THE 13 FUNDAMENTAL PRINCIPLES OF OUR TORAH TRADITION

With Tolerance, Respect, and Love for Jews of Other Torah Traditions

Michael Shelomo Bar-Ron, Nissan 5775

*      *      *

Dedicated to All My Students and Friends, Jewish and Noahide

*      *      *

A special thank you to the following individuals for their important contributions to this work:

Mori Shelomo ben Avraham of Mechon Mamre
Levana Bar-Ron, my esheth hayil and life partner
Akiva and Chana Abrams
Whereas most everyone has heard of Judaism's 13 Principles of Faith according to RaMBaM, but few are aware that our entire Torah tradition, as students of the RaMBaM, can divided into 13 fundamental principles as well. The following list, with explanations and sources, has evolved over the last 12 years.

1) The Essence of Israel's Eternal Covenant: Striving to Keep the Whole Torah, according to Oral Tradition, as a God-given Constitutional Law

The Torah is a God-given constitutional law whose 613 Commandments are the tenets of an eternal Covenant between HaShem and the People of Israel. As such, they can never be changed or added to.¹ (Deut. 4:2) Nonetheless they are a complete system, such that even the domains of ethics, spirituality, and the basic principles of faith are included within the Commandments.

All 613 Commandments were given to Moses in two forms: an oral form (the Oral Law), and a written form (the Written Law). It is impossible to properly fulfill the written form of the Law without the oral form.² Since the Oral Torah is absolutely fundamental to the Covenant, a denier of the Oral Torah is as a denier of the entire Torah.³

Relating to Torah Law as a whole, and striving to obey the entire Law in the proper spirit (see Principle 11) –nothing more– is the essence of our Covenant with HaShem.⁴ Failure to keep the Law, or acting as if any part of it is no longer binding, breaches the Covenant.⁵

Moreover, no degree of personal charisma, importance, piety, nor charity, can compensate for such a denial of the Torah – the Written or the Oral.

NOTES

¹ Sources:
- "You shall not add to the Word that I command you, neither shall you subtract from it..." (Deut. 4:2)
- "an eternal law for all your generations" (Lev. 3:17 and another 7 places),
- "and the things that have been revealed belong to us and our children for eternity, that we may execute all the teachings of this Torah." (Deut. 29:28)
- No one can say that HaShem “changed His mind” at any point to choose another people, or to change or replace his Commandments with others, as it is written, “I, HaShem, do not change.” (Malachi 3:6) He could not be referring to the God of David who confirmed in his prayer, “And
You established for Yourself Your people Israel to be Your people [“a people unto You”] forever, and You, HaShem, became their God.” (II Samuel 7:24)

- Neither can anyone honestly entertain the notion (as many Christians do) that HaShem commanded what He did with the hidden intention of proving that His Word could never be kept… not unless the deity he refers to is not the God Who said through Moses: “God is not a man that He should deceive.” (Num. 23:19)

2 Introduction to the Mishneh Torah

3 Mishneh Torah (henceforth M.T.) Hil. Teshuvah 3:17 (8 in the Vilna)

4 See Ecc. 12:13

5 See Lev. 26:15, Deut. 11
2) The Sanhedrin and Talmud: the Very Foundation of the Oral Law and its Final Repository

At the Command of HaShem, Moses instituted a Supreme Court of 70 Elders aside from himself, the first Sanhedrin, to be the very foundation of the Oral Law: its guardians and absolute authority for all future generations.¹

Just as the Sanhedrin has the sole authority to interpret the Torah, it is also the only body with the authority to legislate decrees and institute customs (rabbinical law) that are binding on the entire Jewish People and the rest of the world, including gentiles.²

Only the form of the Oral Law that was faithfully transmitted down through these courts down to the last Sanhedrin is valid and obligatory. The Talmudic literature, the legal writings of the Tannaim and Amoraim, is the final repository of the legal traditions of the last Sanhedrin, which disbanded in about 400 C.E. While there are Torah traditions, oral knowledge, and wisdom that have been forgotten over the ages, the authentic Oral Law of Moses is in our hands today, essentially intact. This includes the keys to restoring the organs of Torah governance that were lost (see Principle 12).

How could the Talmudic literature have such authority, when its final and most authoritative layer, the Babylonian Talmud, was codified by a post-Sanhedrin court outside of Israel, a full century after the last Sanhedrin disbanded?³

The only post-Sanhedrin court whose legislative authority was universally recognized was the unique court of Rav Ashe and Ravina in Babylonia. After the last Supreme Court was disbanded, disputes arose regarding ancient, authoritative legal traditions maintained in Babylonia, the Baraithoth, that appeared to contradict the Mishnah, or Mishnaic rulings that whose meaning had become unclear. The law was given a final re-codification by Rav Ashe’s court: the Babylonian Talmud. Although it does include some new decrees and customs that were not instituted by a Sanhedrin, it is still recognized as the final and most authoritative written source from which the Law is determined.

Nonetheless, as was well understood by the greatest post-Talmudic halakhic decisors, even the Babylonian Sages never had the power to contradict the authoritative legal traditions established in the Land of Israel. Their new decrees and customs were only intended to safeguard the law. Their authority was based on their unique ability to determine and officially codify what the original law was, and the fact that its rulings were accepted by the majority of the Jewish People – which no later court could claim.
It is still a question, however, as to whether or not clearly novel Babylonian legislation truly obligates the Jewish People. In either case, it is perilously difficult to distinguish with certainty between their decrees and authentic Sanhedrin law, since the final Sanhedrin in Tiberius recognized the superior scholarship of their Babylonian counterparts, and ratified their decrees. In the context of the rest of Talmudic literature, the Babylonian Talmud (in its original form) would have remained the most authoritative source of the halakhah (official Jewish Law), were it not for the difficulties discussed in Principle 7.

If there is a question regarding original Babylonian legislation, certainly no post-Sanhedrin court or individual after Rav Ashe has the authority to add to or give an alternative ruling to rabbinical law as it was written down by the time the Babylonian Talmud was formally sealed, about 500 C.E. Since then, only authentic Talmudic Law, based purely on the written word from the original Talmudic literature, is the halakhah.

NOTES

1 Hil. Sanhedrin ch.1, Hil. Mamrim ch.1, cf. Deut. 11:16, 16:18


3 The points in these paragraphs is treated fully in my book "Oral Torah From Sinai" (Lightcatcher Books ©2011) in the section “Tackling the Hard Questions” (pp.29-68).
3) New Rabbinical Laws and Customs that Developed in the Absence of a Sanhedrin

Over 1500 years have passed without any single, nationally recognized, compulsory legal authority over the Jewish People. As times changed, it may have been desirable to consider the reasoning behind the law, and reinterpret the written sources contrary to the halakhah as it was instituted. New rabbinical decrees may have seemed necessary according to the needs of the times. However, since post-Talmudic legislation was made without the proper authority, it does not have the status of halakhah. In the absence of a Sanhedrin, new rabbinical legislation and customs do not oblige the Jewish People as a whole (except in a specific area of law that the halakhah explicitly left to follow the local custom, such as many areas of monetary law).¹ The reasoning behind the Law or “spirit of the Law” may not interfere with the practice of halakhah.²

Over the centuries, it is natural that certain traditional customs have developed and spread among the common masses of religious Jews, even though they contradict the halakhah. Since modern rabbinic rulings may not conflict with Talmudic Law, popular custom certainly has no authority to contradict the halakhah,³ even if it is in agreement with the majority opinion of currently recognized rabbinical sages. (The majority opinion of Torah sages only rules in the context of the Sanhedrin.)

There is a widespread opinion that the above only applies to popular customs that are more lenient than the halakhah, while prevalent custom that is stricter or adds to the authentic halakhah is obligatory. We differ with this position. However, regarding customs and traditions that are more lenient than the halakhah, there can be no argument: they must not be followed.⁴

In short, without a Sanhedrin, Talmudic Law is a closed system. What the Talmudic sages decreed and recorded in the Talmudic literature is legally binding, even if the reason for the decree no longer exists.⁵ Likewise, if they did not record any ruling on a particular case, then no ruling exists; there is no halakhah on that case.
NOTES

1 Introduction to the Mishneh Torah 32-35. So long as they do not contradict halakhah, such enactments may obligate a local community (such is the opinion of the Shulhan ‘Arukh, and some understand the RaMBaM to maintain this as well).

2 M.T. Hil. Gezelah we-Avedah 5:10-18(11-14)

3 To understand the severity of this mistake, see the commentary of Seforno on Deut. 28:14.

4 M.T. Hil. Shevitath Assor 3:3

5 M.T. Hil. Mamrim 2:2(2-3)
4) *Halakhah* (Law) and *Aggadah* (Legend)

Just as the Written Torah contains *miṣwoth* (laws) and stories, Talmudic literature contains *halakhah* (law) as well as *aggadah* (legend), also known as *midrash*. There are schools that insist on an absolute, literal understanding of *all* biblical accounts and rabbinical *aggadah*, and a figurative interpretation of practical *halakhah*. **We strive to understand these in the spirit in which they were originally written:** *halakhah* according to the plain and simple meaning of the text, and the *aggadah* figuratively, so that it does not seem to contradict the *halakhah*.

In fact, according to original, authentic Sephardic rabbinical tradition, one is only to believe literally the *midrashim* that make rational sense.¹ While the Mishneh Torah relates a few midrashic traditions as historical fact, the RaMBaM urges us to stay clear of *midrashim* regarding the End of Days and Messianic era.²

Similarly, in regards to biblical stories whose simple understanding seems to contradict modern science: while remaining true to the text, we either attempt to explain the Torah according to science, or admit that the truth is a mystery, still beyond our understanding.

NOTES

¹ HaRav Shemuel HaNaggid, *Kelalei HaTalmud*

² Hil. Melakhim u-Milḥamoth 12:5
5) When to be Strict, When to be Lenient

Whenever there is doubt regarding any matter of halakhah (for example, if the text is unclear, or there is a difference of opinion between two reliable sources), one must always be strict in a matter of Torah Law, and lenient in a matter of rabbinical law.

It is safe to say that across the breadth of the Orthodox spectrum, all are aware of the Sages' directive to be strict in a case of doubt in a matter of Torah law. However, most are not aware that the RaMBaM relates the directive to be lenient in a matter of rabbinical law in the same terminology.¹

NOTES

¹ Hil. Mamrim 1:9(5)
6) The True Reason for Jewish Suffering Throughout the Ages, and the Failures of Traditional Jewish Leadership

The terrible suffering of the Jewish People over the millenia is a direct result of our having failed to keep the halakhah properly and with the right attitude (see Principle 11) as a nation. The gentile nations are not ultimately to blame for our terrible suffering. Rather, those nations that afflict us are agents of HaShem that will eventually be punished.

The weight of the blame of our suffering falls on the shoulders of traditional Jewish leadership: Rather than assuming the authority to innovate new customs or reinterpret the halakhah, post-Talmudic sages have the responsibility to serve as role models of proper halakhic behavior, to teach and show how the authentic halakhah applies to their generation, and to enforce the Law to the extent of their power, rebuking the people when they stray from it. They also have the responsibility to guide the Jewish People towards the fulfillment of the entire Covenant, which includes ‘aliyah (emigrating) to the Land of Israel and restoring the Sanhedrin.

Failure to guide the Jewish People properly is largely rooted in three problems:

(a) A failure to educate the common masses of Jews – including laymen, women, and children – in practical halakhah and train them in the art of warfare (see Principle 13). Instead, there is an exaggerated emphasis on spirituality, which is widely perceived as separate from Jewish Law, and on the study of mysticism. Such an emphasis on theology over practical action is the opposite of the authentic Torah approach. Moreover, viewing the Oral Law through the prism of poorly-defined spiritual concepts and a simplistic interpretation of kabbalistic teachings leads to a distortion and widespread transgression of key points of halakhah.

(b) A feeling of obligation and mandatory confinement to the majority-accepted custom and halakhic interpretation. In classical yeshiva training – particularly in ultra-orthodox institutions – the critical pursuit of the letter of the law from foundational codes of the Oral Law is discouraged, if not forbidden outright. On the contrary, most of tomorrow's Torah leaders are being groomed today to pursue the study of Talmud as a highly sacred academic ritual, disconnected from the true halakhah as they see it. That, they maintain, is to be determined from the pool of opinion among the living rabbis, and those who only recently passed from the world. The result is a devolved amalgamation of Jewish custom and practice that frequently contradicts the plain rulings of the ancient bearers of the Oral Law.
(c) A narrow approach to halakhah that fails to relate to the Torah as a whole. Halakhah that cannot be practiced outside of Israel, or without a Temple, has often been dismissed as not practical in our times and either reinterpreted, or largely ignored. (As mentioned above, acting as if any part of the Torah is no longer actively binding breaches the Covenant.)

NOTES

1 Deut. 28:47, Mishnah tr. Avoth 5:7(8)

2 Isaiah 10:5-15

3 Rabbi Yissakhar Shelomo Teichtel of blessed memory explained that the leaders of the Jewish People are responsible for not making the masses go up to the Land of Israel. “This explains the words of our mentor, the Or HaḤayim. He writes that Israel's leaders throughout the generations will be held responsible for the fact that we are still in exile, because they should have inspired the Children of Israel to love the Land of Israel. [Or HaḤayim, Wayyiqa 25:25]” (from his book Em HaBanim Sameḥah [© Kol Mevasser, 1998. 386 pp.])

Rabbi Yehudah Hai Alkalai (close, personal friend to my third great-grandfather HaRav Yehudah HaLevi from Dubrovnik) wrote: "Because Israel didn't rise up to return to our Land, and to the inheritance of our forefathers, the decrees began, the expulsions and slaughters, for the matter is dependent on the repentance of returning to the Land of Israel. (Qol Qorai, Rabbi Yehudah Hai Alkalai. The Writings of Rav Alkalai)
7) The Best and Most Practical Way to Learn and Practice the Entire *Halakhah*: The Bible and Rambam's Mishneh Torah.

The best way to learn, practice and teach *halakhah* in our times, and the way envisioned by the RaMBaM (Maimonides), is straight from the Mishneh Torah, after and together with a study of TaNaKh, under the guidance and discipline of a competent Torah teacher (*see Principle 10 below*).\(^1\) It is the only code of Jewish Law that relates to the entire Torah as a whole, and written to be practical in any generation. It was written in order to put the entire breadth of *halakhah* in the hands of laymen, women, and children, besides Torah scholars. Moreover, it is the only comprehensive summary of the entire Talmudic literature.

Theoretically, the entire *halakhah* can be completely learned, successfully practiced and taught straight from the written sources: Bible and the sum total of Talmudic literature (Mishnah, Tosefta, Mekhilta, Sifra, Sifre, Jerusalem Talmud, and Babylonian Talmud). Practically, however, this is very complicated. Many years of intense learning are required to master this vast literature. The most authoritative work, the Babylonian Talmud, is written in a difficult dialect of Aramaic mixed with other languages.\(^2\) Furthermore, in our times, we no longer have texts of all of the Talmudic literature that are uncensored and totally accurate. We no longer have the tradition required to identify non-authoritative conclusions added into the Talmud by post-Talmudic sages. We no longer have the ability to accurately distinguish between the authentic, legal traditions received by the *Geonim*\(^3\) – which were not included in the Talmud – and their occasional non-authoritative conclusions. RaMBaM, one of the greatest masters of Talmud ever, was a highly critical researcher, who was able to do *all of the above*.\(^4\)

We must not delude ourselves that Mishneh Torah is infallible (with no possibility of error), as if the RaMBaM's every word was guided by angels. There are legal conclusions that are unclear in the Talmud itself, and the Mishneh Torah reflects that unclarity. Considering the breathtaking advance of science and medicine in the last 800 years, we cannot hide from the fact that *Hilkhoth Yesode HaTorah* and *Hilkhoth De’oth* do contain a few mistaken beliefs and concepts (that have no bearing on *halakhah*, *see Principle 8 below*). Moreover, there are laws with other valid approaches to them by other Torah giants, although they differ from the RaMBaM's approach.
Nonetheless, none of these contradict the fact that the Mishneh Torah preserves, overall, the most reliably authentic understanding of the Talmudic literature (and that from 800 years ago, a far clearer vantage point than any time since then, until today).

This is why, more than any other work, the RaMBaM's Mishneh Torah is the common ground—the universally respected common frame of reference—between the different broad sectors of the modern Torah world, which are so deeply divided over a number of issues: Sephardic and Ashkenazic, Chassidic and Lithuanian-Misnagid, Charedi and national religious. It could be said that those who walk in the straight path of the Mishneh Torah are the greatest pioneers in Jewish unity and the Final Redemption. For it is they who are building up the only true, halakhic common ground, outside of politics, that all Torah Jewry can recognize; the necessary foundation for a successful Sanhedrin to one day be built (see Principle 12).

The Mishneh Torah is also the most comprehensive and easiest code to master in its entirety, being written in relatively clear, simple Hebrew, and requiring far less time to master. Normal, healthy, and serious individuals under proper tutelage and discipline have the ability to master the entire halakhah, using the Bible and the RaMBaM’s Mishneh Torah alone, without any other source, even outside of formal rabbinical or yeshiva training. Again, this is the very purpose for which the book was written.

THE RAMBAM'S EARLIER WORKS

While they are certainly important, the RaMBaM’s earlier sources do not reflect his final understanding as the Mishneh Torah does, since it was written in his maturity, and the work continued to be revised until his death. Furthermore, only Mishneh Torah editions from the Yemenite manuscripts should be used. The European printed editions are notorious for their numerous censorships and countless unintentional copyists’ errors.

ON THE STUDY OF MISHNAH, TALMUD, AND MORE RECENT HALAKHIC CODES

None of this is to say that the study of Talmud, and how much more so Mishnah, are unimportant. RaMBaM spoke of there being no need for any book between the study of TaNaKh and Mishneh Torah. Nonetheless, Mishneh Torah requires a knowledge of the language and concepts of the Mishnah. Even after a thorough study of Mishneh Torah, one lacks a depth of understanding and perspective without precious stories, accounts, and
background that the Talmudic literature can provide. Talmudic study with a study partner provides excellent training in critical thinking and debate.

However, since the Talmud was not written to be a legal code as much as an archive (containing a wide and confusing range of opinions and perspectives), Mishneh Torah should ideally be mastered before any in-depth study of Talmud. Especially considering its stated purpose: to stand alone as a comprehensive halakhic guide, obviating the need for Talmudic study in order to know and practice the *halakhah*.

Accordingly, although there certainly is much value in understanding other perspectives, and in knowing how other schools understand and practice *halakhah*, studying other, more recent codes (such as *Shulḥan `Arukh* and *Mishnah Berurah*) is in no way required to learn how to perform the commandments properly.

Finally, it should be noted that remaining strong and focused on the correct path over many years is profoundly difficult without the fellowship of like-minded, righteous peers, ideally in a like-minded, righteous community, and in the Land of Israel.⁶ However challenging this can be for a man, it is even more difficult for his wife and children.

NOTES

1 In the Introduction to the Mishneh Torah 42, it clearly states that a student requires the use of no other book between the TaNaKh and Mishneh Torah. (Again: like any other path of Torah study, this is fraught with difficulty and danger without strong loyalty to the guidance and discipline of a competent Torah teacher. Neither is it possible without at least a working knowledge of Hebrew. As stated above, prior study of the Mishnah is invaluable in this, as well.)

In his epistle to his foremost student, Rav Yoseph ben HaRav Yehudah, the RaMBaM foresees a day when "all of Israel will subsist on it alone, and will abandon all else besides it without a doubt". (Clearly, he is speaking of the masses. *Dayyanim* (judges), however, must be trained in the logic of halakhic debate, for which Talmud is critical.) He continues that all the Rabbinical works since the Mishnah were only created in order to clarify *what to do* and nothing more. Since he had codified all of the final rulings in a far simpler and encyclopedic work, there is no need for most scholars to delve into them.

2 This and the points above are in the Introduction to the Mishneh Torah.

3 A term generally used for the rabbis who led the Jewish people during the period between 4349 (589 CE) and 4798 (1038 CE).
This includes the RaMBaM's access to at least partial manuscripts of the Babylonian Talmud that were about 500 years old in the RaMBaM's day, and likely to be among the very first copies ever created. (*M.T. Hil. Malweh We-Loweh 15:4[2]*)

This stems from the RaMBaM's role as the chief, recognized halakhic authority of North Africa, the Land of Israel, and rest of the Middle East until the late 1500's C.E. (See the words of HaRav Yoseph Karo, author of *Shulḥan `Arukh*, in *Avqath Rokhel*, Responsum #32) While this unified vision has deteriorated over last few centuries, the Mishneh Torah remains the greatest of the *Rishonim* in the eyes of leading halakhic decisors; the source that no halakhic argument can be built without taking into consideration.

Ohel Moshe strives to provide that fellowship and sense of community not only for our local students and friends, but for those all over the world via our online classes for Jews and Noahides. For information, contact us at torathmoshe@gmail.com.
The RaMBaM's legal philosophy (partially summarized in Principles 1-7) is an ancient tradition harking back to deep antiquity, and is inseparable from his halakhic positions. Following the halakhic path of the RaMBaM while rejecting this philosophy is not intellectually honest.

On the contrary, however, **there is room to question in regards to the RaMBaM's philosophy in other regards**, such as his beliefs concerning music, sexual intimacy, the role of imagination in thought and the advancement of mankind, and the reasoning behind the Torah's sacrificial system. The greatness of the RaMBaM is found in how far he kept such personal, philosophical positions out of his grand code of halakhah – sticking as closely as he could to the pure traditions of what the Sages literally said, while leaving out that which they did not.

However, there is even reason to question the applicability of a non-halakhic, philosophical teachings found in the first few chapters of Mishneh Torah to our times – namely the directive to keep all but the most gifted students in the dark in regards to the secrets of *ma`aseh bereshith* (the "science of creation", or physical science). In today's Western world, science has been practically deified. A level of basic scientific awareness is nearly ubiquitous among the middle and upper classes, often seeming to pose a serious threat to religious belief. In this new intellectual climate, hiding scientific wisdom and its synergy with the Torah is not only futile, but greatly harmful.

There are more questions: Would the RaMBaM's philosophy regarding the soul have been affected by the findings of modern parapsychology? There is reason to wonder how his approach to angelology would have been affected by modern physics, astronomy, and astrobiology.

There is good reason to believe that the RaMBaM not only would not feel slighted by his students of the far future questioning his philosophy in these regards, but would have wanted them to do so. **Questioning RaMBaM's non-halakhic philosophy (while still trusting his legal philosophy and relying on his code) not only poses no contradiction to being a student of the RaMBaM, but may be the fullest expression thereof.**
Across the RaMBaM's writings, it is clear that, except for in a few narrow contexts that may not exist in our day, he generally viewed music in a negative light, due to its power to arouse man's imaginative faculty. Today we know that music can play a very important role in psychological wellbeing and even healing. This deep connection with music is not isolated to human beings, but to other higher mammals as well.

Across his writings, it is clear that the RaMBaM's view on sexual intimacy, while not ascetic, leans in that direction – viewing it as a base, animal need that should be conducted minimally, and that with great shame. He expressed a common belief in those days that excessive sexual activity saps the body of strength and vigor, bringing early death. While lust and sexual deviance are, indeed, major forces of destruction of the family and society at large, I have neither found nor heard of any research that supports this notion.

Not only is a healthy sexual lifestyle beneficial to physical wellbeing (more than the RaMBaM admits to Hilkhoth De'oth), but emotional health as well. Moreover, it is demonstrable how unbalanced attitudes towards sexuality (that is permitted by basic, applied halakha for our times) can become catalysts of aggression, homosexuality, child abuse, the denigration of women, and the dropping out of young men from a Torah lifestyle. I refer here to extreme attitudes towards modesty, and extreme pressure on men –on the societal level– to deny their natural urges far beyond reason. While the Sages wrote of modesty what they did for a world in which young people were groomed for marriage in their mid-teens (even according to Shulḥan Ḳarūkh); our youth today are even more at risk of the deleterious effects mentioned above due to the enforced institution of late marriage (which is against halakha) and the permissiveness of the outside, mainstream culture.

In the opinion of the author, a healthier Torah view of sexuality is expressed in Iggereth Ha-Qodesh, (The Holy Letter) attributed to the RaMBaN (Naḥmanides).

In Shemonah Peraqim, the RaMBaM declares his argument against the Muslim proponents of the Kalām, who proposed that anything that could be imagined is possible. According to his general wariness of the negative power of imagination, RaMBaM tries to demonstrate the absurdity of this position by having us "imagine an iron ship sailing in the air, or an individual whose head is in the heavens while his feet are on the ground..." With hindsight, it should be clear to all that, were it not for those who dreamed such "impossible" fantasies, man would never created the airplane or satellites, much less set foot on the moon, sent robotic craft to every planet of our solar system, sent human beings to the bottom of the Mariana Trench, pioneered organ transplants, or created the Internet and cellular phone technology, etc.

In fact, cell phones (now as wrist watches) are just one of a number of "impossible" technologies dreamed up by writers of science fiction. Just a few of many more that are on the way: Self-driving cars. Holographic screens. 3-D virtual reality technology approaching the level of the Star Trek "holodeck". "Iron Man" robotic suits for U.S. soldiers being developed by DARPA. Special apps that enable physicians to diagnose patients with no more than a cell phone – even thousands of miles away from the patient. Warp technology, which would make interstellar travel possible, now being
developed by NASA. The eminent physicist Michio Kaku predicts that within a century, a teleportation device similar to those in Star Trek will be invented.

Were the RaMBaM to see all of this, it is hard to believe that his position on the role of human imagination would be unaffected.

4 According to the RaMBaM in his Guide for the Perplexed (Part III, ch.32), the entire reason for the Torah's sacrificial system—with all its precise details—is to reluctantly provide a kosher alternative to idolatrous cultic practices. For to utterly discontinue them "would have been contrary to the nature of man," and "by this Divine plan it was effected that the traces of idolatry would be blotted out, and the truly great principle of our faith, the Existence and Unity of God, would be firmly established". (The second Friedlander edition [© Dover Publications, Inc., New York 1956. p.323)

However, it is a central, cardinal tenet of faith that all of the Torah's 613 Commandments are for all time; that the sacrifices are destined to return when a the Holy Temple will be rebuilt. Such an apology can only satisfy the intellect so long as the majority of the world remains steeped in such cultic practice. What happens in a world such as our own, when, in all but the far reaches of the Third World, mankind has utterly abandoned animal sacrifice? A world in which even idolatry has evolved to flourish with no need for burnt offerings?! Now that animal sacrifice has been revealed not to be a function of human nature but of culture, and the Prophets railed against those who believed it to be a foundational Torah principle – the object of HaShem's desire (e.g. Jeremiah 7:21-23), why are we obligated by our Creator to resurrect it?

The RaMBaN (on Lev. 1:9) and HaRav Samson Raphael Hirsch (on Gen. 3:1) challenge the RaMBaM's approach, noting how, according to tradition, sacrifice to HaShem predates the advent of idolatry. While the author has his own theory, he views the teachings on the subject by the above rabbis, Rabbi Moshe Isserles (תרות התורה שלכ ב" התורה ו דין" אגרס שליט"א), the MaHaRaL of Prague (ספר גבורת ה" פורק שלישי), and Izhbitzer Hassidic writings, as profound alternative methods of reasoning as to how and why Torah sacrifice can be profoundly beneficial for us – despite its not being an end in and of itself, much less something needed by HaShem. (See Ḭṣar Ḥaqorbanoth by HaRav Menahem Makover [© Dani Sefarim and We-Har’enu Be-vinyano, Jerusalem 5771/2011. 104-108 pp.])

Had the RaMBaM seen how human culture would evolve in the coming centuries, it is likely that he would have given serious consideration to these alternative – considering that Torah sacrifice remains an eternal, Divine obligation.

5 We can surmise as such due to what was taught by his son, HaRav Avraham ben HaRaMBaM, in regards to the science and medicine in the Talmud being outdated. He and his father must have understood that the science of their times would be eclipsed by that of the future, just as their own had eclipsed that of their predecessors.

– Ma’amor ‘Al Derashoth Ha’za’l (Hebrew for “Discourses on the Sayings of the Rabbis”). Published online at the website of Mikhleleth Hertzog - Gush Etzion: Da’ath Limude Yahaduth we-Ruḥ, managed by Prof. Yehudah Eisenberg. http://www.daat.ac.il/daat/mahshevt/agadot/hagada1-2.htm
9) How to Properly \textit{Train} in Torah as Jews and Righteous Non-Jews

Learning Torah must only be done with the intention of putting into practice what one learns. \textbf{There is no commandment to merely learn Torah (as an intellectual exercise), but rather to train in Torah – to study in order to practice according to the plain and simple meaning of the text.} \footnote{Likewise, the opinion of most recognized Torah scholars, who mainly relate to Talmudic literature and Mishneh Torah primarily on a theoretical level, cannot be compared to that of scholars who literally \textit{live} by the authority of what is written in these sources. The latter are clearly more reliable than the former.}

Although it is less common today, this pure independent learning and practice of the \textit{halakhah} straight from the original sources is not a modern invention or theory. \textbf{It has been the authentic tradition of Yemenite Jewry for centuries}, as it was passed down to the former Chief Rabbi of Yemen, HaRav Yiḥia Qafih z”l, and his grandson, Rav Yoseph Qafih, z”l, renowned Torah giants in their respective generations. The torchbearers who continue in this tradition not only include Rav Qafih’s faithful students of many years, but serious, independent scholars of RaMBaM and Talmud, including non-Yemenites. Among these are those who have revived the old Andalusian (Spanish-Portuguese) school of tradition. The same general approach to Torah learning also continues outside the RaMBaM world, namely among the serious students of the Vilna Gaon.

\textbf{WHY ‘KABBALAH’ IS DIFFERENT}

While Kabbalistic literature does contain deep, precious wisdom, it is poorly understood even by trained Torah scholars. The most famous and revered work, the Zohar (like other works of \textit{Midrash}) mentions and promotes ancient opinions that remained outside of and even contradict the \textit{halakhah} (applied Torah law) as it was codified. \footnote{It includes allegorical descriptions of concepts that, if taken literally, contradict foundational tenets of the Oral Tradition. Such literal understandings of highly symbolic wording have led many to pure idolatry, no less. This is especially true of \textit{Sefer Yeṣirah} and \textit{Sefer Ha-Bahir}. Finally, Zohar is a layered work, with text and ideas of dubious origin that were, with little doubt, of late origin.}

Written in terse style with highly symbolic language, the Zohar requires (1) fluency in Aramaic (not to mention Hebrew), (2) very strong grounding in the \textit{halakhah} (law) and the nuances of the language of the Sages, (3) a broad and critical mind, and (4) the
guidance of an expert teacher who does not consider Zohar a source of practical halakhah. It must be someone who can identify a portion of text that was clearly added later, and can give an allegorical meaning to passages that appear to contradict the Oral Tradition. Of the few such teachers that exist, those who teach do not know, while those who know do not teach – and for good reason.

While it, too, is deeply profound and better organized, Lurianic kabbalah can similarly confuse un-grounded scholars. If veteran, trained scholars stumble in the study of mystical kabbalah, how much less is it fitting for beginners.

HOW AND WHY TORAH STUDY FOR NOAHIDES IS DIFFERENT

It is rabbinically forbidden for non-Jews to be study the entire Torah in depth, like a Jew. While he may gain a general familiarity with the entire Torah, he may only delve deeply in subjects within the realm of the Noahide Laws and responsibilities of the nations. While it is comfortable to assume that this does not applies to Noahides, the author is of the clear opinion that it does.

Nonetheless, this still leaves the Written Torah (Hebrew Bible) open for non-Jews to be studied on a good, surface level, and much of Mishneh Torah available to be studied on a deep level, as many sections of law are included in the realm of Noahide Law. It is the purpose of my work, *Guide For the Noahide* (© Lightcatcher Books 2011) to obviate the need for such deep research, putting the entire breadth of the the Noahide Covenant – including a summary of the Torah's universal values and frequently asked questions– in a single volume. Furthermore, if a Noahide genuinely wishes to fulfill a specific commandment outside of the Noahide Laws and seeks instruction in doing so properly, the author understands that he may seek a live source to teach him. Finally, there is no reason to assume that quality books on Torah philosophy and spirituality are any less open to righteous non-Jews as to Jews.

What should be regarded as off limits to any non-Jew is the un-restated Oral Law: the raw primary works of the early Sages such as Mishnah, the classical works of halakhic expositions (Sifra, Sifre, Mekhilta, etc.), and the two Talmuds, which are even confusing to Jews, as explained above in Principle 7). If such is the case regarding early practical legal sources, how much more so works of the kabbalah (esoteric mystical wisdom) such as the Zohar.
NOTES

1 Mishnah Avoth 1:17 (see also the commentary of Ḥakham `Ovadiah mi-Bartenura ad loc.) and 4:5

2 Even if the entire Zohar in our hands today were authored by Rabbi Shim`on Ben Yoḥai, the Talmud Yerushalmi (tr. Berakhot 6b) records how the Sage would go as far as to curse a man who would follow his personal opinion after it had been overruled by the majority of Sanhedrin. To imagine that would agree to future generations relying on his words against the accepted halakhah as it was later codified and sealed is a disgrace to his memory. Were he alive today, he would most likely have us following the Mishneh Torah of the Rambam as practical halakhah until the restoration of the Sanhedrin.

3 I do not intend, by this statement, to denigrate the Zohar or its worthy students, ḥalilah. This fact was known even to great kabbalists such as HaRav Yiṣḥaq Kadoori of blessed memory. According to the Ḥatham Sofer (not an anti-kabbalist), out of the entire Zohar, only a small portion that would make up a very small book of few pages is attributable to Rabbi Shim`on ben Yoḥai. An even stronger statement warning against the "many forgeries and destructive statements (אוספים והäänולים) that have been added" was issued Rabbi Eli`ezer Fleckeles, the outstanding student of the Noda` B`Yehudah (Yechezkel ben Yehuda Landau 1713–1793 C.E.) and subsequent Rabbi of Prague. He did so following in the footsteps of his Rav who issued a strong statement of his own against the kabbalistic Le-Shem Yiḥud prayer, and in the footsteps of the great Ḥakham Ya`avetz (Rabbi Jacob Emden, 1697–1776 C.E.), the German rabbi and talmudist who argued that "unidentified hands have been at work on it [the Zohar]."

4 To learn more, read the article Tohar HaYiḥud, the source of the above information.

4 Mishneh Torah 10:11(9). To describe the limits of permissible Torah learning for non-Jews, the RaMBaM uses the term `oseq, which throughout Mishneh Torah is used to denote deeper learning. This is as opposed to the term qoré, meaning "to read", i.e. to understand the basic meaning of the text.

5 To my understanding, Noahides who yearn for a greater spiritual closeness to the Creator should focus first on mastering the first book of Mishneh Torah, the Book of Knowledge, where he can gain the most accurate, simple understanding of the foundations of proper Torah belief and practice. Another classic on authentic Torah philosophy is Emunoth we-De`oth (The Book of Beliefs and Opinions) by HaRav Sa`adiah Ga'on, completed in 933 C.E.

Once a student is firmly rooted in the proper belief in the Oneness of HaShem (as described in Part II Law #1 and Appendix II of Guide For the Noahide) and that our respective Covenants with HaShem are based on our fulfilling the Laws He gave us, the student may venture into mainstream Torah literature that can help him refine his character. In the absence of a detailed, practical guide in Mishneh Torah as to how to achieve the character requirements defined in Hilkhoth De`oḥ (Laws of Character Traits), one such guide I recommend is The Trail to Tranquility by Rabbi Lazer Brody. (© Emunah Outreach Publications, 2008) Written by a master counselor, it is a simple, effective guide to ridding one’s life of the most destructive character flaws —anger and arrogance— and achieving joy through simple faith in HaShem.
Again, while firmly rooted in the laws and Torah outlook of Mishneh Torah, one may read *Hishtappeḥuth ha-Nefesh* – *Outpouring of the Soul*. Written by arguably the greatest of the Hassidic masters, Rebbe Naḥman of Breslov, this short practical guidebook to prayer and meditation is clearly rooted in the ancient path of the prophets.

A much larger and more difficult guidebook to the awesome ways of prophets is *Sefer Ha-Maspiq Le-`Ovde HaShem* (*The Guide to Serving God*) by the RaMBaM’s son, Rav Avraham He-Ḥasid.

What sets these apart from the genre of Jewish mysticism, is that rather than offering a glimpse into that which was meant to remain hidden, these works focus on what a person can do to intensify his spiritual experience of closeness to the Almighty.
10) Taking Responsibility for One´s Own Torah Learning and the Role of One´s Rabbi

The only alternative to learning for oneself with a teacher is choosing a halakhic guide, such as a rabbi, to dictate how one should practice *halakhah*. However, following such a rabbinical figure does not exempt the follower from his rabbi’s mistakes. Every Jew is personally responsible for practicing the Law correctly, and is punishable for his mistakes – even those he learned from his rabbi.

For the serious student, even the greatest rabbi is a poor alternative to taking responsibility for his own learning; for him, there is no viable alternative to learning in the Land of Israel, together with like-minded peers, ideally in Hebrew.

Although independent study is important, the guidance of truly competent teachers is crucial. Unlike more recent rabbinical works, the early authoritative rabbinical sources were written in order to be read in their entirety, and understood in the context of the whole text. Mishneh Torah must be read well, several times in its entirety, in order to gain the most accurate understanding of any part of the Law. Until one has completed the whole text several times, and perhaps even well afterwards, one must have the guidance of a teacher who has.

Moreover, it is one thing to understand the *halakhah*, but another thing to know how to apply it in real life: how to live the Torah peaceably without sacrificing what *HaShem* expects of us. Therefore, beyond knowledge of the text alone, one must choose a rabbi, *ḥakham, or mori* based on his noble character traits and life experience as well.

NOTES

1 This is the overall principle behind *Hilkhoth Shegagoth*, and one emphasized by HaRav Yosef Qafhiḥ of blessed memory, one of the most influential rabbis of my own Torah teacher.

2 As noted in the footnote 5 to Principle 7, Beth Midrash Ohel Moshe strives to provide that fellowship and sense of community not only for local students and friends, but for those all over the world via our online classes for Jews and Noahides.
Accurate practice of the *halakhah* must not be done mechanically, without feeling (like a robot), not in a morose or melancholy spirit, and not in arrogance, with an air of superiority. Rather, the Commandments must be practiced in a spirit of joy, and in a way that they influence one’s character, so that one fulfills them in a spirit of genuine goodness of heart.

Accordingly, in the above-mentioned tradition, *Torah learning and service of HaShem are only possible in the spirit of humility*. Honest study of Torah can bring a person to challenge modern Jewish practice. Unless he is careful, one is in danger of looking down on his fellow Jew and holding other Torah scholars in contempt, God forbid. Anyone who joins this tradition just to be different from others, in a spirit of rebellion against the mainstream, or for any purpose other than to serve HaShem properly could bring a curse upon himself and others, rather than a blessing.

Furthermore, there is absolutely no permission given or reason to look down on any traditional Jewish community, be it Ashkenazi, Sephardic, etc, or any general division of the Torah-observant public, be they Haredi ( ultra-Orthodox), Dati-Le’umi (religious nationalist), modern Orthodox, Hassidic, etc. When measured against the standard of the authentic *halakhah*, every group has kept certain laws and principles better than others, and every group has ignored or remained ignorant of what others faithfully keep, or once kept in the past. Every Jewish community has important lessons to teach and many to learn. Understanding this, and becoming one nation under God once again, is the key not only to our ultimate Redemption, but our survival.

In fact, the Sages left us no permission to look down on any civilized human being or anything in HaShem's Creation, for there is nothing in Creation that does not have its time and place of importance. And in the language of the RaMBaM, literally "anyone who enters this world" can become "holy of holies" through Torah (by converting to Judaism). Even a gentile can be blessed with Holy Spirit or prophecy. Due to this incredible potential in every human being, **we must love all humanity and bring them close to Torah.**
NOTES

1 Deut. 28:47

2 Rabbi Yaakov Yisrael Kanievsky in Mevaqshei Torah ch. 5, Kovetz 23

3 Mishnah tr. Avoth 4:3

4 M.T. Hil. Shemitah We-Yovel 13:11(13)

5 Yalqut Shim`oni, Judges 42 ch. 4, from Midrash Tanhumah

6 Mishnah tr. Avoth 1:12
12) The Torah's Inherent Zionism, with the Long-Term Goal of a Torah State under a Sanhedrin, with a Holy Temple, and a Righteous Jewish King

As should be clear from Principle 11 above, the Torah is the inheritance of the entire Jewish nation, not only one community or school of thought. Just as there are Commandments that obligate each and every individual and even whole communities, there are Commandments that obligate the entire nation as one, such as rebuilding the Holy Temple in Jerusalem.

Without a proper Sanhedrin, however, this and other national obligations are practically impossible to fulfill. Therefore, even living according to the most rational and authentic understanding of Talmudic law (Mishneh Torah) is not a long-term ideal. Nothing can replace the Divine Commandment to form a Sanhedrin, whose rulings must be accepted by the entire Jewish People and the rest of the world. Living in a Torah state under a Sanhedrin (which can only exist in the Land of Israel), with a Holy Temple (which can only be built in a precise location on Mt. Moriah in Jerusalem), and a righteous Jewish king, is our long-term ideal.

On the other hand, while belief in the prophesied messiah-king is a fundamental Principle of Faith (and we yearn for those times, so that we will dwell in strength and peace, so that we can fully apply ourselves to Torah and wisdom without distraction), the coming of the Messiah has zero halakhic significance. So long as the nation is dwelling in its Land and with a true Sanhedrin, there is not a single Torah Commandment – neither for the individual nor for the nation – that cannot, in theory, be fulfilled before the ultimate messiah-king is revealed. A king, however, can only be properly ordained by a true Sanhedrin, ideally together with a prophet.

The only practical way for the Sanhedrin to be restored in our times (which requires authentic Mosaic ordination), HaShem-willing, is through careful adherence to the rules set forth by the RaMBaM. Moreover, adhering to Mishneh Torah will be its best hope for success. This is why:

The greatest challenge to be faced by a restored Sanhedrin in our day is consensus: Effective judicial leadership of the nation requires general agreement among 71 Torah sages on literally hundreds of basic, critical legal issues from the outset, before they can even approach the enormous backlog of issues and challenges of the modern age. Over the centuries of exile, the range of rabbinical opinion has grown too broad, and the ideological rifts that divide the Torah world are too deep for meaningful consensus to be reached over any practical span of time.

Besides being the common legal base of all rival sects and communities in the modern Torah world, the Mishneh Torah is the only authoritative Code of Law written, covering
whole areas of Law that become applicable for the nation under a Sanhedrin. Only by accepting Mishneh Torah as the initial baseline of the halakhah, the foundation and framework of Jewish Law, can the future Sanhedrin hope to fulfill an otherwise insurmountable task: unifying the Torah world and restoring Israel's national observance of Torah after nearly 2,000 years of exile.

TORAH ZIONISM

Clearly, the Torah is inherently Zionist. However, some believe that the secular, ostensibly anti-religious character of the secular state of Israel pushes the Torah's vision of a kingdom governed by halakhah further off. On the contrary: the very possibility of such a future reality has been afforded, if not saved, by the rise of the State of Israel. Such a dream would have all but perished in the modern age without the blessings only made possible by the existence of the State:

(a) the mass return and absorption of our far-flung exiles, brought in from the ends of the earth

(b) the rise of the Israeli Defense Forces (IDF), one of the most powerful armies on earth, to protect the Jews now restored to our homeland

(c) the ongoing mass return of Israelis to Judaism, which was largely catalyzed by the miracles of the Six-Day War, and nurtured by the many Torah institutions only made possible by the State's existence

In fact, it is questionable if the Jewish People could have even continued to exist, much less thrived as it does today, without it.

Accordingly, while we yearn, pray for, and strive to bring about a holier, more faithful Israel, constructively criticizing the state and protesting certain policies, there is no place in the path of RaMBaM for hatred or antagonism to the modern state of Israel. According to the RaMBaM's liberal concept of Jewish sovereignty (as expressed in Hilkhoth Hanukkah 1:1-2) and his open, realistic, down-to-earth, non-speculative vision of the prophesied events of the End of Days,¹ it is not difficult to see the State of Israel as "reshith semihath ge'ulathenu" (the first flowering of our Redemption) – even with its faults and shortcomings.

NOTES

¹ See M.T. Laws of Kings and Wars 1:14(11-12), 11:6-9(3-4), Laws of Vessels of the Sanctuary 1:10(11) and RaMBaM's Commentary to the Mishnah tr. Kerethoth, mishnah 1)
13) **The Unique Warrior Art of the Jewish People: The Key to a Healthy and Safe Jewish Nation in a Hostile World**

It is a fundamental Torah principle to preserve our lives and health. Since no one can serve HaShem properly with a sick body, it is a fundamental Torah value to keep the body in good physical condition. Since one’s physical well-being – besides our ability to keep the Commandments – is so tied to our emotional state of being, one must do his utmost to remain healthy, joyful, and happy.

Similarly, in every generation there are Jews who live in continual fear for their lives. A weak Jewish People that doesn’t invest in equipping and training the general populace (not just the army) for war cannot fulfill HaShem’s Commandments to the nation, particularly the establishment of kingdom and Temple. This is especially so in our own times, when government protection forces have their hands tied politically, so that citizens often have no choice but to fight for our own lives and property. Therefore it is a fundamental principle of Torah that Jews be trained in warriorship on all levels: the individual, the communal, and the national. In fact, the RaMBaM teaches us that our kingdom was lost, our Holy Temple destroyed, and our exile prolonged for this very reason: that we did not involve ourselves in the study of warfare and conquest of lands.¹

**MARTIAL ARTS TRAINING FOR THE SAKE OF HEAVEN**

Many fall into the error that modern weaponry, namely firearms, has done away with the need for comprehensive martial arts training. However, even for the most advanced armies, recent wars have proven an already universally-recognized principle of warfare: it is well-trained foot soldiers that secure victory in battle; not merely bombs and missiles. Except for the residents of border towns, the main terror threat being faced daily in Israel is by unarmed citizens being accosted by attackers on foot, armed and unarmed. In many – if not most of these cases – the police are unable to respond in time. Even worse, we are seeing more and more that it is the police whose training is inadequate to handle serious incidents.

However, this Torah principle is not fulfilled by training in the mindset of foreign martial arts: The Bible is replete with negative examples of kings and armies who were defeated due to their fighting in the profane manner of idolaters: They trusted in pure military strength alone, with the corrupt belief in “my strength and the might of my hand.” (Deut. 8:17) Although we must invest our best efforts, ultimately it is by the blessing of HaShem that wars are won; not physical might. Sadly, most of today’s widely-marketed martial arts are taught in this same Godless mindset and/or they are the customs of idolatry. Certain arts might even be subtle idolatrous rites in and of themselves, unbeknownst to their Western practitioners. Besides the halakhic and spiritual implications, they are taught as sport or past-time.
It is for these reasons and more, that it is no less than a fundamental principle of our Torah tradition to train in versatile, deadly warrior arts with the proper spiritual focus – clean of idolatrous trappings. Thus King David exhorted the tribe of Judah: “(The principle) to teach the sons of Judah qesheth;² behold it is written in The Book of Yashar.”

NOTES

¹ Epistle to the Sages of Marseilles

² Samuel II, 1:18. According to Rashi's commentary on the verse, qesheth here is not the archer's bow, but a special, Hebrew, hand-to-hand warrior art.

Thus concludes 13 Principles of our Torah tradition according to the wisdom HaShem has granted me over 20 years of my Torah training. If they succeed in helping others to come away with a clearer, more concise, organized, and more accurate understanding of the fundamentals of our faith, then the work has fulfilled its purpose, and I thank and bless HaShem for the da`ath (wisdom).

If there any further questions, please email them to torathmoshe@gmail.com.