The Magnitude of the Mishneh Torah

A play on the words in Deuteronomy 34:10 gave birth to the following pun: "From Moses to Moses there did not arise one like Moses." Till this very day, virtually no other Torah sage, both before or after Maimonides (1135–1204), has earned the universal acclaim inherent in this well-known adage that has been engraved on the tombstone traditionally ascribed to Maimonides: "Indeed, if taken on a literal level, namely that Moses/Maimonides rose to the sublime heights attained by Moses the Biblical Lawgiver, this adage borders on heresy according to Maimonides' own standards." On the other hand, the saying should not be dismissed as mere hyperbole, for, in a sense, what Moses did for the Written Law, Maimonides did for the Oral Tradition. No one before or after Maimonides has even attempted to codify the entire gamut of Jewish law and produce a canon of similar stature. Arguably, Maimonides' Mishneh Torah towers above all other post-Talmudic classics in terms of its lucidity and comprehensiveness. In the introduction to the Mishneh Torah, Maimonides writes that he anticipated that this work would serve as a substitute for all other classical works on Jewish law that were composed after the Bible. This never came to be, at least not on a universal level. On the other hand, Maimonides may never have envisioned the degree to which his code would become a focal point of rabbinic study, albeit not in the manner he had anticipated.

The two most influential works of Rambam are the Mishneh Torah and Moreh Nevuchim. Therefore, in commemorating his 800th yahrzeit (he died on Tevet 20, 4965; December 13, 1264), we thought it appropriate to focus on these two monumental masterpieces. But, as wondrous Rambam's literary works, let us not forget his towering figure as leader of his people. At the time, many Jews were presented with the choice of forced conversion or death. Rambam provided comfort and chizuk, as demonstrated in his Letter to Yemen and his Letter Concerning Shemad. He helped raise the enormous sums necessary for pidyon shevuyim. When he arrived in Egypt, the Karaites were gaining strength over the Rabbinates. By the power of Rambam's intellect and personality, that trend was reversed. It was as if he was a Divine emissary sent to confront the enormous challenges of his time. When he passed away, in his seventieth year, in Egypt, both Jews and Arabs mourned for three days. In Jerusalem, the mourners declared a general fast and read from the tikkun haftarah, which concluded with the following verse: "The glory of Israel has been exiled, for the ark of the Lord was taken from us" (1:4:22). Therefore, in commemoration of his 800th yahrzeit, we turn to the Mishneh Torah as the last word in Jewish law yet its relevance even in the so-called discipline of "practical halachah" is unquestionable. Notwithstanding the preeminence of Rabbi Yoel Karo's Shulchan Aruch in matters of practical ruling, present-day authorities are often compelled to return to the legal formulæ in Rambam's Mishneh Torah. By Chaim Rapoport

Maimonides, Mishneh Torah, Manuscripts and Indices

What Moses Did for the Written Law, Maimonides Did for the Oral Tradition.

Even those authorities who severely criticized certain aspects of the Mishneh Torah acknowledged the importance of this work. Moreover, even those rabbis who expressed disdain for some of Maimonides' theological doctrines and philosophical works accepted his Mishneh Torah as a preeminent halachic code. And today, some 800 years after the completion of the Mishneh Torah, it remains a preeminent canon of halachah. Hardly a day goes by on which we do not witness the ever-increasing growth of commentary and super-commentary woven around the phrases and nuances of the Mishneh Torah. It is still a fertile ground for the spouting of alluding to the "original" halachic insights and debates. For some, the Mishneh Torah has served more as a commentary than as a code. Others have also used it as a test through which even the layman can, via daily study, become familiar with all areas of Torah law. Virtually no community today has adopted the Mishneh Torah as the last word in Jewish law yet its relevance even in the so-called discipline of "practical halachah" is unquestionable. Notwithstanding the preeminence of Rabbi Yoel Karo's Shulchan Aruch in matters of practical ruling, present-day authorities are often compelled to return to the legal formulæ in the Mishneh Torah in order to make their case. The fact that the Mishneh Torah, in contrast to the Shulchan Aruch, addresses areas of law that are not operative nowadays, has somewhat paradoxically made its present-day significance even more substantial. Most of the laws of ritual impurity, for example, are not of direct concern today, yet they have an enormous impact on many matters that are of immediate reference. This includes the laws of sukkah, mikwa'ah and tashlikh. Invariably, poskim will turn to the Mishneh Torah for an authoritative statement in such areas.

Moreover, the Mishneh Torah fills a gap in many areas of law that are of
direct import today. The laws of repen-
ance, for example, are not dealt with in
the Shulchan Arukh, and consequently the Mishnah Torah remains the most authorita-
tive work in this area. Likewise, the laws in the Shulchan Arukh that relate to the status of a hewn would remain obscure were it not for the formulations in the Mishnah Torah. The debates that have occurred as a result of the re-
quirements and conflicts between men and women in the synagogues, the appor-
tment of a woman as the presi-
dent of a religious institution and the legitimancy of the belief in a "reanimated Messiah," have all revolved around for-
mulations in the Mishnah Torah; the Shulchan Arukh does not offer directives in these areas.

**Textual Challenges and Contemporary Contributions**

**Virtuality all texts that we have inherited from antiquity suffer from an accumulation of scribal errors, copyists' mistakes and printers' carelessness. Maimonides' works are no exception. In the case of the Mishnah Torah, this presents an even greater challenge. It is avo-
cial to all students of the Mishnah Torah that this work was written with extreme meticulousness and preci-
ion. An accurate text is therefore all the more critical for the student who seeks to appre-
ciate its profound meaning and decipher the delicate nuances of its phraseology. Indeed, it has long been recognized that obtaining a text of the

The difference between what ma-
chahmanah and dma machahmanah has enormous philosophical and halachic implications. The question as to whether or not Maimonides rejected the notion of natural law to a degree, dependent on which reading is correct: vava or ela.

The halachic status of Gentiles who do not believe in the Revelation at Sinai, but who nevertheless observe the Noahide Code out of moral conviction, is, in part, contingent upon the vava/ela debates.

In former times, the reading vava machahmanah would have been available only to men. However, in the Kafich and Frankel editions, this reading has been standardized and the old read-
ing, vaya machahmanah, relegated to the marginal notes. Thus the "correct" read-
ing, with its far-reaching ramifications, has been made available to all.

B. Difficulties over which many a 
quill has been broken have often been resolved by recourse to manuscripts.

For example, and any scholar 
interested in the history of the Mishnah Torah; that as it may, bibliographic evidence seems conclusive toward reading ela, even though all printed editions of our text contain vava.

Virtually all texts that we have inherited from antiquity suffer from an accumulation of scribal errors, copyists’ mistakes and printers’ carelessness. Maimonides’ works are no exception.

Mishneh Torah, Maimonides, Spain, 15th cent., MS R1618, f. 80r-255r.
It is obvious that the Frankel edition has been, most unfortunately, hijacked by political partisanship, leading to the denigration of Gedolei Yisrael.

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Autograph of the Ramban (Bodleian MS 577),” Alei Shev 18 (1996), 173ff., (particularly, pp. 4, 9 and 10) and Rabbi Shlissel, in his preface to Rabber Meitzut, sec. 6-7, pp. 12-15.


21. See Rabbi Kaufš comments on Mishneh Torah, Hilchot Shemot (Jerusalem, 1951) contains many Edut BeYaakov.


23. The marginal notes, "Klum leyda!" serves as an example of another "Frankel phenomenon," namely that the various editors evidently do not engage in sufficient dialogue. For in the Frankel edition of Sefer HaMitzvot, ibid., p. 207 state that the various editors do not engage in sufficient dialogue. For in the Frankel edition of Sefer HaMitzvot, ibid., p. 207 state that the various editors evidently do not engage in sufficient dialogue.

24. See, in relation to the omission of Rav Kook, the editorial remarks of Aryeh Stern in his recent edition of Sefer Zikaron LeHarav Yitzchak Nissim (New York, 1985) and vol. 3 (New York, 1987).


27. The marginal notes, "Klum leyda!" serves as an example of another "Frankel phenomenon," namely that the various editors evidently do not engage in sufficient dialogue. For in the Frankel edition of Sefer HaMitzvot, ibid., p. 207 state that the various editors evidently do not engage in sufficient dialogue.

28. Rabbi Kaufš published in 1954—is also not on record in the Frankel edition of Sefer Zikaron LeHarav Yitzchak Nissim, ed. (New York, 2003), 124, n. 34.

29. The marginal notes, "Klum leyda!" serves as an example of another "Frankel phenomenon," namely that the various editors evidently do not engage in sufficient dialogue. For in the Frankel edition of Sefer HaMitzvot, ibid., p. 207 state that the various editors evidently do not engage in sufficient dialogue.


31. See Rabbi Kaufš and the compilers of the Frankel edition of Sefer Zikaron LeHarav Yitzchak Nissim, ed. (New York, 2003), 124, n. 34.

32. His works include Shirona Zalman Avetash, (1990-1995), choffa-Rehovot writings with great respect, and, see, for example, his Haloalot (Jerusalem, 1944; 1970), preface and chap. 1.


34. See, in relation to the omission of Rav Kook, the editorial remarks of Aryeh Stern in his recent edition of Sefer Zikaron LeHarav Yitzchak Nissim (New York, 1985) and vol. 3 (New York, 1987).

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