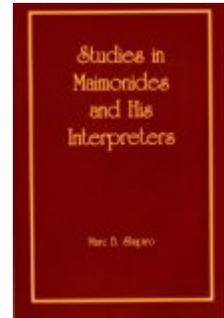




**Marc B. Shapiro.** *Studies in Maimonides and His Interpreters.* Scranton: University of Scranton Press, 2008. xv +172pp. + Heb. 33pp. Notes, bibliography, index of Maimonidean passages. \$10.00, paper, ISBN 978-1-58966-165-3.



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Marc Shapiro's latest volume contributes further to what might be considered a series of works that together constitute a programmatic assault on the ahistorical non-text-critical traditionalist rabbinic approach to its own intellectual legacy. His superb biography of R. Jehiel Jacob Weinberg, *Between the Yeshiva World and Modern Orthodoxy* (1999), a revered rabbinic sage of the twentieth century (a *godol*), initiated the project exposing a dimension of critical thinking, intellectual breadth, and personal relations that R. Weinberg's traditionalist admirers would have preferred ignored, suppressed, or revised in accordance with an ideal (nonexistent, stock, and flat) image of unflinching religiosity. Heaven forbid (precisely the reaction elicited) that a stalwart of the ultra-orthodox world, whose image graces valuable collected Torah cards, ever greeted let alone carried on a close relationship with a professor of philosophy and Talmud at the Reform Hebrew Union College. Shapiro's monograph on *Saul Lieberman and the Orthodox* (2006) fits in as a companion piece regarding a premiere twenti-

eth-century Talmudist who, having crossed over from the very heart of rabbinic orthodoxy to the Conservative Jewish Theological Seminary, represents a mirror image of R. Weinberg. His thesis there impels a yearning for a time now lost when, in teaching Torah, "great *talmidei hakhamim* [rabbinic scholars] of both denominations could be intellectual comrades" (p.51).

Once undermining (in truth ennobling) an existential icon of orthodoxy, Shapiro then took aim at the very foundation (or so it is believed) of its belief system—Maimonides' Thirteen Principles of Faith in *The Limits of Orthodox Theology: Maimonides' Thirteen Principles Reappraised* (2004). He convincingly demonstrated that, far from unanimously embraced by what has been absurdly imagined as some amorphous rabbinic accord, virtually each one of the principles has been contested and subjected to critical halakhic (*Halakha* refers to Jewish law) debate since their introduction by many of the major and respected rabbinic decisors. In other words, a twelfth-century construct was never considered by many of ortho-

doxy's own sages to have originated in Sinai. Hardly a radical thesis for anyone possessed of even a modicum of critical sensibility but once again mission accomplished, drawing a collective "heaven forbid" from the audience that has granted those principles canonical status. (One wonders if the principles would continue to hold sway were it known that they mandate allegiance to *al qaida*—the Arabic term introducing each one.) Shapiro's thesis is all the more substantiated by my own admittedly unscientific survey of *bachurei yeshivah* (rabbinical students) determining that it would not only be difficult to find one who could rhyme off in sequence what are supposedly the very rudimentary tenets of his Jewish faith, but rarer still would be knowledge of either where or in what language (Judeo-Arabic, not Hebrew) they were composed. Indeed, most are familiar with them through poetic digests found in the prayer book that Maimonides did not even author. So much for the sanctity of the Thirteen Principles!

Shapiro's impeccably researched *Studies in Maimonides* advances his iconoclastic project in its methodical humanization of a virtual god in the *yeshivah* (rabbinic academy) world whose every jot and tittle continues to be scrutinized and mined for meaning. In fact the microscopic analysis of Maimonides' halakhic oeuvre (consisting almost exclusively of his legal code, the *Mishneh Torah*) has evolved into a discipline unto itself where a favorite and challenging *yeshivah* pastime is to harmonize Maimonides both with his rabbinic antecedents (Talmud, halakhic midrash) and himself in cases of inconsistencies, halakhic quandaries, or novelty. More a collection of odds and ends than a book-length thesis, the connective thread is the demystification of a figure traditionally perceived as the personification of the very apex of religious life and thought. But Shapiro demonstrates in the first essay, "Principles of Interpretation in Maimonidean Halakha," that what is often engaged in as the most noble of rabbinic endeavors, to resolve a problematic Mai-

monidean passage (in the pervasive Yiddish colloquial of the *yeshivah*, *tsu farentferen a shverer rambam*), can be simply an exercise in futility once human error, oversight, and reformulation are taken into account. The most common is mere forgetfulness or erroneous citations from memory, a phenomenon corroborated beyond a reasonable doubt by a mind-numbing listing of misquoted biblical verses that spans some thirty pages (pp.17-47)! Though tedious overkill in an essay, every future edition of the *Mishneh Torah* would be well advised to include these as errata to avoid the kind of "betrayal" exhibited even by the sophisticated Frankel edition which inserted its own textually unsupported corrected version of verses (p. 37, n. 144).

Overlooked Talmudic sources may account for Maimonides' claim to originality (evidenced by the expression "it appears to me") where there is none (p. 56) and endless casuistry could be avoided by noting stylistic reasons for choice of language (p. 58). Blatant internal contradictions within the *Mishneh Torah* might be accounted for by careless or incomplete editing that Maimonides intended but did not have the opportunity to correct. Shapiro cites two persuasive examples (pp. 61-68) where this literary feature is a far more plausible rationale than the ingenious *pilpul* (complex, abstruse, creative analysis and harmonization, considered sophistry by its critics, of rabbinic texts) dedicated to resolving intentionally crafted "apparent contradictions." The proposition that human beings, no matter how great, make mistakes, are forgetful, or change their minds, would not normally be considered groundbreaking. However, the formidable resistance to it posed by the rich history of Maimonidean study, both in the rabbinic milieu and more recently in the academic, demands the kind of detailed evidence Shapiro has marshalled so that Maimonidean scholarship can advance in a critically positive direction. Finally, one of the most fascinating details of Shapiro's expose supporting the importance of a text-critical approach is one rele-

gated to a footnote (p. 57) of instances where Joseph Karo's emendations based solely on his own keen sense of halakhic dialectics in his commentary to the *Mishneh Torah* were actually incorporated into subsequent printed editions despite the lack of manuscript evidence. The only defense I would offer on behalf of traditionalist text analysis is that it is not perceived as merely an academic pursuit but as a religious enterprise. The reluctance to accuse Maimonides of error is a function of ethics, a profound posture of humility of which we in the academic world would be well advised to take note in our own scholarly debates.

Far more interesting and I believe important for appreciating the overall Maimonidean intellectual oeuvre is the second essay, a revised version of a previously published study on "Maimonidean Halakha and Superstition." When drafting his code, Maimonides confronted a serious challenge--how would he deal with those halakhot anchored in superstition, especially when associated with demons and spirits, beings clearly acknowledged by the Talmud but whose existence, by all the evidence, was rejected by Maimonides? Here Shapiro compiles an invaluable comprehensive list of all such instances which reflects a concerted effort to present a rational friendly halakhic code liberated of any superstitious dross. This Maimonides accomplishes basically through the following strategies: (i) outright omissions (e.g., superstition related to disposal of fingernails [p.125]);(ii) outright omissions supported by alternative naturalist Talmudic opinions (p.116); (iii) partial omissions (e.g., omitting hiding the afterbirth believed to affect the infant's body temperature [p.119]); (iv) using rationality to determine choice of alternative rabbinic sources; and (v) substituting rabbinic superstitious rationale with his own (e.g., allowing use of charms in violation of the Sabbath, not for their magical but for their placebo effect [p.131])).

My own favorite example is the naturalization of a story we are all familiar with from the

Passover Haggadah. The Tanna, R. Eliezer ben Azaryah's imprecise declaration of his age as "I am like a seventy-year-old," is traditionally understood to refer to his miraculous overnight transformation from adolescent to senior citizen so as to command respect for his new position of authority. Maimonides attributes his elderly appearance to premature aging due to his strenuous, laborious, and sleepless dedication to the study of Torah. The story is infinitely enriched once it has been demythologized. R. Eliezer is now a religious archetype from which one can actually learn something, though the lesson of probative and intense study may not be as attractive to the public as the immediacy of the miraculous, especially in an age of instant gratification. Shapiro's study provides substantive endorsement for what Isadore Twersky argued is a symbiotic relationship between Maimonides' philosophical and juridical works. Shapiro irrefutably demystifies the Rambam (the Hebrew acronym for Maimonides) by portraying a Rambam who demystifies.

Among the disparate items in the Hebrew section, including a spirited nineteenth-century maskilic defense of Maimonides' philosophical teachings that could have benefited from more context, I found two especially intriguing. First are the polite yet caustic criticisms of R. Chaim of Brisk's totally ahistorical method of Maimonidean study by Shapiro's original focus of research, R. Weinberg, a more critically and historically minded thinker, who considered R. Chaim "a 'new Rambam,' but not an interpreter of the Rambam" (p. 31). R. Weinberg's critique of the Brisker methodology highlights well Shapiro's distinction between the hagiographic and the critical approaches to Maimonidean studies. The second is a response by R. Joseph Kafih to Shapiro's query regarding translation of a key Arabic term (*itaqad*) that reappears through the Thirteen Principles refining it as "knowledge" rather than "belief." Kafih's brief correction whets one's appetite for a further full-length study on the Thirteen Principles that would satisfy the glaring desideratum of

Shapiro's previous fine survey. If "knowledge" is what the principles are rooted in then the first two (divine existence and unity), to which Shapiro paid little attention for lack of dissent, are in truth the most problematic for the traditionalists' orthodox world. Forests could have been salvaged had there been the simple acknowledgment that the perceived "contradiction" between the "knowledge" required by the *Mishneh Torah* to fulfill the first mitzvah and the supposed "belief" called for by the *Sefer HaMitzvot* [Book of Commandments] is based on a contrast between an original Hebrew formulation with a Hebrew translation of the Arabic which quite consistently connotes knowledge. True knowledge for Maimonides cannot be gained by belief, faith, or deference to tradition but rather by rigorous philosophical demonstration that can only be achieved pursuant to intensive training involving a curriculum replete with "secular" disciplines. The argument can be made that while they are paid lip-service, in fact there is no compliance with precisely the first two principles--the very essence of Judaism for Maimonides. It is worth exploring whether our synagogues and yeshivot might in fact, by Maimonides' standards, be populated by idolaters (who literally surrendered their membership in *am yisrael* [nation of Israel]!) whose religious commitment is to some imaginary being that is anything but the divine being defined by the first two principles. Though there is work yet to be done, *Studies in Maimonides and his Interpreters* invaluable advances Shapiro's provocative and subversive project.

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