

Returning the Crown to its Ancient Glory: Marc Shapiro's *The Limits of Orthodox Theology: Maimonides' Thirteen Principles Reappraised*

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Over the last five years, London's Littman Library of Jewish Civilization, perhaps the world's most active publisher of English language Judaic scholarship, has published three books concerning Orthodox Jewish theology. These books are works of scholarship but also seek to raise discussion of theological issues in the public square of Orthodox Judaism to a higher level of reflective self-scrutiny. In 1999 my own *Must a Jew Believe Anything?* appeared; 2001 saw the publication of David Berger's *The Rebbe, the Messiah, and the Scandal of Orthodox Indifference*; we now have before us Marc Shapiro's *The Limits of Orthodox Theology: Maimonides' Thirteen Principles Reappraised*. Each of these books was written by a professional academic specializing in Judaic studies;¹ the three authors are themselves personally observant Jews, roughly affiliated with what used to be called "Modern Orthodoxy."

Of the three, Shapiro's book (which, like all of his work, combines remarkable erudition with clarity of vision) appears to be well on the way to creating the biggest stir in Orthodox circles, even though it is actually the most conservative of the three. In my own book I argued that, strictly speaking, Judaism has no dogmas and that Rambam's attempt to establish Judaism on a firm dogmatic footing represented a *novum* in the history of Judaism.² Berger took an opposed position, arguing that

Judaism surely has dogmas, that Rambam's Thirteen Principles are the closest thing Judaism has to an official statement of creed, and that Habad fails the test of Orthodoxy because of its beliefs concerning the Rebbe's quasi-divine status and his status as a soon-to-be-resurrected Messiah. Shapiro accepts the notion that Judaism has dogmas (pp. 29-30, 32) but, building on a controversial article he wrote for *The Torah u-Madda Journal* (Vol. 1, 1989) he here seeks to demonstrate that "even a cursory examination of Jewish literature reveals that, both before and after his time, Maimonides' Principles were not regarded as the last word in Jewish theology" (p. 4). This despite the fact that a long string of nineteenth- and twentieth-century authorities cited by Shapiro (pp. 17, 22-24) have maintained that Rambam's Thirteen Principles are "the bedrock of Orthodoxy".

So far as I can judge, my book was simply ignored in Orthodox circles (with the notable exception of a friendly if critical review by Berger in *Tradition* (33:4; Summer 1999), while Berger's book has been met with an embarrassed "Yes, but..." Shapiro's book, on the other hand, has already sparked discussion in the *Forward* and on e-mail discussion sites; these discussions give every indication of growing ever more lively.

¹ Shapiro's book, like all books published by the Littman Library, meets the high level of technical perfection demanded by that press. In an age in which even books published by prominent university presses are marred by obvious mistakes, it is a pleasure to read books which have been carefully edited, proofread, and designed (even if the index to Shapiro's book leaves a lot to be desired).

² It is important to bear in mind that at the conclusion of his presentation of the principles, Rambam makes it clear that they are *dogmas* in the strict sense of the term: beliefs laid down as true by the highest religious authority (the Torah itself), and which are necessary *and* sufficient conditions both for being part of the Jewish community in this world and for achieving a share in the world to come. I have tried to keep footnotes here to a minimum. Readers interested in elaboration upon and documentation for the claims advanced here are invited to examine M. Kellner, *Dogma in Medieval Jewish Thought: From Maimonides to Abravanel* (another Littman book, this one published in 1986 and soon to be reissued). Among my other studies on the subject, the most relevant in this context is "Could Maimonides Get Into Rambam's Heaven?," *Journal of Jewish Thought and Philosophy* 8 (1999): 231-242.

There is very little point in reviewing the detailed contents of Shapiro's book in this essay. There can be no doubt that he is right in every important claim he makes about the reception of Rambam's principles. Shapiro's method in the book is straightforward and crushingly effective. With respect to each of Rambam's principles (with the obvious exclusion of the first, which affirms the existence of God), Shapiro adduces Jewish thinkers over the generations who have rejected the principle outright, or revised it in ways that would have been absolutely unacceptable to Rambam. With an eye to his intended audience, Shapiro cites only authorities who pass what might be called the "Artsroll" test (pp. 27-29, 73n24): "*frum*" enough to be cited in an Artsroll publication. After reading Shapiro's book, no one can deny that Orthodoxy has historically been much more latitudinarian in matters of doctrine than is ordinarily thought to be the case today.

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Why, then, the stir? One reason is that Shapiro's apparent aim is to encourage Orthodox Jews to expend less energy on sniffing out *epiqorsut* (heresy), and more energy in finding ways to live with other Jews. This clearly goes against a major trend in contemporary Orthodox circles, a trend I will try to explain below. Thus, while reading the book, I was reminded of the old story concerning a young woman forced to spend the night alone in a sinister Transylvanian castle. In the middle of the night a huge vampire bat enters her room. Jumping out of bed in terror, the girl flees through the castle corridors, the vampire hard upon her heels. Making her terrified way to the castle chapel, the unfortunate woman grabs a crucifix from the chapel altar and shoves it in the face of the menacing bat. The vampire bat hovers in the air opposite her, shrugs its shoulders, and says, "*Es vet gornisht helfen!*"

Es vet gornisht helfen. those Jews who in Shapiro's eyes appear to need his message most have been long since immunized against both the message and its author, a beardless academic with no formal rabbinic credentials, and who has written a "scandalous" work about R. Jehiel Weinberg, z"l, to boot. But that is not to say that Shapiro's efforts have been wasted. If his aim is to support those Orthodox Jews who are more interested in living with other Jews than in measuring their Orthodoxy with a frumometer, then he will surely have succeeded admirably in this book, providing such people with important support for their views, all the stronger for its being drawn from impeccably Orthodox sources only.

Why, then the stir? In order to understand it, we must take a quick tour of recent Jewish history. Pre-emancipation Judaism was an unselfconscious amalgam of religion and what came, in the nineteenth century, to be called nationality. With very few exceptions (the *anusim* of Iberia being the most prominent example), Jewish authorities never had to define who a Jew was, since the matter was clear, both to the Jews and to the Gentiles. When, after the French revolution, Jews were invited to participate in the world around them, they found a world in which religion had been largely "privatized," a world in which religion had been severed from nationality, a world in which there developed a confusing myriad of new ways of being Jewish. It was suddenly not so clear anymore who was a Jew, and it was certainly no longer clear who a "good" Jew was. The world had become a place in which membership in good standing in the Jewish community was no longer determined by descent (since so many Jews by descent had ceased being Jewish by belief and practice, or were adopting new beliefs and practices, while still calling themselves "good" Jews), a place in which membership in the Jewish community was no longer determined by identity with a shared Jewish past and hopes for a shared Jewish future (since so many Jews who identified with the shared Jewish past hoped for a shared Jewish future defined primarily in national or cultural terms). In that context, Rambam's Thirteen Principles, wholly

ignored by *poseqim* since their publication and ignored by theologians (except in Iberia between 1391 and 1492), suddenly came into their own and began to be used, with increasing vigor, to define the line between "good" Jews and those who must be excluded, those with whom no religious cooperation may be permitted, those who, from the most lenient viewpoint, are *tinotot she-nishbu* (uninformed and therefore inadvertent and blameless transgressors), and, from the most stringent, are out-and-out heretics.

A consequence of all this, I believe, is the following interesting anomaly. While Orthodoxy strongly adheres to the notion of *yeridat ha-dorot* (decline from one generation to the next), it is actually the latest of the *aharonim* (later, post-*Shulhan-Arukh* authorities) who really determine what Jewish orthodoxy is. This may be illustrated by the following story. A respected friend of mine teaches *Tanakh* in an Orthodox institution. In a class on *Qohellet*, one of his students said, "But, Rebbe, there is a *qasha* on this *pasuq* (an objection to this verse) from a passage in the Ramhal [R. Moses Hayyim Luzzatto, eighteenth century]!" My friend gently pointed out to his student that if there is a "*qasha*" it is on the Ramhal, and not on *Qohellet*.³

Rambam himself was deeply critical of many aspects of the Judaism of his day and expressed contempt for many contemporary rabbis. He clearly held that there were rabbis in the generations preceding his who failed the doctrinal test of the Thirteen Principles. Rabbis of his own and subsequent generations held that Rambam himself (not to mention his disciples) held views that it is forbidden to hear. Today, Rambam may be beyond criticism in Orthodox circles, but in his own day his books were burned at the instigation of Jewish opponents, and, as we

know from the evidence of Ramban, some of the Tosafists wanted to ban the *Guide of the Perplexed* and *Sefer Madda* of the *Mishneh Torah*. But despite the accusations (to speak anachronistically) of "non-Orthodoxy" leveled by Rambam and against him, no one in the Middle Ages suggested excluding such people from the public square of Judaism. Even Ralbag (R. Levi ben Gershon) was let into the *Miqra'ot Gedolot*.⁴ Instead, the attitude appeared to be the relative tolerance expressed by R. Isaac Abravanel, who is reputed to have ended lectures on Rambam's philosophy with the words: "This is the opinion of *Rabbenu Mosheh*, not of *Mosheh Rabbenu*." Abravanel thought that Rambam held views at variance with those taught in the Torah, but he still taught those views in *shul*!

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At some level, Orthodox leaders today realize that the relatively relaxed attitude towards dogma adopted by the *rishonim* is a function of the medieval situation and context. Modernity, as I described it above, has made new and unprecedented demands upon Jews and Judaism. Thus, while paying lip service to the notion that the *aharonim* are subordinate to the *rishonim*, many Orthodox Jews and certainly their rabbis act as if the reverse is the case. Note well Shapiro's list of authorities who hold that the Thirteen Principles represent the bedrock creed of Judaism. It was not for want of trying that Shapiro could not find a single pre-seventeenth century authority who made that claim.

Shapiro's book is thus a call to "return the crown to its

³ This story, I hope, explains why the issue of *hilkheta ke-batra'ei* (the law is decided in accordance with more recent opinions) (raised by several friends to whom I showed this review) is irrelevant in the present context. According to this principle, later *poseqim* trump earlier *poseqim*. But the principle is not applied to allow *aharonim* to dispute with *rishonim*, *rishonim* to reject the opinions of *ge'onim*, *ge'onim* to ignore the decisions of *amora'im*, or *amora'im* to decide against the rulings of *tanna'im*. It is certainly not used to justify the views of R. Moses Hayyim Luzzatto when they appear to contradict verses from Ecclesiastes! See Israel Ta-Shema, "*Hilkheta ke-batra'ei* - Historical Aspects of a Legal Maxim," *Annual of Hebrew Law* 6-7 (1979/80): 405-423 (Hebrew).

⁴ True, the decision to do this was made by a Gentile, Daniel Bomberg, and a Jew who was then or would soon be an apostate, Cornelius Adelkind, but that decision was a function of Ralbag's antecedent popularity in Jewish circles.

ancient glory." But this is a call that is deeply discomfiting to rabbinic leaders who have been trained to believe that what is good for the Jews according to *rishonim* is good for the Jews according to *aharonim*, even if in fact they do not behave that way. A person who points out such cognitive dissonance is not likely to make many friends.

Why then the stir? I want to tell two brief anecdotes to explain another aspect of Shapiro's accomplishment that is upsetting to contemporary Orthodoxy. A number of years ago I published an article arguing that in Rambam's view, the distinction between Jew and Gentile would ultimately disappear in the messianic era, that indeed, the whole world will serve God *with one accord* (Zeph. 3:9).⁵ I gave the article to a respected friend in my synagogue in Haifa. He read it carefully and said that it was not possible that Rambam held such views. I promised to write a second article, showing why Rambam had to hold such views; that project turned into a book, *Maimonides on Judaism and the Jewish People*.⁶ I presented the book to my friend who took the trouble to read it carefully and then told me: "I find your arguments convincing, which means that I now have less regard for Rambam as an authoritative spokesperson for Judaism."

The second anecdote relates to a course I taught once at the University of Haifa on Rambam's philosophy, in which I had occasion to elaborate upon a point also made by Shapiro (p. 16). Attending the classes was the wife of a deeply learned and leading figure in the Haifa rabbinic establishment, a woman of (then) unusual Jewish learning in her own right, who went on to become one of Israel's first *to'annot rabbaniyot*. Meeting my student's husband at a community function once, I found myself accosted with the following "accusation": "The rebbitzin [i.e., his wife] tells me that his honor [i.e., me] taught that according to Rambam divine providence does not extend equally to all Jews." I agreed that that was what I had taught. He objected that it was impossible for Rambam to

have held such a view, since such a view contradicted several rabbinic statements. I replied that the issue of how to relate to such aggadic statements in general and how Rambam related to them in particular was too big a topic to go into at a dinner, but that Rambam had certainly said precisely what I had imputed to him. He replied: "There are three possibilities here: (a) the translation of the Guide of the Perplexed being used was simply incorrect; (b) if the translation was correct then, in the course of the generations since the time of Rambam, the text of the *Guide of the Perplexed* at this point had become corrupted; (c) his honor [i.e., me] did not understand Rambam."

In his book Shapiro (correctly) imputes to Rambam certain views that run counter to the mainstream of traditional Jewish thought, most prominently: (a) the theory of immortality implied by the doctrine of the acquired intellect (i.e., that the key to earning a share in the world to come is intellectual perfection; obedience to the commandments in and of itself is not enough) (pp. 12, 46-47, and 70); (b) the distinction between necessary and true beliefs (i.e., that both the Torah and Rambam teach as true certain doctrines which are actually false) (p. 119-121, 131); (c) that there is no punishment after death for the wicked (they simply cease to exist) (p. 137). These views, all held by Rambam, were unacceptable to many Jews in his day (remember, his books were burned in Montepellier in 1232 by, or at the very least, at the instigation, of Jews who opposed his doctrines) and are certainly unacceptable to Orthodox Jews today.

What is to be done? The most intellectually honest approach is that taken by my friend from shul: Rambam may have said these things, but all that means is that he was wrong about some important issues. The more widely adopted approach (on which, see p. 83) is likely to be that of my student's husband: "But it is not possible for Rambam to have held such views!" It is not possible

⁵ "A Suggestion Concerning Maimonides' Thirteen Principles and the Status of Gentiles in the Messianic Era," *Tura: Oranim Studies in Jewish Thought*, vol. 1: *Simon Greenberg Jubilee Volume*, (Tel Aviv: Ha-Kibbutz Ha-Meuhad, 1988): 249-260 (Hebrew).

⁶ Albany: SUNY Press, 1991

because these are views which, while tolerated by many *rishonim* (and even held by some of them) have been rejected by *aharonim* as heterodox. Since Rambam cannot be heterodox (he is, after all, the authority upon whom all rely to define Orthodoxy), he could not have held these views, and anyone, such as Marc Shapiro, who imputes them to him must in the best case be a fool and in the worst case a knave. And, it will be said of the author, that he may call himself Orthodox, but that does not make it so. *Es vet gornisht helfen.*

Is the truth taught by the Torah historically conditioned?

It will also be argued against Shapiro and my defense of him here that matters of theology are assimilable to *halakhah*. Whatever the *rishonim* may have "paskened," as it were, on specific details of theology, we are duty bound to follow the *pesaq* of the rabbis of our own day. This is a popular position, even though it is historically unsound and conceptually muddled.⁷ With respect to the historical reality, Rambam himself, accepted by all as the greatest *poseq* in matters of theology, explicitly rejected the assimilation of theology to *halakhah*. Shapiro (pp. 116-117, 141-142) cites three clear-cut statements to this effect made by Rambam (statements which the late Yeshayahu Leibowitz used to quote regularly), who carefully distinguished *halakhah* from *aggadah* (in which latter he included theology).⁸ Conceptually, the notion that

dogma can be determined in the same way as the kashrut of a chicken leads to weird consequences, the weirdest of which is the idea that holding a certain belief at one time could cause one to be excluded from the community of Israel and to lose his or her share in the world to come, while holding that belief at another time carries with it no such consequences. Dogmas, it must be recalled, are beliefs taught as true by the Torah; is the truth taught by the Torah historically conditioned?⁹

I know personally one of the rabbis who was quoted in the press as being highly critical of the theses so ably defended by Shapiro in his book. This person, a distinguished halakhist in his own right, is also intimately familiar with the literature of medieval Jewish philosophy. It is inconceivable to me that he actually believes some of the things he has been quoted as saying. Rather, I suspect, he is following in the footsteps of Rambam himself, who sought to hide his true views for what he took to be the good of the community. It may be, to judge some of Shapiro's critics *le-khaf zekhut*, that they realize full well that he writes the truth, but believe that in our day and age certain truths are dangerous and must be hidden. If I am right about this, then Marc Shapiro is a true disciple of Rambam in seeking to uncover the deepest truths about God's Torah, and his critics are also true disciples of Rambam in seeking to hide aspects of that truth from the Jewish masses.

⁷ Valuable insights on this issue may be found in Jonathan Sacks, *One People? Tradition, Modernity and Jewish Unity* (published by Littman in 1993), pp. 99-100. For historical discussion, see Norman Solomon, *The Analytic Movement: Hayyim Soloveithik and his Circle* (Atlanta: Scholars Press, 1993), pp. 223-240.

⁸ For details, see I. Twersky, *Introduction to the Code of Rambam* (New Haven: Yale University Press, 1980), pp. 11-12, 46-48. There are, of course, statements about God which Rambam requires Jews to know (not simply to believe); but these are, to his mind, provable with the tools of Aristotelian philosophy. For details, see my "Could Maimonides..." (above, note 2).

⁹ Other logical and psychological problems with the notion of assimilating dogma to *halakhah* were explored as long ago as the fifteenth century, in the writings of R. Hasdai Crescas (p. 10) and R. Isaac Abravanel (p.33).