



## **Maimonides on Sacrifices Part I**

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### **I. Concerning the Reason for Sacrifices in General**

More than any other traditional exponent of the Torah through the medieval period, Maimonides presented a systematic position on the subject of sacrifices and related matters in harmony with the regnant philosophy of those centuries. Although much has changed in philosophic thought since then his formulations retain significant value as concerns penetrating to the deeper meaning of the topic. Following are excerpts from his discussion on these matters from his *Guide for the Perplexed* (translations from or based on Friedlander, Pines, Ibn Tibbon, and Qapah) as well as selections from other works relevant to the issues raised.

It is impossible to go from one extreme to the other suddenly. Therefore man - according to his nature - is not capable of suddenly abandoning that to which he was deeply accustomed.... As it was then the deeply ingrained and universal practice with which people were brought up to conduct religious worship with animal sacrifices in temples... G-d in His wisdom did not see fit to command us to completely reject all these practices - something that man could not conceive of accepting, according to human nature which inclines to habit. It would have been comparable to a prophet appearing today, calling for the service of G-d, declaring that G-d now commands you not to pray to Him, not to fast and not to seek His help in time of distress, but your service of Him should be in meditation without any deeds whatsoever.\* He therefore allowed these practices to continue but transformed them from idolatrous associations... that their purpose should be directed toward Him. Thus, He commanded us to build a sanctuary for Him with an altar to His name and offer sacrifices to Him.... In this way idolatry was blotted out and the great foundation of our faith - the existence and oneness of G-d - was established. This was accomplished without confusing people's minds by prohibiting the worship they were accustomed to and with which alone they were familiar....

G-d does not choose to change man's nature with a miracle.... As sacrificial worship is not a primary intention... only one Temple has been ordained... and in no other place is it allowed to sacrifice... to limit such worship within bounds that G-d did not deem it necessary to abolish it.... because of this the prophets often declared that the object of sacrifices is not very essential and that G-d can dispense with them....  
(*Guide* 3:32)

Some consider this view to be an elaboration of a statement in the Midrash.



Rabbi Pinhas in the name of Rabbi Levi stated: This is comparable to a king's son who strayed and was accustomed to eat non-kosher meat. The king declared, "let him always eat at my table and on his own he will eventually become disciplined." Similarly, because Israel was attached to idolatry in Egypt and would bring their sacrifices to the goat-demons (Lev. 17:7), which are identical with the *shedim* they sacrificed to (Deut. 32:17)... and would offer sacrifices on high places and retribution would befall them, the Holy One blessed be He said "let them offer sacrifices before Me at all times in the *Ohel Moed* and they will be separated from idolatry and be saved." This is the meaning of what is written (Lev. 17:3-7): "Any man of the House of Israel who slaughters an ox or sheep or goat... and does not bring it to the entrance of the *Ohel Moed* as a sacrifice to Hashem... that man will be cut off from among his people... so that they no longer offer their sacrifices to the goat-demons that they are wont to stray after. (*Vayiqra Rabbah* 22:8)

Speaking on ritual in general and sacrifices in particular, many statements of the prophets make the point that, contrary to pagan beliefs, these practices have value only when sincerely fulfilled with their deeper purpose in mind, which is to bring man closer to the one G-d and to fulfillment of His will - essentially the practice of *hesed*, righteousness and justice. The many castigations of the people for their devotion to sacrifices proclaimed by the prophets (including Samuel, Hosea, Amos, Micha, Isaiah, Jeremiah) do not necessarily indicate opposition to sacrifices per se. They railed against overemphasizing them, neglecting the more important responsibilities of promoting righteousness and justice, while remaining dedicated to vacuous rituals. As Rabbi Solomon D. Sassoon a"h commented:

It is clear from this (Isa. 1:11-17) that Isaiah understood the law to place greater importance on dynamic ethical action than upon ritual requirements. For without practicing dynamic ethics in life the ritual and the prayers were considered hollow and hypocritical.

Let us try and see how the Mosaic Law stressed social obligations and gave it a key role above ritual.

In the laws appertaining to the holidays it is stressed that the festivities and sacrifices were designed to fuse the social strata separated from each other by barriers of snobbishness and exclusiveness. These social barriers must be dissolved by the people of means inviting to their table the children, the slave, the maidservant, the Levite, the stranger, the orphan and the widow; in short the underprivileged classes. There was to be a spirit of true brotherhood to bind the nation into an inner, emotional unity, and countless other precepts such as the moratorium on debts every seven years, and similar laws, became the primary concern of Mosaic Law which, as we have said, is not an escapist but a participatory religion... it rather demands actions which lead to social unity and cohesion as the truly creative act which alone can



please the Creator. It does not condemn ritual, for ritual is the vehicle which through symbolism conveys the inner message of monotheism through signs and symbolic acts and non-verbal communication, but it insists that the message of these ritual acts be translated into appropriate action. *Reality Revisited*, p. 203

On occasion, when ritual was used as legal underpinning or psychological support to justify corrupt behavior, the prophets described it as worthless, even perverse.

## II. An Illuminating Passage

One passage HaRambam addressed directly is Jeremiah's famous statement - selected for the *haftarah* of *Parashat Sav* - in which the prophet quoted Hashem chastising the people for their sins, utilizing sacrifices for the backdrop. He said: עלוּתִיכֶם סָפוּ עַל זְבָחֵיכֶם וְאָכְלוּ בָשָׂר, telling them that the way they were acting they may as well add their *olot* sacrifices (burnt-offerings, absolutely prohibited to be eaten from) to their sacrifices which are permitted to be eaten from, and eat the meat thereof

For I spoke not unto your fathers nor commanded them on the day that I brought them out of the land of Egypt, concerning burnt-offerings or sacrifices. But just this is what I commanded them: Harken to My voice that I may be your G-d and you may be My people, and that you shall go in the path that I command you so that it shall be well with you (Jer. 7:22-23).

HaRambam states:

This passage has been found difficult in the opinions of all those whose words I heard or read. They ask, how can Jeremiah say that G-d did not command us about burnt-offerings or sacrifices considering that so many Torah laws refer to them? The explanation of this passage is according to what I will now explain. Jeremiah states that the primary purpose of the precepts is what G-d says, "Harken to my voice that I may be your G-d and you may be My people." [In other words He is saying:] The commandments to bring sacrifices and visit the Temple are only for the purpose of leading to that goal; for that goal I transferred these modes of worship to My name, thus blotting out idolatry and firmly establishing the faith of Israel. You have ignored the goal and taken hold of the means.... (*Guide* 3:32).

Perhaps considering it too radical to view sacrifices as not commanded in the Torah, or sensing that many would not accept such an interpretation, HaRambam proffered a second explanation. The phrase, "on the day I brought them out of the land of Egypt" can be seen as recalling the pre-Sinai laws given at Marah, concerning which the Torah states שָׁם חָק וּמִשְׁפָּט, that they constitute "statute" and "ordinance" (Ex. 15:25). Tradition teaches (see BT San. 56b) that "statute" refers to Shabbat and "ordinance" refers to civil laws. Shabbat teaches true principles about the Creator and creation while civil laws



remove injustice from society, together comprising the basics of the Torah. Sacrifices are not included in that first lawgiving to Israel, demonstrating their secondary importance.

Many were dissatisfied with these explanations. Some interpreted Jeremiah as referring specifically to the Ten Commandments and the setting in which it is embedded - constituting the essence of the Covenant - which do not mandate sacrifices. Some say the statement refers to the fact that the Torah's sacrificial program does not include any command to an individual who does not commit certain transgressions to necessarily bring a sacrifice, leaving the choice to do so optional (excluding special cases, such as festivals and experiencing certain bodily effects). Abarbanel views the Jeremiah passage as supporting the opinion that the Tabernacle enterprise and the related sacrificial program were not part of G-d's original plans for Israel but were only prescribed as a corrective following the golden calf apostasy. The statement shortly after the Exodus Decalogue, "An earthen altar make for Me and sacrifice upon it your *olot* and *shelamim*" (Ex. 20:21) would accordingly mean that He does not desire elaborate sacrificial rites and not mandating them, such rituals being essentially optional. (See our study *Terumah Part I*.)

### III. Critique and Defense

Others differed with HaRambam's thesis that sacrifices were merely a concession to what had then become an ingrained human practice and were not of natural, fundamental significance. They claimed that outward similarity between the Torah and the practices of idolatrous cultures, notwithstanding that they were widespread, do not support his contention. On the contrary, they viewed sacrificial service as being of primary and essential value in the first instance and considered HaRambam to have based himself on a subjective understanding of G-d's goals for man and human society, guided by his personal philosophy and interpretation of the words of the prophets. Their questions against him included the sacrifices of Hebel and Noah, shortly after Creation and the Flood respectively, before there could have been a widespread custom established, when those individuals would presumably have acted on their own natural instinct. They also cited the sacrifices of the patriarchs, who should be thought of as worshipping G-d in an ideal manner.

Defending HaRambam, some have opined that he may have understood the early sacrifices of Hebel and Noah in an allegorical fashion, as retrojections, symbolizing pure service of G-d as later conceived when sacrifices had become identified as proper and praiseworthy worship and were mandated. Significantly, in the case of Abraham, the Torah clearly downplays his engaging in animal sacrifice, portraying him as eventually moving beyond it (see our study on Parashat Lekh Lekha). As noted in the interpretations of the Jeremiah passage, the outlook of the Torah itself on sacrifices generally appears neutral at best. The prophets' attitudes, for the most part, range from negative to tolerance, not praise.



In any event, in recent decades a wealth of archaeological discoveries has decisively demonstrated that the magnitude of outward similarity of Torah ritual with the idolatrous practices of the pre-Torah neighboring cultures is absolutely immense. As those cultures expired well over two thousand years ago and their remains were buried under debris accretions of centuries, direct knowledge of their practices was long ago forgotten until recently rediscovered. Moshe Weinfeld (*Olam HaTanakh to Leviticus*) cites numerous examples of remarkable similarities, including laws concerning: types of sacrifices and acceptable species; priestly emoluments; the woman who gave birth; purifying the stricken house; use of birds, cedar wood and crimson cloth in certain purification rites; Day of Atonement procedures, including priestly linen garments, confession of sins and altar purification rites; the scapegoat ritual; holiday ceremonies, including similar types and numbers of sacrifices and accompaniments; dedications to the Temple; evaluations; the red cow and aspects of sanctuary for the unintentional killer.

This profusion of the Torah's outward ritual similarity with idolatrous cultures has been seen by many to support HaRambam's view that the sacrificial program G-d gave Israel was externally akin to the one they had been so accustomed to and which was so deeply ingrained that in the natural order it could not simply be eradicated. The Divine intention appears to have been, as Maimonides states, to provide subtle modifications throughout to direct Israel away from idolatrous notions and turn it toward service of the one G-d. Hence, we must be sensitive to the numerous subtle nuances found in the Torah text. In a thoroughly consistent manner virtually all those rituals that possessed idolatrous associations were "cleansed" and adopted for G-d's program for Israel.

As much of this knowledge was forgotten, HaRambam and others, in addressing details in areas other than the general admissibility of sacrifices, developed an interpretive principle that assumes that the Torah often prohibited a certain ritual or other because it was the practice of the neighboring idolatrous societies. In some cases their conjectures as far as the details under discussion being part of the pagan cult have stood the test of modern research, as appears to be the case with HaRambam's explanation as to why honey was unacceptable for the altar - because of its widespread use in pagan rites (*Guide*, 3:46). However, many interpretations are often clearly in conflict with the evidence, such as his suggestion that the Torah mandated salt for all sacrifices because it was not used by the pagans in their rituals, a disproven assumption. A more nuanced and comprehensive approach is required, taking into account the purpose of the particular practice. But that is not the topic of this study. Suffice it to say that the great increase in knowledge about ancient Near Eastern culture makes it possible to understand many details about Torah rituals in a way closer to how they were intended to be understood. And, in some respects, HaRambam's basic overall view on the reason for sacrifices may have had a far broader application than he thought.

#### **IV. Concerning Sacrifice Details**



At the very beginning of his grand exposition on Reasons for the Divine Commandments in his *Guide for the Perplexed*, HaRambam addressed the issue of the meaning of certain details of the sacrifices.

....Our doctrine is that all the precepts have a reason... all our Sages' dicta proceed according to this principle and the Scriptural books indicate it. However I found one utterance made by them, in Beresheet Rabbah (44), which at first sight appears to imply that some commandments have no other reason than merely to prescribe a law, that no other purpose or benefit is intended by them.... "What does it matter to the Holy One, blessed be He, that an animal is slaughtered by cutting its neck in front or in the back? Say therefore that the commandments are given only to purify man...." Though this dictum is very strange and has no parallel in their other dicta I have interpreted it in a manner that they will not be in contradiction to their views in their other statements, as follows: The generalities [only] of the commandments necessarily have a cause and were given for a certain benefit; it is the details regarding which it was said that commandments were given with no ulterior object. Thus, killing an animal for obtaining good food is useful; how it should be killed... was imposed with an intention to test man's obedience.... I cite this example because it was mentioned by the Sages... in reality, however,... the commandment for the proper slaughter of an animal is intended to bring about the easiest death in the easiest manner.... A more suitable example can be cited from the detailed commandments concerning sacrifices....

The law that sacrifices should be brought is of great use... but why is one sacrifice a lamb while another is a ram, and why should a particular fixed number of them be brought - for such details it is impossible to give an explanation.... Those who believe these details have explanations are as far from the truth as those who imagine that the generalities of a commandment are not designed with a view toward some real benefit....

Wisdom requires - if you prefer, say necessity causes - that there be details impervious to explanation. That such a situation cannot be avoided can be seen from the following: the question why a lamb and not a ram? would be asked in reverse if it were a ram and not a lamb. But something is required. Similarly, the question as to why seven lambs and not eight? would be asked if it were eight, or ten or twenty. But a number is required. This is like the nature of possibilities in cases wherein one possibility must necessarily occur. One cannot ask why a particular possibility ensued, for the similar question would be asked if it had been another possibility, as some possibility is a necessity. (*Guide*, 3:26)

Further in the *Guide* (3:46), however, he provides reasons for many details of sacrifices! He explains why sacrifices were limited to the prescribed domestic species. He believes that a number of details were mandated to wean the people away from idolatry. He



accepts the Sages' explanation as to why the eighth day consecration of the Mishkan required a calf of the herd for a sin-offering – for it was to serve as atonement for the golden calf. Similarly, he thought he-goats were prescribed as sin-offerings on Rosh Hodesh, festivals and Yom Kippur to atone for Israel's disobedience in sacrificing "to the *se`i'rim* (he-goats) that they were wont to stray after." On this detail, he insists that the Sages' alternate explanation is solid - to constantly seek forgiveness for the brothers' sin in deceiving Yaaqob concerning Joseph through slaughtering a goat. He provides reasons why bullocks are stipulated for inadvertent transgressions of the high priest and congregation, and so on. He comments on why male or female animals were required for different situations, why young or old, why a sacrifice is not acceptable before the eighth day. The inconsistency with his earlier rejection (*Guide*, 3:26) of the validity of the questions, "why a lamb and not a ram and why a particular number?" is glaring.

It has been assumed that in the previous context he was providing an acceptable explanation to the Sages' statement that he was there interpreting. But his passionate, confident language in that context, striving to persuade the reader - asserting that for such details it is "impossible to give an explanation," that "those who believe these details have explanations are as far from the truth as those who imagine that the generalities of a commandment are not designed with a view toward some real benefit," as well as several other choice expressions - appears to have reflected his personal view. At the same time, the attribution of reasons to the details was also articulated in a most fervent, extensive and persuasive manner. Although we cannot be sure, it does not appear that this is an example of the intended contradictions he spoke of in his introduction to the *Guide*, a device he felt constrained to employ for various reasons.

One wonders why he did not merely attribute the rabbinic statement that the commandments were given only to purify man to another school of thought among the Sages, one not accepted as the true standard, as he does on other occasions when he addresses a statement of theirs that does not coincide with his views. A strikingly similar example is the case of the Talmudic explanation that the reason the Mishnah ruled that a public reader who says, "Thy mercies extend to young birds" must be silenced is because he is defining G-d's laws as motivated by mercy when in reality they are "decrees of the King" (BT Ber. 33b), implying decrees without reasons. There, he states that this is the opinion of those who hold that there is no reason for the laws except the will of G-d, "but as for us we follow only" the other opinion, that they all have reasons (*Guide*, 3:48.).

Or, one further wonders, why did he not treat the troublesome statement as he did statements of certain Sages "in the Talmud, Mishnah and Midrashim" that contradict his position of totally rejecting any validity to astrology. There, he writes: "for it is possible that something was unknown to him at that moment, or perhaps his words were intended to hint at something, or perhaps he only said them for the moment or due to some specific incident that occurred. Do you not see that many verses of the Torah are not to be taken literally?" (*Letter to the Marseilles Community*).



Does it not appear that he changed his mind within the relatively short span of about 20 chapters?

At any rate, on the issue of details, modern Bible research supports the position that what may appear to be relatively minor particulars of sacrifices, as of all rituals, invariably do have symbolic meaning. The comparison with the practices of neighboring cultures has highlighted distinctive meaning in numerous particulars. In addition, many sophisticated patterns and intertextual linkages involving minutia that run throughout the Torah betoken purpose to the details (see our study *On Number Symbolism in the Torah From the Work of Rabbi Solomon D. Sassoon*).

## **V. In Mishneh Torah**

In light of HaRambam's position in the Guide that sacrifices were a concession to deeply ingrained human habit of ancient times - a disposition that obviously no longer obtained in his days in the regions in which he lived and which he seems to have felt was not destined to return - many have wondered why in Mishneh Torah he devoted the enormous attention he did to a comprehensive and precise articulation of the myriad minutia of the sacrificial program. Were they to be reinstated in their fullness? The standard and well-established explanation of his position is that once the laws passed through the prophetic channel and became formulated in the Torah they assumed transcendent significance regardless of the original consideration for their inclusion in Divine Law. The symbolism invested in them at the very beginning, despite their sometimes being reactions to past, presently-irrelevant idolatrous practices, renders them ever-meaningful.

However, this is not to say that he never changed his views from Mishneh Torah (completed about 1180) to the Guide (completed about 1190). A famous reversal (that does not appear attributable to his practice of treating esoteric subjects differently in the two works) is found in the case of "the bird's nest," regarding which we earlier quoted his position in the Guide rejecting the interpretation that refuses to see G-d's mercy on the nest at work in the law, assigning that view to a rejected school of thought. In Mishneh Torah (*Hilkhot Tefilla* 9:7) he codified the law as stated in the Mishnah, that the public reader who recites that phrase is silenced. There, he explains that had the prohibition of taking the young in front of its mother been a result of G-d's mercy He would have prohibited slaughtering, as well as partaking of animal and fowl flesh, altogether. In that earlier formulation he was willing to accept a Talmudic interpretation that he may not have been very satisfied with, indicated by his effort to provide it a logical support (one that we may add has not been considered compelling), a disposition he no longer possessed when writing the Guide.





Perhaps in the tension that might have existed within him between his appreciation of tradition and his insights into philosophy and reality, both part and parcel of his understanding of Torah in its wholeness, in earlier phases of life he tilted toward the former while subsequently he increased the relative weight placed on the latter. This parallels his explanation (in the 1191 letter to his student Rabbi Joseph, either Ibn Waqnin or Sham`un) concerning some variations between his Commentary on the Mishnah (completed about 1168) and Mishneh Torah. He acknowledges having erred in the earlier work, usually attributable to having relied uncritically on Geonic interpretations; upon subsequently studying those matters more carefully he deemed those Geonim mistaken.\*\*

Regarding “*ḥuqim*” in general (the class of law to which sacrifices belong), it may be that there are signs of ever-subtle change in perspective in his views even within the law code itself (which was written over a ten year period, although he did release completed sections through those years). We will quote from his formulations at the conclusion of three sections of Mishneh Torah, in relatively close proximity, the first two of which may indicate a degree of movement in this area that set the trajectory for his later views and the third interesting for revealing its author’s disposition. In *Hilkhot Me`ila* (8:8), he states:

Regarding the Torah statement, “You shall guard all *ḥuqim* and all *ḥuqim* and do them” (Lev. 20:22), the Sages explain that this formulation is to apply both “guarding” and “doing” to the *ḥuqim* (statutes) equally as to the *ḥuqim* (ordinances). The meaning of “doing” is known, to fulfill. “Guarding” means that one should be careful with the *ḥuqim* and not imagine that they are of lesser importance than the *mishpatim*. *Mishpatim* are those laws whose reason is apparent and the benefit of fulfilling them to this world is known, such as the prohibitions to steal or kill and the obligation to honor father and mother, while the *ḥuqim* are those laws whose reason is not known. The Sages said: “[G-d said:] Statutes I have decreed for you and you have no right to skeptically question them.” Man’s natural impulse troubles him regarding *ḥuqim* and the nations of the world criticize them, such as the laws regarding pork, meat and milk, the `eglah `arufah, the red heifer and the scapegoat.... All the sacrifices are in the category of *ḥuqim*. The Sages said: “The world stands because of sacrificial service.” For in fulfilling *ḥuqim* and *mishpatim* the upright people merit the life of the World to Come. And the Torah placed its commands on the *ḥuqim* first, as it states: “You shall guard My statutes and ordinances that a man shall fulfill them and live thereby” (Lev. 18:5).

In *Hilkhot Temurah* (4:13) he writes:

Although all *ḥuqim* (statutes of the Torah) are decrees, as we explained at the end of *Me`ila* (quoted above), it is appropriate for one to reflect upon them and to the extent that you can explain any give the explanation. The early Sages stated that King Solomon understood most of the reasons for the statutes of the Torah. It appears to



me that what Scripture states [regarding the desire to substitute a different animal for a consecrated one]: “And both it and the substituted one shall be holy” (Lev. 27:10)...is a case in which the Torah penetrated to the depths of man’s mind and inclination. For man’s nature inclines toward increasing his possessions and being concerned for his money and although he vowed and consecrated something it is possible he changed his mind and regrets it and would redeem the item [evaluating it] for less than its value, so the Torah stated that if he redeems for himself he must add a fifth. Concerning a consecrated animal that cannot be redeemed he might want to exchange it for one of less value. And even had it been permitted to exchange for one of greater value he might rationalize that the inferior is the superior so Scripture precluded him from doing so by prohibiting exchanges and mandating that if he nonetheless does exchange, both are holy. All these regulations are to prompt one to subdue his natural inclination and improve his character. Most laws of the Torah are nothing other than counsel from afar from the Great of Counsel to improve character and correct actions as it states, “Indeed, I wrote for you excellent things with wise counsel to make you know the meaning of words of truth, to reply with truthful words to him who sent you” (Prov. 22:20-21, based on old and new JPS).

And in *Hilkhot Miqva’ot* (11:12):

It is clear and obvious that impurities and purities are Scriptural decrees, not matters that the human mind could have determined, and that they are included in the *huqim*. Similarly, immersing [to purify] from impurity is part of the *huqim*, for the impurity is not mud or excrement that may be removed with water but it is a Scriptural decree and the matter is dependent on the intentions of one’s heart.... Nonetheless, there is a hint in this matter, that just as one who focuses his intention to become purified, upon immersion becomes purified, even though there is no physical change in his body, similarly, one who directs his heart to become purified from the impurities of being, which are thoughts of iniquitous doing and evil dispositions, as soon as he decides in his heart to separate from those counsels and brings himself into the waters of enlightenment, he is pure, as it states, “I will sprinkle pure water upon you and you shall be purified...” (Ezek. 36:25).

Although its possible that these three statements were intentionally designed with their subtle nuance differences from the beginning it appears more likely that they reveal a dynamic thinker, one constantly refining his views and always concerned for the larger picture. In the first he interpreted the *huqim* in accordance with their value of man expressing his obedience to Divine decrees, somewhat in the manner of the “other opinion” in the case of the bird’s nest, apparently not yet having formulated his position of, “All these regulations are to prompt one to subdue his natural temptation and improve his character.” Had the latter consideration been prominent in his thought while formulating the earlier statement would it not have been incorporated within it? Indeed, the purpose “to improve his character” brings him close to his position in the Guide on

that issue\*\*\*. In the third of these formulations - concerning a large area of Biblical law - he does not touch on the intrinsic disciplinary benefit of *huqim* nor does it seem he has developed his position as presented in the Guide (3:47), but he straightaway turns to a symbolic explanation. (He early on recognized a symbolic dimension to Scriptural decrees such as in the case of *shofar* (MT *Hilkhot Teshuba* 3:4): “Although blowing the *shofar* on Rosh Hashanah is a Scriptural decree it contains a hint, namely, ‘Awake from your slumber...’”).

## Endnotes

\* An apparent example of HaRambam reversing himself in Mishneh Torah from a position on realia twice asserted in his Commentary on the Mishnah (Abot 5:5 and Sota 9:12) is the case of the *shamir*. In the earlier work he accepted the traditional view of its existence and utility in construction of the Temple based on the Mishnah’s statements and Talmudic explanations but in Mishneh Torah he ignored it completely, probably considering the Mishnaic view allegorical (see out study *Cutting Stones for the Temple, the Rambam and the Shamir*)

\*\* Some commentators agree with HaRambam’s position in the Guide that statutes have a purpose but disagree with his rejection of the Mishnah from halakha, proffering interpretations. The Ramban distinguishes between the purpose of “improving human character,” which he opines would have been acceptable in the Talmudic context under discussion and the unacceptable “As You have mercy on the bird’s nest.”

\*\*\* The simile Maimonides employed, portraying G-d sending a prophet to institute a transition from fulfillment of the misvot to meditative service of Him, has been thought by some to be an intentional introduction of a concept he considered to be in harmony with the ultimate objectives of the Torah, without explicitly sanctioning it. Some have seen it as consonant with an aspect of the Talmudic view of Rabbi Joseph that “misvot will be annulled לעתיד לבא (in the time to come)” (BT Nida 61b). Surely, Maimonides would not agree with Rabbi Joseph’s full intent as the latter was referring to the Resurrection era, a period Maimonides defines as limited in duration and not categorically differing from the present order of life, which would continue afterwards, but he perhaps could interpret the underlying notion as based on the advance that a transformation to meditation would bring in service of the Deity. As specifically regards sacrifices, there are Midrashic statements maintaining the future annulment of all of them except for one: “In the time to come (לעתיד לבא) all sacrifices will be annulled except for the thanksgiving offering, which will never be annulled and all prayers will be annulled (perhaps: become unnecessary) except for the thanksgiving prayer, which will never be annulled” (*Vayiqra Rabbah* 9:7, 27:12; *Tanhuma Emor* 14, *Midrash Tehillim*, Buber ed. on 56:13; *Yalqut Shimoni* on Neh. 12:31). Concerning Maimonides’ doctrine of the immutability of the law, he probably didn’t truly view it as applicable to the case of G-d sending a prophet - which would



appear to be an axiom without foundation in the sources or in logic - although he wouldn't explicitly state as much, considering the enormous pressure placed on contemporary Jewry by claims of missionizing religions of having had just such revelations.