

Foreskins." The corresponding Midrash accounts for its name by this explanation.

37. This is stated in Exodus Rabbah 19:6.

38. The Midrash supports its statement by this verse, as "your blood" is in the plural, to indicate its two sources.

39. Ezekiel relates in detail the sexual excesses in the northern and southern states of the land of Israel. Although his graphic description was meant to be taken metaphorically, the rabbis utilized it for their homiletic needs.

40. This is another illustration of the method of taking an apt phrase out of its context.

41. The dialogue comes from BT Shabbat 97a and Exodus Rabbah 3:12.

42. The verse is concerning Abraham who trusted God's promise that he was going to have offspring.

43. These words are directed to Moses and Aaron after they had struck the rock to draw water from it.

44. BT Shabbat 97a.

45. The author briefly gives the conclusion of the dialogue in the Talmud.

46. Maimonides' contention that the general worship of the Baal was voluntary is based on the lack of any reference to an outside force, unlike the situation in his day.

47. The verse is Elijah's reply to God's question: *Why are you here, Elijah?* And Elijah explains: *I am moved by zeal for the Lord, the God of Hosts, for the Israelites have forsaken Your covenant, torn down Your altars, and put Your prophets to the sword. I alone am left, and they are out to take my life.* The reported dialogue here is built on the phrases of the biblical verse.

48. The biblical verse is a continuation of the conversation between God and Elijah.

49. An alternate name for Song of Songs Rabbah, whose first word is *hazita* [Prov. 22:29]. The dialogue in our text is one of several in the Midrash that are meant to prove that God resents the slander of prophets against Israel.

50. This begins the first criticism of the people in the text.

51. The rendering of the verse by Maimonides is suggested by the Aramaic Targum to the verse.

52. The verse is from the elegy for the city of Jerusalem.

53. The wantonness voiced in the verse is a desecration of God's name since it indicates no realization of the seriousness of their position.

54. "The way" they reject is clearly God's way.

55. The verse is from the vision of the heavenly scene.

56. Both BT Yevamot 49b and JT Sanhedrin 28c (ed. Krotoshin) report it. In the former, Rava relates that a trial took place in which Menasseh accused Isaiah of acting against the laws of Moses.

57. Zech. 3:1 tells of a vision in which the prophet sees the high priest Joshua and Satan standing at his right to accuse him.

58. In Ezra 10:18 we read that some descendants of the sons of Joshua took non-Jewish wives. The Aramaic Targum to Zech. 3:3 informs us of this.

59. He probably has Satan in mind. In the incident with Joshua, Satan is

more an adversary than a ministering angel, but he is, of course, subject to God.

60. Maimonides enumerates these groups either because some from among them were forced to convert, or because by issuing his decision he is in fact disparaging scholars who think otherwise.

61. I.e., the forced converts.

62. The biblical quotation speaks of refugees who fled before the raiders, and there is a strong similarity to the situation in the text.

63. The quotation is from the story of the contest over the blessing of Isaac.

64. BT Sanhedrin 37a. R. Ze'eira suggests that since the consonants of *his clothes* (Gen. 27:27) are the same as of *his traitors*, the idea is implicit that even when Israelites act wrongfully against God, they are still under His protection. The verse continues: *and he blessed him*.

65. Stories of the Roman persecution of scholars, and the incidents connected with it, are found in BT Avodah Zarah 16b-18b, including the involvement of R. Meir. It is related that in his effort to free his wife from a house of prostitution to which she had been sentenced, he tried to bribe the guard. When the guard sounded his fear that he might be punished by his superiors, R. Meir told him that in that case he should call out: "O God of Meir, help me." Evidently this created the impression that R. Meir had his God, as they had theirs.

66. This exchange is not recorded in the Talmud.

67. The Hebrew text reads "secretly," but the rendering must be as translated here, for this is what Maimonides is seeking to establish.

68. I.e., the convert who addressed his question to the rabbi.

69. Although idolatry is thoroughly condemned in the Jewish tradition, it has at least the redeeming feature of belief in superior powers, whereas heresy is agnosticism, and often atheism, and a rejection of prophecy.

70. See S. Lieberman, *Greek in Jewish Palestine* (New York: Philipp Feldheim, 1965), pp. 15-19, where the examination of sources leads to the conclusion that R. Eliezer "acquired his secular learning in his youth," and was "even qualified to pass judgment on the style and exactness of Aquila's translation of the Torah into Greek."

71. To verse 1:8; it is the third midrashic development of the implications of the verse.

72. He is now addressing his associates, but the verdict is pronounced to R. Eliezer.

73. In the time of the tannaim, it generally referred to Christianity. In his comment on Mishnah Hullin 1:2 (ed. Kafih) Maimonides identifies them with the Christians, but in his comment on Avot 1:3 he reports about the two disciples of Antigonos, Zadok and Boethus, and concludes: From that time, these cursed groups rose, the heretics, that are called Karaites in our district, I mean Egypt.

74. Later in this essay Maimonides teaches that in Islam monotheism is absolute, and he expresses a similar view in his responsum to the proselyte Obadiah. Cf. J. Blau, *Maimonides' Responsa* (1957-61), no. 448 (p. 725),

and A. Freimann, *Maimonides' Responsa* (1957-61), no. 369 (p. 335). Islam differs from Judaism with respect to the belief in the revelation to Muhammad, the man, and the Koran.

75. He implies that they lie when they also avow that Muhammad is the apostle of God.

76. The trial related in Daniel is fully developed by Maimonides in his *Sefer ha-Mitzvot*. (Hebrew translation and commentary by J. Kafih [Jerusalem: Mossad Harav Kook, 1971] pp. 63-99). The enumeration of the 613 commandments, at precept 9, states: The Sanctification of God's Name, incumbent on all Israel, requires that we surrender ourselves to death by the hand of the tyrant for the sake of our love of Torah and our belief in His unity. This is what Hananiah, Mishael, and Azariah did in the reign of Nebuchadnezzar, when he demanded that they bow to the image. All the people, including the Jews, obeyed him, and they brought great shame on Israel since the commandment that was designed for this kind of crisis was disregarded. The proper action was to publicize and demonstrate God's unity at that juncture. God has promised them through Isaiah that the shame of Israel would not be total, and that young men would arise in that difficult situation whom death would not daunt, and they would surrender their blood, and thus publicize the faith and sanctify God's Name in public as we were ordered by Moses.

77. Maimonides took these two groups, exiled by the Babylonians, 2 Kings 24:14, to be the great scholars, as the rabbis explained, BT Gittin 87a.

78. This explanation of the rabbis in connection with Nebuchadnezzar's decree is found in BT Megillah 12a.

79. He writes of the man who wrote that responsum.

80. Maimonides applies to the author of the responsum a verse in which the prophet reprimands those who criticize God for choosing the gentile Cyrus to proclaim the right of Israelites to return to their homeland.

81. The sources are listed in Moses Maimonides, *Epistle to Yemen*, ed. A. Halkin, trans. B. Cohen (New York: Proceedings of the American Academy for Jewish Research, 1952), p. 22.

82. Throughout the holiday of Hanukkah a prayer of gratitude, recited during the services and in the grace after meals, begins: [We thank You] for the miracles,...

83. Deut. 19:15-21 states that if testimony given by witnesses is proved false by others, *you shall do to him as he schemed to do to his fellow* [Deut. 19:19]. In BT Makkot 2a-7a, the law as detailed in the Mishnah is further elaborated.

84. The root of the law is Exod. 21:17. It is one of the negative commandments (number 319 in Maimonides' list, ed. Kafih, p. 329).

85. Num. 15:37-41 and Deut. 22:12. The rabbinic exposition is in chapter 4 of BT Menahot 38a-44a, b.

86. Deut. 22:10. Rashi's comment on the verse enumerates additional rabbinic prohibitions.

87. Lev. 19:19, which opens with the admonition: *You shall observe My*

*laws*. Rashi points out that these laws are God's command and are not rationally understandable.

88. *Azharot* are a literary genre of poetical enumerations of the 613 commandments developed by Jews in the Middle Ages. Several collections are known.

89. In the Hebrew text a derogatory epithet appears, and it is difficult to determine whether the author, translator, or copyist is responsible for it.

90. I.e., he would be conscious of the responsibility resting on him, and would be careful to write only what is relevant and to the point.

91. This is a frequent exclamation of Arabic literature.

92. The verse is taken out of context, but is appropriate here as an expression of Maimonides' embarrassment at the letter of the rabbi, whom he is excoriating.

93. Evidently the author seeks to take the edge off what sounds like boastfulness.

94. In his *Epistle to Yemen* (ed. Halkin, p. ix), he informs us of his realization that "the liar is as little restrained with his pen as with his tongue." Here he emphasizes the prestige that books enjoy, at times undeservedly.

95. The verse continues: *who committed himself to doing what was displeasing to the Lord, at the instigation of his wife Jezebel*. It is the concluding summary of the story of the vineyard of Naboth, which Ahab coveted, and Jezebel prevailed on him to set up a trump court, which condemned Naboth to death. Elijah pronounced the celebrated rebuke: *Would you murder and take possession?* [1 Kings 21:19].

96. Basing themselves on *Have you seen how Ahab has humbled himself before Me* [1 Kings 21:29], and on the practice of royalty to rise late, the rabbis, BT Ta'anit 25b, conclude that Ahab fasted from 9 A.M., but do not report how many hours he fasted.

97. JT Sanhedrin 10, Halakhah 2, tells that it lasted three hours. The number here may represent what Maimonides had in his copy of the Jerusalem Talmud.

98. It is the story of Ehud ben Gera who brought the tribute paid by Israel to Eglon, and then revealed he had a message for him from God. He rose and Ehud stabbed him fatally. See Judg. 3:15-22.

99. Maimonides cites this phrase to prove the truth of his statement.

100. BT Sanhedrin 105b says so, but in BT Nazir 23b the Tosafot speak of the genealogy ("his daughter or his son's daughter") as not exact, because of the several generations that elapsed between the time of Eglon, King of Moab, and the time of King David or Solomon.

101. See 2 Kings 25:9 and Isa. 66:1. Leviticus Rabbah 20:1 points out that like Solomon, the builder of the Temple who reigned forty years, the king of Babylonia who destroyed the Temple also reigned forty years.

102. BT Sanhedrin 96a. It cannot be told whether Maimonides drew his own conclusion or found in some source the relation between deed and reward.

103. The source of the catalog of sins is BT Bava Batra 16b, and in Tanhuma to Gen. 27:1 (no. 8) is the halakhic question he asked of his father.

104. Cf. G. D. Cohen, "Esau as Symbol in Early Medieval Thought" in

*Jewish Medieval and Renaissance Studies*, ed. A. Altmann (Cambridge: Harvard University Press, 1967), pp. 19-48.

105. In his comment on the verse Rashi cites an aggadic midrash that treats its content as the reward to Esau for honoring his father.

106. Cf. BT Pesahim 118a, Nazir 23b, Bava Kamma 38b, and Horayot 10b.

107. Maimonides voices his view here that every human act is judged, and that actions do not cancel one another; see his comment on the last Mishnah in Mishnah Avot, 4.

108. The rabbi thought the converts would be punished for a prescribed act as they would be for their conversion.

109. Maimonides regards the verse as very apt for the rabbi.

110. Maimonides here indulges in medical jargon, but the sense is clear.

111. The Hebrew formula is *yehareg ve-'al ya'avur*—let him get killed but let him not transgress, see BT Yoma 82a.

112. I.e., he is to submit to the force demanding the act.

113. BT Sanhedrin 74a-b, where the discussion is to be found.

114. In BT Sanhedrin 74a-b, where the definition of "public" is accepted as ten Jewish adults, the question is raised, why is Esther, who in public became the queen of Ahasuerus, not criticized; the answer given is that she did not actively participate, that she was passive.

115. During the Zoroastrian Sassanian rule in Persia (226-651 C.E.), the Persians provided fire and heat in their place of worship, and Jews had to participate along with the others. It was seemingly service to the idol worshiper, but the ruling authorities did not compel the Jews to cooperate out of malice, but for their own benefit.

116. This completes the passage from the Talmud.

117. This individual, when he realizes that the oppressor is not intent on converting him, is to yield to his demands under all circumstances and thus save his life.

118. Since he is not serving as an example to others, he may yield to the oppressor.

119. BT Sanhedrin 74a. In its text the rabbi who cites R. Johanan is Rabin.

120. The concept of profanation derives from a prohibition in the Torah: *You shall not profane My holy name* [Lev. 22:32 and elsewhere]. Like its opposite, *kiddush ha-Shem*, also deriving from the Torah, the concept was fashioned in rabbinic times.

121. As Maimonides explains, the juxtaposition of a false oath and desecration indicates that something done for no gain or pleasure to the doer is an act of profanation.

122. This category of people are within the law yet they do not act creditably. It is what Nahmanides defines (in his comment on Lev. 19:2) as "a scoundrel within the requirements of the Torah."

123. It is the discussion of an act that is not sinful but may be regarded by others as sinful, or at least raise the suspicion that it is sinful.

124. Israel is mentioned together with God as requiring the guiltlessness of actions.

125. BT Yoma 86a. Several examples are given of this variety of desecration.

126. The saying prays that God will forgive such actions.

127. This definition of profanation was given by R. Yannai in BT Yoma 86a.

128. This and the rest of the material gathered here are collected in BT Yoma 86a.

129. This is one of the several statements in the Talmud by men who out of respect to the Almighty covered their heads. It was gradually popularized until it became the accepted practice of Orthodox Jews not to walk or sit with bare heads.

130. BT Berakhot 19a and elsewhere.

131. The same judgment is passed by Maimonides in *Mishneh Torah, Hilkhhot Yesodei ha-Torah* 5:11.

132. The statement of the rabbis is in the same context, in BT Yoma 86a: see note 128.

133. The idea sounded here is also found in Maimonides' comment on Mishnah Makkot 3:17, in which he lays down the principles listed here.

134. This is from BT Yoma 86a.

135. In this particular prophecy the prophet speaks of God's choice of him (or the people) and of the praise bestowed.

136. The verse appears among counsels of caution.

137. BT Kiddushin 40a, in a discussion of the commission of sins and its negative consequences.

138. The assertion of the rabbis is likewise found in BT Kiddushin 40a. It is taken from Mishnah Avot 4:4, and reads not "extending credit," but "is punished."

139. This assertion is also in Mishnah Avot 4:4.

140. Maimonides begins with the inability to find forgiveness for this kind of profanation on the Day of Atonement because in Mishnah Yoma 8:8 we are told that sins of man against God are forgiven on the Day of Atonement. Its ineffectiveness in sins of profanation demonstrates the grievousness of such sins.

141. BT Yoma 86a. The verse from Isaiah is the last verse of the prophet's condemnation of Judah, during the preparations for defense against the Assyrian siege of Jerusalem. In the course of it the prophet protests: *But you gave no thought to Him who planned it, you took no note of Him who designed it long before* [Isa. 22:11]. This is profanation of God's name.

142. In its comment on Lev. 25:28. Its simple sense is that God's purpose in the Exodus was to give the Israelites the land of Canaan and to assert that He was their God. Maimonides explains it *on condition that* I be your God, and he finds support in the Sifra for his introduction of the condition; it contains the specific stipulation that He makes: *on condition that you sacrifice yourselves in order to sanctify My name.*

143. This is in chapter 8 of Mishnah Sanhedrin.

144. Jewish tradition teaches that the descendants of Noah, in other words, all of humankind with the exception of the Israelites, are obliged to observe seven commandments. The Noahide laws prohibit the rabbinic expansion of the law, blasphemy of God, idolatry, incest, bloodshed, robbery, and cutting off a part from a living animal. The problem of whether Noahides are also required to sanctify God's name and are forbidden to profane it is discussed in BT Sanhedrin 74a. It is first suggested that if they are, the total will be eight, but that objection is obviated by explaining that essentially all seven are for the purpose of sanctification.

145. BT Sanhedrin 74b invokes this verse as evidence that ten Israelites are needed to make an act public. Maimonides emphasizes that this indicated the duty of Israelites to sanctify God's name.

146. Exiles from the land of Israel, they are the heroes of Daniel 3, which recounts the order of Nebuchadnezzar to his people to prostrate themselves before an image, the refusal of the three to obey, and their miraculous escape from the fire in the furnace.

147. Daniel, after whom the book is named, succeeded in interpreting the mystifying dreams of Nebuchadnezzar and the mysterious writing on the wall that Belshazzar beheld; he survived a night in the den with the lions and saw visions that predicted the future fate of the people of Israel.

148. Although the story of the ten rabbis executed by the Roman administration is widely accepted, the earliest source is a late midrash, *Eleh Ezkerah* in A. Jellinek's edition of small midrashim, *Bet ha-Midrash* (Leipzig, 1853; reprint ed., Jerusalem: Wahrman, 1967), 2:62-74. For an analysis of the material, see L. Finkelstein, "The Ten Martyrs," in *Essays and Studies in Memory of Linda R. Miller*, ed. I. Davidson (New York: Jewish Theological Seminary, 1938), pp. 29-55.

149. The seven children of Hannah (for the variations in the mother's name and story, see G. D. Cohen, "The Story of Hannah and Her Seven Sons in Hebrew Literature," in *Mordecai M. Kaplan Jubilee Volume*, ed. M. Davis [New York: Jewish Theological Seminary, 1953], pp. 109-22, Hebrew), all refused to worship idols during the persecution of Antiochus IV (168 B.C.E.). They wouldn't even pick up a ring that the king dropped and they were all executed. See 2 Macc. 7.

150. The application of this verse to these martyrs is made in BT Sanhedrin 110b.

151. This verse is repeated three times (with variations) in Song of Songs.

152. Song of Songs Rabbah to 2:5. The explanation offered here is one of several in the Midrash. "What they desired" is explained as what I decided for them.

153. The phrase is from Deut. 15:22-23.

154. The exposition is developed in BT Pesahim 50a.

155. See 1 Kings 12:20 ff. He is notorious as the man "who sinned and he led the many to sin," Mishnah Avot 5:18.

156. Although the unlearned person is not esteemed, as many declarations in the Talmud express it, especially BT Pesahim 49a-b.

157. BT Pesahim 50a and BT Bava Batra 10b.

158. In BT Bava Batra 10b a phrase is added: "without these as well," i.e., even if they were not martyrs they would be in Heaven.

159. See S. Lieberman "The Martyrs of Caesarea" in *Annuaire de l'Institut de Philologie et d'Histoire Orientales et Slaves* 7 (1939), and in a revised Hebrew translation, *Salo Wittmayer Baron Jubilee Volume on the Occasion of His Eightieth Birthday*, ed. S. Lieberman and A. Hyman (Jerusalem: American Academy for Jewish Research, 1974), pp. 213-46.

160. According to the rabbis, four of the seven punishments are public executions (by sword, stoning, strangulation, and burning), and the others are premature death, divinely caused death, and lashes.

161. The deduction is made by Maimonides.

162. BT Nedarim 27a. From the verse cited in the text, *Sifrei* ad versum states "that all people described in the sources as forced are guiltless, and their lives are to be spared."

163. Deut. 22:26, cited several times in both the Babylonian and Jerusalem Talmuds, is explained to teach us that the attacker, like the girl, is not, so far as possible, killed, and that the girl, like the attacker, is subject to the principle of "let him surrender his life and not transgress." See BT Pesahim 25b.

164. BT Bava Kamma 28b, Avodah Zarah 54a.

165. In *MT Hilkhot Eduh* 10, Maimonides discusses at length the people disqualified to testify because they violate Mosaic or rabbinic laws.

166. Maimonides does not exonerate the person from the guilt of profanation because in acknowledging Islam that person has acted against God's sanctity. However, Maimonides discriminates between him, a forced convert, and the deliberate sinner.

167. Sifra, Lev. 10, in the section dealing with people who dedicate their offspring to Molech.

168. Rashi explains the verse as follows: by transgressing presumptuously.

169. The second half of the verse is the result of the first.

170. Mishnah Nedarim 3:4. In his comment on this mishnah, Maimonides states explicitly that they are oppressors. In the case of the tax-gatherer he specifies that if he is a legal emissary of the government no attempt to shirk is allowed.

171. The rabbi who wrote the response to the convert.

172. This conclusion was added by the rabbis, cf. BT Sanhedrin 74a. Lev. 18:5 begins: *You shall keep My laws and My rules.*

173. This text is a conflate of the versions in BT Rosh ha-Shanah 19a and Ta'anit 18a and Me'ilah 17a.

174. Maimonides also speaks of these prohibitions in the *Epistle to Yemen.*

175. Based on a statement in BT Makkot 23b, the belief that there are 613 commandments (248 positive and 365 prohibitory) was universally accepted in the Jewish world.

176. Despite his insistence that these converts can continue to live as Jews, he is cautious enough to advise secrecy because the government authorities will not tolerate public behavior as Jews.

177. Maimonides here grants the individual the right to save his life, but in *MT Hilkot Yesodei ha-Torah* 5:7 he rules that one who chooses martyrdom is actually committing a sin.

178. The Moslems and their rulers.

179. Muhammad.

180. Cf. the *Epistle to Yemen*, where Maimonides urges a similar course. It may be suggested that his own departure from Spain, and later from Fez, resulted from a fear that he was in danger of being recognized as a Jew.

181. This includes the positive as well as the prohibitory laws.

182. In Mishnah Shabbat and BT Shabbat many laws and discussions are found that have to do with the general principle that it is forbidden to move things from the home to a public area and conversely.

183. It is the principle that when a person is guilty of a grievous sin or crime and incurs severe punishment, he must not be chastised for a minor offense and its lighter retribution, cf. BT Gittin 53bf.

184. Cf. 1 Kings 12:28-33.

185. It is the practice instituted by the rabbis of preparing a dish on the day before the holiday, which will be consumed on the Sabbath immediately following, and by means of it the dishes prepared for the Sabbath on the holiday (Friday) are regarded as a continuation of the cooking begun on the day before the holiday (Thursday). This is called the "fusion of cooked dishes." They have similarly provided for a "fusion of areas," which can be set up so as to extend the stretch within which carrying on the Sabbath becomes permissible.

186. So that the rule mentioned in note 183 would be in force, Maimonides limits its effectiveness only to man-made laws; God is not bound by them.

187. Maimonides knows very well that in the evaluation of the goods of this world a difference exists between the common folk and the intellectuals. His analysis is contained in the last chapter of his *Guide of the Perplexed*.

188. See Maimonides' Introduction, called "Eight Chapters," to the commentary on Mishnah Avot, chapter 4, which deals with the choices that confront a person.

189. Maimonides probably relied on the admonition of *Pirkei de-Rabbi Eliezer*, chapter 26.

190. The rabbinic judgment that whoever dwells outside the land of Israel is like one who has no God (BT Ketubbot 110b), is the source of Maimonides' statement.

191. In *Avot de-Rabbi Natan* (ed. S. Schechter [Vienna: 1887], p. 64, version A) the force of the expression is mitigated and limited to converts and Christians.

192. See Tanhuma, Tzav, 8, discussing some of the ancients whom God chose but who did not draw close to Him (in reference to Ps. 65:5: *Happy is the man You choose and bring near*), and they made the effort to draw close. One of them was David, and the verse indicates that he strove to come close to God.

193. See *Pirkei de-Rabbi Eliezer*, 26.

194. Sifrei Deut. to verse 32:39 derives from this sentence that parents cannot save children nor can brothers save one another from the consequence of their deeds.

195. In the *Epistle to Yemen*, Maimonides derives from a biblical verse that the Messiah will appear in the land of Israel.

196. Jeremiah attacks the profiteers and false prophets who mislead the people with promises of peace and prosperity.

197. Maimonides is well aware of the obstacles in the way of rational conclusions and truly important decisions.

198. In *MT Hilkhot Yesodei ha-Torah* 5:9, he seems to take a harsher position, identifying the individual who is reluctant to leave as a *dog [that] returns to his vomit* (Prov. 26:1), and names him a "deliberate idolator."

199. The assurance given the observant convert and Jew finds its parallel in the position of R. Judah Halevi (c. 1075-1141) who, although he deplores the choice of Jews to live away from the land of Israel, contends that the fulfillment of God's laws in exile earns double reward, *Kuzari* 1:114.

200. Maimonides does not concede the right to transgress and make peace with the idea of continuing to live in "the provinces that God is wrath with."

201. See *Tosefta* (ed. Zuckerman), BT Bava Kamma 7:3.

202. In the *Epistle to Yemen*, Maimonides dates the opposition to Judaism and its followers from the time of the Revelation at Mt. Sinai.

203. Maimonides takes the verse, Job 31:19, from the personal confession of Job to refer to the people of Israel and their history.

204. BT Ketubbot 3b; see *Epistle to Yemen*.