

Essay

# Weaning Away from Idolatry: Maimonides on the Purpose of Ritual Sacrifices

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**Abstract:** This essay explores Maimonides' explanation of the Bible's rationale behind the ritual sacrifices, namely to help wean the Jews away from idolatrous rites. After clearly elucidating Maimonides' stance on the topic, this essay examines his view from different angles with various possible precedents in earlier rabbinic literature for such an understanding. The essay also shows why various other Jewish commentators objected to Maimonides' understanding and how Maimonides might respond to those critiques. Additionally, this essay also situates Maimonides' view on sacrifices within his broader worldview of the Bible's commandments in general as serving as a counterweight to idolatrous rituals.

**Keywords:** sacrifices; theology; maimonides; ritual; idolatry; paganism; cult; fetishism; nahmanides; judaism; bible; midrash; talmud; rabbinics; philosophy; rationalism; polemics; mysticism; ancient near east; bible studies

## 1. Maimonides' Position

In his *Guide for the Perplexed* (3:30, 3:32), Maimonides explains that the Torah's main objective is to eradicate the viewpoint of paganism. Thus, to truly understand the Torah's original intent, one must be familiar with the philosophies and practices of ancient idolaters (in Maimonidean terms, this refers to practitioners of non-monotheistic religions).

Taking this idea a step further, Maimonides seemingly assumes that ritual sacrifices are a sub-optimal form of worship, leading him to making the bold statement that the Torah instituted its system of ritual sacrifices to facilitate the rejection of idolatrous practices. He explains that human nature is that whatever people have accustomed themselves to doing becomes so ingrained in their nature that it cannot be easily uprooted. Man cannot successfully transition from one extreme to the other without some time to acclimate.

Thus, God did not simply command the Jews to reject idolatry by completely forbidding its classical practices—animal sacrifices, prostration, and burning incense—because these practices were so much a part of human culture at the time that the Jews would not have been able to give them up.<sup>1</sup>

Maimonides illustrates his point by asking us to imagine that one day a prophet announced that God said that one should not pray to Him, fast in repentance, or request His assistance in a time of need, but should worship Him exclusively in thought, without any action. We would not listen to such a prophet because praying, fasting, and requesting assistance are ubiquitous forms of religious worship, and we cannot imagine religious life without them. Similarly, Maimonides explains, animal sacrifice and the like were such widely-accepted forms of worship in the ancient world that religion without them was unimaginable.

### 1.1. Limited Permission for Ritual Sacrifice

Given this predicament, the question is obvious: How could God get the children of Abraham—the champion of monotheism—to refrain from engaging in idolatrous sacrifice rituals?



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Maimonides explains that God permits some of these pagan forms of worship to remain in a *kosher* form. God found this “ploy”<sup>2</sup> necessary in order to eradicate idolatry and establish the great principle of the Jewish religion (i.e., the belief in God and His uniqueness). He allows for a temple, altar, and sacrifices—with the explicit caveat that He alone be the object of worship. This explains the Torah’s repeated, and seemingly unnecessary, emphasis that these practices be done for God:

- *They shall make a sanctuary for Me* (Ex. 25:8).
- *An altar of earth shall you make for Me* (Ex. 20:21).
- *When a man among you brings an offering to Hashem* (Lev. 1:2).

Similarly, the Torah allows for ritual prostration and offering incense, but warns that such worship should not be directed to any force other than Him:

- *One who brings offering to the gods shall be destroyed—only to Hashem alone!* (Ex. 22:19).
- *For you shall not prostrate yourselves to another god* (Ex. 34:14).

Maimonides notes that the Torah allows for certain idolatrous-like practices, but places certain limits upon them to prevent them from devolving into a pagan-like free-for-all.<sup>3</sup> Firstly, although the Torah calls for the construction of a Temple, it only recognizes *one* legitimate Temple,<sup>4</sup> not a set of temples as is common amongst idolaters: *Beware for yourself lest you bring up your burnt-offerings in any place that you see* (Deut. 12:13). Secondly, although the Torah calls for a class of priests (the *Kohanim*), this class is limited to Aaron’s descendants; other people cannot play any significant roles in offering ritual sacrifices. Thus, unlike other forms of Jewish worship, ritual sacrifice is limited both geographically and genealogically (by contrast, *any* Jew in practically *any* place can engage in, say, prayer).<sup>5</sup>

### 1.2. Downplaying Ritual Sacrifice

Maimonides seems to maintain that the Torah’s concept of ritual sacrifice is simply a means of weaning the Jews away from idolatrous sacrifices. It is a sort of concession to the frailties of mankind who, by the time the Torah was given, were steeped in idolatry.<sup>6</sup> At face value, Maimonides seems to understand that ritual sacrifices have no inherent value.<sup>7</sup> They are just a means—albeit a valuable means—towards the end of weaning people away from idolatry, but they are not an end in their own right.<sup>8</sup>

Maimonides presents a series of Biblical passages that seem to downplay the importance of ritual sacrifice:

- *Is Hashem’s desire in burnt-offerings and sacrifices like in listening to the voice of Hashem?* (I Sam. 15:22).
- *“Why [do you offer] to Me the multitudes of your sacrifices?” says Hashem* (Isa. 1:11).
- *[F]or I did not speak to you forefathers and I did not command them on the day I took them out of the Land of Egypt on the matter of burnt-offerings and sacrifices; rather this matter I commanded them saying, “listen to My voice and I will be for you as God and you will be for Me as a nation”* (Jer. 7:22–23).

On the surface, these passages and others like them seem to eschew ritual sacrifice altogether. However, Maimonides explains that they actually convey the message that God’s *primary* concern is that the Jewish people worship Him exclusively. Sacrifices are a means towards that end, because they allowed the Jews to transfer a deeply-ingrained religious practice from idol worship to Divine worship. Under this theology, the sacrifices themselves are less important than the underlying goal of “knowing [the true] God” and following His rules.

The verses above downplay the importance of ritual sacrifices because when the Jews do not follow God’s rules in other aspects, He finds their ritual sacrifices entirely superfluous.<sup>9</sup> Ritual sacrifices might be the proverbial icing on the cake, or the spoonful of sugar which helps the medicine go down; but when there is no cake, or no medicine, then there is no need for icing and sugar.

### 1.3. Commandments to Counter Idolatry

Later in his *Guide for the Perplexed* (3:37), Maimonides bolsters his claim that ritual sacrifices are intended to prevent the Jews from engaging in prevalent idolatrous practices by arguing that other commandments in the Torah were given for the same reason. These commandments follow the theme of “don’t do what they did”. Some of these examples are also found in Maimonides’ *Sefer ha-Mitzvos*.<sup>10</sup>

- The prohibitions of shaving the corners of the head and the beard (Lev. 19:27) are to avoid mimicking the look<sup>11</sup> of ancient idolatrous priests.<sup>12</sup>
- The prohibition of wearing wool-linen mixtures (Lev. 19:19, Deut. 22:11) is to avoid mimicking the garments of idolatrous priests, who merged wool and linen in their clothes to unite the forces of flora and fauna.<sup>13</sup>
- The prohibition of crossdressing (Lev. 22:5) is to avoid imitating cultic ritual cross-dressing. For example, Maimonides claims that one idolatrous source calls for men to dress in women’s clothes when the planet Venus has influence, and for a woman to don armor and weaponry when the planet Mars has influence.<sup>14</sup>
- The prohibition of mixing (i.e., grafting) different types of trees (Lev. 19:19) is to distance Jews from the cultic practices involving ritual tree grafting. As an extension of the ban on grafting different types of trees, the Torah also bans planting mixtures of different types of seeds. According to Maimonides, the Sabians<sup>15</sup> claimed that if certain types of trees were grafted together, accompanied by sacrifices and incantations, then those trees would yield fruits that had special properties. The Sabians also required that the branch used for the grafting be held in the hand of a beautiful maiden while a man fornicated with her in a disgusting way.<sup>16</sup>
- Maimonides also suggests that the thrice-repeated prohibition of cooking a kid in its mother’s milk (Ex. 23:19, 34:26, and Deut. 14:21) serves to distance the Jews from that idolatrous practice<sup>17</sup> (possibly on their holidays, as Gersonides adds). Although, Maimonides admits that he did not see evidence of such practices in the Sabian writings.<sup>18</sup> More recently, scholars have identified an Ugaritic (i.e., Canaanite) text that describes the rituals of Asherah worship, and one line there possibly calls for “A slaughtered kid in its mother’s milk”.<sup>19</sup>
- The prohibition of lacerating oneself (Deut. 14:1) is to avoid the idolatrous practice of cutting oneself in service of their god.<sup>20</sup>
- Maimonides also writes that the prohibition of deriving benefit from an idol and its paraphernalia or from idolatrous sacrifices (Deut. 13:18) is to prevent a Jew from keeping an idol on hand—even if he may have originally seized it with intent to destroy it—and eventually being ensnared in the sin of idolatry.

### 1.4. Ritual Sacrifice to Contest Idolatry

In a follow-up discussion later in his *Guide for the Perplexed* (3:45–46), Maimonides explains how elements of the Jewish sacrificial rituals counter idolatrous practices. These also loosely follow the theme of “don’t do what they did”:<sup>21</sup>

- Idolaters built temples and set up images of their god(s) as their foci. In a similar but different way, God commanded the Jews to build a temple and place the tablets of the Ten Commandments in a special ark as the temple’s focus. However, the Ten Commandments begin with the recognition of God’s sovereignty and a rejection of idolatry, thus establishing that the non-depictable One God is the focus of the Jewish Temple.<sup>22</sup>
- The commandment to build the altar out of earth or uncut stone (Ex. 20:21–22) counters the idolatrous practice of building altars of hewn stone.<sup>23</sup>
- The commandments that the Kohanim wear trousers (Ex. 28:42) and refrain from ascending the altar via stairs, lest their nakedness be exposed (Ex. 20:23), counter the cultic practices of Baal Peor, which involve ritual body exposure.

- The commandment to sacrifice cows, goats, and sheep exclusively counters various idolatrous cults which revered these animals<sup>24</sup> and forbade their slaughter. Cows were revered by most cults,<sup>25</sup> goats by the Sabians, and sheep by certain sects of ancient Egyptians.<sup>26</sup>
- The commandment to sacrifice domesticated animals counters most forms of idolatry, which largely confined ritual sacrifice to wild animals like lions and bears.<sup>27</sup>
- The commandment to sacrifice a young lamb as the Paschal offering countered the Egyptian idea that lambs were sacred, and the notion that the Jews were redeemed through the power of the zodiacal force of Aries (which is associated with the month of Nissan when they exited Egypt).<sup>28</sup>
- The prohibition of sacrificing any leavened bread or honey on the altar (Lev. 2:11) counters<sup>29</sup> those idolatrous cults which sacrificed leavened breads<sup>30</sup> and honey.<sup>31</sup> The Torah's commandment of accompanying every sacrifice with salt (Lev. 2:13) stands in stark contrast to the prevailing idolatrous practice of never offering salt and often adding honey to sacrifices.<sup>32</sup>
- Maimonides writes that he does not have an explanation as to why the Torah prescribes wine-libations to accompany certain sacrifices, as this was the practice amongst many idolaters.<sup>33</sup>
- The commandment to avoid eating blood (Lev. 17:10, 17:12, Deut. 2:16, 12:23) counters the belief (held by Sabians and others) that blood is the food of demons, and that drinking blood will cause the demons to come and tell one the future.<sup>34</sup> Furthermore, to prevent people from eating blood, the Torah commands that the blood of slaughtered birds and wild animals (Lev. 17:13) be covered, and that the blood of ritual sacrifices be sprinkled in the Temple instead of gathered in a vessel for consumption. In fact, notes Maimonides, when the Jews wandered through the desert, God forbade them from eating all non-sacrificial meats altogether (Lev. 17:1–9), save for birds and wild animals, so that they would not eat their blood. This prohibition only lasted while the Jews lived in the wilderness because, according to the accepted lore, demons only live in the wilderness but not in inhabited areas.<sup>35</sup>

### 1.5. Other Commandments

In addition to Maimonides, several other commentators understand that some of the Torah's commandments and prohibitions are intended to counter certain idolatrous practices. They too generally follow the theme of "stay away from what they did:"

- R. Saadia Gaon writes that when he heard about ritual prostitution in India,<sup>36</sup> he was then able to understand why the Torah forbids using a prostitute's fee for ritual sacrifices (Deut. 23:19).<sup>37</sup>
- While idolaters embraced unbridled sexual expression, the Torah labels a man who had any form of seminal emission "impure" (Lev. 15:16). Dr. Yehuda Leib Katzenelson (1846–1917) argues that the Torah's purpose in branding post-coital men as "impure" was to distance the Jews from the promiscuous idolatrous lifestyles epitomized by the ritual orgies associated with Baal and Asherah.<sup>38</sup> The Torah is so opposed to the many sexual rites that often accompanied idolatrous sacrifices that anyone who entered the Holy Temple or ate sacrificial meats had to first purify himself from sexual activity or seminal emissions.<sup>39</sup>
- The Halacha that an animal slaughtered for personal or sacrificial use must have its throat cut may have been a way to avoid the more gruesome idolatrous practice of sacrificial heart excisions from live animals.<sup>40</sup>
- In fact, Prof. Asa Kasher (a grandson of R. Menachem Kasher) takes Maimonides' view to the nth degree and applies it to almost every single commandment. For example, he argues that the commandments to work six days and rest on the Sabbath serves to prevent one from deifying either work or inactivity by providing the proper balance between the two.<sup>41</sup>

- In a departure from the “stay away from what they did” theme, it can be noted that from a naological perspective, the physical structure of the Holy Temple in Jerusalem mirrors many of the architectural features found in other cultic temples throughout the ancient world. Moreover, the Holy Temple shares many of the same cosmological imports attributed by ancient idolaters to their temples. Perhaps Maimonides’ doctrine can be extended to argue that the Temple itself is another way of mimicking idolatrous practice in order to help wean the Jews away from it.<sup>42</sup>

There are also rabbinic enactments or recommendations which some explain are intended to distance Jews from idolatrous practice. For example:

- Gersonides writes that some idolatrous cults were not so fond of actually drinking blood.<sup>43</sup> Instead, they would use a pit or receptacle to catch the slaughtered animals’ blood. Then, they gathered around the blood and ate from the animal’s meat, with the belief that while they feasted on the animal’s meat, the demons would come and feast on the animal’s blood.<sup>44</sup> In response to this sort of ritual practice, the rabbis instituted that it is forbidden to slaughter an animal such that its blood will spill into a vessel, pit, or any other receptacle.<sup>45</sup>
- Shabazi writes that some idolatrous rites called for idolaters to smell the odor of their flatulence while engaging in rituals.<sup>46</sup> It seems that rabbinic law reacts to this by forbidding prayer in the presence of malodorous smells like dung and flatulence.<sup>47</sup>
- In presenting a variant reading of a list of recommendations in the Talmud, Shabazi includes: “One should not apply makeup to one eye”. He explains that some idolaters used to purposely color one eye and not the other, so that they would look more pitiful and their gods would have mercy on them.<sup>48</sup>

Interestingly, Josephus in *Against Apion* (1:26) cites the Hellenic writer Manetho as having written that the Mosaic Laws “were mainly opposite to the customs of the Egyptians”.<sup>49</sup> The Roman historian Tacitus (56–120 CE) similarly sums up his view of Judaism by writing in his *Histories* (5:3): “Among the Jews all things are profane that we hold sacred; on the other hand they regard as permissible what seems to us immoral”.<sup>50</sup> Thus, it was fairly clear to some ancient pagans that the Torah’s laws directly conflicted with those of the neighboring pagans, just like Maimonides said.<sup>51</sup>

## 2. Difficulties with Maimonides’ Position

### 2.1. Nachmanides’ Objections

Nachmanides (1194–1270) cites<sup>52</sup> Maimonides’ position regarding ritual sacrifice and strongly disagrees with him. Nachmanides asserts that ritual sacrifice is a lofty practice that cannot be reduced to a historical concession to idolatry.

He notes several logical difficulties created by Maimonides’ position:

First, Nachmanides understands that even those idolaters who revered cows, goats, and sheep and forbade their slaughter, only forbade casual slaughter, but allowed ritual slaughter. Thus, if ritual sacrifice were viewed through the lens of distancing the Jews from idolatry, then in these cases the Torah actually *strengthens* the idolatrous position with its endorsement of slaughtering these animals for ritual purposes!

Second, if the entire purpose of ritual sacrifices is to counter idolatry, then why do we find God accepting Cain and Abel’s (Gen. 4:4) sacrifices before idolatry came about in the time of Enosh; and Noah’s sacrifice (Gen. 8:20–21) immediately after the Deluge that ostensibly wiped out all idolaters?<sup>53</sup> Similarly, R. Yaakov Emden (1697–1776) points to Ezekiel’s prophecies (Ezek. 43) concerning the sacrifices to be brought in the Messianic Era—a time by which idolatry will already cease to exist. If the whole purpose of sacrifices is to wean people off of idolatry, then why are they necessary in times when idolatry does not exist?<sup>54</sup>

Additionally, Nachmanides questions why Balaam offered bulls and rams to God on the seven altars that he had prepared (Num. 23:4), if Balaam presumably did not intend to oppose the idolatrous ritual sacrifices (nor did he intend his sacrifices as a form of idolatry).



In light of these questions, Nachmanides explains that the underlying idea behind ritual sacrifices is that fulfilling God's command brings one close to Him.<sup>55</sup> He notes that the very word for ritual sacrifice—*korban* (קָרְבַּן)—is related to the Hebrew word for “closeness”, *kirvah* (קִרְבָּה). For example, Balaam sought to use ritual sacrifice to bring himself closer to God, so that God would grant him the malevolent prophecy against the Jews that he wished to receive.<sup>56</sup> Similarly, Cain, Abel, and Noah sought to use ritual sacrifice to bring themselves closer to God as an expression of their gratitude (though Nachmanides does not mention this explicitly).<sup>57</sup>

One of the points Nachmanides makes is that when a sinner offers an animal sacrifice, he should contemplate the fact that he himself really deserves to be sacrificed/killed, but God in His abundant kindness allows the sinner to bring an animal instead.<sup>58</sup>

## 2.2. Other Commentators' Objections

Furthermore, asks R. Yitzchak Arama (1420–1494):<sup>59</sup> if ritual sacrifices are not intrinsically valuable, then why does the Bible laud King Solomon for having offered one-thousand burnt-offerings at a time (I Kgs. 3:4)? Why are King Solomon's additional sacrifices considered praiseworthy; the minimum amount of sacrifices should suffice if the whole point is simply to counter idolatrous practice?<sup>60</sup>

Similarly, R. Asher ben Chaim of Monzón (a 13th century student of the Rashba) asks the following: if the purpose of sacrifices is simply to wean the Jews away from idolatry, then why does the Talmud<sup>61</sup> say that the rabbis instituted prayer in lieu of sacrifices? If sacrifices are not meaningful in and of themselves, then why do they need to be replaced with anything?<sup>62</sup>

Another difficulty with Maimonides' position is that he seems to have put the proverbial cart before the horse. Maimonides understands that the Torah's sacrifices are meant to counter idolatrous ritual sacrifices. However, the truth seems to be that idolatrous practices developed from the saintlier concept of sacrifices to God, not vice versa.<sup>63</sup>

In fact, the Mishnah<sup>64</sup> contends that even idolaters followed the Noahide laws of sacrifices to disqualify blemished animals for idolatrous purposes, just as those animals are disqualified from being offered to God. Rashi<sup>65</sup> explains that pagan idolaters continued to practice sacrifices to their idols in the same way that their ancestors had originally offered legitimate sacrifices to God. Thus, idolatrous sacrifice seems to be an outgrowth of legitimate sacrifice, not the other way around.<sup>66</sup>

## 2.3. Maharit's Questions

R. Yosef de-Trani (1538–1639), known by his initials as Maharit,<sup>67</sup> offers a comprehensive analysis of Maimonides' view and ultimately explains Maimonides differently. Like Nachmanides, he too finds it difficult to accept that God would allow pagan abominations to enter the Torah's holy framework simply so that the Jews would be able to wean themselves off the idolatry to which they had previously become accustomed.

First, he argues that presumably, only the generation of Jews who lived through the exile in Egypt and were exposed to the most heinous forms of idol worship would need the Torah's ritual sacrifices to help them climb out of that rut. Once the first generation had weaned itself from idolatry, their descendants should no longer have needed ritual sacrifices. However, the Torah presents these laws as binding for all future generations.<sup>68</sup>

In fact, the Talmud explains<sup>69</sup> that, on the contrary, God originally wanted ritual sacrifices to begin only when the Jews entered the Holy Land and built the Holy Temple—although He did ultimately allow the services to begin beforehand at the Tabernacle, while the Jews still wandered the wilderness. This suggests that ritual sacrifices are not simply intended to help the Jews break off from idolatry, but serve a greater purpose.

Furthermore, Maharit offers a variant way of asking about sacrifices in the Messianic period: He argues that if the Evil Inclination for idolatry was eliminated from the world,<sup>70</sup> then ritual sacrifice would no longer be needed. This implies that animal sacrifices would be obsolete in the Messianic Third Temple era, when the gentiles are no longer pagan

and idolatrous. However, notes Maharit, this cannot be, because a host of prophecies concerning the Messianic Era indicate that ritual sacrifice will be restored then.

#### 2.4. Negating the Law

Like Nachmanides and Maharit noted in different ways, Maimonides' position is problematic in that it can conceptually lead to the possible negation of ritual sacrifices and other commandments. If the whole purpose of sacrifices and other commandments is to counter idolatry, then in a world where idolatry is no longer a significant factor, those parts of the Torah could arguably be discarded.

Indeed, R. Avraham Yitzchak Kook (1865–1935) criticizes Maimonides' approach for focusing too much on the past in conveying the commandments' significance. If many of the commandments are to counter the influence/practices of the idolaters of yore, then they do not have any meaning in the present or future.<sup>71</sup> If they are irrelevant now and will continue to be irrelevant in the future, then why should they be kept?<sup>72</sup>

The quasi-anonymous author of Midrash *Pisron Torah* (which pre-dates Maimonides) seems to have anticipated the Maimonidean approach and criticizes it fiercely. He uses the verse, *And the offerings of Judah and Jerusalem will be sweet to Hashem . . .* (Mal. 3:4) to launch into a homiletic teaching about the value of sacrifices:

“God said to Moses, ‘In This World, the tribal princes’ sacrifices were sweet for Me, and in the future to come, they [i.e., the sacrifices] will also be sweet . . . Woe unto those who say sacrifices were unbecoming in the time of Moses . . . In the future, they will see with their eyes, but they will not participate and benefit [from sacrifices]’.”<sup>73</sup>

This polemic is clearly aimed at those who say that ritual sacrifices do not have inherent value, as Maimonides' rationalization of sacrifices in the *Guide* seems to maintain. It essentially asserts that in Messianic times that viewpoint will be disproven by the reinstatement of ritual sacrifice.<sup>74</sup> This problem is doubly compounded by the fact that in his *Mishneh Torah*, Maimonides himself codifies the laws of ritual sacrifices, which suggests that he does not relegate them to merely the realm of the historical.<sup>75</sup>

#### 2.5. Historical Fallout

Another problem with Maimonides' position is the dangers of how the ramifications of his theological position have played out historically. Granted, it is unfair to blame Maimonides for how Christian thinkers may have used his ideas; nonetheless, anti-Semitic leaders of the early Church who predated Maimonides used an early version of his idea to both demonize the Jews and delegitimize<sup>76</sup> the Torah:

“Barnabas, Justin, and Irenaeus believe that the Mosaic laws were given to the Jews because they were not able to follow Natural Law. The Jews, they believe, are hard-hearted idolaters unable to understand either God's will or even the Scriptures, and that is why God had to accommodate His laws to them so that the Jews would be able to respect them. Thus He even invented sacrifices for them so that they would not need to turn to other idolatries.”<sup>77</sup>

A Christian writer named Master Ciruelo (1476–1548) used a version of Maimonides' understanding to justify Christian dismissal of the Torah's laws. He argued that the Decalogue alone represents “Natural Law” which God had to explicitly reveal at Sinai in order to make sure that mankind would never stray from those laws. All other laws given in the Torah—argues Ciruelo—were merely ways of accommodating the human tendency towards idolatry, or tactical concessions that gave into that tendency. According to Ciruelo, those laws have no inherent value and should ideally be jettisoned.<sup>78</sup> This accounts for why Christians acknowledge the Torah's divinity, yet deliberately do not follow its laws.

Are these the natural conclusions we are to draw from Maimonides' position? Obviously not! And certainly Maimonides himself would reject such heresies, but his stance on the rationale behind ritual sacrifices nonetheless opens the door for such absurdities to be considered.

### 2.6. Contradictions in Maimonides' View

Finally, Maharit finds an inherent contradiction in Maimonides' explanation: On the one hand according to Maimonides the Torah's ritual sacrifices are intended to be similar to idolatry, and thus help wean the Jews away from idolatry, which also called for ritual sacrifice. On the other hand, Maimonides lists several commandments which directly prohibit idolatrous practices and behaviors. So what method does the Torah use: Permitting *kosher* forms of idolatrous practice, or prohibiting idolatrous and quasi-idolatrous behavior entirely?<sup>79</sup>

Others point to another passage in which Maimonides seems to contradict himself. Maimonides writes<sup>80</sup> that all the laws of ritual sacrifices are considered *chukim* (חוקים), which elsewhere he defines as statutes/commandments whose rationale is hidden from us.<sup>81</sup> How then can Maimonides propose that the purpose of ritual sacrifice is to distance the Jews from idolatry?<sup>82</sup>

Moreover, Maimonides explicitly writes that the future Messiah will reinstitute the sacrifices.<sup>83</sup> However, Maimonides also explains that the Messianic Era will be characterized by the universal recognition of God. Again, if sacrifices are merely a concession to help wean away from pagan rites, then they should be totally unnecessary at that future time in history.<sup>84</sup>

### 3. Defending Maimonides

With these questions in hand,<sup>85</sup> we can now visit the different approaches that the rabbis throughout the generations have taken to understanding Maimonides' position. In the coming sub-sections, we will present five different approaches. We do so with the caveat that while none of these approaches will answer *all of the questions* we have raised, each one opens up a different way of viewing Maimonides' comments in the *Guide*.

#### 3.1. Answer #1: Maimonides' Explanation Is Not the Only Valid One

Gersonides<sup>86</sup> follows the Maimonidean view that the Torah's ritual sacrifices are intended to distance man from idolatry. However, he concedes that this is not the *only* reason for those laws. Instead, he explains how the Torah *also* has inherent, primary reasons for the laws of ritual sacrifices.<sup>87</sup> Similarly, Abarbanel<sup>88</sup> concludes that Maimonides' and Nachmanides' explanations of the reason behind ritual sacrifice are not mutually exclusive, and both are true.<sup>89</sup>

This idea can be used to answer another question posed above, namely that according to Maimonides some elements of the Torah's ritual sacrifices mimic paganism, while other elements and commandments purposely call for the exact opposite.

How do these two approaches jive, and how did God determine which elements of pagan cult the Torah mimics and which it utterly rejects? These questions cannot be answered without appealing to the existence of an unknowable Divine Wisdom from which the Torah draws. In other words, besides considerations related to countering the influence of idolatry, there are *other* reasons behind the commandments of sacrifices. Thus, in Abarbanel's view, Nachmanides' *esoteric* layer of understanding the idea of sacrifice complements Maimonides' *exoteric* meaning of sacrifices (that is, to wean the Jews from idolatry).

R. Shnayor Z. Burton offers a slightly different take on this problem: Maimonides (*Guide* 2:18) argues that God's knowledge is inseparable from His unknowable Self; His wisdom is thus fundamentally different in kind from human wisdom. Yet, elsewhere (*Guide* 3:26), Maimonides explains that the Torah's commandment stem from God's knowledge. Putting these two sources together suggests that because humans cannot comprehend the nature of His wisdom, they cannot truly understand the reasons behind the commandments. How then can Maimonides endeavor to give reasons for the commandments?

Burton argues that even Maimonides would admit that while the immutable Divine reasons behind the commandments are incomprehensible to mere mortals, human beings can still partially understand their rationale/purpose using their limited ability to under-



stand.<sup>90</sup> Consequently, Maimonides can justifiably write that the discernable reason behind the sacrifices that humans can grasp is its usefulness in aiding with the rejection of idolatry. However, the rationales given cannot explain what motivated God to give these particular commandments, because His inscrutable wisdom is beyond human understanding. Ergo, the entire enterprise of seeking out the reasons for the commandments tries to find the meeting point between God's wisdom and human wisdom (see *Guide* 1:1) but dares not claim anything beyond that.<sup>91</sup>

According to Abarbanel and Burton, Maimonides' explanation cannot account for all details of the laws of sacrifices, because his rationale is not the only factor in play. From this perspective, the aforementioned "inconsistency" in Maimonides' view (i.e., whether the Torah mimics or outright rejects idolatrous rites) simply reflects the fact that even Maimonides might agree that there is more to the story than he otherwise leads us to think.<sup>92</sup>

### 3.2. Answer #2: Maimonides Only Wrote for the Perplexed

R. Yom Tov ben Avraham of Seville (1260–1330), better known as Ritva, writes that Maimonides never meant for his explanation to be taken as the main reason for ritual sacrifices in the Torah. Rather, Maimonides meant to offer a rational conceptualization of ritual sacrifices so that even a layperson would be able to offer a logical/rational defense of the practice, if pressed to do so.<sup>93</sup>

R. Moshe Sofer (1762–1830) writes that although Maimonides presented a rationalization of ritual sacrifices in the Torah (i.e., they serve to offset idolatry), he only wrote this for "perplexed" individuals who demand a logical explanation of the phenomenon. However, R. Sofer opines that Maimonides himself understood that the Torah's entire concept of ritual sacrifice defies human logic and rationalization, while its deepest Kabbalistic<sup>94</sup> reasons are not necessarily revealed to us.<sup>95</sup>

### 3.3. Answer #3: Maimonides Only Addresses Private Altars and/or Voluntary Sacrifices

R. Meir Simcha of Dvinsk (1843–1926)<sup>96</sup> lessens the impact of the questions posed above by limiting the scope of Maimonides' explanation.

He argues that Maimonides' statement that the purpose of ritual sacrifice is to wean the Jews from idolatry applies exclusively to sacrifices offered on private altars, known as *bamos* (במות).<sup>97</sup> However, Maimonides never said or meant this regarding sacrifices offered at public altars in the Tabernacle and Holy Temples, and would freely acknowledge that sacrifices at these public fora serve a higher purpose.<sup>98</sup>

R. Dr. Yechezkel Epstein offers a similar distinction, proposing that when Maimonides writes that the reason behind ritual sacrifices is to wean the Jews from idolatry, this refers only to voluntary votive sacrifices,<sup>99</sup> while the reasons for obligatory sacrifices remain unknown.<sup>100</sup>

### 3.4. Answer #4: Idolatrous Practices Are Gateways to Impurity

R. Aviad Sar-Shalom Bascilla (1680–1749)<sup>101</sup> writes that Maimonides' premise that the Torah forbids that which the idolaters practiced is correct, but the reason Maimonides gives is incomplete.

Instead of explaining that the Torah forbade idolatrous practices in order to distance the Jews from idolatry, R. Aviad Sar-Shalom takes a different approach: Idolatrous practices were deliberate and genuine ways of tapping into the world of impure spirituality by defiling one's body and soul. While idolaters would purposely engage in such behavior so as to channel the evil powers of idolatry, the Torah forbids such actions because of the defiling elements involved. Although in many instances idolaters are neither cognizant nor aware that their rites are means of connecting with the powers of evil, that is nonetheless their entire *raison d'être*.<sup>102</sup> The Torah eschews ritual impurity and other unclean things (e.g., human excrement) partially because they are conducive to impurity and "give strength" to the powers of evil.<sup>103</sup> Idolaters believed that if they could somehow strengthen the powers

of their favored deity, then they could circumvent the need for God's influence in the world.<sup>104</sup> They denied the fact that God is the Source of Everything and even ultimately powers those perceived other forces.<sup>105</sup>

Thus, the Torah commands Jews to act in counter-idolatrous ways to "weaken" the powers of evil. For example, those who worship the dual gods Gad/Meni<sup>106</sup> do so by setting a table of food and pouring ritual libations (Isa. 65:11). In order to counteract such idolatrous practices, the Torah's rituals require Jews to eat bread and drink wine under positive, pure conditions (e.g., the Sabbath meals). While Maimonides assumes that the point of these commandment is *to not do* what the idolaters did, R. Aviad goes a step further and explains that the performance of *mitzvos* actually *undo* what the idolaters did.

With this idea in mind, R. Aviad Sar-Shalom explains the rationale of the latter Kings of Judah,<sup>107</sup> who plunged into the depths of idolatry, and also engaged in other morally-depraved sins. These two concurrent developments were not coincidental: The abominable sins committed by the evil Kings of Judah were deliberate means of connecting to the forces of evil and served to strengthen their attachment to idolatry.

### 3.5. Answer #5: Maharit—Ritual Sacrifice Is Not a Concession to Idolatry

Maharit offers a new interpretation of Maimonides' position, which he uses to address Nachmanides' objections, as well as his own (see above).<sup>108</sup>

Maharit explains that when Maimonides wrote that God did not abolish ritual sacrifice because people cannot move from one extreme to the opposite, he could not have possibly meant that people cannot move from idolatrous ritual sacrifice to no ritual sacrifice at all. On the contrary, Maimonides understands that the key to ridding oneself of undesirable character traits and behavior is to temporarily move to the opposite extreme in order to "balance oneself out" so that one can embrace a middle of the road approach.<sup>109</sup> Thus, if Maimonides would have written a guide to vanquishing idolatry, presumably he would tell people to stop ritual sacrifice "cold turkey", instead of allowing them to continue indulging in a "kosher" version.

Based on this, Maharit understands that when Maimonides writes that one cannot move from one extreme to another, he means that the Jews would not have been able to move from the extreme of worshipping *God* through physical/sensory expressions (i.e., ritual sacrifice) to worshipping Him without physical expression (i.e., totally in abstract thought). Because of that, He allowed for them to continue worshipping Him in their former way.

In short, Maharit understands that according to Maimonides, the Torah's ritual sacrifices were not a concession to the Jews' idolatrous proclivities; rather, they were a means to allow the Jews to continue worshipping *Him* in more concrete ways, as they had been doing until then.<sup>110</sup>

### 3.6. Ritual Sacrifice Began as a Legit Practice

If so, we are left with the question of what Maimonides believes regarding the relationship between ritual sacrifice and idolatry. Maharit explains this by taking a step back and describing the history of ritual sacrifice.

Maharit explains that God chose the Jewish nation to be the bearers of His flag and serve as the fulcrum for the global recognition of God's existence and role in the universe. In truth, this objective can be fulfilled by worshipping God in thought alone. Through prayer, one can use his thoughts to solidify his belief and awareness of God's role in the world. In fact, prayer—which is mostly an exercise in thought—is considered a form of worship equal to sacrifice.

However, since humans are physical beings, they are drawn<sup>111</sup> to physical forms of expression, so worship via thought alone does not suffice. For this reason, the early monotheists like Cain, Abel, and Noah devised (either through their own advanced intellect or through divine inspiration) physical ways of worshipping God, i.e., the services of ritual

sacrifices. When these men and their descendants offered ritual sacrifices, they were doing so as a way of serving God and strengthening their own internal devotion to Him.

As the generations progressed, people deviated from this ideal and perverted the institution of ritual sacrifice for use in idolatry. They switched the object of ritual sacrifice from God to something else they called “god”.

Given this turn of events, we would expect God to spurn the entire notion of sacrifice which had hitherto been a noble act, but was now more closely associated with deviance. Meaning, once sacrifices became associated with deviance, we would have expected God to forbid it entirely, just as (according to Maimonides) the Torah has many commandments that forbid other elements standard to idol worship.

About this, Maimonides writes that because ritual sacrifice had already been ingrained in the psyche of the Jews and their forbearers, He did not wish to completely abandon the concept. Therefore, God incorporated a legitimate form of ritual sacrifice within the Torah’s framework, despite the fact that ritual sacrifice in general had already been hijacked for other, unholy, uses.

However, the illegitimate elements of ritual sacrifice found in idolatrous cults are so utterly rejected by God that the Torah contains certain positive and negative commandments which directly preclude their introduction to Jewish ritual. Those modalities were never legitimate in the first place and have no place in the true worship of God. This explains why the Torah seems to adopt/permit some elements of idolatrous rituals and rejects others. In other words, the Torah permits those elements that were always permitted, legitimate practices, and forbids those idolatrous “add-ons” that were invented later on.<sup>112</sup>

Thus, according to Maharit, Maimonides never meant to say that countering idolatry is the reason for the institution of ritual sacrifice. Rather, he simply meant to explain why ritual sacrifice was allowed to continue after it became commonly used for idol worship.

### 3.7. Precedent for Rejecting Once-Beloved Forms of Worship

Maharit strengthens his view by citing precedent for the notion that the Torah might reject a modality that was once used for honorable purposes simply because it was later misappropriated for ungodly uses.

The Torah says, *You shall not erect for yourselves a single-stone altar,*<sup>113</sup> *which Hashem, your God, hates* (Deut. 16:22). How can the Torah say that God hates single-stone altars, if we find that in the time of the forefathers, God was pleased with such worship, such as when Jacob (Gen. 28:18–22) erected such an altar at Beth El? God even identified Himself to Jacob later on as the One to whom the single-stone altar at Beth El was erected (Gen. 31:45), which shows that Jacob’s actions were laudatory.

Tradition explains that although God had cherished single-stone altars in the times of the forefathers, by the time the Jews exited Egypt, He abhorred such constructions because they had been formally adopted by the Canaanites as a medium of idol worship. Once the idolatrous Canaanites began to use single-stone altars for their perverted rituals, God was no longer fond of such tributes and, in fact, forbade them in the Torah.<sup>114</sup>

Thus, according to Maharit, in the *Guide*, Maimonides sought to explain why this paradigm did not apply to ritual sacrifice in general. To this end, Maimonides explained that since ritual sacrifice had already gained such a strong foothold, God did not wish to discard it completely. Instead, He simply incorporated this concept into the Torah’s framework.

## 4. Potential Midrashic Proof to Maimonides’ Position

Before we conclude this essay, we will discuss a possible Midrashic proof-text that appears to support Maimonides’ position. This Midrash was said concerning the prohibition of offering sacrifices outside of the central place of worship. The Torah itself explicitly says that the purpose of this prohibition is to stop the Jews from offering sacrifices to demonic satyrs instead of to God (Lev. 17:1–7). In this context, the Midrash relates:

“Rabbi Pinchas said in the name of Rabbi Levi: To what is this comparable? To the son of a king who became arrogant and accustomed himself to eating the meat of unslaughtered and moribund animals. The king said, ‘This [son] should always be at my table,<sup>115</sup> so that he will refrain [from eating such abominations] on his own.’

Such is the matter with the Jews who were passionately following idolatry in Egypt and they brought sacrifices to the satyrs, as it says, . . . *and they shall no longer slaughter their sacrifices to the satyrs . . .* (Lev. 17:7). These ‘satyrs’ are naught but ‘demons,’ as it says, *And they slaughtered to demons* (Deut. 32:17); and these ‘demons’ are naught but ‘satyrs,’ as it says, . . . *And satyrs dance there* (Isa. 13:21).

And they would offer their sacrifices in violation (of the prohibition) of *bamos* and punishments would come upon them. So the Holy One, blessed be He, said, ‘they should bring their sacrifices before Me at all times to the Tent of Meeting and they will [thus] abstain from idolatry and they will be saved.’<sup>116</sup>

Abarbanel was the first one<sup>117</sup> to adduce this Midrash as proof to Maimonides’ position that the purpose of the Torah’s ritual sacrifices is to wean the Jews from idolatry. He understands that the Midrash explains that God instituted the laws of ritual sacrifices so that the Jews will channel their sacrifices towards Him instead of to alternate deities.

Nonetheless, this proof-text is not as clear-cut as Abarbanel makes it out to be. R. Aviad Sar-Shalom of Bascilla writes that this Midrash does mean to offer a rationale for the concept of ritual in general. Rather, the Midrash only means to explain why God forbade<sup>118</sup> all non-sacrificial meats while the Jews were in the wilderness and/or private altars thereafter.<sup>119</sup>

God forbade the Jews from eating any non-sacrificial meat during their stay in the wilderness and even forbade them from offering sacrifices outside of the central place of worship in order to prevent creating a slippery slope towards idolatry. He wanted them to only eat from His meat (i.e., legitimate sacrificial meat), just like the king in the parable wanted his son to only eat at “his table”.

R. Chanoch Zundel of Bialystok (a 19th century Polish commentator)<sup>120</sup> explains that this Midrash seeks to explain why forbidding non-sacrificial meat in the desert would help permanently distance the Jews from idolatry, if they would resume eating regular meat once they entered the Holy Land. The Midrash answers that unspoken question by comparing the matter to a king’s son who ate improper things. The king insisted that the prince always eat at his table. After a period of doing so, the prince will acquire more refined culinary tastes and habits, and from then on will refrain from eating improper things even when left to his own devices. So too, by forbidding the Jews from eating non-sacrificial meat in the desert, the Jews would always “eat at God’s table” and focus their ritual service exclusively on Him for their forty year sojourn in the desert. By doing so, they will become more refined and will not revert to their idolatrous ways when they later enter the Holy Land.<sup>121</sup>

Either way, the Midrash never intended to provide a general rationale for ritual sacrifice. Instead, it was offering a localized insight into the prohibition of eating non-sacrificial meat in the desert or the prohibition of offering sacrifices outside of the central place of worship. While Chazal may have said that these prohibitions were intended to counter idolatrous practice, they said nothing about ritual sacrifices in general.

## 5. Conclusions

In this article, we explored Maimonides’ position on the reason behind sacrifices from various angles. When taken at face value, Maimonides writes that the Torah instituted ritual sacrifices—and other commandments as well—simply to counter idolatrous practice. In doing so, the Torah sometimes mimics pagan rites—i.e., ritual sacrifice—so that those used to such practices would be able to more easily transition to monotheism, yet other times, the Torah outright forbids practices deemed irredeemably idolatrous.

Throughout this essay, we encountered much rabbinic pushback against Maimonides’ position with the commentators raising a bevy of questions. Many sources seem to support

the notion that ritual sacrifices have inherent significance, as evidenced by the praiseworthiness of one who offers many sacrifices and by the rabbis feeling the need to institute formalized prayer when ritual sacrifices was no longer an option. Moreover, we discussed Biblical passages that suggest that ritual sacrifices were purposeful even before the advent of idolatry, and will once again become relevant even after the total elimination of idolatry. These points suggest that ritual sacrifice is not just about weaning the Jews away from idolatry, but has a greater purpose.

We saw various approaches aimed at answering those questions, most of which served to effectively soften Maimonides' stance, and thus lessen the criticism against his view. For example, some explained that Maimonides' words in the *Guide* do not reflect his actual position but were only written for polemic purposes, while others maintain that Maimonides would agree to other reasons behind the commandments of ritual sacrifices *in addition* to the reason he himself provides. Still others minimize Maimonides' rationalization by confining it to certain types of sacrifices and arguing that it does not apply to *all* sacrifices. Finally, we saw the Maharit's position who understands that Maimonides never meant to say that ritual sacrifices were intended to wean the Jews away from actual idolatry, but rather he meant to explain why God did not abolish such practices even though they were popularly used by idolaters.

In recent times, Maimonides' position has led to calls for examining/understanding the Torah by looking at parallel Ancient Near Eastern texts.<sup>122</sup> However, the scope of idolatry in the Ancient World was so vast, that it is likely that there would be some idolatrous cult that would either prohibit or prescribe virtually any sort of act. There were an awful lot of idolaters over the course of history, and collectively they would purposely do or not just about everything imaginable.<sup>123</sup> Thus, if some of the Torah's commandments or prohibitions would either line up with or come in direct conflict with idolaters' practices, this should have no statistical significance. Accordingly, simply studying Ancient Near Eastern cults to understand how the Torah's laws negate those rites does not provide us with the whole picture.<sup>124</sup>

Taken altogether, one sees that there are serious holes in Maimonides' explanation, even after his rationalizing is all said and done. These gaping lacuna indicate that perhaps even Maimonides himself would agree that simply saying that the Torah intends to counter idolatrous practice or gradually wean the Jews away from such practices is not enough. Most importantly, Maimonides' approach fails to offer a systematic way of explaining which elements of idolatrous practice the Torah mimics, which ones it outright prohibits, and which ones it simply ignores. Thus, there has to be more to it than just weaning the Jews away from idolatry. There must be more considerations behind the Torah's decisions and studying Ancient Near Eastern texts will almost certainly not help us discover those reasons.

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## Notes

- <sup>1</sup> Maimonides (there) explains that while God certainly *could have* changed human nature, He did not *want* to.
- <sup>2</sup> Kapach translates the Judeo-Arabic word used here as "administrative policy". (See [Kapach 1972](#), p. 576).
- <sup>3</sup> An interesting consideration was brought to my attention by Ari Deifik: Does Maimonides mean that God limits these practices given His reluctance to allow these forms of worship in the first place; or does He limit them as a means of differentiation from the idolaters?
- <sup>4</sup> In *Eim la-Mikra Eim la-Masoras* (to Lev. 17:6) R. Elyahu Benamozegh (1822–1900) notes that some argue that the Torah mandates that all sacrifices be offered in one central location in order to minimize the amount of sacrifices brought,



due to ritual sacrifices' inherently suboptimal nature. Benamozegh disagrees with this and argues that all sacrifices must be brought to one central location staffed by well-trained Kohanim so as to ensure that the sacrifices are offered properly. If sacrifices were deregulated and could be offered by anyone, anywhere, then people might end up ruining their sacrifices. The unspoken tension with which Benamozegh grapples is whether or not (according to Maimonides) sacrifices should be viewed as less than ideal.

- 5 R. Israel Chait consistently explains that Judaism always follows a logical path, while paganism/idolatry simply reflect outbursts of emotional expressions. In [Chait \(2011, p. 184\)](#), he applies this paradigm to the Torah's system of ritual sacrifice and somewhat echoes Maimonides in writing: "The sacrifices commanded in the Torah have a unique system of the Temple and the Priests; only with these circumstances and with certain people could sacrifices be brought. In this way, the primitive emotions would also be in check, subordinated to the guidelines and ideas of Halacha. Halacha safeguards our correct use of the Temple; it is regulated by logic and ideas. Conversely, primitive emotions (expressed in pure idolatrous sacrifices) are attached to particular actions and objects. It was vital that man remove himself from that emotional mindset and relate to the universal ideas of Halacha".
- 6 S. Y. Klein notes that this is analogous to the Talmudic rationalization of the commandments concerning the captive beautiful woman. The Talmud (TB *Kiddushin* 21b) famously writes that the Torah only permitted such a woman in order to appease one's Evil Inclination. Similarly, Maimonides would say that the Torah only permitted/prescribed ritual sacrifices to appease one's Evil Inclination. See also Maimonides' *Guide* 3:41.
- 7 Granted, it could be argued that post facto God imbued these rituals with secondary meanings/purposes after He already commanded them (see below).
- 8 *Guide* 3:32. Maimonides' grandson R. David ha-Naggid (1222–1300) also follows this reasoning, see ([Ha-Naggid 1981, p. 4](#)).
- 9 All of the verses cited above are from the Prophets. R. Shnayor Z. [Burton \(2019, pp. 7–37\)](#) argues that the Pentateuch emphasizes ritual sacrifice because it was written from Moses' perspective. Moses had attained the highest possible form of prophecy, so he recognized that one can never truly know God, and thus one's only option was to simply obey His commandments as they were given. The prophets, however, had a lower level of prophecy, such that they thought that a person could actually "know God", and thus they emphasized "knowing Him" over all else. For parallels to this discussion in academic scholarship, see ([Kaufmann 1960, pp. 160–61, 345, 365–67](#)).
- 10 Interestingly, he makes this point in *Sefer ha-Mitzvos* only when discussing negative commandments, but never when discussing positive commandments.
- 11 Alternatively, in *Chemdas Yamim* (to Lev. 19:27 and Deut. 12:31), R. Shalom Shabazi (1619–1720) asserts that some idolatrous cults legislated that a boy must burn his first hairs grown during puberty as a sacrifice to their gods. To counter that practice, the Torah forbade cutting one's beard altogether. Similarly, Shabazi explains that some cults demanded that farmers burn the first yield of their fields, so to counter that practice, the Torah requires that this produce be brought to Jerusalem (Ex. 23:19, Deut. 26:2).
- 12 *Guide* (there) and *Sefer ha-Mitzvos* (Negative Commandment #43). In *Sheilos u-Teshuvos Min ha-Shamayaim* (§28), R. Yaakov of Marvege (a 13th century French Tosafist) also offers this reason for the prohibitions of shaving, and even argues that the prohibitions' association with idolatry justifies rendering extra-stringent rulings. *Tur* (*Yoreh Deah* §181) cites and disagrees with Maimonides' rationale for these prohibitions. He comments that this reason is not explicit in the Bible, noting that one should not seek reasons for the *mitzvos*, as they are all commandments of the King that are to be followed irrespective of whether their reason is known. R. Yosef Karo in *Beis Yosef* (there) understands that Maimonides really meant that the rationale for the prohibition is to avoid idolatrous practices and *Tur* disagrees that one cannot rationalize the commandments. However, R. Moshe Isserles (*Darkei Moshe* there) explains *Tur's* intent differently: While *Tur* accepts that one can offer theoretical reasons for the commandments, he rejects using those reasons to create practical ramifications in the implementation of the commandments. The reasons must remain in the realm of theory, but cannot affect practical law. Therefore, for example, even if the idolaters' practices change, the prohibition intended to counter idolatrous practice must always remain in place (certainly, Maimonides himself would agree to this conclusion, see his *Guide* 3:34). See also *Turei Zahav* (*Yoreh Deah* §181:1).
- 13 *Guide* (there) and *Sefer ha-Mitzvos* (Negative Commandment #42). R. Reuven Margolios (1889–1971) notes that we would expect that if the prohibitions of shaving and wearing wool-linen mixtures are to avoid mimicking idolatrous priests, then presumably Levites and Kohanim (the Jewish equivalent to functioning priests) would have to be especially scrupulous in these areas. However, the Bible mandates that Levites completely shave their hair during their inauguration process (Num. 8:7) and that Kohanim must wear wool-linen mixtures in their priestly garments. See ([Margolios 1957, pp. 65–66, 96–97](#); [Margolios 1953, pp. 68–69](#)). Interestingly, the Greek historian Herodotus

(484–425 BCE) writes that Egyptian priests wore only linen, and were forbidden from wearing any other material, as he wrote: “The priests . . . Their dress is entirely of linen, and their shoes of the papyrus plant: it is not lawful for them to wear either dress or shoes of any other material” (Thatcher 1907, p. 84). In light of this, we can perhaps partially resolve Margolios’ difficulty by positing that since the Torah’s rules were meant to exactly counter idolatrous practices, Jewish priests are commanded to wear wool-linen mixtures in order to diametrically oppose the Egyptian priests’ custom of *only* wearing linen.

<sup>14</sup> *Guide* (there) and *Sefer ha-Mitzvos* (Negative Commandment #40). In both places, Maimonides adds that crossdressing is also forbidden because it breeds sexual misconduct and promiscuity.

<sup>15</sup> For more about the Sabians and how Maimonides portrays Abraham as the monotheistic hero who opposed them, see (Klein 2018, pp. 52–57).

<sup>16</sup> R. Shmuel ibn Tibbon (1150–1230), in his translation of Maimonides’ *Guide*, adds that this refers to anal intercourse.

<sup>17</sup> In *Ben Melech* (to Ex. 23:19), R. Leib Mintzberg (d. 2018) explains the symbolic significance of cooking a kid in its mother’s milk: The kid is utterly dependent on its mother and her milk for survival. The act of cooking a kid in its mother’s milk therefore highlights the idolater’s claim that they are equally dependent on their deity for all sustenance.

<sup>18</sup> *Guide* 3:48. Gersonides (to Ex. 23:26) argues that the Torah’s polemic against such a practice would have made the pagans erase such a ritual from their records. (See also *Toldos Yitzchak* (there), Abarbanel (there), and (Kapach 1957, pp. 250, 291).

<sup>19</sup> (Cassuto 2005, pp. 49–50) invokes such findings at Ugarit to support Maimonides. However, (see Haran 1978, pp. 12–18; Haran 1983, pp. 371–92) who raises some issues with this reading of the Ugaritic text in question, but still supports the basic premise that there was an ancient pagan ritual that involved cooking meat in milk. (Ratner and Zuckerman 1986, pp. 15–60) closely analyze the Ugaritic tablet in question and conclude that the actual text says nothing about cooking a kid in its mother’s milk. R. Dr. Aton Holzer pointed out to this writer that even those scholars who do not see the word “kid” in the Ugaritic text under discussion agree that the word “milk” is there. From this, we see that the cult at Ugarit used milk in a ritual setting, while the Torah never calls for dairy sacrifices.

<sup>20</sup> Maimonides does not mention this example in his *Guide*, but does mention it in *Sefer ha-Mitzvos* (Negative Commandment #45). (Katzenelson 1928, p. 382) makes a similar point about ritual laceration in the Asherah cult. (See Klein 2018, pp. 166–67) concerning the Baal prophets cutting themselves during their showdown with Elijah at Mount Carmel. R. Dosa the Greek (a 15th century Bulgarian commentator) in (Shapiro and Peles 2018, p. 53) explicitly connects this prohibition with the Baal cult’s practice of ritual laceration.

According to documents found at Ugarit, there was an ancient Canaanite custom to mark the yearly “mourning of Baal”, whence devotees would cut themselves and tear out head and beard hair to express their grief over the “death” of their god. (See Greenfield 1993, p. 57). Some scholars even understand that this custom is alluded to in Zechariah’s prophecy that mentions the eulogy of Hadadrimmon (Zech. 12:11), (see Montgomery 1914, pp. 78–80). The Torah, of course, explicitly forbids this practice by warning, *You shall not make a cut in your flesh for the dead* (Lev. 19:28) on which Rashi comments that such was practiced by the Amorites.

<sup>21</sup> While Maimonides seems to assume that the Torah’s rules of ritual sacrifice were instituted in reaction to prevalent idolatrous practices, the Jerusalem Talmud (JT *Avodah Zarah* 1:1) and Rashi (to Amos 4:4–5) maintain that some idolaters instituted their sacrificial rules as a *response* to the Torah. Their intention was to fashion a more permissive religion with wider appeal than the Torah’s strictures. For example: The Torah chooses its priests from amongst the elite of the tribes, while idolaters appoint their priests from amongst the rejects of society. The Torah bans leaving over the Paschal Sacrifice until the next morning, while idolaters purposely do so with parallel sacrifices. The Torah only allows the donors to eat certain sacrificial meats for up to two days, while idolaters allow eating similar sacrifices for up to three days. The Torah forbids offering the Paschal Sacrifice if one has leavened bread in one’s possession, while idolaters allow one to offer their equivalent to the Paschal Sacrifice even if they have leavened bread. The Torah forbids delaying the fulfillment of a votive sacrifice, while idolaters allow for such delays. Radak (to Amos 4:4) adds that while the Torah stipulates that burnt-offerings always precede peace-offerings, idolaters would instead bring peace-offerings (which are eaten) before burnt-offerings.

Needless to say, these explanations do not necessarily conflict with Maimonides’ assertions, because some elements of idolatrous practice/some idolatrous cults that predated the Torah might have been the catalyst for the Torah’s laws, while other, later elements of idolatrous practice may have been formulated as a reaction to the Torah. We will develop some of these ideas later in this essay.

<sup>22</sup> Maimonides in his *Guide* (there) also offers an elaborate explanation of why the Torah prescribes placing a pair of golden cherubim atop the ark as something that emphasizes the concept of One God.

- 23 Nachmanides to Ex. 20:22 cites and disagrees with Maimonides' rationale. This is consistent with Nachmanides' view cited later.
- 24 Later, the Romans held a *suovetaurilia* ceremony at certain junctions, which consisted of sacrificing a pig, a ram, and a bull.
- 25 Maimonides notes that even in his day certain sects in India forbid slaughtering cows. Holy cows continue to exist in Hinduism, for example see R. Zvi Pesach Frank's responsa *Har Tzvi, Yoreh Deah* §118 who was asked in the late 20th century about whether one is allowed to drink the milk from cows worshipped in India. (Parenthetically, in his unpublished book about Hinduism, Dr. Daniel Sperber writes that that R. Frank actually visited India as an expert witness on Jewish law in some sort of legal litigation. However, I was told by a member of the Frank family that he actually went to India to mediate an inheritance dispute for a wealthy Jewish family there.)
- 26 (Wyatt 2002, pp. 348–56) presents a comprehensive text detailing idolatrous practices for a royal wine festival at Ugarit. These texts reveal that Canaanites sacrificed animals of the bovine, ovine, and caprine families as well as pigeons, meal-offerings, wine-libations, and oil-libations. Additionally, those texts call for sacrificing donkeys (alongside rams) as ritual sacrifices on a holiday associated with “cleansing” (Wyatt 2002, pp. 345–47). This obviously differs from the Torah's guidelines that preclude using donkeys for ritual sacrifice by limiting the animals allowed for such uses to three families. In a way, this supports Maimonides' basic assertion that the Torah's law rules for ritual sacrifice serve to counter the idolatrous approach, as here the Torah prescribes the same exact items to be offered as sacrifices as the Canaanites do, the only difference is that the Torah forbids offering donkeys while the Canaanites sometimes offered donkeys. Interestingly, other cultic practices at Ugarit called for offering inanimate objects—such as robes, tunics, and other garments, gold, and silver—as sacrifices (Wyatt 2002, pp. 357–59). See below concerning honey.
- 27 Maimonides notes that since not every Jew can afford to offer an animal, the Torah sometimes allows one to bring a bird or meal offering instead. He even suggests that because of poverty, the Torah stresses that if one completely refrains from pledging sacrifices, *he does not have a sin* (Deut. 23:23).
- 28 Interestingly, the notion that the Paschal offering is somehow antithetical to idolatry is already found in Chazal. The verse *withdraw and take for yourselves sheep . . . and slaughter the Paschal Offering* (Ex. 12:21) is expounded by *Mechilta de-Rabbi Yishmael* (there) as follows: “Withdraw—from idol worship”. R. Baruch ha-Levi Epstein (1860–1941) in *Tosefes Brachach* (to Lev. 1:2) cites this source as rabbinic precedent for Maimonides' idea that ritual sacrifices are meant to oppose idolatrous practice.
- As we shall see below, Nachmanides disagrees with Maimonides' general approach of rationalizing ritual sacrifices in the Torah by explaining them as a means of precluding idolatry. Nonetheless, in his commentary to the Pentateuch, Nachmanides (Ex. 12:3)—as well as the *Zohar* (*Pinchas* 250b)—explains the reasoning behind the Paschal lamb in the same way as Maimonides. Alternatively, Nachmanides explains that the rabbis taught (*Shemos Rabbah* §16:2) that God commanded the Jews to slaughter a lamb because the Egyptians worshipped sheep and by slaughtering the animal, they were symbolically slaughtering the Egyptian god and showing how they will overcome the Egyptians. In a way, this too follows Maimonides' basic approach, although it differs from his particular explanation of the Paschal lamb. (Bakst 2012, pp. 53–55) maintains that Nachmanides does not agree with Maimonides' explanation of the reason behind the commandment of the Paschal Sacrifice. Rather, he explains that Nachmanides did not mean to rationalize the reason behind the commandment, but to offer an additional layer of intentions that a person could/should have when performing the commandment. See there for an exposition delineating the difference between the *reasons* for commandments and the *intentions* associated with their performance.
- 29 Maimonides' son, R. Avraham Maimuni, takes a different approach in understanding the reason behind the prohibitions of offering honey or leavened bread on the altar by allegorizing honey and leavened bread as representing haughtiness and explaining that God abhors such haughtiness (Wincelberg 2008, p. 73). A similar approach is found in *Sefer ha-Chinuch* (*Mitzvah* #117).
- 30 This explanation is also cited by Gersonides (Lev. 1, Purpose #6–8). (See Kasher 1967, pp. 174–79) for an elaborate study of the connection between leavened breads and idolatry.
- 31 Nachmanides (to Lev. 2:1) concedes that perhaps Maimonides' rationale for the prohibition of leavened sacrifices and offering honey on the altar is correct. Nachmanides then suggests that this might be comparable to the case of the *matzeivah*, which before Sinai was a praiseworthy way of worshipping God, but was banned from Sinai onwards. R. Yaakov Emden takes exception to this comparison, arguing that it is not because idolaters offered such sacrifices that the Torah forbade them but vice versa: because the Torah forbade leavened bread and honey, the idolaters specifically offered those items (Zweibel 2020, p. 323).
- Although in Ugarit many of the types of ritual sacrifices seem to match up with the Torah's (see above), the cult at

Ugarit also calls for honey (Wyatt 2002, pp. 41, 150, 351, 428), as well as honeyed wine (Wyatt 2002, p. 198). Now, the Torah clearly prohibits the use of honey and Maimonides explained that this prohibition is aimed at countering the practice of idolaters who used honey in their sacrifices. We even find the use of honey in ritual sacrifice in Canaanite mythology. For example, according to the *Baal Cycles* when Baal summons the goddess Anat, he requests of her to pour libations of honey in his honor (Wyatt 2002, pp. 78–82). In the *Legend of King Karat* (another myth found in Ugaritic writings), the childless King Karat is told by El (the supreme god) to sacrifice a lamb, a kid, a turtledove, a bowl of wine, and a bowl of honey to Baal in order to be granted an heir (Pritchard 1992, p. 143).

32 It could be argued that the pagan practice of offering “sweet sacrifices” comes from an overly anthropomorphic conception of the divine. They may have reasoned that if *people* especially enjoy eating sweet things, then the gods do so as well. The Torah, by contrast, rejects this notion and instead prescribes “salty sacrifices”, because God does not actually “taste” sacrifices in the same way that a human being tastes the food that he or she eats.

33 Nonetheless, R. Yosef Kapach (1917–2000) suggests that Maimonides’ rationalization of ritual sacrifices (i.e., that people were used to such worship after generations of idol worship and could not easily shed such superstitious practices) may also apply to the usage of wine in libations (Kapach 1972, p. 645).

34 Nachmanides to Lev. 17:11 disagrees with Maimonides’ explanation for the prohibition of eating blood, yet seems to cite Maimonides’ rationale approvingly in his commentary to Deut. 12:23. (See also Ritva in *Sefer ha-Zikaron, Parashas Acharei-Mos*).

35 This explanation is also cited by Gersonides (Lev. 1, Purpose #12–13).

36 One example of a similar practice in Roman times is documented by R. Shlomo ibn Verga (1460–1554). He writes that the Temple of Venus had a statue with a phallic device that was used to deflower virgin girls brought in for that purpose. The priests would then gather the blood of the girls’ broken maidenheads and knead it into dough used for baking bread. The men who ate those breads would then be rendered “holy”. The girls themselves were not allowed to marry afterwards, but would instead prostitute themselves at high prices to anyone who came to the temple, because people believed that any man who engaged in intercourse with them would be absolved of all his sins. The monies received from their services would be split between sustaining the girls and paying the administrating priests of the temple (Cohen 2007, p. 14).

37 (Ratzabi 1993, p. 192). Others take note of the carefully-worded prohibition of prostitution. Instead of using the common word for prostitute, *zonah* (זונה) in that context, the Torah (Deut. 23:18) uses the word *kedeisha* (קדשה). The word *kedeisha* implies a connection between prostitution and the “holy” (קדוש), as if to purposely include “sacred prostitution” in the banned category of prostitution. The idea of widespread ritual prostitution or temple prostitution in ancient idolatrous cults has been accepted by mainstream academia, who find examples of words that resemble *kedeisha* in other ancient Semitic languages. However, this idea is not uniformly accepted, (see Westenholz 1989, pp. 245–65; Glatt-Gilad 2011, p. 596; DeGrado 2018, pp. 1–33).

38 (Katzenelson 1928, pp. 381–82).

39 This does not necessarily fit with Maimonides’ four reasons for the laws of ritual purity and impurity (*Guide* 3:47): First, he explains that they distance people from whatever is disgusting. Second, they reinforce the sanctity of the Holy Temple and holy foodstuff by limiting the situations in which one may enter the Sanctuary or eat sacred foods. Third, they serve to give some credence to taboos that were already widely observed in the ancient world. Fourth, they serve to limit the scope of said taboos only to the realm of the sacred and not the realm of the ordinary, thereby making life much easier.

40 The Mishnah (*Avodah Zarah* 2:3) mentions an idolatrous practice known as *oros levuvin* (ערוה לבובין). R. Yonah ibn Janach (990–1055) explains that this refers to a practice attested to by Greek historians whereby idolaters would remove the heart from a live animal and offer it as a sacrifice (Bacher 1896, p. 238). See also Maimonides’ commentary to the Mishnah there. This author has been unable to find outside corroboration for such a practice. (See Tierney 1922, p. 81) who describes a Dionysian ritual which involved cutting out the heart of a sacrificial goat.

41 (See Kasher 2004, pp. 60–61; Izakson 2004).

42 For a full study of those structural and cosmological similarities, (see McCullough 2007; as well as Garfinkel and Mumcuoglu 2019, pp. 1–17). For an analysis of how temple-building was the responsibility of the king in both Biblical and pagan milieus, (see Kapelrud 1963, pp. 56–62). Most interestingly, (see Ricks and Carter 1994, pp. 152–76) who compares various common themes that run through various accounts of temple building in ancient pagan cults, the Bible, and even Mormons. (In a future work, this author hopes to discuss if/how Maimonides’ approach can help explain the appearance of pagan mythemes in the Bible.)

43 See Abarbanel (to Lev. 18:3) who writes that the Egyptians were keen on eating blood, while the Canaanites were not.



- 44 Gersonides (to Lev. 1, Purpose #6–8). Rashi (to Deut. 12:23) explains that the Torah especially stresses the prohibition of eating blood because the Jews were steeped in the consumption of blood. However, R. Dosa the Greek clarifies that Rashi does not literally mean that Jews were accustomed to eating blood; rather, they were involved in feeding blood to demons for the purposes of divination (Shapiro and Peles 2018, pp. 50–51). R. Chaim of Friedberg (the Maharal of Prague’s brother) makes a similar point (Schneeblag 1971, p. 29). According to Nachmanides, the prohibition of *Do not eat on the blood* (Lev. 19:26) is intended to forbid precisely this practice, while according to Ibn Ezra (there) it refers to the Egyptian divination practice of actually eating blood.
- 45 See Mishnah (*Chullin* 2:9). See also *Zohar* (3:70a).
- 46 (See Biton 2012, p. 453). Shabazi’s ostensible source for his assertion concerning the aforementioned idolatrous practice is Rashi to Ezek. 8:17. That said, Radak (there) clearly explains the “smell of flatulence” to be a metaphoric reference to idolatrous incense.
- 47 See TB *Brachos* 22b–23a, 24b–26a.
- 48 (See Biton 2012, p. 405). Although Shabazi presents this as a variant version of TB *Pesachim* 113a, I have been unable to find a parallel to this in any extant manuscript of that Talmudic passage or in any rabbinic source (see also TB *Shabbos* 80a). In *Sefer ha-Mitzvos* (Negative Commandment #41), Maimonides writes that the prohibition of tattooing (Lev. 19:28) is related to idolatrous cultic practice, this too seems to be related cultic make-up or coloring.
- 49 Translation follows William Whiston, accessible at: [https://en.wikisource.org/wiki/Against\\_Apion/Book\\_I](https://en.wikisource.org/wiki/Against_Apion/Book_I) (accessed on 13 May 2021).
- 50 Translation follows Kenneth Wellesley, accessible at: <https://www.livius.org/sources/content/tacitus/tacitus-on-the-jews/> (accessed on 13 May 2021).
- 51 (Assmann 1996, p. 52) terms this doctrine “normative inversion” and explains that the introduction of a counter-memory serves to supersede and replace a rejected philosophy. In this case, the introduction of the Torah’s laws serves to supplant the previous pagan practices. See also (Assmann 2005, pp. 166–68) (a similar point is made by Stern 1997, p. 187).
- 52 Lev. 1:9.
- 53 According to the Talmud (TB *Shabbos* 28b, *Chullin* 60a), Adam also engaged in animal sacrifice. Nachmanides seemingly omits this example because it is not explicit in the Bible.
- 54 *Mitpachas Sefarim* to *Emunas Chachamim*, ch. 10 and (Zweibel 2020, pp. 321–22). Later in this essay, we reframe this question as a contradiction within Maimonides’ own writings.
- 55 (Stern 1997, pp. 225–31) offers an extensive study on Nachmanides’ stance vis-à-vis this approach. The upshot of his findings is that Nachmanides does not disagree with the notion of finding historical reasons for the commandments in principle, but rather rejects certain examples of that approach found in the *Guide* because he understood them to contradict the Bible’s literal meaning. See also Pinchot (1999) who expands on the differences between Maimonides and Nachmanides’ view of sacrifices.
- 56 Ritva in *Sefer ha-Zikaron, Parashas Vayikra* explains that Balaam simply borrowed the concept of ritual sacrifice from the Jews who had already received the Torah at Mount Sinai. The Midrash (*Bamidbar Rabbah* §20:18, see also Rashi to Num. 23:4) explains that Balaam offered sacrifices on seven altars in order to counter the seven altars upon which the Jewish forefathers had earlier brought sacrifices.
- 57 See also the commentaries by R. Moshe of Narbonne (i.e., “The Narbonnite”) and R. Shem Tov to Maimonides’ *Guide*. (See also Nachmanides to Ex. 22:19 regarding the reason behind sacrifices.)
- 58 Ben Shapiro confuses Maimonides and Nachmanides when discussing this point, as he writes: “Why, then, does the Bible focus so much on seemingly pagan sacrifices? Because Biblical sacrifices aren’t designed merely to appease a higher power. They’re designed to change *us*, to teach us something. Maimonides argues that sacrifices were originally designed to woo polytheists toward monotheism by repurposing an ingrained cultural ritual and directing it away from sheer appeasement and toward self-betterment. According to Maimonides, sacrifices are intended to remind us that we ought to pay for our sins ourselves, and that only the mercy of God allows us to escape that accountability” (Shapiro 2019, p. 36).
- 59 *Akeidas Yitzchak* (*Shaar* #57).
- 60 We may address this point by clarifying that Maimonides only seems to have explained why the concept of legitimate ritual sacrifices came into existence in the first place. However, Maimonides would presumably agree that once the Torah instituted this form of worship, it took on “a life of its own” as a totally legitimate form of worship. Thus, the more one worshipped God with this modality, the more praiseworthy he was, regardless of the reason for the existence of this modality.
- 61 TB *Brachos* 26b.



- <sup>62</sup> Katzenellenbogen (1985, pp. 4–5). Similar to what we wrote above, this difficulty can also be addressed by noting that even Maimonides might concede that once the Torah established ritual sacrifices as legitimate means of worship, then it became something important such that it makes sense that the rabbis would feel the need to institute formalized prayer to replace it. On the contrary, Maimonides would likely maintain that the shift from ritual sacrifice to prayer actually reflects the ideal progression away from idolatry towards more abstract forms of worship. Thus, this shift not only does not contradict Maimonides' position, it actually dovetails quite nicely with his worldview.
- <sup>63</sup> Because of the difficulties with Maimonides' position, R. Yaakov Emden (*Mitpachas Sefarim* to *Emunas Chachamim*, ch. 10) surmises that Maimonides did not actually write the *Guide*. He finds it particularly farfetched to say that the same person wrote both the *Guide* and the *Mishneh Torah*. R. Yerucham Leiner of Radzin (1888–1964) criticizes Emden's supposition by noting, inter alia, that the *Guide* was published and widely disseminated during Maimonides' lifetime, yet nobody ever claimed that he did not write it. Leiner therefore concludes that Emden did not really believe what he wrote, and that there is no reason to doubt Maimonides' authorship of the *Guide* (Leiner 1951, pp. 159–60). (Leo Strauss famously offered an approach to reconcile the apparently contradictory approaches between the *Guide* and the *Mishneh Torah*. For a summary of his approach and various objections to it, (see Hartman 1977; Landy 2020, pp. 97–113).) See also Meshch Chochmah (to Ex. 20:3) who claims that everything Maimonides writes in his three major works (*Mishnah Torah*, *Guide*, and commentary to the *Mishnah*) always follows one unified approach. Henshke (1996) uses this issue as a case study to examine the broader question of internal consistency in Maimonides' various works.
- <sup>64</sup> *Avodah Zarah* 1:5.
- <sup>65</sup> To TB *Avodah Zarah* 5b.
- <sup>66</sup> Ritva (to TB *Avodah Zarah* 5b) adds that this is already mentioned in *Bereishis Rabbah* when discussing idolatry's advent in the time of Enosh. The author could not locate this passage in *Bereishis Rabbah*, but refers the reader to (Klein 2018, pp. 35–44) which offers a fuller discussion of the idolatrous revolution that began in Enosh's generation.
- <sup>67</sup> Trani (1648, pp. 105a–106a).
- <sup>68</sup> This argument is not as strong as it sounds, because many major trends in human history can take centuries to shift. In fact, the Bible itself documents the Jews' recurring reversion to idolatry over a span of a millennium.
- <sup>69</sup> TB *Kesubos* 62b.
- <sup>70</sup> (Klein 2018, pp. 244–76) offers an in-depth treatment of the tradition concerning the demise of the Evil Inclination for idolatry at the onset of the Second Temple period. See there for a discussion of whether this development only affected the Jews or even non-Jews.
- <sup>71</sup> (Kook 1984, pp. 18–19). However, R. Kook deflects his criticism by explaining that the goal of eradicating idolatry is timeless and thus always applicable (Kook 2004, pp. 267–68). Moreover, in *Ein Ayah* (to TB *Shabbos* 23b, §26), R. Kook writes that there can be multiple reasons behind the commandments which are all concurrently true.
- <sup>72</sup> A softer version of this question is asked by R. Moshe Isserles in *Toras ha-Olah* (2:1), who finds Maimonides' explanation insufficient to justify desecrating the Sabbath and festivals in order to bring sacrifices. He reasons that if the ritual sacrifices themselves have no inherent value and are simply a means to fight against idolatry, then they should not be important enough to supersede the Sabbath and festivals.
- <sup>73</sup> (See Silver 2018, pp. 238–39).
- <sup>74</sup> Interestingly, R. Kook writes that in the Messianic Era, all humans and animals will attain the level of intelligence needed to fully recognize God's dominion over the world. Accordingly, he writes that animal sacrifices will be rendered obsolete and only offerings of flora—i.e., meal—will be reinstated. He finds support for this in the words of Malachi who said, *Then shall the meal-offering of Judah and Jerusalem be pleasant . . .* (Mal. 3:4), mentioning only the meal-offering, and not animal-offerings (Kook 1939, p. 292).
- In addition to the manifest linguistic inaccuracy in this explanation (i.e., because the word *minchah* in Biblical Hebrew means “gift” or “offering”, and only in Mishnaic Hebrew refers to a “meal-offering” in specific), there is an even deeper inconsistency. R. Kook's explanation clearly contradicts Ezekiel's prophecies, which foretell of animal sacrifices' reinstatement in the future Temple—even if not exactly in the same way as prescribed by the Torah. Maimonides himself even seems to agree to the future restoration of animal sacrifices by codifying the laws of ritual sacrifices as presented in the Talmud into his Halachic work *Mishneh Torah*. The closest known parallel to R. Kook's assertion is the Midrashic teaching (*Midrash Tanchuma*, *Emor* §14 and *Vayikra Rabbah* §9:7) that all sacrifices will be discontinued in the future except for the thanksgiving-offering—which is always accompanied by leavened and unleavened loaves of bread (i.e., meal). (R. Yehuda Leib Sirkis (1652–1733) in *Livyas Chein* (*Parashas Vayikra*) offers a detailed analysis of why sin-offerings and guilt-offerings will be discontinued in the Messianic Era).

- 75 Maimonides in *Guide* 3:34 discusses why, *per force*, the commandments must remain immutable such that they remain applicable even when the reason(s) behind them is/are no longer relevant. Nonetheless, his explanation does not allay R. Kook's concerns because it still fails to give the practice any contemporary meaning or significance.
- 76 The Talmud (TB *Kesubos* 111a) relates that the Jewish People took an oath that they will not reveal to the gentiles "the secret", which Rashi (in his second explanation) understands refers to the reasons behind the comments. See also TB *Pesachim* 119a about revealing the reasons for the commandments.
- 77 (Binder 2012, p. 83).
- 78 (Rubiés 2006, pp. 587–89).
- 79 See also (Stern 1997, pp. 203–4) who also raises this apparent contradiction.
- 80 Laws of *Meilah* 8:8.
- 81 See *Shemonah Perakim* ch. 6 and *Guide* 3:26. Cf. *Guide* 3:31, who cites Deut. 4:6 to show that even the so-called *chukim* must, *per force*, have some sort of understandable rationale.
- 82 See *Ben Melech* (*Vayikra* vol. 1, *Maamarim* §3). These two passages can be reconciled via a third passage in which Maimonides writes (Laws of *Temurah* 4:13) that even though all the Torah's *chukim* are simply Divine imperatives, it is still worthwhile for people to contemplate these commandments and try to discern their reasons as much as humanly possible.
- 83 Laws of *Melachim* 11:1.
- 84 (See Phillips 2019, p. 334) who makes this point.
- 85 R. David of Estella (ha-Kochavi)—a 13th century Provençal sage who was a moderate follower of Maimonidean thought—mentions that Maimonides has an approach to the reason behind ritual sacrifices, and that there are many complications with this approach. However, instead of actually spelling out what Maimonides says and the difficulties with his position, R. David simply mentions the relevant chapters in the *Guide* without citing what they say (Hershler 1982, p. 124).
- 86 To Lev. 8.
- 87 See R. Yitzchak Karo who also writes (*Toldos Yitzchak* to Lev. 1:2) that even Maimonides never meant that the *entire purpose* of ritual sacrifices was to displace idolatry; rather, this was a secondary effect of the commandments of ritual sacrifices, while its primary reason remains hidden. Rabbi Meir Yonah Barnitzky-Shatz (1817–1891) supports this assertion based on Maimonides' comments in his Laws of *Meilah* 8:8, see *Har ha-Moriah* (there).
- 88 In his introduction to Leviticus (ch. 4). Abarbanel resolves Nachmanides' question from Adam and his sons offering sacrifices by explaining that even Maimonides would admit that those early humans offered sacrifices for the same reasons Nachmanides gives for ritual sacrifices in general. Abarbanel says the same about Noah, but adds that by Noah's time idolatry had already take hold, so Noah was also motivated by the need to counter idolatrous practice. R. Moshe Isserles in *Toras ha-Olah* (2:1) resolves the question from Adam through the Midrashic sources that teach (*Tanchuma*, *Pekudai* §3 and *Pirkei de-Rabbi Eliezer*, ch. 11) that after Adam was created, some elements of creation thought that he was actually the creator. In order to counter this misimpression, Adam offered sacrifices to God to show that He is the true creator and He is above Adam. This, of course, somewhat parallels Maimonides' understanding of the rationale behind ritual sacrifices as intending to counter the idolatrous point of view.
- 89 R. Moshe Isserles in his introduction to *Toras ha-Olah* characterizes Maimonides' explanation in the *Guide* as *peshat*, but intimates that more esoteric layers of understanding can also be found for the Torah's ritual sacrifices.
- 90 See Nachmanides to Deut. 22:6.
- 91 Maimonides (*Guide* 3:51–52) also writes that the purpose of all the Torah's commandments is to help a person shift his or her thoughts to focus on God and fear Him, instead of concentrating on the physical world. This suggests that the purpose of the commandments is simply to make people cognizant of God in their everyday life, which seemingly contradicts the notion that each commandment has its own separate rationale. Rabbi Shnayer Z. Burton resolves this tension by postulating that the rationale for the commandments as Maimonides presents them only applies to the majority of people (see *Guide* 3:34). Accordingly, when Maimonides states that the purpose of the Torah is to lead people to thinking about God and fearing Him, this was only said about those rare individuals who will be able to utilize the commandment to achieve that end, but the other rationale that Maimonides gives were meant to explain the purpose of the commandments for the masses who will not ultimately be able to use the commandments to focus their minds solely on God. See S. Z. Burton, "The Reasons for Mitzvos According to the Rambam", *The Great Sources* (Podcast). Available online: <https://amzn.to/3gNfoPv> (accessed on 13 May 2021).
- 92 Maimonides' son R. Abraham Maimuni admits that the reasons that his father gives for commandments simply reflect his learned opinions are not meant to be taken as absolutes. He concedes that there may be other reasons for the commandments that Maimonides does not take into account, and overall does not implicate somebody who

rejects the reasons for the commandments as expressed by Maimonides (Margolios 1953, p. 68). (See Phillips 2019, pp. 335–36) who similarly suggests that Maimonides might agree that the *primary* reason behind sacrifices was to help the Jews withdraw from pagan practices, but that once legitimate sacrifices already existed, God subsequently imbued them with other, *secondary* reasons.

<sup>93</sup> *Sefer ha-Zikaron, Parashas Vayikra*. See also responsa Rivash (§45), and Migdal Oz (to Maimonides' Laws of *Yesodei ha-Torah* 1:10).

<sup>94</sup> R. Aharon Marcus (1843–1916) also maintains that many of Maimonides' "rationalist" positions were simply meant for polemical purposes and do not reflect a rejection of Kabbalah/mysticism. Marcus (2016, pp. 265–66, 306) reports a story he heard from R. Moshe Sofer's son, R. Shimon Sofer (1820–1883):

One time, R. Shimon Sofer was strolling with his father alongside the Danube River in Pressburg (modern-day Bratislava) and the topic of conversation turned to Maimonides and his seemingly non-Kabbalistic views. R. Moshe Sofer told his son that the path of Maimonides and the path of Kabbalah is one and the same. The elder R. Sofer likened the matter to a topographical fact about his German hometown, Frankfurt. Frankfurt sits at the confluence of the Main and Rhine rivers. In truth, the Main River is a tributary of the Rhine, but if one does not look at the place where the two converge, the two rivers seem completely separate. So too, explained R. Sofer to his son, although Maimonides and Kabbalah seem at odds with each other, their points of convergence show that they are all part of one greater system.

<sup>95</sup> Sofer (2008a, p. 26). Similarly, he also writes that the rationales Maimonides presents in his *Guide* are meant for apologetic purposes to simply quell the hearts of the laymen (Sofer 2008b, p. 385).

Elsewhere, R. Moshe Sofer (in *Chiddushei Chasam Sofer* to TB *Chullin* 132b) seems to entirely reject Maimonides' approach, but stops short of calling it heretical: The Talmud (TB *Chullin* 132b) rules that any Kohen who "does not agree with the service [in the Holy Temple]" is not entitled to receive a portion of the priestly gifts. The commentaries assume that this Kohen is a heretic who deserves a more serious punishment. However, R. Sofer explains that this Kohen does not *deny* the Torah's Divine ordinances, but rather incorrectly understands that the services of the Holy Temple are simply a means for eliminating idolatry (like Maimonides seems to write in his *Guide*), but are not important in their own right. Such a person is technically not a heretic, but nonetheless loses the priestly gifts to which he would otherwise be entitled.

<sup>96</sup> *Meshech Chochmah* (introduction to Lev.).

<sup>97</sup> The rule of thumb regarding private altars is that they were permitted only in the absence of a permanent central altar in the Tabernacle/Temple (Mishnah *Zevachim* 14:4–8). Thus, one would assume that after the destruction of the Temple, private altars would once again become permitted; however, according to halacha, they remain forbidden. Why? One opinion maintains that this is because the Temple's site retains its sanctity even after the Temple's destruction (so any theoretical sacrifices would have to be offered *there*, and not on private altars). The second opinion, held by the Tosafist R. Chaim ha-Cohen (see *Tosafos* to TB *Megillah* 10a) is that private altars are forbidden, even if the sanctity of the Temple's site does not remain.

R. Meir Simcha proposes that R. Chaim ha-Cohen's reasoning is that given that the entire purpose of sacrifices on private altars is to help distance one from idolatry, once the Evil Inclination for idolatry was eliminated (at the beginning of the Second Temple Era), there is no justification whatsoever for sacrificing at private altars. According to this, even when there is no other permanent central altar, *bamos* are not permitted. (For more about the prohibition of private altars and R. Chaim ha-Cohen's position, see R. C. Klein, "Two Jewish Temples in Egypt", *Seforim Blog* (12 January 2019) URL: <https://seforimblog.com/2019/01/two-jewish-temples-in-egypt/> (accessed on 13 May 2021). The Bible (I Kgs. 3:2) criticizes the Jews at the onset of King Solomon's reign by noting that they offered sacrifices on private altars. However, that criticism is difficult to understand because at that point in time (after the destruction of the Tabernacle at Shiloh yet before the construction of the Holy Temple) worship at private altars was actually permitted.

*Metzudas David* (to I Kgs. 3:2) explains that the multitudes of private altars resembled idolatrous practice, and thus the Jews were rightly criticized. In view of R. Meir Simcha's explanation, we can theorize that if the entire notion of private altars was simply to wean the Jews from idolatry, the fact that they continued to worship at private altars showed that they had not yet fully eradicated idolatry's influence and needed the private altars to help wean themselves from it. Accordingly, perhaps the Bible means to criticize the Jews squarely for this failure to eradicate the influence of idolatry, but not for their sacrificing on private altars, *per se*.

<sup>98</sup> See also *Seder Yaakov* (to TB *Avodah Zarah* 51a).

<sup>99</sup> (Weinberg and Beiberfeld 1953, pp. 145–52).

- 100 R. Kalman Kahane (1910–1991) notes that this distinction is unfounded. Nonetheless, he admits that one can find precedent for such an explanation by noting that, as mentioned above, R. Meir Simcha similarly confines Maimonides' explanation to sacrifices on private altars (as opposed to public altars). Just as R. Meir Simcha limits Maimonides' rationale to only one type of sacrifices, so does Epstein's explanation. R. Kahane notes a major difference between them: R. Meir Simcha used his distinction to decide between the dispute of Maimonides and Nachmanides, favoring the former's rationale regarding private altars and the latter's regarding public ones; however, Epstein uses his differentiation to answer a contradiction within the writings of Maimonides' himself. Thus, R. Kahane concludes that Epstein's approach and R. Meir Simcha's approach cannot really be compared (Kahane 1956, p. 119). Orenstein (1983, p. 34) rejects Epstein's theory on the grounds that there is no corroboration for such a distinction from any of Maimonides' other writings.
- 101 *Emunas Chachamim*, ch. 10.
- 102 In a similar vein, R. Yaakov Emden (*Mitpachas Sefarim* to *Emunas Chachamim*, ch. 10) writes that the early idolaters were familiar with the proper way of worshipping God—as was known to mankind from Adam's time—yet they purposely chose to corrupt those forms of worship to give powers to other, perceived forces.
- 103 This does not seem consistent with Maimonides' stated reasons for the laws of ritual impurity (cited above).
- 104 See also Ricanati (to Ex. 20:3) who writes that every idolatrous act serves to strengthen the powers of impurity.
- 105 *Emunas Chachamim*, ch. 23 (see also *Mitpachas Sefarim* there). (This author is working on penning a volume dedicated to the differences and similarities between the so-called "rationalist" approaches to idolatry and the more "mystical/omnisignificant" approaches.)
- 106 (Klein 2018, pp. 320–23, 327–28).
- 107 (Klein 2018, pp. 215–43).
- 108 Maharit bases himself on a series of linguistic particularities in Maimonides' phraseology, the merits of which are beyond the scope of this study and require expertise in both Hebrew and Judeo-Arabic.
- 109 Laws of *Deos* 2:2 and *Shmoneh Perakim* (Maimonides' introduction to Tractate Avos), ch. 4.
- 110 R. Gedaliah Nadel (1923–2004) makes a similar point; however, he warns that the drive to worship God in ways that are more concrete can lead directly to idolatry, if taken in the wrong direction (Shilat 2004, pp. 122–23).
- 111 R. Yosef Leib Bloch (1860–1929) writes that Maimonides did not "God forbid" think that displacing idolatry was the *only* reason for the commandments of ritual sacrifices. Rather, in R. Bloch's estimation, Maimonides sought to offer a rational explanation for ritual sacrifices. Even though Maimonides himself may have believed that the entire concept of ritual sacrifices cannot be explained, he notes that such sacrifices do have this added benefit which may be part of God's reason for making such commandments. Nonetheless, R. Bloch concedes that pagan idolaters offered ritual sacrifices in order to feed a very human drive to offer sacrifices to a higher cause. By instituting the Torah's system of sacrifices, God sought to replace idolatry's role in filling this need with an acceptable outlet (Bloch 1949, pp. 199–201). Even contemporary philosophy recognizes this internal drive for sacrifice. For example, the late Dr. Roger Scruton (1944–2020) opens his book with an undisputed truism, "The desire for sacrifice is rooted deep in all of us" (Scruton 2014, p. 1).
- 112 Ritva in *Sefer ha-Zikaron, Parashas Vayikra* offers a similar resolution, arguing that the Torah embraces the general concept of ritual sacrifice in order to wean the Jews from idolatry, but at the same time rejects certain details of such worship to achieve the same goal. R. Chaim Palagi (1788–1868) offers a similar explanation in his work *Lev Chaim* (to *Orach Chaim* §54).
- R. Mordechai Comtino (1430–1480) writes in his commentary to the *Guide* that in his commentary to the Pentateuch, he already refuted Nachmanides' objections to Maimonides' stance. Alas, this passage from Comtino's commentary to the Pentateuch has not yet been found. Nonetheless, later in his commentary to the *Guide*, Comtino writes that Maimonides only meant that God introduced the concept of ritual sacrifice in general as a concession to help wean the Jews from idolatry; but Maimonides would admit that the *details* of the Torah's rules for ritual sacrifice purposely deviate from idolatrous practice (Schwartz and Eisenman 2016, pp. 487–88, 515).
- 113 This translation of the Hebrew word *matzeivah* (מצבה) follows Rashi's elucidation that a *matzeivah* is the same as a *mizbeach* (מזבח, altar), except that it is built out of one stone (see TB *Avodah Zarah* 53b and R. Chananel there and *Tosafos* to TB *Avodah Zarah* 16b).
- Nachmanides (there) disagrees with Rashi's approach and argues that if a *matzeivah* is also an altar, then why does the Torah differentiate between the shunned *matzeivah* and the legitimate *mizbeach*, if the Canaanites served idolatry on both types of altars (as evident from many Scriptural passages). Instead, Nachmanides explains that idolaters would erect a pillar and/or plant a tree to mark the entrance to an idolatrous temple. This pillar is called a *matzeivah* and the tree is called an *asherah*. God rejected both of these monuments which served utilitarian purposes for idolatry,



but did not reject the *mizbeach*, which was the accepted edifice upon which ritual sacrifices were offered (whether for God or whatnot). (See also Nachmanides (to Gen. 28:18) who explains that the Torah allowed a *mizbeach* but not a *matzeivah* so as not to completely outlaw ritual sacrifice. This is somewhat reminiscent of Maimonides' stance.)

R. Samson Raphael Hirsch (1808–1888) resolves the difficulty with Rashi's position by explaining that a *mizbeach* is manmade, while a *matzeivah* is naturally-occurring. Accordingly, in the pre-Sinaitic era, a naturally-occurring altar was an appropriate venue for worshipping God because the main way His presence was manifest in creation was through nature. However, once the Torah was given at Sinai, the Torah itself became the most important vehicle for the recognition of God, albeit it requires more work on man's part. Because of this, in the post-Sinaitic world, a manmade altar is most appropriate for serving God (see R. Hirsch's comments to Gen. 28:18, 33:20 Deut. 16:22).

114 Rashi to Deut. 16:22 paraphrasing *Sifrei* (ad loc.).

115 When citing this Midrash, Abarbanel's version reads: "The king said, 'He should always eat them [i.e., the unslaughtered and moribund animals] at this table and on his own he will refrain.'" Based on this, R. David Zvi Hoffmann (1843–1921) understood that Abarbanel's proof to Maimonides' position is from the Midrash comparing ritual sacrifices (in general) to unslaughtered and moribund animals. This would indeed suggest that legitimate sacrifices have no inherent value but are—like idolatrous sacrifices—akin to unslaughtered and moribund animals, which are considered abominable. R. Hoffmann raises several issues with this reading of the Midrash, the foremost of which is that this variant is unattested to in the various edition of *Vayikra Rabbah* and *Yalkut Shimoni* (Hoffmann 1976, p. 61).

116 *Vayikra Rabbah* §22:8.

117 See Abarbanel's introduction to Leviticus, ch. 4. Later, R. Avraham Leiblohn (a 19th century Polish sage) writes in *Kesef Mezukak* (to Lev. 1:9) writes that Nachmanides' questions on Maimonides' position should really be directed against this Midrash, not Maimonides. R. Moshe Isserles in *Toras ha-Olah* (2:1) also cites this Midrash as possibly supporting Maimonides' position, but ultimately finds this Midrash as insufficient because it does not account for all the details in the Torah's laws of ritual sacrifice.

118 See TB *Chullin* 16b–17a.

119 *Emunas Chachamim* ch. 10 (see also *Eshed ha-Nechalim* to *Vayikra Rabbah*, there). Solomon Gottlieb Stern (Kochav-Tov) of Rechnitz (1807–1883), a Hungarian *Maskil*, wrote in the newspaper *ha-Levanon* (7 January 1869) that Maimonides simply follows Chazal in his rationalizing of ritual sacrifices, even though he does not cite this idea in their name. Stern mentions this Midrash as Maimonides' source, and notes that Abarbanel already wrote that this Midrash proves Maimonides' position. R. Naftali Tzvi Yehuda Berlin (1816–1893) replied to this claim in a letter published in *ha-Levanon* (11 February 1869) that this Midrash is only discussing why non-sacrificial meat was forbidden for the duration of the Jews' stay in the desert, but says nothing about the reasons for ritual sacrifices in general. He thus independently makes the same point as R. Bascilla. Interestingly, R. Berlin's nephew R. Baruch ha-Levi Epstein in *Tosefes Brachach* (to Lev. 1:2) also cites this Midrash as a source for Maimonides' point of view, apparently unaware that his illustrious uncle had already rejected this proof-text. (The full archives of the *ha-Levanon* newspaper are accessible online at: <http://jpress.nli.org.il> (accessed on 13 May 2021).)

120 *Eitz Yosef* (to *Vayikra Rabbah* there).

121 R. Meir Simchah of Dvinsk in *Meshech Chochmah* (to Lev. 17:7) provides a different answer. He notes that given that the Talmud connects the elimination of the Evil Inclination for idolatry with the merit of the Holy Land (see Klein 2018, cited above), once the Jews entered the Holy Land, idolatry would pose less of a challenge.

122 For example, (Berman 2020, pp. 4–9).

123 A popular internet meme known as "Rule 34" jokes that contemporary pornography has fetishized every possible act that one can think of; the same could be said of the cultic rites in the ancient world in which pagans granted omnisignificance to everything and incorporated every aspect of life into their idolatrous worldview. Life and religion were so intertwined in the ancient world, that Jan Assmann wrote of ancient Egypt, "It is virtually impossible to draw a clear-cut distinction between culture in general and religion in particular" because everything possible became part of religion (Assmann 2008, p. 10).

124 In his *Nineteen Letters*, R. Samson Raphael Hirsch criticizes Maimonides' approach to the reasons behind the commandments by chiding him for looking outwards to Greco-Arabic philosophy, instead of inwards to Judaism itself. This controversial passage was understandably censored in later Hebrew translations of R. Hirsch's work (Shapiro 2015, pp. 122–28).



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