

# REFLECTIONS ON MAIMONIDES' EIGHTH PRINCIPLE OF FAITH: ITS IMPLICATIONS FOR ORTHODOX BIBLE STUDENTS

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Many regard Maimonides' Thirteen Principles of Faith as the bedrock of Jewish theology, and in many ways it is. "Maimonides' formulation assumed such significance that all post-Maimonidean dogmatists were forced to confront it."<sup>1</sup> The standard set by Maimonides demands that all students of Judaism use his principles as a starting point for any inquiry into the nature of Judaism. It would seem that "as a method of shorthand the Principles are indeed a very good way of expressing the fundamentals of Judaism as understood by most Jews until the rise of the Reform movement. However, as with most shorthand formulations, while correct in many essentials, *they are not correct in their entirety*"<sup>2</sup> (emphasis mine AW). Perhaps the most difficult article of faith for any modern student of the Bible is the eighth principle claiming that the Torah that is found in our hands is the Torah that was given to Moses and that it is all Divine.

The basic claim is that the Masoretic text is exactly the same today as it was 3,300 years ago, dictated by God and written down by Moses. And yet, "strictly speaking, there is no such thing as *the* Masoretic text (MT). One can only speak of the texts established by various Masoretic scholars, which differed in minor details. Technically speaking, all of these disparate texts must be termed 'Masoretic'."<sup>3</sup> Since at least the time of the Prophets there were *always* variant texts.<sup>4</sup> One of the better known examples of this is the Leningrad Codex. The Leningrad Codex is the oldest complete manuscript of the Bible we have today. When it is compared with the Orthodox Koren edition of the Bible, arguably the most popular printed edition of the text in Israel, the Leningrad Codex has an additional 45 letters. Mossad Harav Kook, another popular Orthodox publishing house in Israel, uses the Aleppo Codex as its text, differing in nine places with the Koren. Thus, we already have three examples of the MT, at least two of them in wide use, that differ with each other.

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Already in the era of the Talmud, Babylonian scholars were no longer experts in the exact spelling of certain words.<sup>5</sup> No Torah scholar is unaware of the fact that the Talmud quotes verses differently than what we have in our Bibles today.<sup>6</sup> The textual variants are so numerous that most halakhic decisors today rule that if a spelling mistake is found during the public reading of the Torah, there is no need to bring out another scroll from the ark.<sup>7</sup>

The Talmud itself records the now widely accepted opinion that the last eight verses of Deuteronomy, describing the death and burial of Moses, were written by Joshua.<sup>8</sup> If Maimonides is to be taken literally, it would place him in opposition to the Talmud and would mean that the Talmud is expressing a heretical idea. It also places him in opposition to the countless Jewish scholars of the past who used texts that differ from the Ben Asher Masoretic text chosen by Maimonides as the best text we have (*Laws of Tefillin, Torah Scrolls, and Mezuzah*, 8:4). This would, of course, label Yemenite Jews as heretics since they have a Torah scroll that differs from Ashkenazi texts in at least nine places. To the credit of the variants, it is not just taking an apologetic defensive posture to claim that all these variants are in fact minor. There is no textual variant that really changes any of the *mitzvot*. It is not as if one text says "*Do not murder*" and the other, "*Do Murder*." Still, as Professor Marc B. Shapiro puts it best, "one must conclude that acceptance of the Masoretic text as being entirely of Mosaic authorship is neither compelling nor 'Orthodox'."<sup>9</sup>

Rabbi Louis Jacobs makes the claim that "it is impossible for most Jews properly acquainted with the facts to accept Maimonides' eighth principle in the form given to it by the great medieval thinker. At the same time, Judaism as a religion surely does depend on the belief in '*Torah Min Ha-Shamayim*', 'the Torah is from Heaven', which is only another way of saying that in Judaism at least, there can be no religion without revelation."<sup>10</sup>

It is not our place here to run through the arguments of the Higher Criticism of Wellhausen, the Documentary Hypothesis and the different characteristics ascribed to J, E, D, and P. For our purposes, let it suffice that it is my contention that to deny the findings of higher biblical criticism is to ask a *sacrificum intellectus*; I therefore accept the findings of source criticism but, as an Orthodox Jew, reject their conclusions, namely, the idea that there were multiple authors of the Pentateuch and the Redactor, "R", put them all together.<sup>11</sup>

However, it is clear that the Torah we have today could not possibly be the exact same Torah that Moses wrote, and the theological question before me is how to deal with those differences.

It is clear to me that while the Torah was written in different styles, it is not an abdication of the mind to believe that a Divine Author can "speak" with different voices. I do not believe these different voices to be any more misleading than the Torah's contention that the world was created in six days some six thousand years ago. Its purpose is theological and pedagogical. This is not our question.

The real question is whether believing that the Torah text is Divine, yet corrupted over time, conflicts with Maimonides' eighth principle. I believe the answer is no.

Let us see exactly what Maimonides is saying. After introducing the eighth principle,<sup>12</sup> he continues to explain that belief in the divinity of the Torah means "that if someone believes that the entire Torah is Divine, except for one verse that was written by Moses himself; of him the verse says *For he has despised the word of the Lord* (Num. 15:31)."

Perhaps what Maimonides is doing is taking a cue from his previous article of faith requiring belief in the prophecy of Moses, and then extending it by saying that while Moses' prophecy was great, he nevertheless had no hand in composing the Torah text, which was the *ipsissima verba* of God.

This would not preclude a belief that after the revelation of the Torah text, it was subsequently corrupted. The prohibition, according to Maimonides, would only apply to the belief that a textual variant was introduced by Moses, or that he somehow contributed some input to the text. But once it was handed to him, immaculately, there is nothing to prevent anyone believing that the text was subsequently corrupted.

Interestingly enough, in enumerating his articles, Maimonides places the truth of the Masorah before its divinity. This was meant to demonstrate a belief in Jewish tradition, namely the Oral Law. And if this is in fact the case, then the eighth principle calls upon us to believe not only in the divinity of the Written Torah, but in the Oral Torah as well. When we reread Maimonides, it should therefore be clear that what he is talking about is the veracity of Torah in the fullest sense of the word, encompassing both the Written and the Oral traditions. And since we know that there have been corruptions in the

Oral Law (after all, isn't that the very reason given to justify its codification in the Mishnah?), it would be fair to believe that there were corruptions in the Written Law as well.

This approach dovetails neatly with Rabbi David Weiss Halivni's teaching of *hate'u Yisrael* ("Israel sinned"): "This idea allows the modern religious Jew, apprised of critical responses to the scriptures, to understand how an actual revelation of God's will at Sinai is compatible with a Torah that shows signs of having been compiled from several textual strands . . . *Chate'u Yisrael* as a theological account explains that in the period of neglect and syncretism the Torah of Moses became blemished and maculated."<sup>13</sup> Halivni poses the obvious question: "Even if *Chate'u Yisrael* as a basis for religious faith is accepted by the modern religious Jew, a central theological problem remains with respect to the written Torah. If we must recognize that the written Torah is a compiled text . . . how can we still revere this Torah as divine writ?"<sup>14</sup>

The theory put forth in Halivni's book, *Revelation Restored*, is that at the end of the biblical period, after years of neglect and of the people whoring after strange gods (which led to the corruption of the scriptural text), Ezra the Scribe undertook to restore it. "To him and his entourage fell the task of presenting the surviving scriptural trust to the people who at long last were prepared to embrace it."<sup>15</sup> Ezra reconstructed the text as best he could to what Moses brought down from Mount Sinai. Although many corruptions remained, these would be the scars of work done to reconstruct the original, immaculate text. Like a man whose wounds have healed, the Bible too would continue walking around with the scars of healed wounds. Basically, Halivni gives more weight than his predecessors to what Ezra and his companions must have done for the Rabbis to declare "that had the Torah not been given to Moses, it would certainly have been given to Ezra."<sup>16</sup>

For the modern Orthodox Jew, I believe that Halivni offers a fair *modus vivendi* to lead our lives without resorting to mental gymnastics in an effort to reconcile the obvious reality of the Torah text with its divinity. Jacobs concedes this when he writes: "There is no doubt whatsoever that MT [Masoretic Text] is the best witness to the original text."<sup>17</sup> Yet "that MT is always correct and that all ancient variants are due to error is a belief so preposterous that it would hardly have been necessary to refute it, were it not for the fact that it is

implied in the standard formulation of the eighth article of faith."<sup>18</sup>

#### CONCLUSION

By combining the ideas of Shapiro and Halivni, we can resolve both parts of Maimonides' eighth principle. The question of biblical textual variants is solved by understanding that Moses did in fact receive an immaculate text that was subsequently corrupted. This corrupted text was then reconstructed by Ezra to the best of his ability.

It would seem, then, that Maimonides' eighth principle does not require a blind acceptance of today's Torah text as completely divine, nor does it ignore the obvious lacuna in the text. What Maimonides teaches is that there was an immaculate Torah text handed to Moses and that Moses, as great a prophet as he may have been, had no input in the writing of the Torah text. This approach recognizes corruptions in the text over time, yet understands that these corruptions do not detract from the divinity of the Torah.<sup>19</sup>

#### NOTES

1. Marc B. Shapiro, *The Limits of Orthodox Theology* (Oxford: The Littman Library of Jewish Civilization, 2004) p. 3.

2. Ibid., p. 2.

3. Ibid., p. 92.

4. See Psalm 18 as quoted in II Samuel 22. Not only are words spelled differently, but some are in a different order. While this example is not from the Pentateuch, it illustrates my point that even in the days of the Prophets, the Biblical texts had variants. Another interesting question beyond the scope of this paper is the status of this quote in Samuel. Is it to be considered to possess the sanctity of the Prophets, as per its inclusion in it, or of the Writings as it is taken from there?

5. TB *Kiddushin* 30a.

6. The most popular example of a Talmudic text differing from our biblical text is the question raised by the wise son in the Passover *Haggadah*, where he asks: "*What are the decrees, laws, and rules which the Lord our God has enjoined upon you [etkhem]?*" This question, a citation from Exodus 6:20, seems fair enough until we encounter the one by the evil son, based on Exodus 12:26, in which he asks: "*What is this service to you [lakhem]?*" The *Haggadah*, basing itself on the *baraita*, explains that the problem with the evil son's question is its exclusionary nature in which the word "you" is used. The commentators bend over backwards in their attempts to reconcile the wise son's question with the evil son's, since they both use the word "you." However, upon looking at both the *Mekhilta* (end of *Parashat Bo*) and the Talmud Yerushalmi (*Pesahim* 10:4), we see a very different question for the wise son. Their text quotes the wise son as saying: "*What are the decrees, laws, and rules which the Lord our God has enjoined upon us [otanu]?*" It seems both of these texts were relying on a biblical manuscript different from the one we have

today. One might very well argue that, in light of the *baraita*, the biblical quote found in the Yerushalmi and *Mekhila* makes more sense. Another glaring difference is found in TB *Kiddushin* 30a, where it is stated that the middle verse of the Torah text is Leviticus 13:33 and the number of verses in the Torah is 5,888. In our MT the middle verse is Leviticus 8:7 and our verse count is 5,845.

7. Rema, *Shulhan Arukh, Orah Hayyim* 143:4 This refers to a small mistake like an extra or missing letter that does not change the meaning of the text. A glaring mistake like a missing word *would* necessitate the Torah scroll to be switched.

8. TB *Bava Batra* 15a.

9. Marc B. Shapiro, op. cit., p.102.

10. Louis Jacobs, *Principles of the Jewish Faith* (London: Valentine Mitchell, 1964) p. 219.

11. Franz Rosenzweig famously wrote in a letter dated April 21, 1927 to Jacob Rosenheim, a leader of German Orthodoxy, that "R" stood for *Rabbenu*.

12. Commentary to *Sanhedrin*, chapter 10.

13. David Weiss Halivni, *Revelation Restored* (Boulder, Colorado: Westview Press, 1997) p. 4.

14. Ibid., p. 7.

15. Ibid., p. 76.

16. TB *Sanhedrin* 21b.

17. Jacobs, op. cit., p. 258.

18. Ibid., p. 259. As an Orthodox Jew, while agreeing with Jacobs that Judaism as a religion would stand or fall on the fact of revelation; I wonder whether Judaism would also stand or fall on the fact of Mosaic authorship. In other words, does Judaism need Mosaic authorship of the Torah text, or is it the Jews who need it? Would proof against Mosaic authorship change anything in our practice? Should it? I believe it should not, but an exploration of that question must be reserved for another time.

19. For a fuller treatment of this idea, I strongly encourage the reader to see Professor Marc B. Shapiro's brilliant analysis of the subject in his book, *The Limits of Orthodox Theology* (Oxford: The Littman Library of Jewish Civilization, 2004).



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