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Notes to the Introduction

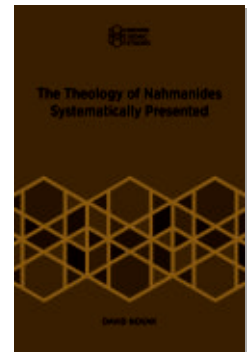
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Notes to the Introduction

- ¹ *Rabbi Moses Nahmanides (RAMBAN): Explorations in his Religious and Literary Virtuosity*, 1-2.
- ² The following editions of Nahmanides' works were used: *Commentary on the Torah* (CT) 2 vols., ed. C. B. Chavel (Jerusalem: Mosad Harav Kook, 1959-63); *Kitvei Ramban* (KR) 2 vols., ed. Chavel (Jerusalem: Mosad Harav Kook, 1963); *Hidushei ha-Ramban*, 2 vols., ed. I. Z. Meltzer (B'nai B'rak: n.p., 1959); *Hidushei ha-Ramban ha-Shalem*, 4 vols., ed. M. Hershler et al. (Jerusalem: Makhon ha-Talmud ha-Yisraeli, 1970-87); *Notes on Maimonides' Sefer ha-Mitsvot*, ed. Chavel (Jerusalem: Mosad Harav Kook, 1981); *Teshuvot ha-Ramban*, ed. Chavel (Jerusalem: Mosad Harav Kook, 1975).
- ³ For the effects of reconstructing original texts in a new context, see B. Pesahim 105b and Rashbam, s.v. "ve-sadrana 'ana." For an excellent contemporary example of scholarly and philosophic reconstruction of the thought of a medieval Jewish theologian, see Lenn E. Goodman, ed., *The Book of Theodicy: Translation and Commentary on the Book of Job by Saadiah ben Joseph Al-Fayyumi*.
- ⁴ Thus in an 1803 responsum addressing a request for an endorsement of a project of publishing Nahmanides' *Commentary on the Torah*, the Hatam Sofer wrote that "although the books of Nahmanides are to be found, those who engage in the study of them are not to be found." He called the *Commentary on the Torah* "a foundation of faith and a root of religion." *Sefer Hatam Sofer* (New York: n.p., 1958) 6, no. 61.
- ⁵ That year culminated in my writing an essay, "Belief in God," later published in my *Law and Theology in Judaism*, ch. 15.
- ⁶ An earlier version of this introduction formed my "Nahmanides' Commentary on the Torah," *Solomon Goldman Lectures*, ed. B. L. Sherwin and M. Carasik (Chicago: Spertus College of Judaica Press, 1990) 87-104. Much can still be learned from J. Perles' classic essay, "Über den Geist des Commentar der Rabbi Moses ben Nachman zum Pentateuch," *Monatschrift für Geschichte und Wissenschaft des Judenthums* 8 (1858) 81 ff.
- ⁷ Unlike Halakhah, whose prescriptions are transmitted or legislated by the rabbinic authorities of the community for the community (see Maimonides, *Hilkhot Mamrim*, ch. 1), Aggadah is an individual sage's suggestion of what he thinks should be done over and above Halakhah, especially in the area of doctrine, where there are few halakhic rules. Aggadah is normative, not just descriptive (see Y. Megillah 4.1 / 74d), but it is not legally binding (see Y. Peah 2.6 / 10a; Y. Horayot 3.5 / 48c re Eccl. 6:2). Thus it is urged,

"When you desire to know God, study Aggadah" (*Sifre: Devarim*, ed. Finkelstein, no. 49). The quest for God is mandatory, as is clear from the verse on which this text comments: "...which I command you to do: to love the Lord your God, to walk in his ways, and to cleave to him" (Deut. 11:22). See Maimonides, *Shemonah Peraqim*, 5, ad init.

- ⁸ The relation of *peshat* (ostensible meaning) and *derash* (explicated meaning) is subtle. Thus the principle, "Scripture speaks of its own present time (*be-hoveh*)," is used to explain why certain things are mentioned in a particular law. But the law is not limited to these cases; rather the items in question are seen as *examples* of a general class which includes a potential infinitude of other cases. Thus, what may seem an assertion of the self sufficiency of *peshat* is actually a basis for *derash*, a search for the principle underlying the examples. See, e.g., M. Baba Kama 5.7; cf. *Encyclopedia Talmudit* 6.553-55. The rabbinic principle, "Scripture does not depart from its ostensible meaning (*middei peshuto*)" was not understood to foreclose *derash* but to give it a basis. See B. Yevamot 24a and parallels; *Midrash Leqah Tov*: Vayetse, ed. S. Buber, 72b-73a; and David Weiss Halivni, *Peshat and Derash: Plain and Applied Meaning in Rabbinic Exegesis* (New York: Oxford University Press, 1991) 3 ff., 79 ff. On the role of *ta'amei ha-mitsvot* in normative interpretation, see I. Heinemann, *Ta'amei ha-Mitsvot be-Sifrut Yisrael* (Jerusalem: World Zionist Organization, 1949) 1.11 ff.
- ⁹ See R. Israel Meir Ha-Kohen, *Mishnah Berurah* on *Shulhan 'Arukh*: 'Orah Hayyim, 60.4, n. 11.
- ¹⁰ *Kavvanat ha-lev* in this sense originally applied only to the commandment of reciting the first verse of the *Shema* and the *Shemonah Esreh*. See M. Berakhot 2.1; *Sifre Devarim*, no. 41; cf. David Weiss Halivni, *Meqorot u-Mesorot: Mo'ed* (Yoma - Hagigah) (Jerusalem: Jewish Theological Seminary of America, 1975) 404-05. But in time *kavvanat ha-lev* became a desideratum for all *mitsvot*. See esp. Nahmanides, *Notes on Maimonides' Sefer ha-Mitsvot*, pos. no. 5.
- ¹¹ See *God in Search of Man*, 320 ff. Cf. Bahya ibn Pakuda, *Hovot ha-Levavot*: Sha'ar ha-Ma'aseh, ch. 1 ff.
- ¹² CT: Lev. 19:2/II, 115; cf. CT: Deut. 27:26.
- ¹³ See I. Tishby, *Mishnat ha-Zohar*, 2.387. Martin Buber, in *Two Types of Faith*, 57, holds that *Halakhah* is antithetical to a true I-Thou relationship of man and God; I respond in *Jewish-Christian Dialogue*, 89-91.
- ¹⁴ As precedent for the view that the search for the reasons of the commandments should lead only to better observance of them, not to their neglect, see Philo, *Migration of Abraham*, 89-93.

- ¹⁵ *Moreh Nevukhim*, 3.27.
- ¹⁶ *Moreh*, 3.48. See D. Novak, *Law and Theology in Judaism*, 2.40 ff.
- ¹⁷ See Maimonides, *Hilkhot Yesodei ha-Torah*, 4.13; *Moreh*, 2.33; cf. Menachem Kellner, *Maimonides on Human Perfection* (Atlanta: Scholars Press, 1990) for an account of Maimonides' conception of the highest kinds of human activity that does not lend itself to such a reductionism — or misappropriation of Maimonides' aims.
- ¹⁸ See *Hilkhot Teshuvah*, 3.4: "Even though sounding the shofar on Rosh Hashanah is a Scriptural decree (*gezerat ha-katuv*), it contains a hint (*remez*) of its intention, namely (*kelomar*): 'Awake you sleepers from your slumber... search your deeds, return in penitence, and remember your Creator!'"
- ¹⁹ See J. Sarachek, *Faith and Reason: The Conflict Over the Rationalism of Maimonides* (New York: Hermon, 1970) 75 ff., 84-85, 116 ff.
- ²⁰ See C. B. Chavel, *Rabbenu Mosheh ben Nahman* (Jerusalem: Mosad Harav Kook, 1967) 120 ff.
- ²¹ See, e.g., CT: Exod. 20:23. For Nahmanides' classification of the *mitsvot*, C. Henoch, *Ha-Ramban ke-Hoqer u-Mequbbal* (Jerusalem: Harry Fischel Institute, 1978) 337 ff.
- ²² See, e.g., Solomon Schechter, "Nachmanides," *Studies in Judaism* (New York: Macmillan, 1896) 1.119-20.
- ²³ See David Berger, "Miracles and the Natural Order in Nahmanides" in Twersky, ed., *Rabbi Moses Nahmanides*, 107 ff.
- ²⁴ T. Avodah Zarah 8.4; B. Sanhedrin 56a-b.
- ²⁵ See Saadiah Gaon, *ED*, 9.2 re Gen. 2:16; and my *The Image of the Non-Jew in Judaism*, esp. ch. 10.
- ²⁶ See Joseph Albo, *Sefer ha-'Iqqarim*, 1.7; also, Novak, *The Image*, ch. 11.
- ²⁷ *Hilkhot Melakhim*, 8.11.
- ²⁸ *Shemonah Peraqim*, 6; cf. *Commentary on the Mishnah*, Berakhot 5.3.
- ²⁹ See Novak, *The Image*, 276 ff.
- ³⁰ For the need of metaphysics in morality, see *Moreh*, 2.40, 3.27; for the need of metaphysics by morality, 3.54. For the logic of the interdependence, see my "Maimonides' Concept of Practical Reason," *Rashi 1040-1990: Hommage a Ephraim E. Urbach*, ed. G. Sed-Rajna (Paris, 1993) 615-29.

- ³¹ CT: Gen. 6:13 - I, 52. Cf. CT: Gen. 6:2. For Nahmanides' use of the term *mitsvot sikhliyot*, see KR: *Commentary on Job*, 1:1, I, 26; *Torat ha-Shem Temimah*, KR I, 173.
- ³² CT: Exod. 12:21 1.334.28. For a possibly similar view in Maimonides (*Hilkhot Yesodei ha-Torah*, 7.5), see my *Jewish-Christian Dialogue*, 129 ff.
- ³³ "The custom operates before we have time for reflexion... much more without forming any principle concerning it, or reasoning upon that principle." David Hume, *A Treatise of Human Nature*, 1.3.8, ed. L. A. Selby-Bigge (Oxford: Clarendon Press, 1888) 104. For the Islamic background, see L. E. Goodman, "Did al-Ghazālī Deny Causality," *Studia Islamica* 47 (1978) 83-120.
- ³⁴ See, e.g., CT: Deut. 13:2.
- ³⁵ CT: Exod. 13:16 - I, 346.
- ³⁶ See W. H. Walsh, *An Introduction to Philosophy of History* (London: Hutchinson, 1967) 63 ff.
- ³⁷ See Mircea Eliade, *The Sacred and the Profane: The Nature of Religion* (New York: Harper and Row, 1961) 106-07.
- ³⁸ See CT: Gen. 14:10; and Y. Silman's excellent treatment of Halevi's views on revelation and history, *Bayn Filosof le-Navi* (Ramat-Gan: Bar-Ilan University Press, 1985) 161 ff., 216 ff.
- ³⁹ CT: Gen. 22:1, I - 125-26.
- ⁴⁰ For this twofold teleology of the *mitsvot*, see CT: Deut.22:6.
- ⁴¹ See CT: Deut. 11:22.
- ⁴² *Bemidbar Rabbah* 19.1; cf. *Midrash Leqah Tov*: Huqqat, 119b.
- ⁴³ *Bereshit Rabbah* 44.1 and parallels; cf. Maimonides' handling of this rabbinic text at *Moreh*, 3.26.
- ⁴⁴ *Sifra*: Aharei Mot, ed. Weiss, 86a; B. Yoma 67b. For further elaborations of this "*facio quia absurdum*" theme in medieval Ashkenazic theology, see D. Berger, *Jewish-Christian Debate* (Philadelphia: JPS, 1979) 356-57.
- ⁴⁵ See my "Natural Law, Halakhah and the Covenant", *JLA* 7 (1988) 47 ff.
- ⁴⁶ See *Hilkhot Talmud Torah*, 1.11-12; *Moreh*, Introduction.
- ⁴⁷ *Moreh*, 3.43.

- ⁴⁸ See D. Novak, "Does Maimonides have a Philosophy of History?" in Samuelson, ed., *Studies in Jewish Philosophy*; Henoch, *Ramban*, 316-17.
- ⁴⁹ See, especially, *Moreh* 2.31. The Talmudic Rabbis, by contrast, stressed the uniquely Jewish meaning of the Sabbath. See B. Sanhedrin 58b re Gen. 8:22; *Devarim Rabbah* 1.18 re Exod. 31:17.
- ⁵⁰ *Moreh*, 3.37.
- ⁵¹ *Moreh*, 3.48. See *Hilkhot Ma'akhalot Assurot*, 17.29-31; also, *Hilkhot De'ot*, 3.3 re Mishnah Avot 2.2.
- ⁵² See, e.g., *Moreh*, 1.36; 3.29.
- ⁵³ See, e.g., J. Even-Chen, *Ha-Ramban* (Jerusalem: Ginzekha Rishonim Le-Tsiyon, 1976) 61 ff. The notion that Nahmanides had a complete, largely secret kabbalistic system was apparently held even by his contemporaries who found his kabbalism excessive. See R. Isaac bar Sheshet Parfat, *Teshuvot ha-Ribash*, no. 157. For modern critical discussion of Nahmanides' kabbalism, see Gershom Scholem, *Ha-Kabbalah be-Gerona*, 73 ff., and *Origins of the Kabbalah*, 384; M. Idel, *Kabbalah: New Perspectives*, 254.
- ⁵⁴ See *Major Trends in Jewish Mysticism*, 173.
- ⁵⁵ See M. Idel, "We Have No Kabbalistic Tradition on This" in Twersky, ed., *Rabbi Moses Nahmanides*, 63 ff.
- ⁵⁶ See Scholem, *Ha-Kabbalah be-Gerona*, 66; Idel, *Kabbalah: New Perspectives*, 215.
- ⁵⁷ See, e.g., *Zohar: Aharei-Mot*, 3:73a.
- ⁵⁸ See Saadiah Gaon, *ED*, 1.2, 4.
- ⁵⁹ See Gershom Scholem, *On the Kabbalah and Its Symbolism*, 145; *Major Trends in Jewish Mysticism*, 177-78.
- ⁶⁰ *Zohar*: Bereshit, 1:36a. See Menahem Recanti, *Commentary on the Torah*: Gen. 2:16 and 8:21; Novak, *The Image*, 267-68. Rationalistic and kabbalistic approaches to the Noahide laws are combined in Judah Loewe (Maharal), *Gevurot ha-Shem* (Cracow, 1582) ch. 66.
- ⁶¹ Cf. Gershom Scholem, "Schöpfung aus Nichts und Selbstverschränkung Gottes," *Eranos Jahrbuch* 25 (1956) 108 ff.
- ⁶² Following the Halevian/Nahmanidean view of history, Judah Loewe (Maharal) distinguishes between physical time (*zeman*) and historical time (*sha'ah, rega'*). See *Gevurot ha-Shem*, sec. 2. Cf. L. E. Goodman, "Time,

Creation and the Mirror of Narcissus," *Philosophy East and West* 42 (1992).

⁶³ See *Kuzari*, 1.67; 5.20.

⁶⁴ See Novak, *Jewish-Christian Dialogue*, 142 ff.

⁶⁵ See *Torat ha-Adam*: Sha'ar ha-Gemul / KR II, 302. Cf. Maimonides, *Hilkhot Teshuvah*, 8.8 and Rabad's note ad loc.

⁶⁶ See, e.g., CT: Num. 1:45 re B. Pesahim 64b.

⁶⁷ See, e.g., Menahem Recanti, *Commentary on the Torah*: Exod. 29:1 and Lev. 26:3 (Venice, 1523), where he speaks of the "natural" (= necessary) causality of the commandments (*teva kol mitsvah u-mitsvah*), i.e., in the true divine realm, not the illusory, separated physical realm. Also, see his comment on Exod. 34:6, where transitive divine acts become inner divine properties (cf. B. Shabbat 133b). For the same idea of divine nature in the thought of a modern Jewish mystic deeply indebted to the Kabbalah, see Abraham Isaac Kook, *'Orot Ha-Qodesh*, ed. D. Cohen (Jerusalem: Mosad Harav Kook, 1963) I, 143-44. Further, see Scholem, *Origins of the Kabbalah*, 453; also, Berger, "Miracles and the Natural Order in Nahmanides," 121. Cf. Idel, *Kabbalah: New Perspectives*, 102.

⁶⁸ See Tishby, *Mishnat ha-Zohar* 1.3 ff.

⁶⁹ See Tishby, 1.287 ff.

⁷⁰ See his "Introduction to Notes on the Enumeration of the Commandments", KR I, 420; also, Scholem, *Origins of the Kabbalah*, 389.

⁷¹ CT: Lev. 1:9 - II, 11 re *Moreh Nevukhim* 3.46. See *Targum Onkelos*, Gen. 43:32; Ibn Ezra, *Commentary on the Torah*, Exod. 8:22.

⁷² Re B. Shabbat 87a and B. Hagigah 14a. See *Zohar*: Vayiqra, 3:9b.

⁷³ CT: Exod. 29:46 - I, 486-87.

⁷⁴ See, e.g., Meir ibn Gabbai, *Avodat ha-Qodesh*, 2.2 ff. For the contrary view of most Talmudic rabbis, see, e.g., Y. Nedarim 9.1/41b re Job 35:7; and Saadiah Gaon, *Emunot ve-De'ot*, 3.10. But, cf. B. Berakhot 7a; B. Baba Metsia 114a re Deut. 8:10.

⁷⁵ See, e.g., Hayyim Vital, *'Ets Hayyim*, 1:11a.

⁷⁶ Chavel, following the traditionalist view that the *Zohar* is a source for Nahmanides, sees the source (*meqoro*) of this doctrine in the *Zohar*: Yitro, 2:87a (see CT, introduction, ed. Chavel, 6, note). More plausibly, Nahmanides was the *Zohar's* source for this basic kabbalistic doctrine.

One application of the theological point is in grounding the halakhic norm that a *Sefer Torah* defective in any way is ritually invalid for the public reading in the synagogue (Maimonides, *Hilkhot Sefer Torah*, 10.1, nos.12 and 13), see Abraham ben Yom Tov Ishbili, *Teshuvot ha-Ritba*, ed. Kafih (Jerusalem: Mosad Harav Kook, 1959), no. 142, pp. 167-70. The Ritba cites Nahmanides, not the *Zohar*, as the *locus classicus* for this point. For doubts as to the antiquity of the *Zohar* by a premodern traditionalist scholar, see Jacob Emden, *Mitpahat Sefarim* (Altona, 1769); cf. Scholem, *Major Trends*, 181.

- ⁷⁷ A profound restatement of the kabbalistic doctrine of the interaction of divine and human needs was made by Abraham Joshua Heschel in *Man Is Not Alone*, 241 ff.
- ⁷⁸ CT: Lev. 19:19/ II, 120. See, also, CT: Lev. 26:15.
- ⁷⁹ See Nahmanides' *Commentary on Job*, 42:5 - KR I, 126.
- ⁸⁰ See *Hilkhot Avodah Zarah*, 11.16; *Commentary on the Mishnah*: Pesahim 4.10.
- ⁸¹ See, e.g., CT: Exod. 8:14.
- ⁸² See Scholem, *Origins of Kabbalah*, 384; Bernard Septimus, "Nahmanides and the Andalusian Tradition" in Twersky, ed., *Rabbi Moses Nahmanides*, 19 ff.; E. R. Wolfson, "By Way of Truth," 125-29, 163-76.
- ⁸³ For Nahmanides' thesis that a commandment can have more than one reason, see CT: Exod. 20:23; cf. B. Sanhedrin 34a re Jer. 23:29; Bemidbar Rabbah 13.15.
- ⁸⁴ Isaiah Berlin, *The Hedgehog and the Fox* (New York: Simon and Schuster, 1953), 1.

