentance. No confession. No freedom from the spiritual conundrum introduced by the experience of shame, and subsequently, Adam was bound to the consequences of his choice. The text assumes that Adam had free will and could have made a different choice. Without free will, we would be at the mercy of passions, not subject to the discipline that morality requires. There would be no moral constraint to obey God. In fact, God or some external force would dictate the outcomes for humanity, wicked or righteous, once again excluding the individual from the ethical responsibility which choice creates.

Maimonides, who spent much of his life as an expatriate, is sensitive to the sense of the exile of humanity from God, which perhaps centralizes the need for repentance in his writings. He emphasized this in the *Laws of Repentance*, carefully noting the importance of returning to God after wandering away from Him in sin. Who controls the heart of humanity, which must be transformed upon repentance to resolve never to repeat a given sin? Maimonides argued that it is in the control of humankind, although he allows for the affect of human proclivities to virtue or vice.<sup>24</sup> While there may be a propensity to sin or not, individuals are not forced to commit moral or immoral acts in any way, in spite of the tendencies of nature. Maimonides wrote:

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<sup>24</sup> “Until fairly recently, the usual view of Maimonides’ position on freedom of the will was that he was a strict libertarian. This is because he appears to assert unequivocally in several places in his commentary to the Mishna, most notably in *Shemonah Perakim* 8 and in *Mishneh Torah (Teshuvah* 5), that human choice is undetermined. Alexander Altman and Shlomo Pines challenge this view in recent years by arguing, mostly on the basis of Guide of the Perplexed 2.48, that Maimonides maintained an esoteric view according to which human choice is determined by the natural order which is itself determined by God.” Moshe Sokol, “Maimonides on Freedom of the Will and Moral Responsibility,” *Harvard Theological Review* 91, no. 1 (January 1998): p. 25.

You, however, should know that our Law and Greek philosophy agree that all of man's actions are given over to him—which has been verified by true proofs. There is no compulsion on him nor is there any external cause which makes him inclined toward a virtue or a vice, except for his being disposed by temperament so that something is easy or difficult for him as we have explained. There is no way at all that he is forced or hindered.<sup>25</sup>

Righteousness is determined by the magnitude of merits an individual has. As long as there are more merits than iniquities, the person is considered righteous. All individuals, viewing themselves and others as intermediaries regarding righteousness, are to understand themselves as microcosms of the world. One weighty sin affects the spiritual quality of an individual and the entire world in a negative way. Good deeds have the same effect in that the performance of *mitzvot* elevates the whole earth. This contextualizes the power of the individual to affect the world and illuminates the power of free will as exemplified by the act of perfect repentance.

Maimonides distinguished the highest level of repentance as perfect repentance, characterized by subsequent occasions to repeat the same sin. If someone sins, repents and confesses from the heart and mind, and, subsequently finds themselves in the same situation in which they chose to sin initially, but this time rejecting the opportunity to sin, attains perfect repentance. Maimonides wrote: “What is perfect repentance? It is so when an opportunity presents itself for repeating an offense once committed, and the offender, while able to commit the offense, nevertheless refrains from doing so, because he is penitent and not out of fear or failure of vigour.”<sup>26</sup>

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<sup>25</sup> Maimonides, *Eight Chapters*, p. 84.

<sup>26</sup> Maimonides, *Laws of Repentance*, Chap. II, p. 82b.

Perfect repentance requires temptation and opportunity to sin, but the individual chooses never to repeat that sin. We will not know if repentance is “perfect” unless the same situation presents itself again. Having ability, desire, and opportunity challenges the free will of the individual. In fact, the individual with greater integrity is the person who is again tempted to sin, repeating an offense, but chooses not to, as opposed to one who has no desire to engage in the sin at all, or perhaps is no longer physically able to perform it.

To perform *mitzvot* properly, it is essential to have proper self-motivation, which is critical to living a righteous life. Individuals who regret doing good are condemned even in their righteousness. It is unacceptable to regret doing good or to doubt the merits of righteousness, and doing so is a fault. Maimonides wrote:

Whoever regrets the precepts that he has fulfilled, and wonders at his meritorious deeds, saying to himself, “What profit have I of them? Would that I had not done them,” forfeits the credit for all of them, and none of his meritorious deeds is even remembered in his favor, as it is said, “the righteousness of the righteous shall not deliver him on the day of his transgression.”<sup>27</sup>

For Maimonides, it is not enough to perform a good deed, but the intellect is to be engaged in loving God. Righteousness requires understanding, rather than performing deeds void of it. These, in fact, can become misdeeds. The Torah states: “Wisdom is supreme; therefore get wisdom. Though it costs all you have, get understanding.”<sup>28</sup> Regretting righteous deeds nullifies the deed, and is not counted toward the benefit of that individual. However, if one repents, she is sealed unto life on the Day of Atonement.

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<sup>27</sup> Maimonides, *Laws of Repentance*, Chap. III, p. 84a.

<sup>28</sup> *Proverbs* 4:7.

It is through repentance that atonement and forgiveness are bestowed upon the individual and the community. Maimonides explained:

Although the Sounding of the Shofar on the New Year is a decree of Holy Writ, still it has a deep meaning, as if saying “Awake, awake, all sleepers, from your sleep: oh slumberers, arouse ye from your slumbers: and examine your deeds, return in repentance, and remember your Creator. Those of you who forget the truth and the follies of the times and go astray, the whole year, and vanity and emptiness, which neither profit, nor save, look to your souls; improve your ways and works. Abandon, every one of you, his evil course, and the thought that is not good.”<sup>29</sup>

Although transgressions will hinder repentance, making it more difficult to access, leaving some individuals addicted to offensive practices, it remains available. The gate of repentance is the point where one realizes relationship to God, which is directly affected by actions in this world. Maimonides was not tentative in declaring the power and universality of access to repentance, but at the same time outlined conditions that will cause one to lose a place in the world to come. He stated that repentance is not blocked by anything, while enumerating those sins that will cause one to lose access to repentance. Maimonides explained that there were situations when an individual was forgiven, but this took place only after death. He distinguished between things which hinder repentance and in some cases make perfect repentance impossible. Leo Strauss noted:

Perfect repentance requires that the sinner not again commit the repented sin although the relevant circumstances have not changed or although he is exposed to the same temptation to which he earlier succumbed: an old man cannot perfectly repent the sins he committed in his youth by virtue of his youth. From this it follows that there cannot be any perfect repentance on one's deathbed. Hence, if there were not repentance pure and simple, men could not repent many of their sins. Yet they are commanded to repent all their sins. Hence repentance,

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<sup>29</sup> Maimonides, *Laws of Repentance*, Chap. III, p. 84a.

pure and simple requires only that man deplore his sins, confess them with his lips before the Lord, and resolve in his heart not to commit them again. Even if a man has perfectly repented a given sin, he is not for this reason free from sin, for he will commit other sins. Repentance, pure and simple, as distinguished from perfect repentance, is sufficient for his sins being forgiven him.<sup>30</sup>

True repentance brings us closer to the Divine Presence of God, where we may be cleansed, forgiven and restored. The duty to repent is actually a gift from God, enabling humanity to approach Him and find help in time of need. For Maimonides, the personal will must be engaged, as it directs actions toward repentance, allowing human beings to function as free moral agents, accepting the responsibility that humankind is self-determining. Again, the choice of righteousness remains with the individual. If this were not the case, the idea of right and wrong would be senseless.

Repentance is an invitation to engage fully, rather than yielding the power of the individual self for the sake of something external with the power to save or damn. Repentance for Maimonides is, without a doubt, an intellectual endeavor. Intellectuality is important to the process of repentance, confession and conversion. Humans are endowed with the ability to repent and make morally sound decisions with the highest self, which is the rational or intellectual self, according to Maimonides. It is with the mind and will that repentance is completed. Again, necessarily, the choice of righteousness or unrighteousness is up to the individual.

Maimonides outlined the grave offenses that will cause the loss of access to repentance:

Such sinners are the following: he who leads a community to sin, and under this category comes one who prevents a community from fulfilling a religious duty; he

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<sup>30</sup> Strauss, *Leo Strauss on Maimonides: The Complete Writings*, "Notes on Maimonides' *Book of Knowledge*," p.565.

who turns his fellow-man from the good to the evil way (*Deuteronomy* 13:3); he who sees his son falling into vicious courses and does not check him. He who says, “I will sin and then repent.” Included in this category is he who says, “I will sin, and the Day of Atonement will secure my forgiveness.”<sup>31</sup>

For the individual who commits any of these will be hindered in his path to repentance.

Similarly, Maimonides wrote that five types of people block or close their way to repentance: “He who separates himself from the community; he who opposes the dicta of the sages; he who makes mock of the divine precepts; he who condemns his teachers; he who hates rebukes.”<sup>32</sup>

These individuals will find the path to repentance extremely difficult. The theme of the five offenses is separation or distancing oneself from the ways and people of God. Judaism emphasizes the importance of community in all facets of life. To separate oneself from the community of faith is dangerous as it pertains to the path of atonement, which is, of course, through repentance. It is a gift of God to the people. An individual or a community that commits any of the five offenses will become less likely to repent. The gates of repentance remain open, but they are blocked in such a way that it becomes most difficult to access. One who hates rebukes is in a particularly precarious situation according to Maimonides, because “it is rebuke that brings about repentance.”<sup>33</sup> Repentance is indispensable to the process of forgiveness—“thus too all the prophets rebuked Israel till they repented.”<sup>34</sup>

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<sup>31</sup> Maimonides, *Laws of Repentance*, Chap. IV, p. 85b.

<sup>32</sup> Ibid.

<sup>33</sup> Ibid.

<sup>34</sup> Ibid., p. 86a.



Some commandments are directives between God and humankind, while others regard interactions between humankind and creation. For example, “You shall not kill” is a commandment dealing with relationships between people. It is not a direct command between God and humankind, but between individuals. Therefore, while Maimonides praised the ability to remain isolated as constantly in God’s presence, he recognized the difficulty and challenge of this perfection.<sup>35</sup>

Maimonides’ concept of repentance is intellectual repentance. Repentance is achieved through perfection of the intellect, which is accomplished through contemplation and acquisition of the rational virtues. Sound thinking is what will bring one to exercise free will in the process of bringing the heart to the transformative place of repentance. Repentance depends on exercise of the intellect to acknowledge deliberately God, the law, sin, and the commandments. Repentance reflects change in the way one thinks about God, the self, and creation, as they relate to one another. This change is brought about by contemplation and study of the Law, leading to knowledge of God. The end of the knowledge of God is the love and awe of Him. Maimonides explained: “One only loves God with the knowledge with which one knows Him.”<sup>36</sup>

Human beings are to attain this end of knowing and loving God. The capacity to exercise his own free will to obey the commandments is an intellectual capacity given

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<sup>35</sup> “This is a perfection which Maimonides ascribes to Moses and the patriarchs. The perfection entails living simultaneously on two planes—as an intellect engaged in constant contemplation and as a corporeal entity engaged in corporeal acts. Maimonides continues by tying providential protection to this state of continuous contemplation; the inference is that the individual who attains the identity of an intellect separate from matter and is no longer affected by corporeal afflictions—neither suffering nor death—though he may continue to exist for a while also as a corporeal entity.” Kreisel, “*Imitatio Dei* in Maimonides’ *Guide*,” p. 186.

<sup>36</sup> Maimonides, *Laws of Repentance*, Chap. X, p. 92a.

before disobedience of God's law. It is assumed that *ádam* (humankind) had the ability to repent, which is a function of the intellect, according to Maimonides.

For the intellect that God made overflow unto men and that is the latter's ultimate perfection, was that which Adam had been provided with before he disobeyed. It was because of this that it was said of him that he was created in the image of God and in His likeness. It was likewise on account of it that he was addressed by God and given Commandments. . . . For Commandments are not given to beasts and beings devoid of intellect. Through the intellect one distinguishes between truth and falsehood and that was found in [Adam] its perfection and integrity.<sup>37</sup>

The soul that is inflicted with moral vice is not able to recognize the need to repent. This is a defect of the perception of the rational soul, which is the intellect.

The intellect is the most elevated part of man. When the intellect is lost, free will is lost, and thereby there is no ability to repent. The intellect allows man in and of himself to be able to distinguish between good and evil. In this regard, the Torah tells us "behold the man has become as one of us."<sup>38</sup> Knowing good and evil and making the ethical distinctions that affect behavior is a distinguishing human characteristic. However, this ability acquired by humans may not always function properly. Perceiving good as bad and bad as good inhibits the right functioning of the will to discern what is most profitable for the individual. Virtue and vice reside in the domain of the soul, which must be habituated toward the desired end, and this is moderation, not excessiveness or deficiency. Maimonides wrote:

Know that these moral virtues and vices are acquired and firmly established in the soul by frequently repeating the actions pertaining to a particular moral habit over a long period of time and by our becoming accustomed to them. If those actions are good, we shall acquire the virtue; if they are bad, we shall acquire the vice. Since by nature man does not possess either virtue or vice at the beginning of his

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<sup>37</sup> Maimonides, *Guide of the Perplexed*, Part I, Chap. 2, p. 24.

<sup>38</sup> *Genesis* 3:22.

life, . . . he undoubtedly is habituated from childhood to actions in accordance with his family's way of life and that of the people of his town. These actions may be, in the mean, excessive, or defective.<sup>39</sup>

The soul makes one aware of the need to repent, and the soul allows for repentance, because of its pursuit of the love and knowledge of God, and the desire to cleave to Him. The ability to repent comes from the God-given characteristics of man, namely, that man is endowed with a soul. The soul is the particular form of man, not to be confused with his configuration or bodily makeup. The soul bears the capacity for intellectual apprehension, according to Maimonides, and it is this form in which human beings are made in the image (*tselem*) of God. The soul gives the ability to be aware of God and to attain knowledge of God. This is an intellectual pursuit, attained through contemplation and study of God's creation. Maimonides wrote:

And what is the way that would lead to the love of Him and the fear of Him? When a person contemplates His great and wondrous works and creatures, and from them obtains a glimpse of His wisdom, which is incomparable and infinite, he will straightway love Him, praise Him, glorify Him, and long with an exceeding longing to know His great Name.<sup>40</sup>

Because we are souls, we are drawn to return to God, from whom we were separated in creation and further distanced by sins. As we find a way to return to Him through repentance, because we have a body we are first consumed with the physical world around us and the drives of the appetitive soul. Immediate repentance strengthens the ability to resist the pull of the evil inclination, while deferring repentance strengthens this hold, making it more likely to yield to its promptings toward vice in the future.

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<sup>39</sup> Maimonides, "Eight Chapters," p. 68.

<sup>40</sup> Maimonides, *Book of Knowledge: Laws Concerning the Basic Principles of the Torah*, Chap. II, p. 35b.

Immediate repentance causes us to become more readily aware of our separateness from God, and increases desire to reunite with Him.

All created things by nature desire to return to their source.<sup>41</sup> The act of separating from God through sin necessitates the act of returning to Him in response to the urge for reunification. There is an urge in the very nature of humankind to cleave to God and His oneness, which is illuminated by our separateness. As we observe and contemplate the world around us, we are quickened in our sense of the wisdom of God and our invariable distancing from Him. The Torah notes, “Return, faithless people; I will cure you of backsliding.”<sup>42</sup>

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<sup>41</sup> “It is of great interest that the Bible puts a strong emphasis on the natural philosophy of *Devekut*; i.e. every man and every woman yearn to cleave to one another not because they are ordered to do so, nor because it is an accepted custom of society, not even because of procreation, but rather because *Devekut* is inherent in their own nature. The ‘two parts’ known as a Man and a Woman seek their authenticity that can be found only in their return to wholeness. The conception of the two separated ‘parts’ evolves from a consciousness that recognizes its inner voice out crying: ‘I am “half”; I will have neither peace nor tranquility until I find my second “half”; and then I will cleave to it and commune with it and we shall be one flesh again.’ If this formula applies to the relationship of a man and a woman, all the more does it apply to the relationship of man and God: for the Bible explicitly commands:

After your Lord your God shall you walk, and Him shall ye fear and His commandments shall you keep, and unto His voice shall ye hearken, and Him shall ye serve, and unto Him shall ye cleave (*Deuteronomy* 13:5). . . . Cleaving to God stands, without a doubt, at the height of the Jewish religious requirements.” Shokek, *Kabbalah and the Art of Being*, p. 11.

<sup>42</sup> *Jeremiah* 3:22.

## Chapter 5

### Confession

In the words of the Torah, “The Lord spoke to Moses, saying: Speak to the Israelites: When a man or woman commits any wrong toward a fellow man, thus breaking faith with the Lord, and that person realizes his guilt, he shall confess the wrong that he has done.”<sup>1</sup> True repentance requires thought, understanding, and intention. It remits sin, is the gift of God, and the responsibility of humankind. Upon repenting, it is the duty of the penitent to confess. “The sinner shall repent of his sins before the Lord and make confession.”<sup>2</sup> For Maimonides, repentance and confession are symbiotic—one without the other is not productive. One can confess and never come to a penitential place in the heart before God.

The coupling of repentance and confession stays the hand of punishment and prepares the path to complete expiation of atonement. Upon repenting, it is necessary to confess transgressions before God if the sin is against God. If it is against another individual, one must confess to the offended party, recognizing the necessary spiritual transformation which accompanies the awareness of violating another individual! Such awareness brings with it the demand for a spiritual shift within the offender.<sup>3</sup>

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<sup>1</sup> *Numbers* 5:6–7a.

<sup>2</sup> Maimonides, *Laws of Repentance*, “Introduction,” p. 81b.

<sup>3</sup> “The concept of confession and repentance is not intended to be a mechanical formula for total forgiveness or absolution, but entails inner cleansing through reparation, restitution and reconciliation with the person who has been wronged. Our rabbinic scholars say that in the presence of three witnesses, one must ask three times the pardon of the person he has offended. (*Talmud Yona* 87a). Our tradition maintains that forgiveness is a two-fold process in which one person forgives and the other person undergoes a profound change in his personal life. It is a transformation of the spirit by which the offender returns to God and alters his inner being after confessing his transgressions. Once again the person recognizes a moral

Confession is essential and is, therefore, an obligation that must be met, even after the death of the offended person. Death of the offended does not absolve the offender of his responsibility to confess, as it is prerequisite to repentance and forgiveness. In pursuit of forgiveness, a penitent must repent and go to the gravesite with ten appropriate witnesses and confess the penitent's sins, making proper restitution. Pardon is not granted even through death without repentance and confession. One could confess without repenting, but cannot fully repent without confessing; both are needed for the total restoration of the soul to its place of oneness with God.

A major challenge to repentance is the condition of the heart. It is one thing to acknowledge a transgression through confession and appropriate actions, but it is all together another thing to be in a place of true penitence and receptivity of forgiveness.

Maimonides wrote:

He who confesses in words and has not in his heart resolved to forsake his sin is like one who baptizes himself and keeps in his hands a creeping thing. Unless he casts it away, his baptism is useless. And thus it is said, 'but who so confesseth and forsaketh (them) shall obtain mercy' (*Proverbs 28:13*)."<sup>4</sup>

To perform a wrong action while at the same time recognizing intellectually that it is evil or not good is to understand cognitively the faultiness of human rationale, or the bad logic sometimes used to make decisions. This is challenging, given the fact of our natural urges and predilections, which are not always in harmony with human reasoning and healthy psychological understanding.

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and ethical obligation of being a human created by God and following God's moral commandments." Leon Kleonicki, "Jonah's Challenge," in *America* 195, issue 9, (2006): p. 3.

<sup>4</sup> Maimonides, *Laws of Repentance*, Chap. II, p. 82b.

The use of right words in confession and even the discipline to refrain from sin is a work of the heart as well as the mind. Maimonides emphasized the necessity of abandoning sin in the heart, which must be the first act. If penitence is not in the heart, confession becomes mere words, and an actual betrayal of the heart. He believed it necessary to abandon a particular sin in the heart for confession to be efficacious in repentance. He wrote:

The Day of Atonement is the time of repentance for all; for the individual as well as for the multitude. It is the goal of the penitential season, appointed unto Israel for pardon and forgiveness. Hence, all are under the obligation of repenting and making confession on the Day of Atonement. The duty of confession, on the Day of Atonement, requires that a person should begin to make his confession already on the previous day, before he takes his meal, lest he choke (while he is eating) without having confessed.<sup>5</sup>

Although one has adequately confessed, he is required to do so again during the Day of Atonement in order to keep the awareness of sins committed, avoiding the apathy that is likely for many when the day is over. It is important to remain sensitive to sin, which brings humility ripe for repentance. The Torah records: “My sin is always before me...Create in me a clean heart, O God, and put a new and right spirit within me.”<sup>6</sup> The Day of Atonement and repentance atone for sins against God. It does not cover sins and trespasses committed against one another.

Restitution is required for sins committed against another, and appeasement of the injured party is necessary. If one refuses to forgive an offense, the offender must go up to three times with a group of witnesses to beg forgiveness of the offended party. It then becomes incumbent upon the offended to allow himself or herself to be appeased. To

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<sup>5</sup> Maimonides, *Laws of Repentance*, Chap. II, p. 83a.

<sup>6</sup> *Psalms* 51:3,10

refuse to forgive becomes a sin itself. However, if the teacher of a student is the one offended, the student is to seek forgiveness perpetually until it is granted by the teacher, according to Maimonides.

Right intention is essential to effective repentance. There is a provision for human frailty evidenced by transgressions and sin, and the allowance made for them is through the gift of repentance. When individuals have made up their mind to commit sin with the expectation of absolution through the process of atonement on Yom Kippur, their intentions are evil. Their actions are deliberate, complete with the awareness of wrongdoing and the prideful assumption that they will be alive when the Day of Atonement arrives. Those who intentionally sin in this way, with the expectation that they will be pardoned on the Day of Atonement and that they will receive forgiveness, are considered evil, because their motivation is evil. For Maimonides, repentance is the pathway to the pardoning of sin, and the pathway to repentance is by way of confession.

Confession is comprised of several parts, namely awareness of wrongdoing and making restitution as appropriate. This must be put into words and spoken by the penitent. The confession is addressed to the Lord; there must be an admission of wrongdoing and acknowledgment that the wrongdoing is sin. The sin must be named specifically, the more detail the better, and repentance is to be accompanied by shame and a resolution never to repeat the sin. Maimonides wrote: "How does one confess? The penitent says, 'I beseech thee, oh Lord, I have sinned, I have acted perversely; I have



transgressed before thee, and have done thus and thus, and lo, I repent and am ashamed of my deeds and I will never do this again. This constitutes the essence of confession.”<sup>7</sup>

Maimonides specified that a part of confession is to declare repentance: “I have done thus and thus, and lo, I repent.” It is not merely words that comprise the confession, but the words indicate a transformation of the heart and its resolution to refrain from repeating a particular sin. Without the transformation of the heart, there is no repentance. Herein lies the complexity of repentance, in that it demands an actual transformation, which requires that the individual soul, which has become “sick” from the practice of vices, becomes healthy, according to Maimonides.

Maimonides argued that the practice of moral vices, which lead to sin, are the result of a sick soul. He wrote:

People with sick souls, I mean, bad and defective men, imagine bad things as good and good things as bad. The bad man always has a desire for ends that are in truth bad. Because of the sickness of his soul, he imagines them to be good. When sick people not proficient in the art of medicine become aware of their illness, they seek out the physicians. They [the physicians] informed them of what they need to do, prohibit them from [taking] what they imagine to be pleasurable, and compel them to take vile, bitter things which will heal their bodies so that they will again delight in pleasant things and loathe vile things. Similarly, those with sick souls need to seek out the wise men, who are physicians of the soul. The latter will prohibit the bad things which they [the sick] think are good and treat them by means of the art that treats the moral habits of the soul.<sup>8</sup>

The experience of this world is material and does not readily lend itself to the spiritual delights preserved for those whose brokenness from sin is healed through the gate of repentance and confession. It is impossible to live a perfect life without offense, and this reality is recognized by Maimonides as an existential problem that finds its

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<sup>7</sup> Maimonides, *Laws of Repentance*, Chap. I, p. 81b.

<sup>8</sup> Maimonides, *Eight Chapters*, p. 66.

remedy in part through confession. A well-known axiomatic truth informs us that “confession is good for the soul.” Confession is a spiritual balm, providing healing not fully comprehended on a physical plane. The soul benefits from confession through the healing and restoration it experiences through the awareness that confession produces. Through confession, the soul becomes better prepared to experience the spiritual delights of the world to come. Maimonides surmised:

Thus when people who have sinned and bear guilt brought sacrifices for their unintentional or intentional sins, they did not receive atonement with their offerings until they did *teshuvah*, and confessed the confession of words, as it is written (*Leviticus 5:5*) *and he will confess regarding that which he sinned.*<sup>9</sup>

The quality of the confession, dependent upon explicit articulation in words and sincere, heartfelt penitence, is a manifestation of repentance. Forgiveness is accessed through repentance, as it is written in the Torah: “Then I acknowledged my sin to you and did not cover up my iniquity. I said, ‘I will confess my transgressions to the Lord’—and you forgave the guilt of my sin.”<sup>10</sup>

Through confession and forgiveness, the individual is enhanced spiritually, which further enables the pursuit of a different level of the experience of pleasure. Maimonides emphasized the reality of the spiritual world and the need for individuals to pay great attention to its pursuit. It is difficult, yet not impossible, to experience an otherworldly sense of spirituality and pleasure with great effort, intentionality, and discipline. This requires focused searching, energy, and effort to attain this perfection. Maimonides wrote:

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<sup>9</sup> Henry Abramson, *Moses Maimonides on Teshuvah: The Ways of Repentance. A New Translation and Commentary*, 2nd ed., p. 20.

<sup>10</sup> *Psalms 32:5.*

Spiritual delight does not come within our experience at all. We enjoy only bodily pleasures which come to us through our physical senses, such as the pleasures of eating, drinking, and sexual intercourse. Other levels of delight are not present to our experience. We neither recognize nor grasp them at first thought. They come to us only after great searching. It could hardly be otherwise, since we live in a material world and are, therefore, able to achieve only inferior and discontinuous delights. Spiritual delights are eternal. They last forever; they never break off.<sup>11</sup>

According to Maimonides, there is a level of spiritual attainment that an individual is to pursue; however, this level is not perfected, nor can it be in the physical world.

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<sup>11</sup> Maimonides, *Commentary on the Mishna—Tractate Sanhedrin*, trans. and ed. F. Rosner, p. 10.

## Chapter 6

### The World to Come

Hence, all Israelites, their prophets and sages, longed for the advent of Messianic times, that they might have relief from the wicked tyranny that does not permit them properly to occupy themselves with the study of the Torah and the observance of the commandments; that they might have ease, devote themselves to getting wisdom, and thus attain to life in the World to Come.<sup>1</sup>

Maimonides connected his teachings regarding the world to come with the period of the Messiah. Shimon Shokek explained:

For Maimonides, the core of the Jewish law concerning the Messiah is not to be found in trying to understand the messianic figure, nor in calculating the time of his coming, which in itself is prohibited by the Jewish law. In fact, believing in the Messiah and waiting for him are so important for Maimonides, that the figure of the Messiah himself becomes secondary in his thought. The heart of the Jewish *Halachah* concerning the Messiah dwells in the depth of the human belief and in the act of waiting.<sup>2</sup>

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<sup>1</sup> Maimonides, *Laws of Repentance*, Chap. IX, p. 92a.

<sup>2</sup> Shokek, *Kabbalah and the Art of Being*, p. 116.

See also, Jacob Dienstag: “Maimonides maintains that the Messianic state will endure for 2000 years and will be an unbroken continuation of the existing order. There will be no miracles, and natural laws will not be suspended. Is. 11:6 is an hyperbolic picturization of the rule of peace, brotherhood, and felicity in that period. However, in the Guide of the Perplexed, the philosopher wisely says: ‘All the great evils which men cause to each other because of certain intentions, desires, opinions, or religious principles, are likewise due to non-existence because they originate in ignorance, which is absence of wisdom.... If men possessed wisdom, which stands in the same relation to the form of man as the sight to the eye, they would not cause any injury to themselves or to others; for the knowledge of truth removes hatred and quarrels, and prevents mutual injuries.’”

Although the philosopher insists that the new era will not need miracles to make it the wonder age, he does not deny the possibility of miracles occurring then, but explains them in his own way. Miracles are possible because they are foreordained changes in nature. They do not violate natural law, but are rather in consonance with the original plan of God to cause certain changes at definite times. But no contra-natural changes have been designed for the Messianic state. There will be no difference in existing things, except that Israel will be a sovereign nation.” *Eschatology in Maimonidean Thought: Messianism, Resurrection, and the World to Come* (New York: KTAV Publishing House, 1982), CXII, p. 37.

It was a part of the tradition for the Jewish people to await the coming of the Messiah with the promise of delivering them from political oppression.

Maimonides postulated:

The ‘days of the Messiah’ refers to a time in which sovereignty will revert to Israel and the Jewish people will return to the land of Israel. Their king will be a very great one, with his royal place in Zion. His name and reputation will extend throughout all the nations and even greater measure than did King Solomon’s. All nations will make peace with him, and all countries will serve him out of respect for his great righteousness and the wonders which occur through him. All those who rise against him will be destroyed and delivered into his hands but God. All the verses of the Bible testify to his triumph and our triumph with him. However, except for the fact that sovereignty will revert to Israel, nothing will be essentially different from what it is now.<sup>3</sup>

Maimonides made a distinction between that time and the spiritual advent of the world to come. He made the clarifying claim that the time of the Messiah<sup>4</sup> would be a time of relief for the Israelite people from the oppression with which they were so often plagued in this world. The world to come was differentiated by its spiritual reality, while the Messianic era was for this world:

The ultimate and perfect reward, the final bliss which will suffer neither interruption nor diminution is the life in the world to come. The Messianic Era, on

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<sup>3</sup> Maimonides, *Commentary on the Mishna—Tractate Sanhedrin: Introduction to Perek Helek*, trans. and ed. Fred Rosner, p.14.

<sup>4</sup> See Gershom Scholem, “Toward an understanding of the Messianic Idea in Judaism,” *Messianism in the Talmudic Era*, Introduction by Leo Landman (New York: KTAV Publishing House, Inc., 1979), p.51. “Any discussion of the problems relating to Messianism is a delicate matter for it is here that the essential conflict between Judaism and Christianity has developed and continues to exist.... A totally different concept of redemption determines the attitude to Messianism in Judaism and in Christianity; what appears to the one as a proud indication of its understanding and a positive achievement of its message is most unequivocally belittled and disputed by the other. Judaism, in all of its forms and manifestations, has always maintained a concept of redemption as an event which takes place publicly on the stage of history and within the community. It is an occurrence which takes place in the visible world and which cannot be conceived apart from such a visible appearance. In contrast, Christianity conceives of redemption as an event in the spiritual and unseen realm, an event which is reflected in the soul, in the private world of each individual and which effects an inner transformation which need not correspond to anything outside.”

the other hand, will be realized in this world; which will continue in its normal course except that independent sovereignty will be restored to Israel. The ancient sages already said, “The only difference between the present and the Messianic Era is that political oppression will then cease.”<sup>5</sup>

As life in the physical body has a beginning, so it has an expected end, as stated in the Torah: “There is a time for everything, and a season for every activity under heaven: a time to be born and a time to die.”<sup>6</sup> This leads to a collective quandary about the meaning of life in this world and beyond. Maimonides addressed this issue in his discussion of the hope of this world as rooted in spiritual development of the intellect, which is expected to culminate with the coming of the Messiah.

Menachem Kellner elucidated:

Maimonides explains that in order to achieve true worship we must first strengthen the bond of intellect between ourselves and God. Having attained that apprehension, we can then truly love God (“love is proportionate to apprehension”). “After love of God, comes true worship: it consists in setting thought to work on the first intelligible and to devoting oneself exclusively to this as far as this is within one’s capacity...”

Individual human beings have developed spiritually to the point where they can truly worship God through intellectual meditation. Eventually, all human beings will reach the point where they abandon idolatry and embrace Judaic monotheism: the Messiah will prepare the whole world to serve the Lord with one accord, as it is written, *For then will I turn to the peoples a pure language, that they may all call upon the name of the Lord to serve him with one consent (Zephaniah 3:9)*. Maimonides explains how this is going to come about in a remarkable text censored from the printed editions of the *Mishneh Torah*.

But if he does not meet with full success, or is slain, it is obvious that he is not the Messiah promised in the Torah. He is to be regarded like all the other wholehearted as were the kings of the House of David who died and whom the Holy One, blessed be He, raised up to test the multitude, as it is

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<sup>5</sup> Maimonides, *Laws of Repentance*, Chap. IX, p. 92a.

<sup>6</sup> *Ecclesiastes* 3:1–2.

written: *And some of them that are wise shall stumble, to refine among them, and to purify, and to make white, even to the time of the end; for it is yet for the time appointed (Daniel 11:35)*. Even of Jesus of Nazareth, who imagined that he was the Messiah, and was put to death by the court, Daniel had prophesied, as it is written: *And the children of the violent among thy people shall lift themselves up to establish the vision: but shall stumble (Daniel 11:14)*. For has there ever been a greater stumbling than this? All the prophets affirmed that the Messiah would redeem Israel, save them, gather their dispersed, and confirm the commandments. But he [Jesus] caused Israel to be destroyed by the sword, their remnant to be disbursed and humiliated. He was instrumental in changing the Torah and causing the world to err and serve another beside God. But it is beyond the human mind to fathom the designs of the Creator; for our ways are not His ways, neither are our thoughts His thoughts. All these matters relating to Jesus of Nazareth and the Ishmaelite [Mohammed] who came after him, only served to clear the way for King Messiah, *to prepare the whole world to worship God with one accord*, as it is written *For then will I turn to the peoples a pure language, that they all call upon the name of the Lord to serve him with one consent (Zephaniah 3:9)*. Thus the Messianic hope, the Torah, and the Commandments have become familiar topics—topics of conversation (among the inhabitants) of the far isles and many people, uncircumcised of heart and flesh. They are discussing these matters and the Commandments of the Torah. Some say, “Those commandments were true, but have lost their validity and are no longer binding;” others declare that they had an esoteric meaning and were not to be taken literally; that the Messiah has already come and revealed their occult significance. But when the true King Messiah will appear and succeed, be exalted and lifted up, they will forthwith recant and realize that they have inherited nothing but lies from their fathers, that their prophets and forebears led them astray.<sup>7</sup>

Note that the benefits of that era will include sovereignty of the Israelite people and freedom from exile in bondage for the Jewish people, which more importantly will allow them time to focus properly on the study of the Torah. This leads to the wisdom and then the love, worship, and service of God. While the messianic era is expected to create a better life here for all, it is not to be confused with nor preferred over the spiritual realities of the world to come.

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<sup>7</sup> Menachem Kellner, “Maimonides on the Science,” p. 186.

Life in the world to come is attained by practicing the commandments in this world. “Thus, men will achieve the world to come. The world to come is the ultimate end toward which all our effort ought to be devoted. Therefore, the sage who firmly grasped the knowledge of the truth and who envisioned the final end, forsaking everything else, taught: ‘All Jews have a share in the world to come’ (*Sanhedrin* 10:1). Maimonides made the point that aiming for life in the world to come is not an end in and of itself. However, nothing is lost even if one properly obeys the commandments “for the wrong reasons,” so to speak. He explained that following the commandments for wrong or lesser reasons may eventually guide one to a deeper understanding, which leads to a place where the commandments become a practice for their own sake. In other words, the behavior may come first while the understanding and wisdom may follow later. This was the desired outcome for Maimonides; and therefore he believed that anticipation of punishment or reward is a viable means to that end, which ultimately leads to serving God out of love.<sup>8</sup>

Maimonides believed that all of Israel had a part in the world to come, but there were situations in which this inheritance could be forfeited. This is based on his uncompromising belief that the will is free. Through it (free will), we have the choice to repent, although there are exceptions that make repentance impossible, as he explained:

So too, all wicked persons whose iniquities exceed their merits are judged according to their sins and have a portion in the world to come; for our Israelites, notwithstanding that they have sin, have a portion in the life hereafter, as it is said, “thy people shall all be righteous, they shall inherit

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<sup>8</sup> “...[S]omeone who refrains from violating rational laws simply because such acts were prohibited by divine law has a deficient soul (*nefesh hasera*). The more complete moral personality is he who feels no internal temptation to sin and therefore has no need to rely on heteronomous law for restraint. He is someone who realizes within himself that such behavior is morally wrong.” Eugene Korn, “Gentiles, the World to Come, and Judaism: The Odyssey of a Rabbinic Text,” *Modern Judaism* 14, no. 3 (October 1994): p. 280.



the land forever” (*Isaiah* 60:21). The expression land is a metaphor for the land of life, that is, the world to come. And so too the saints among the gentile peoples have a portion in the world to come.<sup>9</sup>

To study and understand the Torah leads to a life of merit and the shunning of the practice of moral vices. The law works to instruct the individual toward the main understanding of the difference between virtue and vice. Judaism was understood by Maimonides as a religion of reason, and such reason can take control of the appetitive soul. A soul that is balanced by reason and habituation of moral and ethical behavior is healthy, while a sick soul does not discern the difference between good and bad, but confuses the two.

Fulfilling the commandments is attainment of perfection in this world and, consequently, secures a place in the world to come. The ability to make moral choice separates humans from beasts, and this element of self-control resides within the individual, not coerced by any external source, including the Law itself. The law provides instructions to lead to the love of God, which is the desired end of its practice.

The process of repentance, as outlined by Maimonides, is a difficult and complex one, and therefore leads to the question: “Why should we repent?” At the most basic level of understanding, Maimonides encouraged the motive of earning a place in the world to come, although this is not the ultimate reason to study and exemplify the Torah in this world, as he explained:

In order that the masses stay faithful and do the commandments, it was permitted to tell them that they might hope for a reward and to warn them against transgressions out of fear of punishment. It was hoped that they

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<sup>9</sup> Maimonides, *Laws of Repentance*, Chap. III, p. 84b.

might be urged to strengthen their intentions so that they would ultimately grasp the truth and the way toward perfection.<sup>10</sup>

Maimonides allowed for this elementary understanding of the purpose of humankind, believing that it was a tool to be used in the process of attaining wisdom, fulfilling the greater purpose, namely, the perfection of the soul.. This entails service to God out of love for God. He explained:

It has become known that the life of the world-to-come is the reward for performing the commandments and is the good that we merit if we have kept the way of the Lord referred to in the Torah. As it is said: “So that it should be good for you and you should prolong your days.” And being cut off is the revenge that is exacted from the wicked who have forsaken the paths of justice referred to in the Torah. As it is said: “That soul shall be completely cut off; his iniquity shall be upon him.” What then is meant by verses found throughout the entire Torah, saying: “If you obey, there will come to you . . . and if you do not obey, there will befall you. . . .” And [what is meant by the reference to] all those things that occur in this world, such as satiety and hunger, war and peace, rule and submission, the settlement of the land [of Israel] and Exile, prosperity and failure, and everything else mentioned in the covenant? It is true that all these things have taken place and will take place. When we perform all the commandments of the Torah, all that is good in this world will come to us. When we transgress them, the prescribed evils will befall us. Nevertheless, those good things are not the final reward given for performing the commandments, nor of those evils the final revenge exacted for transgressing all the commandments. The explanation of these matters is as follows: The Holy One, blessed be He, gave us the Torah; this is the Tree of Life. Everyone who does everything prescribed therein and knows it completely and correctly, merits the life of the world-to-come. His merits depends upon how great his actions and his wisdom are.<sup>11</sup>

The sages justified practice of the Torah for the sake of reward in the early stages of one’s faith and development. This, however, is not an end in itself, but the purpose is to motivate Torah study with appropriate reward or punishment in mind, until one

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<sup>10</sup> Maimonides, *Commentary on the Mishna—Tractate Sanhedrin*, trans. and ed. Fred Rosner, p. 5.

<sup>11</sup> Maimonides, *Laws Concerning Repentance in Ethical Writings of Maimonides*, p.169.

matures to the place where study is for the sake of studying, and not connected to or inspired by anything other than love of God. Reward and punishment are motivational tools for those who do not understand the fulfilling of the Torah, which has as its aim the love of God.

The world to come is spiritual and, therefore, incomparable to this life in the body. Only the eyes of God perceive the world to come. The soul, however, will attain in that world the knowledge of God with the accompanying bliss, which is indescribable but ever present in the world to come. Maimonides explained that ethical actions in this world (especially repentance) will ensure a life in the world to come, but this is not the main objective of such actions. The goal of life as Maimonides understood it is the love of God, which compels individuals to obey the laws and precepts of the Torah, reflecting the very attributes of God as one follows divine intent and behavior. Failure to do this will cost the immortality of the soul, as one is eternally cut off from the land of life.

In the *Laws of Repentance*, Maimonides outlined the situations in which life in the world to come is forfeited. Those who will perish and be condemned forever include the following:

Heretics and Epicureans; those who deny the Torah, the resurrection of the dead, or the coming of the Redeemer; apostates; those who cause a multitude to sin, and those who secede from the ways of the community; anyone who commits transgressions like Jehoiakim, in high-fashion and openly; informers; those who terrorize a community, not for a religious purpose; murderers and slanderers, and one who obliterates the physical mark of his Jewish origin.<sup>12</sup>

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<sup>12</sup> Maimonides, *Laws of Repentance*, Chap. III, p. 84b.

Those who are guilty of the grave transgressions listed among these are cut off from their part in the world to come unless they repent. Maimonides wrote:

When it is said that one who commits any of these sins has no portion in the world to come, the statement is to be understood as only applying to the sinner who dies impenitent. But if he repented of his wickedness and expired while still penitent, he is of those who will have a portion in the world to come; for there is nothing that stands in the way of repentance.<sup>13</sup>

Maimonides believed strongly that all Jews and righteous gentiles have a share in the world to come, which is insured by following the commandments. Maimonides enumerated and explained commandments to the Jewish people in his *Commentary on the Mishna*, as thirteen principles of faith. These principles remain the basis of the ethical lifestyle expected of and binding upon the people of Israel. These principles basically understood as articles of faith, were met with perpetual controversy. They were attached to blessings, but more importantly, through them Maimonides provided a more easily accessible structure for the religious and ethical practice of Judaism:

If you serve the Lord in joy and follow his way, he causes an overflow of those blessings toward you and keeps away the curses, so that you have the leisure to become wise in the Torah and to be occupied with it, in order that you merit the life of the world to come. He will benefit you with a world that is totally good and lengthen your days in a world whose length does not end. You will merit both worlds: a good life in this world, which brings about the life of the world to come. For if one does not acquire wisdom and good deeds here he has nothing with which to merit [the world to come].<sup>14</sup>

This present life is limited by the things and experiences of this world, which consume humankind and serve to distract focus on the laws or the commandments, which

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<sup>13</sup> Maimonides, *Laws of Repentance*, Chap. III, p. 85b.

<sup>14</sup> Maimonides, *Laws Concerning Repentance*, p.170.

lead to wisdom. It is also true that one who does not follow the ways of God, to include repentance, will likewise be cut off:

If you forsake the Lord and go astray through eating, drinking, fornication, and the like, he will bring upon you all those curses and remove all the blessings, so that you reach the point where your days are consumed in terror and dread. Your heart will not be free nor your body perfect to perform the commandments, so that you will lose the life of the world to come. You have lost both worlds, for when a man is burdened in this world with sickness, war, and famine, he occupies himself with neither wisdom nor commandment, through which one merits the life of the world-to-come.<sup>15</sup>

It is the will of God that humans live life with the understanding of the gifts of the world to come. To that end, people are not left to their own devices or strength, to live of righteousness in this world, but are ultimately aided in their efforts to do so. In this regard, doing good will further enable people to do good, as God aids them in their quest. The converse is also true, replete with curses and deprivations. Maimonides capsulized this idea:

God says to you, “If you do these commandments, I will help you in your effort to do them and to achieve perfection in them. I will remove all the obstacles and difficulties which stand in your way.” For it is impossible for man to perform the commandments when he is sick or hungry or thirsty or when he lives in a time of war and siege. God, therefore, says that he will remove all these obstacles to fulfillment, so that men who strive to do the commandments will be healthy and safe until they attain the degree of knowing through which they will merit the life of the world to come. However, we must understand that ultimate reward of doing the commandments of the Torah is not in any of these things themselves. And if one violates the commandments of the Torah, punishments insue. All kinds of hindrances will come into being, so that the transgressor will no longer be able to perform the commandments. It is precisely as Scripture states it: “Because you did not serve the Lord your God with joyfulness and with gladness of heart, by reason of the abundance of all things; therefore: you shall serve your enemy whom the Lord shall send against

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<sup>15</sup> Maimonides, *Laws Concerning Repentance*, p.170

you, in hunger and in thirst and in nakedness, and in want of all things; and he shall put a yoke of iron upon your neck, until he has destroyed you (*Deuteronomy 28:47*).”<sup>16</sup>

Practicing the commandments ensures the ability to practice the commandments more extensively secondary to the expansion of knowledge. To do the will of God by walking in God’s ways has an empowering effect, which allows for an enhancement in the quality of life. Good begets good, while evil begets evil. Living according to the commandments will affirm a place in the world to come, while a life of vice brings death and separation in this world and the next. “Our sages taught: ‘the wicked are called dead even while they are still alive; the righteous are alive even when they are dead.’”<sup>17</sup>

To have the life of one’s soul cut off from this world and the world to come is the ultimate punishment and the inevitable end of evil. Maimonides believed that evil is not ontological, but is rather a deficiency of good:

As has been proved, the [so-called] evils are evils only in relation to a certain thing, and that which is evil in reference to a certain existing thing, either includes the non-existence of that thing or the non-existence of some of its good conditions. The proposition has therefore been laid down in the most general terms, “all evils are negations.” Thus for man death is evil; death is his non-existence. Illness, poverty, and ignorance are evils for man; all of these are privatizations of properties. If you examine all single cases to which this general proposition applies, you will find that there is not one case in which the proposition is wrong except in the opinion of those who do not make any distinction between negative and positive properties, or between two opposites, or do not know the nature of things,—who, e.g., do not know that health in general denotes a certain equilibrium, and is a relative term. The absence of that relation is illness in general, and death is the absence of life in the case of any animal. The destruction of other things is likewise nothing but the absence of their form. After these propositions, it must be admitted as a fact that it cannot be said of God that He directly creates evil, or He has the direct intention

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<sup>16</sup> Maimonides, *Commentary on the Mishna—Tractate Sanhedrin*, pp. 12–13.

<sup>17</sup> B.T. *Berakhot*, p. 18b.

to produce evil; this is impossible. His works are all perfectly good. He only produces existence, and all existence is good; whilst evils are of a negative character, and cannot be acted upon. Evil can only be attributed to Him in the way we have mentioned. He creates evil only in so far as he produces the corporeal element such as it actually is; it is always connected with negatives, and is on that account the source of all destruction and all evil. Those beings that do not possess this corporeal element are not subject to destruction or evil; consequently the true work of God is all good, since it is existence.<sup>18</sup>

To have the gift of life in this world in service to God, motivated by love, is the invariably desired end. It is the privilege and responsibility of the individual to “choose life,” by means of walking in the way of repentance with an eye to the promise of the world to come.

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<sup>18</sup> Maimonides, *Guide for the Perplexed*, trans. M. Friedlander, Part III, Chap. 10, pp. 266–67.

## Chapter 7

### The Love of God

Love of God is at the heart of worship and thereby is itself the context in which the Oral and Written Law is to be understood and practiced. According to Maimonides, contemplation on the wisdom revealed in God's works will ultimately stimulate love of God. It is through the attributes revealed in Creation, that wisdom and understanding are revealed with regard to the reasonableness and rational deduction concerning the systemic nature of Creation. It reflects the glory and wonder of God, the Cause of Causes, through apprehension of Intellect. Intellectuality is the cornerstone of Maimonidean thought. The intellectual love of God is the peak of existence for Maimonides, although the essence of God is unknowable.

Shimon Shokek explains:

According to Maimonides, man's love of God is both a passionate and an intellectual process. It is a spiritual feeling, and yet it is an intellectual activity that emanates from the mind and signifies the curiosity and the willingness of the human being to explore the true essence of God. Once human beings enhance their knowledge of God, they enhance their knowledge of themselves. Therefore, the activity of love is the enhancement of the human being's awareness, for the act of love opens the creative paths of awareness in the mind and the heart of every human being.<sup>1</sup>

How then are we to love God, which, according to Maimonides, is the ultimate aim of this life along with the study of the sacred texts? What does it mean to love what you cannot comprehend? He believed, the reason to study the Torah and Talmud was to know how humans are to behave in this world, striving to know of God through

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<sup>1</sup> Shokek, *Kabbalah and the Art of Being*, p. 97.



observing and contemplating the works of Creation, in order to be acquainted with the holy way. Maimonides consistently held the position that "...holiness in people is a matter of their behavior, not of their essence."<sup>2</sup> The Bible affirms: "The heavens declare the glory of God, and the sky proclaims His handiwork."<sup>3</sup> It is only through contemplating the works of God that we have any hope of knowing the Divine Ways and presence of the Almighty. This is attained only through the love of God. Although the command to "love the Lord with all of your heart and soul" seems clear and direct, the sages pondered how it was possible to love God and questioned what it meant in the practice of daily living. This was clearly above and beyond inheriting the world to come:

Nevertheless, even though this is the end we seek, he who wishes to serve God out of love should not serve Him to attain the world to come. He should rather believe that wisdom exists, that this wisdom is the Torah; that the Torah was given to the prophets by God the Creator; that in the Torah He taught us virtues which are the commandments and vices that are sins. In so doing, he will perfect the specifically human which resides in him and will be genuinely different from the animals. When one becomes fully human, he acquires the nature of the perfect human being; there is no external power to deny his soul eternal life. His soul thus attains the eternal life it has come to know which is the world to come, as we have explained.<sup>4</sup>

Maimonides recognized that although God clearly exists as evidenced by Creation itself, we remain ignorant of God's true essence. The concept of loving what cannot be known seems implausible, given that the love of God is always in accordance with the knowledge of God. Love, as understood by the mind, begs for itself an object or a

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<sup>2</sup> Menachem Kellner, *Cambridge Companion to Maimonides*, ed. Kenneth Seeskin. Cambridge, MA: Cambridge University Press, p.290.

<sup>3</sup> *Psalms* 19:2 (NJPS).

<sup>4</sup> Maimonides, *Commentary on the Mishna—Tractate Sanhedrin*, p. 16.

concept. Having an image or physical concept of God is forbidden in Judaism and seems on the surface to preclude one from loving an unknowable God. Yet the command to love God remains at the core of humankind's "reason for being."

Conjuring an image of God is at the heart of the ever-present prohibitions against idolatry.<sup>5</sup> The human tendency toward needing an image to serve as an object of love and worship spurred the seemingly perpetual sin of idolatry, which Judaism condemns in the most fundamental tenets of faith. Yet the love of God is not an ethereal reality, but rather one with practical implications and commandments. Shubert Spero suggests:

The Torah calls upon man to bring himself to two loves: for his fellow man and for God. In both cases the Torah breaks new moral and religious ground by calling for a love of unusual quality and surprising intensity. In the case of man, 'and you shall love your fellowman as yourself.' In the case of God, 'and you shall love the Lord your God with all your heart and with all your soul and with all your might.' Clearly, both of these injunctions would appear to constitute fundamental principles of Judaism *inasmuch as* a prescribed one of the most profound and powerful of the positive emotions as the underlying component of the entire relationship to man and to God. For, "love is strong as death; many waters cannot extinguish love; a very flame of the Lord." The difficulty, of course, is how the Torah can presume to legislate love, to command emotions as if love were something over which the individual exercises control and can turn on and off at will. Also, how can one learn to love someone like God who cannot be seen?<sup>6</sup>

Maimonides inquires:

What is the love of God that is befitting? It is to love the Eternal with a great and exceeding love, so strong that one's soul shall be net up with the love of God, and one should be continually enraptured by it, like a love-sick individual, whose mind is at no time free from his passion for a particular woman, the thought of her filling his heart at all times, when

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<sup>5</sup> "It is the tendency of man to follow other gods—false gods. Radical evil involves more than a turning away from God; it involves turning away and putting something awful in His place." Kenneth Seeskin, "The Perfection of God and the Presence of Evil," *Judaism* 31 (1982): p. 210.

<sup>6</sup> Shubert Spero, "Maimonides and Our Love for God," *Judaism* 32, no. 3 (1983): p. 321.

sitting down or rising up, when he is eating or drinking. Even intenser should be the love of God in the hearts of those who love Him.<sup>7</sup>

Love of God is to be all-consuming, as represented by the biblical text “with all thy heart and with all thy soul.”<sup>8</sup> This represents the entirety of personhood, denoting that individuals are to engage fully in moving forward on the path to knowledge, love and worship of God.

Shubert Spero writes:

‘Knowledge of God’ is the necessary and sufficient condition for ‘love of God.’ Indeed, this is exactly what he is saying when he tells us: ‘Love of God is identical with knowledge of Him.’ If we accept this interpretation, then Maimonides’ comparison of the Love of God to the human love described in *The Song of Songs* must be seen as analogical in a very strict sense, i.e., Where two very different things are called by the same name because of the resemblance of some secondary features. Of course, the original problem is now solved. The Torah, according to this view, is not legislating love, it is simply commanding you to acquire the knowledge of God which is love of God. But can we accept this intellectualistic interpretation as the authentic explication of such a fundamental of Judaism as *veahavtah* [you shall be loving towards your fellowman]? In Maimonides’ favor we should point out that certain key terms of the Torah do lend themselves to an intellectualistic interpretation. The prophetic literature abounds with urgings to acquire *da’at ha-Shem* which is translated ‘knowledge of God.’ It is also true that the word *lev*, translated ‘heart,’ can sometimes mean ‘understanding’ so that the command ‘to love God with all your heart’ can be taken to mean a love of God that comes through the intellect which can be equated with knowledge of God. The fact that Maimonides believed the intellect to link man with God encouraged the use of the love analogy which implied union. Here again, is *devaikut*!<sup>9</sup>

For Maimonides, knowledge and love of God are the necessary means to return (*teshuvah*) to God. This knowledge is accomplished by the perfection of the soul, aided

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<sup>7</sup> Maimonides, *Laws of Repentance*, Chap. X, p.92b.

<sup>8</sup> *Deuteronomy* 6:5.

<sup>9</sup> Spero, “Maimonides and Our Love for God,” p. 325.

by the works of the body. The urge of the soul is to cleave (*devaikut*) to God. It must continually be occupied with the pursuit and apprehension of the way of God, embodying intellectual repentance, intellectual knowledge, and intellectual love of God, all of which are at the heart of Maimonides' moral philosophy.

He writes:

Whoever serves God out of love, occupies himself with the study of the Law and the fulfillment of the commandments and walks in the paths of wisdom, impelled by no external motive whatsoever, moved neither by fear of calamity nor by the desire to obtain material benefits; such a man does what is truly right because it is truly right, and ultimately, happiness comes to him as a result of his conduct.<sup>10</sup>

According to Maimonides, it is important to study and practice the precepts of the tradition of Judaism, because it will direct the individual to a life of high moral standing.

In addition, Maimonides espoused the belief that it becomes necessary to spend time in solitude, separated from the cares and activities of this world, giving oneself completely to the pursuit of God through study and contemplation of the Law.

Maimonides described the perfect individual as one who desires solitude and remains separated as much as possible from the activities of this life in order to pursue study of the word and works of God. The challenge of this type of lifestyle is the fact that in order to acquire the discipline needed to manifest the attributes of God through *Imitatio Dei*, human interaction is necessary.

In a practical sense, it is difficult if not impossible, to acquire and practice godly attributes such as compassion, patience, and love while in isolation. How can one acquire compassion alone, when it is learned through discipline involved in actions toward

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<sup>10</sup> Maimonides, *Laws of Repentance*, Chap. X, p. 92b.

another? How does one experience love in isolation? Although Maimonides spoke of the intellectual love of God, such love nevertheless needs an object to express itself. The obligation of humanity is obedience to the commandments of God. This is summarized in the Torah: “Fear God and keep His commandments, for this is the whole duty of man.”<sup>11</sup>

Attaining the love of God is difficult, because of the noxious nature of evil habits prevalent in the undisciplined. These include: “[T]ale-bearing, evil speech, choleric temper, evil thoughts; keeping company with the wicked person, for thus one learns his ways which become impressed on the heart.”<sup>12</sup> To remove the obstacle of evil habits, Maimonides directed the individual be given to contemplation, which requires effort and the deepest intents of the heart.

In “Maimonides and Our Love for God,” Shubert Spero<sup>13</sup> wrote that through contemplation we open ourselves to the object, in our case: “His commandments, His statements and His deeds.” But what we expect to find are intimations of value: In His commandments, moral rightness and goodness; in His statements (“With Ten Statements the world was created”), cognitive truth ultimately based on order and simplicity; in His deeds, beauty, design and sublimity found in the natural world.

To experience any of these values is to apprehend God because God is goodness and beauty and truth and the source of all such value experiences. This, then, can be taken as the meaning of Maimonides’ point that in contemplating God’s commandments, statements and deeds, we can arrive at an apprehension of God, which is experienced as

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<sup>11</sup> *Ecclesiastes* 12:13.

<sup>12</sup> Maimonides, *Laws of Repentance*, Chap. IV, p. 86b.

<sup>13</sup> Spero, “Maimonides and Our Love for God,” p. 328.

pleasure. “For the chief object of the law is to [teach a man to] diminish his desires, and to cleanse his outer appearance after he has purified his heart.”<sup>14</sup>

The law will lead to right actions, requiring that life is lived with high moral standing, which should not be confused with the spiritual life; virtuous living consistent with holiness.<sup>15</sup> Continued practice of it will lead to the love of God. It is not an end in itself but a tutor, providing direction leading to the ultimate end of loving and serving God with awe. This is the role of all human beings: “As for the congregation, one ordinance shall be for you and for the stranger (*Numbers* 15:15); they are intended, as has been stated before, for all persons and for all times.”<sup>16</sup>

In Maimonidean Thought, it is important to guard the heart and monitor those things that certainly affect it, such as speech and thought. Significantly, observing the universe will aid in recognizing God as the one who *spoke* the world into existence, and likewise words become important, affecting the heart, which is the seat of the soul. As written in the Torah, “A man’s belly is filled by the fruit of his mouth; He will be filled by the produce of his lips. Death and life are in the power on the tongue.”<sup>17</sup> If the heart is filled with evil habits, it becomes difficult to ascend toward godliness because of what is within. As the psalmist wrote: “Who may ascend the hill of the Lord? Who may stand in

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<sup>14</sup> Maimonides, *The Guide for the Perplexed*, trans. M. Friedländer, Part III, Chap. 33, p. 328.

<sup>15</sup> “*Perishut*, separation from moral impurity, may thus lead to a life of holiness, but it surely does not by itself lead to the best kind of spiritual life. To achieve that, one must go beyond separation from moral impurity to a life lived in the light of God.” *Cambridge Companion to Maimonides*, p. 290

<sup>16</sup> *Ibid.*, p. 329.

<sup>17</sup> *Proverbs* 18:20-21.

His holy place? He who has clean hands and a pure heart and who does not lift up his soul to an idol or swear by what is false.”<sup>18</sup>

Although Maimonides highly regarded solitude, his moral construct required relationship with God, self, and others, as this is important to spirituality and ethics. Kreisel notes, “Maimonides remains aware that total devotion to Him and the employment of intellectual thought is constantly loving Him.... Mostly this is achieved in solitude and isolation.”<sup>19</sup>

Meditation upon the Divine Commandments will incline the individual to pursue virtue and resist vice. This is important to understanding Maimonides’ concern for the place of understanding the reasons for the commandments,<sup>20</sup> in pursuit of intellectual perfection.<sup>21</sup> For example, the Torah teaches that, when the choice for life and good or death and evil is placed before us, we are to choose life. The choice is given to humankind through divine precepts, but we are instructed regarding which choice to

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<sup>18</sup> *Psalms 24:4.*

<sup>19</sup> Kreisel, “*Imitatio Dei* in Maimonides’ *Guide*,” p. 186.

<sup>20</sup> “Maimonides diagnoses those who reject the principle of reasons for divine law as people who suffer from ‘a kind of sickness in their souls,’ brought on by the false belief that intelligible reasons would impugn the divine origin or authority of the law: ‘For they think that if these laws were useful in this existence and had been given for this or that reason, it would be as if they derived from the reflection and the understanding of some intelligent being.’ In Maimonides’ view, this approach contradicts the clear assertion by Scripture that even non-Israelite nations will come to marvel at the wisdom embodied by the divine commandments—including the hard-to-understand *hukim*: ‘which shall hear all these statutes [*hukim*] and say: Surely this great community is a wise and understanding people.’ Perhaps more to the point, Maimonides insists that any conception which is premised on the idea of a God who acts without purpose would impugn divine perfection, inasmuch as even human beings can usually be presumed to act purposefully. Individuals who have not yet succeeded in apprehending the good purposes behind God’s laws are told that they should seek the inadequacy within themselves.” Don Seeman, “Reasons for the Commandments as Contemplative Practice in Maimonides,” pp. 301–2.

<sup>21</sup> “Maimonides’ reflection upon reasons for the Commandments represents a fundamentally Aristotelian commitment to the contemplation of virtue and virtuous acts which is essential, in Maimonides’ view, to the attainment of human perfection and love of God.” *Ibid.*, p.298.

make, suggesting that it is not necessarily a natural propensity to choose life. There are those who will choose death and evil, perhaps not understanding the reasons for or the implications of the Divine instructions. The commandments are unto life while the prohibitions will invariably lead to destruction. Yet, the fact remains that the choice itself is given to humankind, along with the power to choose either. God gives the responsibility of free choice to humankind, and repentance serves to aid in the prevention of the punishment that accompanies disobedience, as the individual seeks to love God.



## Chapter 8

### Conclusion

The command in *Genesis* was to “be fruitful, multiply, subdue, and have dominion” in creation.<sup>22</sup> This is an awesome responsibility, which cannot avoid the reality of the power between the Creator and the creature, nor the creature and the creation. One cannot be in right standing with God and be at an impasse or state of offense with another human being. Repentance is the pathway to a holistically healthy relationship with God, while restitution is a part of the pathway to a holistically healthy relationship with one another. This is important for maintaining both the spiritual and the social-political necessities of living in community, with righteous leadership necessary to maintain order.

To have leadership within the community, it is necessary to have an understanding of the natural and spiritual laws of interaction. This is essential to the call to imitate God, participating with Him in creation, and the maintenance of it. This call to *Imitatio Dei* is to reflect the idea of God’s attributes in the earth.<sup>23</sup>

It is important to remember that, according to Maimonides, we cannot ascribe positive attributes to God, but only *via negativa* we can express His qualities such as love, compassion, and holiness, being careful not to ascribe to Him a body with all of its

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<sup>22</sup> *Genesis* 1:28.

<sup>23</sup> “Perfect political leadership, a leadership ‘translating’ knowledge of physics and metaphysics into a set of rules and directives for human society, is the ultimate human expression of *Imitatio Dei*. The perfection of the intellect is regarded by Maimonides as a necessary condition—a thorough understanding of reality be required for directing society to pursue mankind’s true good—but it is not the end in itself.” Kreisel, “*Imitatio Dei* in Maimonides’ *Guide*,” p. 175.

limitations.<sup>24</sup> In imitating God, we are to avoid transgressions and cleave to God in repentance. Repentance sustains the world in its relationship to the Creator. Without free will, we cannot access the ability to repent; without the ability to repent, we are enveloped in a world of brokenness. The relationship from person to person is broken, riddled with personal transgressions and offenses, which find resolution through the act of repentance and confession. Likewise, the relationship to God is not sustainable, the soul is sick, and we become intrinsically incapable of observing the commandments and precepts of God.

Maimonides rightly centered repentance as the gate through which human beings must pass to attain love; this includes the love of God and the love from person to person. Without a means to correct wrongdoings, the world will self-destruct. Ultimately, love sustains life. Violations of the way of God create a sense of discord and generalized dissonance within the world. This dissonance demands resolution, which is only found through the gates of repentance, allowing for the actualization of love in this world and the world to come.

The absence of free will is an impossibility according to Maimonides, which creates tension in his theological view. Surely, without free will, the law, prophets, and writings are rendered nonsense. The assumption that human beings have free will was non-negotiable for Maimonides, and this is necessarily the case, because free will is foundational to his understanding of moral, philosophical and spiritual disciplines which

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<sup>24</sup> “The only positive knowledge of God of which man is capable is knowledge of the attributes of action, and this leads and ought to lead to a sort of political activity which is the highest perfection of man. The practical way of life, the *bios praktikos*, is superior to the theoretical.” Marmor, “Heschel’s Two Maimonides,” p. 253.

lead to the “best life” for humankind. It is rooted in love; love of God is the foundation of life. Maimonides argued that humankind is not at the center of the universe, yet he did not minimize the unique position granted and the accompanying responsibilities. Pre-eminent among these responsibilities is the exercise of free will, which allows for the management of the demands of this life in the realm of ‘good’ and ‘evil.’ The polarity between good and evil is complicated by iniquity and the inner struggle which ensues within the individual. Ideally, the struggle leads to confession, opening the gates of the heart to repentance.

Confession is an integral part of repentance for Maimonides, allowing for and perhaps at times, creating an awareness of God, self, and others. Humankind is called to subdue the base nature which is compelled to vice, secondary to the “fall of man.” This is the inclination of humankind toward sin, which the Torah speaks of as evil: “The Lord saw that the wickedness of man was great in the earth, and that every imagination of the thoughts of his heart was only evil continually. And the Lord was sorry that He had made humankind on the earth, and it grieved Him to His heart.”<sup>25</sup>

Maimonides pointed to the endowment of the human being to become morally aware, by recasting our natural inclinations. Maimonides distinguished between the intellectuality of true and false versus the morality of good and evil. This was (and remains) a self-awareness, which was a vital distinction for Maimonides. Moral discernment was gained at the expense of intimacy between God and humankind, as well

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<sup>25</sup> *Genesis* 6:5– (RSV).

as the intimacy between persons. Humankind inherited this broken state, as in: "...man has become as one of us, knowing good and evil."

The loss of intimacy caused by sin is a spiritual and psychological distancing from God, creating the need for restoration of the human soul. God created the world in such a way that the soul maintained her urge to cleave to God, and to return to the place that she enjoyed before being separated by the physicality of the body and the earth itself. This breach necessitated the way of repentance (*teshuvah*). The yearning of the soul can be satisfied only through repentance. For Maimonides, this yearning could only be fully realized in the world to come, where the soul is released from the body into a place of bliss and pleasure that human beings cannot comprehend.

Maimonides focused on the earthly journey of contemplation, with the goal of human perfection, assisted by the works of the body. Maimonides found sufficiency in the knowledge of pleasure beyond human understanding, existing in the world to come. He believed there was pleasure or spiritual delight in the world to come, but focused on perfecting the intellect in this life. Perfection of the rational virtues leads to the highest "end," as Maimonides describes: "...through it man is man."<sup>26</sup> This is the purpose of the commandments.

Maimonides believed that following the commandments was its own reward, and committing sin was its own punishment. While he included the idea of the world to come as a part of his teachings on repentance, he emphasized the importance of developing the ethical and spiritual lifestyle in this world for the sake of love and service to God.

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<sup>26</sup> Maimonides, *Guide of the Perplexed*, Part III, chapter 54, p.635

Inevitably, the apprehension of the wisdom of God will lead to the love of God, which finds its resolution in the essence of wholehearted worship. The gift of repentance so necessary to this process brings with it opportunity and responsibility, which can only be experienced as a part of a reality of free will.

The ability to repent is at the hub of the relationship between God and humankind, regulating and controlling the ability of the human soul and spirit to cleave to her Divine Source. The degree to which we are able to cleave to God is directly proportional to our ability to fully engage ourselves with our Creator through speculation and contemplation of the creation. This results in reflection of the intellectual image of God in which we were made.

Repentance is a human responsibility, embracing the reality that it is itself an act of the will. This idea is supported as Maimonides emphatically states in *Laws of Repentance* and other places, “free will is bestowed upon every human being.” It is ultimately the will which ignites the act of repentance through which we are essentially given a means to maintain a holistic relationship with God.

If the trichotomy—free will, repentance and responsibility—is efficacious as it relates to the quality of love and worship of God, the inevitability of human pain and suffering becomes problematic. Suffering is a spiritual problem for humankind, in part because, at least on the surface, our pursuit of God is fueled by our desire to avoid it (pain and suffering). Our aversion to it remains a human reality, often cloaked in the religious ideas of service and reward at the least, or love and worship of God at best. This is contrary to Christian teachings in which suffering is redemptive, embodied in the “Suffering Servant” motif of Jesus Christ. The salvation of the Christian is available only

through the suffering and death of Jesus, who became the efficacious sacrifice for sin. Jesus declared, “The reason my Father loves me is that I lay down my life—only to take it up again. No one takes it from me; but I lay it down of my own accord [free will].”<sup>27</sup> Submission to symbolic and literal death becomes the charge of Christianity as Jesus taught: “...he who loses his life for my sake shall find it.”<sup>28</sup>

Redemption, which is purchased through the suffering, death, and resurrection of Jesus, is central to Christian faith. The relationship to the Almighty Creator is changed as believers become children of God, and thereby partakers of the associated suffering. “Now if we are children, then we are heirs—heirs of God and co-heirs with Christ, if indeed we share in his sufferings in order that we may also share in his glory.”<sup>29</sup> In Christianity, suffering is an essential part of a life submitted to the will of God in all of its complexities, but the suffering pales in comparison to the glory which promises to be revealed to those who endure it. It is through suffering that faith in God matures in the life of the Christian. There is an ascetic quality present in the call of Jesus, to any “would be” disciples, to “...deny yourself, take up your cross and follow me.”<sup>30</sup> He announced that He “must suffer,” and similarly, suffering is invariably a part of Christianity; but it is redemptive: “And the God of all grace, who called you to His eternal glory in Christ,

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<sup>27</sup> *John* 10:17, 18

<sup>28</sup> *Luke* 9:23

<sup>29</sup> *Romans* 8:17

<sup>30</sup> *Luke* 9:23

after you have suffered a little while, will Himself restore you and make you strong, firm and steadfast. To Him be the power for ever and ever.”<sup>31</sup>

This is in stark contrast to the teachings of Maimonides, who believes that it is important to do those things in this life which will make it effective, comfortable, and enjoyable. Maimonides is absolutely not an ascetic and believes in the importance of acquiring knowledge and utilizing material things, in an effort to aid in the apprehension of God.

According to Maimonides, love and worship of God is realized through study, contemplation and discipline. The resulting enablement to pursue and model the ways and actions of God is through free will, which has as its “enemy” the experience of pain and human suffering in its many forms. Not surprisingly, for Maimonides, suffering, for which Job is the archetype, results from iniquity and is thereby retributive. It is a complex idea to attempt to reconcile the experience of suffering as “good” and not “evil.” If it is evil, how are we to understand it as emanating from a benevolent and quintessentially good God? Can evil come from something that is in its own substance good? Job posits the reality of good and evil as a couplet, saying, “Should we accept only good from God, and not accept evil?”<sup>32</sup> Implied in his query, both good and evil come from God, but while the goodness of God is not in question, from Job’s perspective, the suffering of the innocent begs clarity as it pertains to the issue of God’s Justice.

Not surprisingly for Maimonides, Job’s experience is due to a lack of knowledge and wisdom; an intellectual void so to speak. Affirming as Maimonides does, that

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<sup>31</sup> *I Peter* 5:10

<sup>32</sup> *Job* 2:9 (NJPS)

suffering is a result of iniquity, which is increased in the absence of speculation, he maintains that Job's perception of his own suffering is born of what Job did not yet understand. His *perspective* was transformed through his pain. Maimonides says of Job: "While he had known God only through the traditional stories and not by the way of speculation, Job had imagined that the things thought to be happiness, such as health, wealth, and children, are the ultimate goal. For this reason he fell into such perplexity and said such things as he did."<sup>33</sup>

The problem which emerges in Maimonides' theological/philosophical model is that the theoretical possibility of "the best life," which necessarily includes repentance, does not preclude suffering. Attaining the intellectual love and pure worship of God does not provide for the escape of suffering. Human beings who rise to perfected knowledge and awareness of God through deep intimacy, described in Genesis as being "naked and not ashamed" in the presence of God and one another, are not exempted from the knowledge of good and evil found in the DNA of suffering. The knowledge of good and evil was the result of Adam's disobedience, which made him 'god-like.'<sup>34</sup> In "The Enigma of Job: Maimonides and the Moderns," Joel Laks suggests that "suffering is designed to test man's righteousness."<sup>35</sup> This leads to a dichotomous implication which is that pain and suffering is the pathway to self-awareness, or absurdly, that the Omniscient God is in need of information.

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<sup>33</sup> Maimonides, *Guide of the Perplexed*, Part III, Chapter 23, p.493

<sup>34</sup> *Genesis* 3:22

<sup>35</sup> H. Joel Laks, "The Enigma of Job: Maimonides and the Moderns," *Journal of Biblical Literature* 83, no. 4 (December 1964): p. 347.



There is an unresolved tension between the loss of the ability to repent and the idea of absolute free will in the teachings of Maimonides. This tension is especially illuminated by the reality of pain and suffering which remains a perpetual challenge to the human condition. A major problem with the notion of absolute free will to which Maimonides ascribes, is its direct relationship to the experience of suffering.

If human will is free, it necessarily implies that there is access to repentance, which is the antidote to the iniquity or sin which inevitably leads to suffering. However, repentance, accessed through the will, does not provide freedom from suffering, and opens the problematic door to the possibility of punishment of the innocent. This is a possibility that questions the justice of God, which Maimonides categorically rejects. The theology of Maimonides assumes the inextricable link between iniquity and suffering.

Joel Laks, in his analysis of this affinity writes:

Human affairs he [Maimonides] asserts, are managed with justice. If man suffers anguish, humiliation and the like, it is indeed punishment for sins performed. He quotes many passages from Scripture and Talmud in support of his position. Thus, the sages distinctly declare, 'there is no death without sin, no sufferings without transgression.' He offers a citation from the *Mishnah Sotah*, 'the deserts of man are meted out to him in the same measure which he himself employs.' Maimonides is convinced that this principle is necessary if the doctrine of free will is to be maintained. He speaks of man enjoying 'perfectly free will,' at times he adds the qualifying remark, '...within the limits of his capacity.' Nevertheless, in which ever form, it remains a cardinal principle in his ethical and religious system. He stresses, 'Against this principle we hear, thank God, of no opposition on the part of our nation,' thus appealing to accepted Jewish acknowledgement of his analysis of the Jewish theory of ethic. Premising human freedom, Maimonides then asserts that since '...wrong cannot be ascribed to God...all evils and afflictions, as well as all kinds of happiness of man, whether they concern one individual person or a community, are distributed according to justice; they are the result of strict judgment that admits no wrong whatever.' Maimonides here extends the concept of justice and the distribution of happiness from the individual to the community or group, without attempting to provide the steps essential to

the demonstration that ‘free will’ and consequent responsibility apply to the collective level...Maimonides is of the opinion that there is indeed a relationship of inevitability between sinfulness and punishment.”<sup>36</sup>

There is an existential angst present in the seemingly unresolvable tension between free will, responsibility and suffering. Repentance as understood by Maimonides does not in my opinion reconcile this dissonance. In spite of study, acquiring wisdom through contemplation, or attainment of the perfections by way of *Imitatio Dei* as he describes, the reality of human suffering remains. Beyond every great effort or even actual apprehension of the ways of God, suffering is an unrelenting companion of the human condition. While I agree with Maimonides that love and worship of God is the highest level which humans can reach in this life, at least two problems remain: there are circumstances in which the absolute freedom of the will at all times is questionable—i.e., Pharaoh. Perhaps it is rendered so through the repetition of bad choices. This strengthens the proclivity to continue in the vein of immorality, being at some times affected by God’s prerogative to “harden the heart” of an individual, which invariably brings suffering.

On the surface, it may seem as though the privilege to exercise free will unto repentance is the remedy for sin and the experience of suffering which accompanies it. However, Maimonides explains what might be understood as the lack of free will, is in fact, the loss of the ability to repent. Perhaps it is not so much the loss of an untethered exercise of free will that might arguably be the ‘curse,’ but rather the loss of intimacy, which humankind is destined to spend a lifetime seeking. In numerous ways, there is

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<sup>36</sup> H. Joel Laks, “The Enigma of Job: Maimonides and the Moderns,” p. 356.

great effort expended to anesthetize one's consciousness to avoid pain and suffering. To be aware of God in spite of a diametrically opposed will to satisfy the appetitive nature while simultaneously yearning for God, is challenging. Loss of intimacy sustains spiritual darkness in the presence of God, who 'hovers' over the face of the deep water. Human suffering is a psychological dilemma readily observed through a philosophical and theological lens creating a prism through which God is in some way perceptible.

If there is no free will, repentance can become inaccessible; if you cannot repent, you cannot neutralize the effects of iniquity, which causes suffering. Unrequited repentance inhibits true worship of God, the purposed object of love, and the drive of the soul to cleave to the Divine One. Maimonides maintains that the will is free to repent, sometimes avoid pain and suffering, while at the same time holding to his theological understanding of the unbreakable bond between sin and suffering. In fact, pain and suffering for Maimonides is the result of a spirituality devoid of the wisdom of God. Maimonides explicates his commitment to these ideas in his analysis of Job.

Rather than assenting to the idea that Job's suffering is the result of his own sins, Maimonides concludes that Job was not suffering, while maintaining that punishment or suffering is the result of sin. Consider, if pain and suffering are the result of sin, and Job is suffering, it follows that Job sinned or God is not a God of justice, allowing (if not causing) for suffering of the innocent. Job is innocent by his own declaration, and therefore, Job is not suffering according to Maimonides' theological understanding of suffering. He understands the theme of the Book of Job to be Divine Providence, in spite of his stance that the character Job is fictional. This is consistent with Maimonides' philosophical and theological paradigm that repentance, love and worship of God is

intellectual! What we are to understand about Job according to Maimonides, is that the losses which precede his “suffering” are material losses and do not qualify for his theological understanding in which authentic pain and suffering is a spiritual void.

Repentance, free will, and responsibility is a complicated mechanism in the context of pain and suffering. What is the purpose of human suffering? Maimonides writes: “The sole object of all the trials mentioned in Scripture is to teach man what he ought to do or believe; so that the event which forms the actual trial is not the end desired; it is but an example for our instruction and guidance.”<sup>37</sup>

Hebrew Scripture is replete with examples where the experience of pain and suffering leads an individual or a people to a place of awareness of God and an awareness of self, and this cycle is symbiotic and synergistic. The Genesis account of Adam and Eve disobeying God ignited a central question, “where are you?” This question is not to be understood absurdly, thinking that God was in search of information. God is omniscient and knows all things past, present and future. Maimonides uses the term *la-da`at*, “to know,” to describe the idea of bringing self-awareness and God-awareness, so that all people might ‘know’ the righteousness and wisdom of God through the life circumstance at hand. This is evident in the idea that God tests His people, such as Abraham and Isaac, or the children of Israel as they wandered in the wilderness, so that the quality of their faith would be made ‘known’ to all.

Adam’s self-awareness was affected and expressed in his response, “...I was afraid because I was naked.” This interaction transformed the man from the place of

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<sup>37</sup> Maimonides, *The Guide for the Perplexed*, trans. M. Friedländer, (1956), Part III, Chap. 24, p. 304.

intimacy as expressed in the idea of being naked and not ashamed, to a place of fear and vulnerability now reflected in his nakedness. This is the knowledge of good and evil. This same idea is crucial for Maimonides' conclusions about the suffering (or lack thereof) of Job. His belief that Job did not suffer allows him to maintain the idea that God is always good, always just, always wise. If he accepts that Job was innocent and suffered any way, his belief in free will and his insistence that God is in no way unjust or evil would be compromised.

Maimonides asserts that what Job experienced was a lack of wisdom and understanding concerning the authentic values of good according to God. Through Job's painful 'experience,' his values were transformed through the attainment of wisdom, which he did not possess prior to the Divine Providence of God used to enlighten him. He writes:

The most marvelous and extraordinary thing about this story is the fact that knowledge is not attributed in it to Job. He is not said to be a wise or a comprehending or an intelligent man. Only moral virtue and righteousness in action are ascribed to him. For if he had been wise, his situation would not have been obscure for him, as will become clear. Then it graduates his misfortunes according to the various circumstances of people. For some people are not frightened by the loss of their fortune and hold it a small thing, but are horrified by the death of their children and die because of their grief. Others support with patience and without terror even the loss of their children, but no one endowed with sensation can support pain patiently...Others again are patient and keep an untroubled belief even when they lose their children, but none of them supports patiently the pain of the body without complaining or repining either with the tongue or in the heart.<sup>38</sup>

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<sup>38</sup> Maimonides, *Guide of the Perplexed*, Part III, Chapter 22, p.487-488

Summarily, Maimonides believes that free will is bestowed upon all of humankind. The act of repentance epitomizes the act of free will. Repentance is essential to an intimate (naked and not ashamed) relationship to God, a relationship which leads one to pursue God and imitate God's attributes. Iniquity brings the driving urge to habituate sinful actions, which leads to pain and suffering. For Maimonides, Job's narrative is not one which showcases an unjust God, but rather a just God whose call is a call to the responsibility to seek wisdom. Notably, Job is not called wise but "upright." Only after his inner struggle and encounter with God was he considered to be a wise man. Wisdom transforms values, enhancing awareness of God and self. This is crucial to Maimonides' philosophy and theology, which demand a just and loving God who bestows free will, opens the gates of repentance, and receives the yearning soul back to her Source.

In the writings of Maimonides, he inherently proposes to resolve the dilemma between repentance, free will, responsibility and the problem of suffering. He maintains the strength of his overall theological and philosophical construct, which is deeply rooted in free will. In my opinion, perhaps a spiritual and psychological framework might be better suited to reconcile the relevant polarities. One can choose to consider inconveniences as suffering, or suffering as inconvenience. Free exercise of the will enables the power of perspective.

Suffering finds its resolution in the Will of God, which is a knowledge not always available to humankind. The motivation to worship God must be rooted in love, in spite of the irrevocable reality of human suffering. Repentance does not inoculate us against sin. Much of what we do to escape the resultant pain and suffering tends to be

excessiveness, not subject to Maimonides' "golden mean," which he maintains is the correct discipline. For example, our attempt to anesthetize ourselves physically, spiritually, and psychologically, often causes misuse of pharmaceuticals, alcohol, food, sexual expression, materialism, illicit drug use and the like. Western societal norms are built around our desire to avoid pain and suffering.

The intellectual worship of which Maimonides speaks is elusive, and hindered by the mire of pain and suffering. Such pain does not find resolution except through total submission to God's will, trusting that while God's love for us does not explain nor eradicate this challenge to humanity, but through repentance, and the power of a wise and understanding perspective, we are strengthened to endure suffering. Such perseverance is directly proportional to our ability to worship and love God, with all of our heart, mind, and spirit.

***Hear, O Israel: The LORD our God, the LORD is one. Love the LORD your God with all your heart and with all your strength. Deuteronomy.6:4-5***

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