

# THE 13 IKARIM

## יג עקרי אמונה של הרמב"ם

### 8 - DEVIATION FROM THE IKARIM

מכון לנדר - חורף תשע"ב

#### A] The Strict Position of the Rambam

1. .... וכאשר יהיו קיימים לאדם כל היסודות הללו ואמונתו בהם אמתית, הרי הוא נכנס בכלל ישראל, וחובה לאהבו ולחמול עליו וכל מה שצוה ה' אותנו זה על זה מן האהבה והאחווה, ואפילו עשה מה שיכול להיות מן העבירות מחמת תאוותו והתגברות יצרו הרע, הרי הוא נענש לפי גודל מריו ויש לו חלק, והוא מפושעי ישראל. וכאשר יפקפק אדם ביסוד מאלו היסודות הרי זה יצא מן הכלל וכפר בעיקר ונקרא מין ואפיקורוס וקוצץ בנטיעות, וחובה לשנותו ולהשמידו ועליו הוא אומר הלא משנאיך ה' אשנא וכו'.

פירוש המשנה לרמב"ם מסכת סנהדרין פרק י

When all these foundations are perfectly understood and believed in by a person he enters the community of Israel and one is obligated to love and pity him and to act towards him in all the ways in which the Creator has commanded that one should act towards his brother, with love and fraternity. Even were he to commit every possible transgression, because of lust and because of being overpowered by the evil inclination, he will be punished according to his rebelliousness, but he has a portion [of the world to come]; he is one of the sinners of Israel. But if a man doubts any of these foundations, he leaves the community [of Israel], denies the fundamental, and is called a sectarian, *epikoros*, and one who 'cuts among the plantings'. One is required to hate him and destroy him. About such a person it was said, 'Do I not hate them, O Lord, who hate thee?' [Ps. 139: 21].

*The Rambam's Ikarim have enormous implications for the definition of who is and who is not a heretic, perhaps also for who is a Jew. Certainly, according to the Rambam, rejection of any of the Ikarim excludes a person from Jewish society and from the World to Come*

#### B] How strict is the Rambam really?

2. ואלו הן שאין להן חלק לעולם הבא אלא נכרתים ואובדין ונידונין על גודל רשעם וחטאתם לעולם ולעולמי עולמים: המינים ..... ז חמשה הן הנקראים מינים: ... והאומר שיש שם רבון אחד אבל שהוא גוף ובעל תמונה

רמב"ם הלכות תשובה פרק ג הלכה ו - ז

*The Rambam rules that someone who believes that Hashem has a body is a 'min' (heretic) and has no place in olam haba*

3. א"א - ולמה קרא לזה מין? וכמה גדולים וטובים ממנו הלכו בזו המחשבה לפי מה שראו במקראות ויותר ממה שראו בדברי האגדות המשבשות את הדעות

ראב"ד שם

*The Ra'avad objects on the basis that such a person is simply mistaken and cannot be called a 'min'*

4. דעת הרמב"ם דהמאמין בהגשמה הוא מין. והראב"ד כתב שגדולים וטובים טעו בזה מפני האגדות המשבשות הדעות. ושמעתי בשם כבודו מוריני הרב הגאון רב חיים הלוי זצ"ל מבריסק בדעת הרמב"ם, כי בכפירה לא שייך שוגג, דהא מכל מקום אינו מאמין ואי אפשר להיות בכלל ישראל בלא אמונה. והאומרים בשמו בזה הלשון: 'דער וואס איז נעביך אאפיקורוס איז אויך אאפיקורוס'. ולכאורה דבריו מוכרחים שהרי כל הכופרים וכל עובדי עבודה זרה הם מוטעים. ואין לך מוטעה יותר מהמקריב בנו למולך והוא חייב מיתה!

ר' אלחנן ווסרמן - קובץ מאמרים מאמר שיבוש בדעת

*Rav Elchonon Wasserman brings the explanation of R. Chaim Brisker who says that the view of the Rambam is that 'der vos iz nebach a'apikorus iz euch a'apikorus'. Someone who through no fault of their own does not hold the required beliefs of a Jew is still an apikorus. We feel bad for him but he simply lacks the raw material to get to olam haba*

5. אבל קשה! דהא תינוק המוטל בעריסה ג'כ אין לא אמונה ומ'מ הוא בכלל ישראל. ותינוק שנשבה לבין העכו'ם מביא קרבן על שגגתו ואין דינו כמומר. ומוכח דאנוס רחמנא פטרי' גם בחסרון אמונה

שם

*Rav Elchonon disagrees and brings a proof from the tinok shenishba who is called shogeg and not an apikorus. He also brings a contradiction from the Rambam himself when he writes about the Karaites*

6. א מי שאינו מודה בתורה שבעל פה ... הרי זה בכלל האפיקורוסין ומיתתו בכל אדם ..... ב מאחר שנתפרסם שהוא כופר בתורה שבעל פה [מורידין אותן] ולא מעלין והרי הוא כשאר כל האפיקורוסין והאומרים אין תורה מן השמים והמוסרין והמומרים, שכל אלו אינם בכלל ישראל ואין צריך לא לעדים ולא התראה ולא דיינים [אלא כל ההורג אחד מהן עשה מצוה גדולה והסיר המכשול]. ג במה דברים אמורים? באיש שכפר בתורה שבעל פה במחשבתו ובדברים שנראו לו והלך אחר דעתו הקלה ואחר שרירות לבו וכופר בתורה שבעל פה תחילה כצדוק ובייתוס וכן כל התועים אחריו. אבל בני התועים האלה ובני בניהם שהדיוח אותם אבותם ונולדו בין הקראים וגדלו אותם על דעתם הרי הוא כתינוק שנשבה ביניהם וגדלוהו ואינו זריז לאחוז בדרכי המצות שהרי הוא כאנוס ואע"פ ששמע אח"כ שהוא יהודי וראה היהודים ודתם הרי הוא כאנוס שהרי גדלוהו על טעותם כך אלו שאמרנו האוחזים בדרכי אבותם הקראים שטעו לפיכך ראוי להחזירן בתשובה ולמשכם בדברי שלום עד שיחזרו לאיתן התורה:

רמב"ם הלכות ממרים פרק ג הלכה א-ג

*The Rambam rules that whilst the original Karaites were apikorsim, their descendants are simply called tinokot shenishbau and are not apikorsim. So how does Rav Elchonon understand the Rambam's psak that the Jew who believes that Hashem has a body is a min!?*

7. ודעת הרמבם כי הטעות בענין הגשמה באה מדעת עצמן ולא מפי האגדות. כי אילו היתה דעתן צלולה, לא היו האגדות מטעות אותם והיו מוצאים דרך לישוב דברי האגדות שלא יהיו נגד הדעת

ר' אלחנן ווסרמן - קובץ מאמרים מאמר שיבוש בדעת

*Rav Elchonon explains that the Rambam holds that such person is not just mistaken but is being totally foolish in holding such a view. As such, he is to blame and is a min. By contrast, the Karaites were effectively 'brainwashed' and are not to be blamed. Rav Chaim should however hold that a 'nebach apikorus' is not called tinok shenishba according to the Rambam. What does Rav Chaim do with the Rambam's psak on the Karaites?*

8. .... ולא ימהר אדם להרגן

רמב"ם הלכות ממרים ג'ג בדפוס אחר

*He has a different version of the Rambam in which it is clear that the Karaites are apikorsim but that we must try to be mekarev them if we can. So what is the halacha?*

### C] Is the halacha like the Rambam?

*We see a parallel machloket on the subject of lending on interest. It is permitted to lend to a 'mumar' on interest. But what about the child of a mumar? The Nimukei Yosef holds that the child of a mumar who grew up knowing they were Jewish and seeing other religious Jews around is not a tinok shenishba and we can lend to them on interest. However the Shulchan Aruch and Rema do not rule this way*

9. הקראים, אין להם דין מומרים ואסור להלוותם ברבית, ואין צריך לומר שאסור ללוות מהם ברבית. הגה:.... תינוק שנשבה לבין העובד כוכבים ואין יודע מתורת ישראל כלל, דינו כקראים ואסור להלוות לו ברבית. לכן מומרת לעבודת כוכבים שיש לה בן מן העובד כוכבים שהבן הרי הוא כמוה ונקרא מומר, אסור להלוות לו ברבית, דהוי כתינוק שנשבה לבין העובדי כוכבים.

שילחן ערוך יורה דעה סימן קנט סעיף ג

*The halacha in S.A. is it is forbidden to charge interest to such people and they are considered to be a tinok shenishba. This is in accordance with the view of Rav Elchonon above.*

10. ולענין הקראים נ"ל דלהרמב"ם ... דחשיב להו כתינוק שנשבה בין העובדי כוכבים אסור להלוותם ברבית ואע"ג דמדברי נ"י נראה דמותר להלוותן ברבית לא שבקינן דברי הרמב"ם המפורשין בשביל דברי הנ"י ... ואני בענינתי עיינתי בדברי הרמב"ם שם ולא מצאתי שום משמעות אדרבה כתב להיפך! ובמומר למדו הפוסקים דמותר להלוותן ברבית וא"כ ה"ה הקראים וכ"כ מהרש"ל דקראים דינם כמומר ומותר להלוותן ברבית ....

ש"ך שם

*The Shach however has the other version of the Rambam - see above and rules against the Shulchan Aruch. This is in accordance with the view of Rav Chaim above*

**D] How accepted were/are the Ikarim?**D1] Total Acceptance

11. In formulating these principles, Maimonides went through the entire length and breadth of Jewish literature, determining which principles **were always taken for granted** and are unique to Judaism. In clear concise language he sets these down in the well-know 13 Principles. These Principles have been discussed for the past 800 years **and are still accepted by all Jews as the one clear unambiguous creed of Judaism**

Rav Aryeh Kaplan - Maimonides Principles p. 3

12. הגם כי עוד דברים בגו בזה גם בפנימיות הענין בכונת דברי הראשונים ורז"ל, עם כל זה הדברים הם כפשוטן גם כן ברור ואנחנו מאמינים בני מאמינים בייג עקרים כפשוטן אמת לאמתן וכן יהי רצון במהרה בימנו אמן

ספר דברי תורה לבעל מנחת אלעזר כרך ג' סי צו

*Notwithstanding debate as to the inner meaning of the Ikarim, the Munkacher Rebbe affirms total belief in the 'pshat' of the Ikarim as a fundamental Jewish doctrine*

- 13.

As we have already noted in our Overview, however, contrary opinions notwithstanding, the Rambam's עשר עיקרים — the Thirteen Principles, have been accepted by all segments of the Torah community as the authentic formulation of the Fundamental Principles of Torah Faith.<sup>24</sup> It is universally recognized as definitive halacha that firm belief in, and adherence to each of these Thirteen Principles is the *sine qua non* of Torah faith, through which — in the words of the Rambam — the individual will be "accepted within the ranks of Israel."<sup>25</sup>

Torah Faith - The Thirteen Principles, R. Zechariah Fendel p314

- 14.

Based on all of the above, Torah u-Madda can only be viable if it imposes strict limits on freedom of inquiry in areas that may undermine the *אמונה* עיקר. Then, Torah u-Madda will have the opportunity to represent itself as an authentic and historical tradition in Jewish thought.

R. Yehudah Parnes, "Torah U-Madda and Freedom of Enquiry", Torah U-Madda Journal Vol I (1989) p71

*We also see this assumption of the 13 Ikarim as the base line of hashkafic Orthodoxy in the Modern Orthodox world. This comment in a 1989 article from a Modern Orthodox journal gave rise to a serious objection from Professor Marc Shapiro and ultimately to his book, the Limits of Orthodox Theology*

- 15.

שלושה עשר עיקרים /  
**The Thirteen Principles of Faith**

Historically, Judaism never separated belief from performance. In the Torah, the commandment to believe in God is not stated differently than the commandment to lend money to a fellow Jew in need, or to refrain from eating non-kosher food. As the centuries rolled by, however, philosophical speculation and dogmas of faith became prevalent among other religions and, in time, began to influence a number of Jews. To counteract this trend, medieval Rabbinical authorities felt the need to respond by defining the principles of Judaism. The 'Thirteen Principles of Faith' are based upon the formulation of Rambam [Maimonides] in his Commentary to Mishnah (*Sanhedrin*, ch. 10) and have achieved virtually universal acceptance.

Artscroll Siddur p178

D2] Acceptance of the Principles but debate as to whether they are Ikarim for Olam Haba

16.

אולם אע"פ שראינו כי י"ג העיקרים, או היסודות כלשונו של הרמב"ם בעצמו, מרוחזים (בדרך השלילת) גם ביד החזקה בהל' השונה, בכל זאת כנראה חזר בו מדעתו העקרונית הראשונה שחשיב את ידיעתם כיסודות האמונה והדת, והזהיר על ידיעתם באופן מיוחד וחייב כל יהודי בהם, כפי שכתב בפי חלק שם בין השאר "אבל אני עשיתי זה לפי שראיתי בו תועלת באמונה לפי שאספתי בו דברים מועילים מפוזרים מספרים גדולים, לכן דע אותם והצלח בהם וחזור עליהם פעמים רבות והתכוין בהם התברר נות יפה" וכי, על אף כל זאת לא קבע אותם בצורה כזאת כחובות האמונה על כל יחיד בספרו ההלכתי "היד החזקה". זה מוכיח שבכל זאת שינה הרמב"ם לבסוף את דעתו ולא רצה לקמע עיקרם לאמונה, כי כל התורה כולה ומצוותיה קלות כחמורות עיני רים הם וישנם עיקרים רבים נוספים גם באמונה. ובסמך בריאת העולם במשנתו של הרמב"ם, נרצו את הנוסחאות האחרות של י"ג הניקהרים.

Torat HaShabbat, Rav Shlomo Goren p570

*Rav Goren understood that the Rambam himself subsequently rejected the Ikarim in his Mishne Torah and abandoned the concept of Ikarim which exclude a person from Klal Yisrael. Rav Goren's position is not shared by many (any?) others. It is also clear that the Rambam revisited and updated the Ikarim AFTER writing the Mishne Torah, which does not seem to imply a rejection on his part of the Ikarim approach*

17.

It should be stressed that all Torah scholars agree on the validity and significance of the Principles. However, some of the Rambam's contemporaries questioned whether a lack of awareness of or belief in several of the Principles would result in an actual estrangement from Judaism.

Fundamentals and Faith, based on lectures of R. Yaakov Weinberg, p18

18.

Every Israelite is obliged to believe that everything that is found in the Torah is absolutely true, and any one who denies anything that is found in the Torah, knowing that it is the opinion of the Torah, is an unbeliever; as the Rabbis say in chapter "Helek,"<sup>2</sup> that anyone who says, the whole Torah emanates from the divine Being except one verse, which Moses said on his own authority, is liable to the imputation charged in the biblical expression, "Because he hath despised the word of the Lord,"<sup>3</sup> and is classed among those who deny the divine inspiration of the Torah. But a person who upholds the law of Moses and believes in its principles, but when he undertakes to investigate these matters with his reason and scrutinizes the texts, is misled by his speculation and interprets a given principle otherwise than it is taken to mean at first sight; or denies the principle because he thinks that it does not represent a sound theory which the Torah obliges us to believe; or erroneously denies that a given belief is a fundamental principle, which however he believes as he believes the other dogmas of the Torah which are not fundamental principles; or entertains a certain notion in relation to one of the miracles of the Torah because he thinks that he is not thereby denying any of the doctrines which it is obligatory upon us to believe by the authority of the Torah,—a person of this sort is not an unbeliever. He is classed with the sages and pious men of Israel, though he holds erroneous theories. His sin is due to error and requires atonement.

We find such opinions expressed by some of the ancient sages of Israel.

R. Yosef Albo, Sefer HaIkarim - 1:2

*Many other traditional Jewish authorities did not draw as rigid doctrinaire lines as the Rambam on the definition of who is a heretic*

19. על ששאלת על ענין הדורש אשר דרש ברבים שישראל היו חושבים שמרע"ה היה אלוה ..... ולא מצאתי טעם לפוטרו מן העונש זולת מפני שהוא טועה בעיונו ותקנתו קלקלתו. ולא עדיף האי ממי שטועה באחד מעיקרי הדת מחמת עיונו הנפסד שלא נקרא בשביל זה כופר. והרי הלל היה אדם גדול וטעה באחד מעיקרי הדת שאמר אין להם משיח לישראל שכבר אכלוהו בימי חזקיהו. ומפני זה הטעות לא חשבוהו כופר ח"ו דאם לא כן איך היו אומרים שמועה משמו. והטעם מבואר כיון שאין כפירתו אלא מפני שחושב שמה שעלה בעיונו אמת ואם כן אנוס הוא ופטור. אף הכא נמי טועה בעיונו הוא

שו"ת רדב"ז חלק ד סימן קפז

*The Radvaz also rules that someone who is mistaken in a key issue of hashkafa is not a heretic*

20. It appears that in compiling divergent lists of principles Maimonides, Crescas, and Albo are not so much in disagreement with regard to substantive teachings or the need to accept these teachings as divinely revealed truths (although there do exist disagreements with regard to the nature and status of some of these principles), as they are with regard to what it is that they are endeavoring to formulate.

Rabbi J. David Bleich, In Perfect Faith, p. 18

21.

ולענין דינא דע. שאע"פ שאיסור גמור וחולי רע הוא אפי" מי שמסתפק ומהרהר על דברי האמונה השלמה, מי"ם לא מציינו שדנו חז"ל דין אפיקורוס, כ"א על הכופר. דהיינו המחלים הניפסד. וההחלטה של ההיפך אי"א שתמצא כלל בישראל בין שום אדם שלא יהי' רשע גמור ומשקר במזיד. כי הרשעה הזאת גדולה לא

אגרות הראיה חלק א' ע"כ

*Rav Kook ruled that a person who doubts the Ikarim is not a heretic unless they reject them clearly and brazenly*

Professor Menachem Kellner wrote an important work on this in 1999 - *Must a Jew Believe Anything*<sup>1</sup> - in which he posits that Rambam's classification of Ikarim as what includes and excludes a person from Klal Yisrael is historically anomalous and unwelcome in society. The book was critically reviewed by Rabbi Dr David Berger<sup>2</sup>. Rabbi Berger argues that Kellner's thesis is historically untenable and, at the end of his article, argues that red lines of hashkafic exclusion are important

22.

It is not the case that classical Judaism adopted an 'anything goes' attitude towards matters of belief. The rabbis functioned in a context in which who was and who was not a Jew was relatively clear, and in which there was a broad consensus concerning matters of religious belief and very little attempt to pin down and codify the details of that religious belief. Persons who violated that theological consensus were probably considered up to a point as simply strange, and after some point as having placed themselves outside the community altogether. The attitude of the rabbis towards matters of theology, it would seem, was more *laissez-faire* than totally uninterested.

Mishnah *Sanhedrin* x. 1, therefore, ought not to be seen as an attempt to lay down a self-conscious system of dogma for Judaism or set up a theological test for admission to the world to come. It does, however, represent part of what is the first recorded theological debate in Judaism, that between the Sadducees and Pharisees, and as such is certainly a harbinger of things to come.

Prof. Kellner, *Must a Jew Believe Anything* pp 28-30

23.

Let us begin at the beginning. It is perfectly evident that Hazal did not present us with a Maimonidean-style creed. At the same time, it is also evident that they did regard the denial of specific theological propositions as grounds for exclusion from the world to come. When Kellner has completed his discussion of the "one possible exception" to his rule, he has shown that Mishna *Sanhedrin* 10:1 is not a work of systematic theology but has done nothing to undermine the obvious and unavoidable reality, to wit, that it excludes from the world to come people who deny resurrection and the belief that the Torah is from Heaven. Even if we were to endorse the debatable assertion that only people who ad-

rise their denial forfeit eternal felicity, the fateful action would remain nothing more than a statement of disbelief in a dogmatic proposition.

Now, it may well be that the Rabbis were impelled to single out these doctrines in the wake of attacks by Sadducees and other sectarians (p. 36), but this position does little to salvage Kellner's overall argument. It means that the Rabbis did believe that membership in good standing in the community of Israel rested on certain articles of faith. Since they were indeed not interested in systematic theology, they did not articulate these principles until they were challenged, but once challenged, they fleshed out a position that they had always taken for granted.

Rabbi Dr Berger, *Review of Must a Jew Believe Anything*, Tradition 33:4 p 83

1. [http://www.amazon.com/Must-Believe-Anything-Second-Afterword/dp/1904113389/ref=sr\\_1\\_1?s=books&ie=UTF8&qid=1314207555&sr=1-1](http://www.amazon.com/Must-Believe-Anything-Second-Afterword/dp/1904113389/ref=sr_1_1?s=books&ie=UTF8&qid=1314207555&sr=1-1)

2. Book Review of Kellner's 'Must a Jew Believe Anything': Tradition 33:4 (1999)

24. No one, not even Moses, has properly observed all 613 commandments. All Jews, therefore, are on the same continuum, from those who obey more to those obey fewer. There is no absolute 'in' or 'out' here, saved or damned, orthodox or heretical. Rather, the question becomes: where on the continuum does one stand, and in which direction is one going

Prof. Kellner, Must a Jew Believe Anything p 114

25. Despite all this, there are important aspects of Kellner's argument with which I feel deep sympathy. I would very much like to believe that the assertion that so-and-so has no portion in the world to come is not meant to deny God any leeway to consider other merits in making a final determination. I believe that we should deal with non-Orthodox movements, including their leadership, with respect and civility.? And I agree that the "limits of historical Jewish consensus" are sometimes no less important than "heresy" as a criterion of acceptability; such a standard enables us to exclude a particular position from the community without declaring that its adherents are prime candidates for perdition.

Unlike Kellner, however, I use, even insist upon, terms like "legitimate" and "authentic." We have an obligation to maintain the boundaries of the faith bequeathed us by our ancestors, and we cannot do this by describing even fundamental deviations as points on a continuum. Let me illustrate this point in a very personal way. In my mid-teens, I experienced periods of perplexity and inner struggle while reading works of biblical criticism. While I generally resisted arguments for the documentary hypothesis with a comfortable margin of safety, there were moments of deep turmoil. I have a vivid recollection of standing at an outdoor kabbalat Shabbat in camp overwhelmed with doubts and hoping that God would give me the strength to remain an Orthodox Jew. What saved me was a combination of two factors: works that provided reasoned arguments in favor of traditional belief and the knowledge that to embrace the position that the Torah consists of discrete, often contradictory documents was to embrace not merely error but apikorsut. If I had been told by a credible authority that there is nothing a Jew really must believe and that the only danger was that I would move to a different point on a continuum, I am afraid to face the question of what might have happened.

Finally, an unanticipated consequence of the refusal to draw red lines may well be the fostering of intolerance within Orthodoxy itself. Since every orthodoxy - indeed, every coherent movement - must have boundaries, setting them in a reasonable place encourages respect for differences within those boundaries. Refusing to set them at all may well lead to the blurring of the central and the peripheral, the ikkar and the tafel, and lead to the position that virtually all deviations delegitimize. It hardly needs to be said that this danger is very much with us.

Rabbi David Berger - Tradition Magazine 33:4 pp. 86-87

26. ו' אם לעשות מנין בחדר של ביהכ"נ שלא מתנהגין כשורה הנה יש חלוק דבביהכ"נ של קאנסערוואטיוון /קונסרבטיבים/ לא יעשו מנין אף בחדר אחר מכיון שפרסמו שהם חבורה שכופרים בכמה דיני התורה, והרחק מעליה דרכה נאמר במינים ומינות בע"ז דף י"ז ע"א, כי גם הכופרים בדבר אחד מן התורה נחשבו כופרים בתורה כדאיתא ברמב"ם פ"ג מתשובה ה"ח ודינם כמינים כדאיתא שם בה"ו, ואף שהם שוגגים כתינוקות שנשבו בין העכו"ם ע"י שהדיחום אבותיהם והסביבה שנתגדלו שם ואין עליהם הדינים שנאמרו שם בעונשין דבידי שמים ולא הדין דמורידין ולא מעלין שבפ"ד מרוצח ה"י כמפורש ברמב"ם פ"ג מממרים ה"ג, מ"מ כופרים הווי וצריך להתרחק מהן כדין הרחק מעליה דרכה, ומש"כ הרמב"ם שראוי להחזירם בתשובה ולמשכן בדברי שלום עד שיחזרו לאיתן התורה, לא שייך זה במקום קיבוץ שלהן שהוא בביהכ"נ שלהן שאין המקום ראוי לזה, וגם לא כל אדם ראוי לזה, אבל אלו בתי כנסיות של ארטדוקסים שאינם כראוי כגון בלא מחיצה ראויה ומשתמשים במייקראפאן אינם ח"ו כופרים במצות אלו רק שמזלזלין בהו אף שמאמינים בעצם בכל מצות התורה ונעשה להו כהיתר במשך הזמן שעברו ושנו, הם בעצם יהודים כשרים וגם לפעמים הם שוגגים גמורים, ליכא ענין הרחק, ורשאין לעשות מנין בחדר אחר, באופן שלא יחשדום שגם הם הולכין להתפלל שם דהוא כשכבר מפורסם ואף קודם שנתפרסם אם יש כניסה אחרת. ולענין למחות בהם תלוי אם יש לקוות שישמעו צריך להודיע להם ואם לא מוטב שיהיו שוגגין.

שו"ת אגרות משה אורח חיים חלק ד סימן צא ס"ק ו'

Rav Moshe Feinstein uses key hashkafic issues from the Ikarim to differentiate between Conservative and Reform and non-practicing Orthodox. He rules that the Conservative movement are tinokot shenishbau and did not have the severe dinim of an Apikorus brought by the Rambam in Chap 3 of Hilchot Mamrim. Nevertheless, the option of kiruv is not application on 'their turf' - Conservative shuls etc. On the contrary, he considers there to be an imperative of separation from their heresies.

## D3] Debate as to the Truth of the Principles

27.

The Thirteen Principles are a very conservative document, yet the sources discussed by Kellner focus overwhelmingly on disagreements with Maimonides over whether certain Principles are actually 'roots' of Judaism – an entirely semantic issue—rather than with the correctness of Maimonides' fundamental theological views. As Kellner puts it, 'the plethora of competing systems reflects not conflicting views of the nature of Judaism, but a dispute concerning the nature of dogmas or principles of faith.'<sup>9</sup> For the scholars on whom Kellner concentrates, Maimonides' thirteen tenets are correct, even if many of them do not qualify as 'principles'—that is, as theological positions upon which Judaism stands or falls. My concern, in contrast, is with those scholars who thought that Maimonides' Principles were wrong, pure and simple.

Prof Marc Shapiro, *The Limits of Orthodox Theology* (London, 2004)

Professor Marc Shapiro wrote another important book on the issue in 2004 - *The Limits of Orthodox Theology*<sup>3</sup> but his agenda is quite different to that of Prof Kellner. He is examining to what extent the views of the Rambam on these principles were accepted by other authorities over the centuries. The book is detailed and well researched. What is harder to glean from it however is the extent to which the divergent opinions brought by Prof Shapiro were ever accepted by the mainstream

28.

This goal of this essay was to examine the claim that Maimonides' principles were the last word in Jewish theology. Simply by looking at traditional Jewish sources, and many more could have been quoted, it has been shown clearly that both before Maimonides' time and after, many of his views were not been regarded as authoritative. The fact that Maimonides placed the stamp of apostasy on anyone who disagreed with his principles did not frighten numerous *Rishonim* and *Aharonim* away from their search for truth. The lesson for moderns is clear

Prof Marc Shapiro - "The Last Word In Jewish Theology? Maimonides 13 Principles": *Torah U-Madda Journal*, Vol. 4 (1993) p213

29.

While the issues I have discussed are not part of the traditional curriculum, I believe them to be central to a proper understanding of Judaism. Together with the turn to the right in Orthodoxy, which has led to increasing stringency in many areas of halakhah, an ever-increasing dogmatism in matters of belief is also apparent. Many views that were once generally considered 'acceptable' are no longer regarded in this way. If, as with the original article, controversy

I wrote this book to examine the claim that Maimonides' Principles are the last word in Jewish theology. Simply by looking at traditional Jewish sources, I believe it has been clearly demonstrated that many of his Principles were not regarded as authoritative, either before his time or afterwards. The fact that Maimonides placed the stamp of apostasy on anyone who disagreed with his Principles did not frighten away numerous great sages from their search for truth. The lesson for moderns is clear.

Prof Marc Shapiro, *The Limits of Orthodox Theology* p 158

30. והנה ר' הלל ב' חלק צ"ט ע"א אמר אין משיח לישראל פירש"י אלא הקב"ה בעצמו יגאלם בלי שליח ופי' זה מוכרח הוא דאל"ה אדמקשה לי' רב יוסף מעני רוכב על החמור דיש לדחות דקאי על נחמ"ל כמ"ש רמב"ן סוף פי' שיר השירים ולא דחאו מדברי זכרי' שיצאו מים חיים מבית ה' וראיה זו כ' הרא"ב בע סוף זכרי' ע"ש אע"כ מזה אין ראיה דודאי גם לר' הלל יש גאולה אלא שאין משיח מלך וגם בזה לית הלכתא כוותי' והאומר אין משיח וקים לי' כרבי הלל הרי הוא כופר בכלל התורה דכילי אחרי רבים להטות כיון שרבו עליו חכמי ישראל ואמרו דלא כוותי' שוב אין אדם ראוי' להמשך אחריו כמו ע"ד משל במקומו של ר"א ה' כורתים עצים לעשות פחמין לעשות ברזל לצורך מילה ואחר דאיפסקא הלכתא ע"פ רבי' מחכמי ישראל דלא כוותי' העושה כן בשבת בעדים והתרא' סקול יסקל ולא מצי למימר קים לי' כר"א

שו"ת חתם סופר חלק ב (יורה דעה) סימן שנו

*The Chatam Sofer ruled that, notwithstanding earlier debates on what is the proper hashkafic position, there is now a psak in hashkafa (following the majority) just as there is a psak in halacha. It is no longer legitimate to rely on a minority view which has since been rejected*

3. [http://www.amazon.co.uk/Limits-Orthodox-Theology-Maimonides-Reappraised/dp/1906764239/ref=sr\\_1\\_2?ie=UTF8&qid=1314207441&sr=8-2](http://www.amazon.co.uk/Limits-Orthodox-Theology-Maimonides-Reappraised/dp/1906764239/ref=sr_1_2?ie=UTF8&qid=1314207441&sr=8-2)

31.

In terms of the entire book, he said that the main problem was that Dr. Shapiro documents how many rishonim disagreed with one of the 13 Principles or another, but does not make the point that those who disagree with one generally agree with the others. Although one can find a rishon who disagrees with any specific principle, we have an overwhelming majority of rishonim who agree with the 13 Principles as they are we find no rishon at all who claims that there are no principles or that the Rambam's 13 are completely untrue; and some even claim that the error of the Rambam is that he omitted additional important ones. Therefore, it is not only modern Orthodoxy that considers the 13 normative, it is the consensus of the rishonim.

R. Shneur Leiner, aishdas.org 3/12/04

32. On the book's last page, Shapiro writes of the book's significance in the context of reigning trends in Orthodoxy. "Together with the turn to the right in Orthodoxy, which has led to an increasing stringency in many areas of *halacha*, an ever increasing dogmatism in matters of belief is also apparent" (p. 158). Shapiro apparently sees this volume as an important resource against this dogmatism, and indeed it is. If R. Joseph B. Soloveitchik can be accused of heresy for writing that secular Zionists acquired the land of Israel through building an altar of factories (a homiletic expression of their dedication) and if Rav Kook can be termed a well known heretic, then the misuse of the term "heresy" has gotten out of hand. More recent misuse of the term "heresy" includes attacks on the *revadim* approach to gemara learning and the banning of books that portray the human dimension of biblical heroes. *Yahadut* can accommodate a good deal of diverse opinion and even sharp debate without anyone being branded a *kofer*.

However, Shapiro makes no reference to a danger found on the opposing point of the Orthodox spectrum. Under the influence of modern relativism and epistemological skeptics, many contemporary writers attempt to deny the significance of dogmas in Judaism altogether. Tamar Ross argues that Rav Kook views Jewish beliefs as having only instrumental value but not as cognitive truths. She argues for a position in which we view Buddhism, Christianity and Islam as equal manifestations of the same truth as Judaism. Menachem Kellner published a book arguing that beliefs are not a basis for deciding who is part of the religious community..... No doubt, adherents of the Orthoprax approach will be quick to utilize Shapiro's work as a support. Had Shapiro also kept this second extreme in mind and taken steps to more forcefully combat it, he would have written a better book .....

If Judaism demands halachic practice without an ideology of belief to justify that practice, then such *mitzvah* performance becomes reduced to mindless behaviorism. If we admit the need for a background structure of beliefs but hold that those beliefs radically change over time, then it becomes meaningless to talk of the ongoing tradition of Judaism. Imagine a "save the whales" organization consistently maintaining the same policies even as its ideology shifts from a concern for animals to a belief in whales as deities. Despite the group's unchanging practice, they could hardly be considered the same group as before. Likewise, a Judaism that maintains halachic observance but drops traditional conceptions of God would actually be an entirely new entity. When *kashrut* changes from the command of an omniscient, benevolent God to a folk practice of the Jewish people, à la Mordechai Kaplan, the shift in ideologies justifying observance is too dramatic to talk about the continuity of *Yahadut* .....

Let us say for the sake of argument (although I think it true as well) that Torah and *Tanach* clearly assume free will and that denying free will makes a mockery of the concepts of *mitzvot* and *sekhav ve-onesh*. Can we not consider determinism incompatible with Judaism just because one *rishon* was a determinist? It seems reasonable to me to suggest the following three criteria for the illegitimacy of a doctrine. We should consider a doctrine illegitimate only when all three criteria are met. 1) Almost no rabbis of stature in Jewish history taught this doctrine. 2) The doctrine conflicts with other Torah ideals or the simple thrust of *Tanach* and *Chazal*. 3) The conflict with Torah/Chazal revolves around a matter of momentous import. Denying that the prophet Ovadyah existed might meet the first two criteria but be judged not monumental enough to meet the third criteria. Denying the Egyptian exodus, on the other hand, could meet all three. Although we should not be quick to employ this veto, we should reject some maverick and problematic positions taken by recognized authorities. Two examples that come to mind are R. Crescas' determinism and Rambam's linking reward and punishment solely to intellectual achievement (assuming that this correctly portrays Rambam's position (in e.g. *Guide* 3:17-18). Both can boast of an extremely small number of adherents, both fly in the face of the spirit of *Tanach* and *Chazal* and both address a matter of immense significance. Why can't we reject those positions as incompatible with Judaism even if a truly great rabbinic voice uttered them?

R. Yitzchak Blau, Review of The Limits of Orthodox Theology, Torah U-Madah Journal 12 (2004)