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בס"ד

## Maimonides on Sacrifices and Related Matters Part I

### 1. On the Purpose for Sacrifices

More than any other traditional exponent of the Torah through the medieval period, Maimonides presented a systematic position on the subject of sacrifices and related matters and he did so in harmony with the regnant philosophy of the time. Although there have been major changes in philosophic thought since then, his formulations retain significant value for Torah study as they express basic principles relevant to the monotheistic revolution and the fuller understanding of religion. Following are excerpts from his discussion on sacrifices and related matters taken from his *Guide for the Perplexed* (translations from or based on Friedlander, Pines, Ibn Tibbon, and Qapah) as well as selections from other works relevant to the issues raised. In his most direct statement on our subject he states:

It is impossible to go from one extreme to the other suddenly. Therefore man – according to his nature – is not capable of suddenly abandoning that to which he was deeply accustomed...As it was then the deeply ingrained and universal practice with which people were brought up to conduct religious worship with animal sacrifices in temples...G-d in His wisdom did not see fit to command us to completely reject all these practices – something that man could not conceive of accepting, according to human nature which inclines to habit. It would have been comparable to a prophet appearing today, calling for the service of G-d, declaring that G-d now commands you not to pray to Him, not to fast and not to seek His help in time of distress, but your service of Him should be in meditation without any deeds whatsoever.\* He therefore allowed these practices to continue but transformed them from having idolatrous associations...that their purpose should

be directed toward Him. Thus, He commanded us to build a sanctuary for Him with an altar to His name and offer sacrifices to Him...In this way idolatry was blotted out and the great foundation of our faith – the existence and oneness of G-d – was established. This was accomplished without confusing people's minds by prohibiting the worship they were accustomed to and with which alone they were familiar...

G-d does not choose to change man's nature with a miracle...

As sacrificial worship is not a primary intention...only one temple has been ordained...and in no other place is it allowed to sacrifice...to limit such worship within bounds that G-d did not deem it necessary to abolish it...Because of this the prophets often declared that the object of sacrifices is not very essential and that G-d could dispense with them. (*Guide* 3:32)\*\*

Some consider this view to be an elaboration of a statement in the Midrash:

Rabbi Phinehas in the name of Rabbi Levi stated: This is comparable to a king's son who strayed and became accustomed to eating non-kosher meat. The king declared, "Let him always eat at my table and on his own he will eventually become disciplined." Similarly, because Israel was attached to idolatry in Egypt and would bring their sacrifices to the goat-demons (Lev. 17:7), which are identical with the *shedim* they sacrificed to (Deut. 32:17)...and would offer sacrifices on high places and retribution would befall them, the Holy One blessed be He said, "Let them offer sacrifices before Me at all times in the Tent of Meeting and

they will be separated from idolatry and be saved.” This is the meaning of what is written (Lev. 17:3-7): “Any man of the house of Israel who slaughters an ox or sheep or goat...and does not bring it to the entrance of the Tent of Meeting as a sacrifice to Hashem...that man will be cut off from among his people...” in order that they no longer offer their sacrifices to the goat-demons that they are wont to stray after.” (*Lev. Rab.* 22:8)

The prophets made many pronouncements concerning rituals in general and sacrifices in particular that stress the point that these practices lack any intrinsic worth (a view contrary to pagan beliefs). They only have value when sincerely fulfilled with their deeper purpose in mind, which is to bring man closer to the one G-d and to fulfillment of His will – essentially the ongoing practice of kindness, righteousness and justice. The many rebukes the prophets proclaimed against the Israelites for their devotion to sacrifices (prominent examples include statements made by Samuel, Hosea, Amos, Micah, Isaiah, Jeremiah and Malachi, as well as in the Psalms) do not necessarily indicate opposition to sacrifices *per se*. They railed against overemphasizing their importance while neglecting the much more important responsibilities of living a moral life and promoting social justice. It was when ritual was used as legal underpinning or psychological support to justify immoral behavior that the prophets condemned such practices as corrupt and perverse.

Rabbi Solomon D. Sassoon commented:

It is clear from this (Isa. 1:11-17) that Isaiah understood the law to place greater importance on dynamic ethical action than upon ritual requirements. For without practicing dynamic ethics in life, the ritual and the prayers were considered hollow and hypocritical.

Let us try and see how the Mosaic Law stressed social obligations and gave it a key role above ritual.

In the laws appertaining to the holidays it is stressed that the festivities and sacrifices were designed to fuse the social strata separated from each other by barriers of snobbishness and exclusiveness. These social barriers must be

dissolved by the people of means inviting to their table the children, the slave, the maidservant, the Levite, the stranger, the orphan and the widow; in short, the underprivileged classes. There was to be a spirit of true brotherhood to bind the nation into an inner, emotional unity, and countless other precepts such as the moratorium on debts every seven years, and similar laws, became the primary concern of Mosaic Law which, as we have said, is not an escapist but a participatory religion...it rather demands actions which lead to social unity and cohesion as the truly creative act which alone can please the Creator. It does not condemn ritual, for ritual is the vehicle which, through symbolism, conveys the inner message of monotheism through signs and symbolic acts and nonverbal communication, but it insists that the message of these ritual acts be translated into appropriate action. (*Reality Revisited*, Abacus Press, p. 203)

## 2. An Illuminating Passage

One passage the Rambam addressed directly is Jeremiah's famous statement – selected for the *haftarah* reading of *Parashat Sav* – in which the prophet quoted Hashem chastising the nation for their sins, utilizing sacrifices for the backdrop. He told the people עלוֹתֵיכֶם סָפוּ עַל זְבָחֵיכֶם וְאָכְלוּ בָשָׂר (“Add your ‘*olot* sacrifices to your other sacrifices and eat the meat”). The ‘*olah* sacrifice is completely burned on the altar and it is absolutely forbidden to eat any part thereof. But since the people were flagrantly violating the more essential laws, abiding by the regulations of the ‘*olah* sacrifice had no meaning; they may just as well add it to their other sacrifices and eat its meat also. Hashem continues:

For I spoke not unto your fathers nor commanded them on the day that I brought them out of the land of Egypt concerning burnt offerings or sacrifices. But just this is what I commanded them: Harken to My voice that I may be your G-d and you may be My people, and that you shall go in the path that I command you in order that it shall be well with you. (Jer. 7:22-23)

The Rambam comments:

This passage has been found difficult in the opinions of all those whose words I heard or read.

They ask, how can Jeremiah say that G-d did not command us about *'olot* sacrifices and other sacrifices given that so many Torah laws refer to them? The explanation of this passage is according to what I will now explain. Jeremiah states that the primary purpose of the precepts is what G-d declares, "Hearken to my voice that I may be your G-d and you may be My people." [That means to say] the commandments to bring sacrifices and visit the temple are only for the purpose of leading to the primary goal; for that goal I transferred these modes of worship to My name, thus blotting out idolatry and firmly establishing the faith of Israel. You have ignored the goal and taken hold of the means. (*Guide* 3:32)

The Rambam may have sensed that many would not accept such a radical interpretation, based on a subtle syllogism, which required them to perceive G-d as having told the Israelites that He never commanded their ancestors laws concerning sacrifices upon their leaving Egypt. He therefore proffered a second explanation. The commandments G-d gave the Israelites "on the day I brought them out of the land of Egypt" could be seen as referring to the pre-Sinai laws given at Marah. Concerning that occasion the Torah states, וּמִשְׁפָּט לֹא חָק וּמִשְׁפָּט ("there He established for them statute and ordinance" [Exod. 15:25]). The Rambam explains that tradition teaches (see *b. Sanh.* 56b) that "statute" refers to the Sabbath and "ordinance" refers to civil laws. The Sabbath teaches true principles about the Creator and creation while civil laws remove injustice from society, together pointing to the basic goals of the Torah. That could be considered the first lawgiving to Israel and it does not include sacrifices, thus demonstrating their secondary importance.

Many were dissatisfied with both these explanations. Some interpreted the Jeremiah passage as referring specifically to the Ten Commandments, which constitute the essence of the covenant; they do not contain any mention of sacrifices. Some say the statement refers to the fact that under normal circumstances the Torah's sacrificial program does not include any command for an individual to bring a sacrifice. (The term "normal circumstances" refers to nonfestival days and when an individual did not commit certain transgressions or experience certain bodily effects.) Indeed, the basic literary formulations

transmitting the details of *'olah*, *minḥa* and *shelamim* offerings are all initiated with וְ and אִם ("when" and "if"), without a word concerning an individual's responsibility to bring them, indicating that the laws address a donor's free-willed decision to bring a sacrifice.

Abarbanel was of the opinion that a straightforward reading of the Jeremiah passage provides a clear indication that G-d had preferred that the Torah not include the sacrificial program at all. He states:

For...when Israel stood at Mount Sinai and received Torah and *misvot*, G-d did not command them regarding sacrifices; He commanded them regarding proper beliefs and practices. Subsequent to the golden calf, when He saw their evil inclination, He decided to provide them a cure for their sickness and evil. At that point He established the instructions of the various sacrifices...that would not have been commanded had they not sinned...Thus, in *Parashiyot Yitro* and *Mishpatim* there is no mention of G-d having commanded *'olah* or *zabah*.

G-d's statement shortly after the Exodus Decalogue, "An earthen altar make for Me and sacrifice upon it your *'olot* and *shelamim*...in every place that I cause My name to be mentioned I will come to you and bless you" (Exod. 20:21), precedes the golden calf episode. In it G-d informs Israel that He does not desire elaborate sacrificial rites and is not mandating them. But some people may choose to offer a sacrifice to Him. He therefore prescribes the simplest of altars, unlike the one He later prescribes for the Tabernacle. The section of Exodus 25–31, with instructions for the Tabernacle and the priests, although placed in the text before the golden calf, is out of chronological order. According to Abarbanel, in the Jeremiah statement that we are dealing with G-d highlights the "secondary" status of sacrifices by invoking the fact that they were not part of the original lawgiving at Sinai.

### 3. Critique and Defense

Many differed with the Rambam's thesis that sacrifices were a concession to the Israelites' deeply entrenched practice. According to them sacrificial service was of primary and essential value and an

effusion of the natural tendency of human beings to serve the powers that they believed controlled their destiny. Especially when one transgressed G-d's law, it seemed proper that repentance and the request for atonement should require an action that glorifies Him and has a "cost" to the sinner. Hence, the Rambam's critics did not consider the widespread and deeply entrenched practice of worship of the gods through sacrifices to be supportive of the Rambam's contention. Some thought that the Rambam was guided by a mistaken personal philosophy and a tendentious interpretation of the words of the prophets.

Their questions against the Rambam included the fact that the Torah states that Abel brought an animal sacrifice shortly after creation and Noah brought animal sacrifices shortly after the flood, before a deeply rooted custom could have been established. In addition, the patriarchs, who should be thought of as worshipping G-d in an ideal manner, brought sacrifices. Those individuals presumably acted on their own natural instinct, indicating that the Torah recognizes a natural instinct to worship G-d in such a manner even in the most outstanding of individuals. The laws of the Torah address that impulse and provide the proper context and manner for its realization.

In defense of the Rambam, some have suggested that he may have understood the early sacrifices of Abel and Noah in an allegorical fashion. They may have been retrojections, symbolizing pure service of G-d at the time the Torah was written, when sacrifices had become incorporated in the Torah and were viewed by the masses as the proper and praiseworthy mode of worship of G-d.

The case of Abraham, in the depth of peshat, actually seems to be a strong support for the Rambam's thesis. The Torah clearly downplays Abraham's offering of animal sacrifices. We are never explicitly told that he offered an animal sacrifice on the altars he built except on the occasion of the binding of Isaac when G-d tested him with the command to sacrifice his son. When the test was concluded, Abraham saw a ram – apparently providentially made available – and sacrificed it as a substitute for his son. In the days when human sacrifice was still practiced, animal sacrifice served a most positive function in its

substituting for human sacrifice. It was difficult to persuade an individual who wanted to offer his god a most valuable gift of a child that it was best not to offer any living creature. That was the Torah's message at the conclusion of the test of Abraham.

Abraham's altars were religious centers established for promulgating his new religious outlook, where "he called out in the name of Hashem" (Gen. 12:8; 13:4). His essential message – as G-d described it before revealing to him His intentions regarding Sodom – was teaching "to observe the way of Hashem by doing righteousness and justice" (18:19). The fact that the Torah never mentions that Abraham sacrificed an animal at any of the altars that he built surely is consistent with the understanding that he realized sacrifices are not essential features of the worship of G-d. Because sacrifices were then necessary accompaniments to religious worship Abraham presumably allowed them at his centers, though they played no role in his teaching. Had he viewed sacrifices as a positive element in the worship of G-d and personally performed them in the first instance, why would the Torah omit mentioning it? Apparently, the Torah totally ignores his presumed sacrifices to teach that they may be totally ignored. In his later life – after the great covenantal events – he builds no more altars except the one necessary for the binding of Isaac.

Subsequent to concluding a treaty with Abimelech, instead of building an altar, Abraham plants an *eshel* in Beer-sheba at which "he called out in the name of Hashem" (Gen. 21:33). This represents a new type of religious center without an altar. An *eshel* is perhaps a tamarisk tree, which suits the region and provides substantial shade, benefiting the people who pass there. In Mesopotamian culture it appears that certain trees served as holy sites to which an individual may have retreated to meditate and aspire to receive an oracle. At this point in his life it may be that Abraham felt he could dispense with altars in favor of a higher level of service of G-d, more consistent with a deeper understanding of G-d's will.

In any event, in recent decades, a wealth of archaeological discoveries has decisively demonstrated that the magnitude of the outward similarity of Torah ritual with the idolatrous practices of the pre-Torah neighboring cultures is absolutely

immense. As those cultures expired well over two thousand years ago and their remains were buried under accretions of centuries of debris, direct knowledge of their practices was long ago lost and only recently rediscovered. Moshe Weinfeld (*Olam HaTanakh*, Introduction to Leviticus) cites numerous examples of remarkable similarities.

These include laws that concern the types of sacrifices and the acceptable species of animals; leftovers from a sacrifice; priestly emoluments; the parturient regulations and the difference between having given birth to a boy or girl; purifying the stricken house; use of birds, cedar wood, and crimson cloth in certain purification rites; Day of Atonement procedures, including priestly linen garments, confession of sins and rites of altar purification; the scapegoat ritual with *semikha* before sending the animal away; festival ceremonies, including similar types and numbers of sacrifices and accompaniments; types of dedications to the temple; valuations; and a counterpart to the red cow. Attention to cultic minutiae and viewing all technicalities with great seriousness were also stressed. It also was the practice to repeat the instructions for construction of a temple at length and in detail when relating of its construction.

This striking abundance of similarities between the details of the Torah's rituals and those of the neighboring idolatrous cultures has been seen by many to support the Rambam's view on sacrifices. It appears to imply that the sacrificial program G-d gave the Israelites was one that they had been so accustomed to, and which was so much an intrinsic part of religious life in the region, that in the natural order it could not simply be eradicated but had to be adapted. The divine intention appears to have been, as the Rambam states, to provide subtle modifications throughout the program to direct Israel away from idolatrous notions and turn it toward service of the one G-d. Hence, we must be sensitive to the numerous fine nuances found in the Torah text. In a subtle manner, all rituals that possessed idolatrous associations were "sanitized" before being adopted for G-d's program for Israel.

As much of the knowledge of the pre-Torah practices was forgotten, in their efforts to explain many details of the Torah's program, the Rambam and other commentators assumed that the Torah would prohibit

a certain ritual or other because it was the practice of the neighboring idolatrous societies. That can no longer be assumed as a general principle, although it may apply to certain cases. The Rambam's conjecture that the reason honey was unacceptable for the altar was because of its widespread use in pagan rites (*Guide* 3:46) may possibly stand. But his suggestion that the Torah mandated that salt be placed on all sacrifices was because the pagans made a point not to use salt in their sacrificial rituals is now a disproved hypothesis. A more nuanced and comprehensive approach is required, taking into account the purpose of each particular practice and the degree of any association it had with idolatrous doctrine. But that is not the topic of this study.

Suffice it to say that the great increase in knowledge about ancient Near Eastern culture makes it possible to understand many details about Torah rituals in a manner closer to how they were intended to be understood. And, in some respects, the Rambam's basic overall view concerning the reason for sacrifices may have had a far broader and more relevant application than he thought.

## Endnotes

\* The simile the Rambam employed, portraying G-d as sending a prophet to Israel in order to institute a change from the traditional manner of serving Him to a strictly meditative mode of worship, has been the subject of much discussion. Some consider it to be an intentional introduction of a concept that he considered to be in harmony with an ultimate objective of the Torah, without his having to explicitly sanction it and creating controversy and dissension in the Jewish community of his day. Some have seen it as consonant with an aspect of the view of Rabbi Joseph in the Talmud that "*misvot* will be annulled in the time to come" (*b. Nid.* 61b). The Rambam would not agree with the full import of Rabbi Joseph's statement, since the latter was referring to the Resurrection era, a period the Rambam thought would not be categorically different from the present order of life and limited in duration. (The Rambam considers the primary sphere of afterlife reward to be exclusively in the spiritual realm.) But the underlying notion implicit in Rabbi Joseph's statement might reflect a transition in the primary service of G-d from action to meditation.

\*\* As specifically regarding sacrifices, there are midrashic statements that maintain there will be a future annulment of all the offerings except for one: “In the time to come all sacrifices will be annulled except for the thanksgiving offering, which will never be annulled, and all prayers will be annulled (perhaps: become unnecessary) except for the thanksgiving prayer, which will never be annulled” (*Lev. Rab.* 9:7, 27:12; *Tanh. Emor* 14; *Midrash Tehillim*, Buber ed. on Ps. 56:13; *Yalqut Shimoni* on Neh. 12:31). Concerning the Rambam’s doctrine of the immutability of the law, he probably did not view it as an absolute that precluded G-d’s “right” to send a

prophet with a command that would constitute an enhancement of His will. Negating such a possibility appears to be without foundation in logic or in the most primary traditional sources. However, given the enormous pressure placed on world Jewry in his time by missionizing religions that claimed to have had such revelations – which he considered untrue – the Rambam refrained from explicitly crediting such a possibility and formulated his principle of immutability of the law.

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