Chapter 13

*Kiddush Hashem* and *Kiddush Hahayyim* – Perspectives on *Kedusha* in Maimonides’ Oeuvre

(A Clarification of Maimonides’ *Hilkhot Yesodei Hatorah* 5:11)

I

The first commandment that is dealt with in *Sefer Hamada* – following the four foundational commandments of the heart that deal with the existence of the Primary Being, the singularity of God, loving Him and being in awe of Him, “commandments that are the foundation of the Mosaic religion”[[1]](#footnote-1) – pertains to the positive commandment of *kiddush Hashem*, sanctifying the name of God, together with its parallel negative commandment that forbids the desecration of His name: “All [members of] the House of Israel are under obligation to sanctify this great name, as it is said, “I am to be sanctified among the children of Israel” (Lev 22:32), and are proscribed from profaning it, as it is said: “You shall not profane My holy name” (Lev.22:32).”[[2]](#footnote-2) The Oral Torah clearly stipulates that there are situations in which a Jew must be killed rather than transgressing one of three cardinal sins (idolatry, illicit sexual behavior, and bloodshed). At times of religious persecution, when the oppressive enemy seeks to eradicate the Israelite faith, the individual is compelled to embrace martyrdom, even for the observance of other Torah commandments. “Anyone of whom it is said ‘Let him be killed rather than transgress’ who is killed and does not transgress, sanctifies the name.”

It is a well-acknowledged principle in Jewish law that regarding most commandments an individual is obligated to transgress rather than sacrifice his life, for the Torah testifies concerning the commandments “which a person shall do, and he shall live by them” (Lev. 18:5),” understood by the sages as “‘and he shall live by them,’ but they were not given so that one will die due to their observance” (Sanhedrin 74a). Therefore, should an individual willingly forfeit their life instead of transgressing, Maimonides staunchly asserts that “he is held accountable for his life.” This viewpoint is notably articulated at the beginning of the chapter (5:1): “If he dies and does not transgress, he is held accountable for [the loss of] his life,” and is reiterated soon afterward (5:4): “Anyone of whom it is said, ‘Let him transgress rather than be killed,’ who is [nevertheless] killed and does not transgress, is held accountable for [the loss of] his life.” The recurrence of this ruling in Maimonides' writings invites scrutiny and is extensively explored by various early and late commentaries.[[3]](#footnote-3) Notably, Maimonides’ perspective sharply contrasts with that of the Ashkenazic sages. The latter, almost unanimously, extol the sanctity of this commandment, lauding individuals – women and children included – who chose martyrdom for the sanctification of God’s name. The phenomenon of Jewish martyrology in Northern Europe and the laws of *kiddush Hashem* related to it clearly show that it is possible to advocate an overarching stringency, opting for martyrdom over transgression, irrespective of circumstances. One could assert that advocating for a surpassing commitment beyond the literal dictates of the law is not only justified but commendable within this context. In stark contrast, Maimonides maintains that the principle of exceeding the letter of the law is inapplicable in this realm of Jewish law.

Nachmanides’ striking formulation, which appears in his *Sefer Milhamot Hashem* on Alfasi, at the end of *Perek Ben Sorer Umoreh* in Tractate Sanhedrin, elucidates the position taken by Maimonides:

...and it is implausible to argue that this act went beyond the letter of the law, for he assuredly would not have taken his own life unless compelled by legal necessity, as the biblical verse cries out, “But for your own life-blood I will require a reckoning” (Gen. 9:5)…and all the sages of Israel who met their end while sanctifying God’s name were in situations marked by religious persecution, or perhaps, a public context...thus, it can be inferred that they would not willingly surrender their lives in a manner exceeding the letter of the law.[[4]](#footnote-4)

To employ concepts commonly used in the realm of Jewish law, we can assert that in the absence of a mandatory imperative for *kiddush Hashem*, there is no license to willingly sacrifice one’s life. Without a compelling situation that necessitates and obliges an individual to face death, one cannot permit themselves to be killed for reasons of piety, due to the overarching principle of “he shall live by them.”

Our attention is specifically directed to the conclusion of Chapter 5 of *Hilkhot Yesodei Hatorah*, rather than its outset. Following his characteristic style of concise and precise elucidation, Maimonides, after summarizing and clarifying all the laws pertaining to the commandment of *kiddush Hashem*, introduces an additional layer, a new dimension, of *kiddush Hashem*. This additional aspect focuses entirely on what is necessitated beyond the literal requirements of the law. His words merit thoughtful consideration:

There are other things that come under the rubric, “profanation of the name.” To wit: when someone great in Torah and renowned for piety does things which, even though not transgressions, cause people to murmur against him, he profanes the name. If, for example, he buys without paying the purchase-price on the spot despite having [the money]; so his sellers dun while he keeps them creditors; or, if he is given to jest, or dining and drinking at the table of the ignorant and in their midst; or, if he does not speak graciously with people and does not greet them with a pleasant aspect, but is quarrelsome and irritable; [or, if he does] other things of this sort. The greater the sage, the more exacting must he be of himself in going beyond the letter of the law.

By the same token, if the sage *is* demanding of himself: if he speaks graciously with people, is considerate of their feelings, greets them with a pleasant aspect, suffers their insults without reciprocating, honors them (even those who dishonor him), conducts his business honorably, does not frequent the feasts or gatherings of the ignorant, is ever seen studying Torah, wrapped in *tzitzit* and crowned with *tefillin,* and goes beyond the letter of the law in all he does (so long as he does not go *too* far and turn ascetic), so that everyone lauds him, loves him, and aspires to his deeds – then he sanctifies the name. Of him, Scripture says: “And He said to me, ‘You are my servant, [an exemplar of] Israel by whom I win glory’” (Is. 49:3).[[5]](#footnote-5)

This facet of *kiddush Hashem* finds its foundation in important Talmudic sources and is rooted in explicit elements from the teachings of the sages. Notably, the correlation between Maimonides’ words and the teaching in Tractate Yoma 86a deserves particular emphasis.

The Gemara asks: **What are the circumstances** that cause **desecration of** God’s **name? Rav said: For example,** in the case of someone like **me,** since I am an important public figure, **if I take meat from a butcher and do not give him money immediately**… **Rabbi Yoḥanan said:** What is an example of desecration of God’s name? **For example,** someone like **me, if** I would **walk four cubits without Torah and without phylacteries**… **Rav Naḥman bar Yitzḥak said:** One creates a profanation of God’s name, **for example, when people say** about him: **May his Master forgive so-and-so** for the sins he has done. **Abaye said: As it was taught** in a *baraita* that it is stated: **“And you shall love the Lord your God”** (Deuteronomy 6:5), which means **that you shall make the name of Heaven beloved.** How should one do so? One should do so **in that he** should **read** Torah, **and learn** Mishna, **and serve Torah scholars, and he should be pleasant with people in his business transactions. What do people say about** such a person? **Fortunate is his father who taught him Torah, fortunate is his teacher who taught him Torah, woe to the people who have not studied Torah. So-and-so, who taught him Torah, see how pleasant are his ways, how proper are his deeds. The verse states about him** and others like him: **“You are My servant, Israel, in whom I will be glorified”** (Isaiah 49:3). **But one who reads** Torah, **and learns** Mishna, **and serves Torah scholars, but his business practices are not** done **faithfully, and he does not speak pleasantly with other people, what do people say about him? Woe to so-and-so who studied Torah, woe to his father who taught him Torah, woe to his teacher who taught him Torah. So-and-so who studied Torah, see how destructive are his deeds, and how ugly are his ways. About him** and others like him **the verse states** that the gentiles will say: **“Men said of them: These are the people of the Lord, yet they had to leave His land”** (Ezekiel 36:20).

Additional excerpts from various sources and quotations from articles that employ the phrase *kiddush Hashem* in accordance with the expanded meaning can be cited,[[6]](#footnote-6) but the overarching conclusion, once all the sources, both those about which we are certain and those that are uncertain are considered, is that this extensive and prominent passage, concluding the chapter on *kiddush Hashem*, presents Maimonides’ innovation. Rather than *kiddush Hashem* being manifested through surrendering oneself to death, Maimonides introduces a novel concept: *kiddush Hashem* through a devoted commitment to an elevated way of life, characterized by exemplary moral and spiritual conduct. This commitment is marked by its consistency and purity, representing *kiddush Hashem* through maximal (and perhaps, at its highest level, constant) engagement in matters of holiness (the transition from *kiddush Hashem* to holiness and their reciprocal relationship will be discussed later). A meticulous examination of Maimonides’ words, taking into consideration all sources that directly or indirectly aid us in understanding them, affirms that Maimonides’ formulation is innovative and rich in meaning. It not only encapsulates numerous laws but also alludes to others, serving as an exemplary instance of Maimonides’ adept utilization of sources and his innovative contributions.

What captures the reader’s attention is Maimonides’ seamless transition, marked by calm yet passionate emphasis, from a negative portrayal of desecrating God’s name, centered on individual cases, to a positive generalization – a sort of “these are particulars and these are general rules.” By weaving together a few concrete examples, he incorporates a decisive and guiding phrase that possesses the power to impart a distinct quality to all human actions: “If the sage *is* demanding of himself…so that everyone lauds him, loves him, and aspires to his deeds – then he sanctifies the name. Of him, Scripture says: “And He said to me, ‘You are my servant, [an exemplar of] Israel by whom I win glory’” (Is. 49:3). It is as if God Himself takes pride in those who sanctify His name – an instructive and weighty amalgamation of two fundamental concepts that mold the religious experience. *Kiddush Hashem* becomes evident and embodied in deliberate, driven, meticulous behavior, coupled with a specific religious consciousness. This combination inspires a sense of respect and admiration in others, encouraging them to desire to perform these actions, to strive to emulate one who performs these actions, and to endeavor to acquire and internalize this pure behavior and the solid perfection upon which it is founded.

We learn from here that the desecration of God’s name can sometimes stem from a deficiency in a person’s sensitivity, unrelated to any specific transgression from the perspective of Jewish law or its commandments. Hence, great vigilance is required to prevent succumbing to haughtiness or a lack of sympathy. *Kiddush Hashem* encompasses both religious acts and interpersonal relationships. One who “goes beyond the letter of the law in all he does” is a natural extension, grounded in reality, of a person adorned with *tzitzit* and crowned with *tefillin*. A person consistently engaged in the Torah, who fails to publicly go beyond the letter of the law in all his actions, causes his Torah to be devoid of truth. We find before us a distinctive and refined halachic formulation from a perceptive and resourceful thinker-pedagogue, who develops a spiritual understanding of the system of the commandments – and one might contend, of a religious consciousness even more comprehensive than the meticulous details of all the commandments. Maimonides underscores that the commandments of the Torah, inherently imbued with holiness, aim to elevate humanity to a superior plane, reaching the pinnacle of morality and perfection. In our context, this signifies an additional level of sanctity attainable through them.

Similarly, the juxtaposition of *kiddush Hashem* in this new sense with consistent, comprehensive behavior that is “beyond the letter of the law” introduces a fresh tone and direction, establishing a novel context for the formulation of the law leading us to far-reaching conclusions of principle. This definition-equation implies that all actions labeled as “beyond the letter of the law,” familiar to us from the study of well-known passages in Maimonides’ *Mishneh Torah* – such as his ethical theory[[7]](#footnote-7) acting justly and virtuously in matters of Jewish law, engaging in activities like returning lost objects, [[8]](#footnote-8) loading and unloading, [[9]](#footnote-9) and displaying a degree of piety both towards God[[10]](#footnote-10) and in interpersonal relationships[[11]](#footnote-11)– these acts, reflecting piety towards God and profound honesty towards others, also fall under the rubric of *kiddush Hashem*. The teaching “I will be hallowed among the children of Israel” applies to a wide spectrum of carefully chosen acts, progressively refining their performers and increasingly obligating or inspiring those who witness them to align with their elevated religious-moral inclination and aspire to emulate those who embody these deeds.

We come to understand that while in the first and widely accepted sense of *kiddush Hashem,* there may not be room for behavior beyond the letter of the law, in the second, additional meaning, such behavior is not only accommodated but is the very essence and purpose of the commandment. Moreover, as we will explore further, all discussions related to behavior beyond the letter of the law in various contexts, along with every manifestation of such behavior, should rightly fall under the overarching category of *kiddush Hashem*. These instances not only contribute to elucidating the nature of this foundational concept but also aid in its conceptualization and concrete realization.

Allow me to add that moral perfection inherently requires a public stage; it must be unveiled and demonstrated in the public sphere, through interactions and social bonds. As Maimonides succinctly puts it, “If it occurs in your heart that one of the human beings stands alone and has nothing to do with others – we will find all his good virtues standing in vain.” [[12]](#footnote-12) It is the socio-political context that both demands and facilitates the cultivation of moral virtues to their fullest potential. This is evident in Maimonides’ portrayal of R. Yehuda HaNasi as someone “unique in his generation and unique in his time,” a person in whom God gathered fine teachings and virtues, earning him the esteemed title of *Rabbenu Hakadosh*, “our holy rabbi,” among his contemporaries. [[13]](#footnote-13) The inevitable conclusion is that society must recognize and acknowledge the virtues of pious and saintly individuals. Moral perfection and piety in private make no significant impact.

Basing himself on well-known statements of the sages, Maimonides articulates that the purpose of the command “Attach yourself to the wise and their disciples”[[14]](#footnote-14) is to glean insights from their actions. Rabbi Avraham Maimonides extends this principle to emphasize the necessity of maintaining ten idlers in every community: “In this matter [the community] should concern itself with establishing these groups so that every seeker of God will heed them and emulate them.” [[15]](#footnote-15) It is evident, therefore, that behavior beyond the letter of the law is not feasible in isolation. Each act, as an isolated and independent gesture, may not inherently qualify as *kiddush Hashem* in all circumstances. An act of *kiddush Hashem* should exert influence on others. All actions designated as *kiddush Hashem* share a common purpose and outcome: to glorify and exalt God and, in doing so, draw humanity closer to Him.[[16]](#footnote-16) As noted above, even those who chose martyrdom over transgressing a commandment, viewing it as an act of piety, did so based on the supreme commandment of exceeding the letter of the law. Their acts were intended to influence others, to instruct and educate them, and to guide their actions and shape their beliefs.

Indeed, it is not surprising that this understanding of *kiddush Hashem* aligns with Maimonides’ broader perspective on holiness. Holiness, according to Maimonides, is a transcendent and separate essence. It does not reside as a hidden virtue within a tangible object, to be transferred automatically or potentially to the users or those who honor it. In essence, an object of holiness should have an impact on the person engaging with it or using it. As an illustrative example, the impact of the commandment of donning *tefillin* is articulated by Maimonides in the following manner:

The sanctity of phylacteries is a high degree of sanctity. As long as phylacteries are on a man’s head and arm he is humble and God-fearing, is not drawn into frivolity and idle talk, does not dwell on evil thought but occupies his mind with thoughts of truth and righteousness. A man should therefore endeavor to wear phylacteries the whole day.[[17]](#footnote-17)

The sanctity of *tefillin* is manifested through its spiritual effects.

Similarly, Maimonides vehemently condemns those who distort the commandment of the *mezuza*, expressing his disapproval in strong and unequivocal language:

They, however, who who write the names of angels, holy names, a biblical text, or inscriptions usually found on seals within the *mezuza*, are among those who have no portion in the world to come. For these fools not only fail to fulfill the commandment but also treat an important precept that expresses the oneness of God, the love of Him, and His worship, as if it were an amulet to promote their own personal interests.[[18]](#footnote-18)

The spiritual essence behind the intention of the *mezuza* commandment, according to Maimonides, is as follows: “Whenever one enters or leaves a home with the *mezuza* on the doorpost, he will be confronted with the declaration of God’s oneness, blessed be His holy name, and will remember the love due to God.”[[19]](#footnote-19) Encounter with the *mezuza* serves to awaken and fortify one's love for the Holy One, blessed be He. Maimonides’ statement in *The* *Guide of the Perplexed* carries significant weight for our discussion:

Do not let occur to your mind the vain imaginings of the writers of charms or what names you may hear from them or may find in their stupid books, names that they have invented, which are not indicative of any notion whatsoever, but which they call the names and of which they think that they necessitate holiness and purity and work miracles.[[20]](#footnote-20)

Sanctity and purity are irrelevant to actions devoid of value. Only a religious act that impacts a person, refining and elevating him, possesses sanctity and purity – supreme values in Maimonides’ conceptual framework. He views unfavorably those who seek to diminish or trivialize these values and their influence, and they should certainly not be associated with inappropriate actions.

II

Before delving into a comprehensive exploration of this approach and highlighting various consequences that stem from it across different domains – all fundamental concepts within the religious system, such as devotion, walking in the ways of God, holiness, purity, abstinence, paths of wisdom, paths of service, attributes of piety, and paths of piety need to be reconsidered – we must turn to the primary authoritative formulation of this *halakha* found in the *Ma’amar Kiddush Hashem*,[[21]](#footnote-21) also known as *Iggeret Hashmad*.[[22]](#footnote-22) This letter, written around 1161-1162, stands as one of Maimonides’ earliest works. At the outset of the letter, Maimonides presents a foundational, distinct, and all-encompassing definition of *kiddush Hashem*, together with its antithesis, *hillul Hashem*. As this letter is not widely known, it seems fitting to present key excerpts that elucidate this aspect of *kiddush Hashem* in its entirety.

The second category defines the profanation of the holy name and its punishment, which may be divided into two parts. The first is of a universal, and the second, of a particular nature.

The universal is, in turn, subdivided into two types. The first type is of one who commits a sin out of spite, i.e., not for personal pleasure or delight, but rather to demonstrate his contempt and rejection of religion. Such an act is considered a desecration of the holy name. It is with reference to this type that the Blessed One said, “and you shall not swear falsely in My name, and desecrate the name of your God” (Lev. 19:12). Reference here is to an act which brings no personal pleasure nor gain, and if perpetrated publicly, it is accounted unto the transgressor if he had desecrated the Holy Name of God publicly. We have already indicated that in every instance when the term “publicly,” is used, reference is to ten Jews.

The second type refers to a person who displays a cynical disregard of public opinion with reference to his physical behavior and thereby is held up to public ridicule and slander. Such an individual, although he committed no sin, has nevertheless desecrated the holy name. Every person should be sensitive to public censure, just as one has to guard against sins committed against the Creator, as we read, “And you shall be pure before God and Israel” (Num. 32:22). The rabbis further maintain: R. Nahman, son of Yitzhak said, “As people say, may the Lord forgive this man’s actions.” And they continue: “As for example, his friends, are embarrassed by the rumors concerning him” (Yoma 86a).

The specific element is also divided into two types. The first represents a self-respecting pious individual who performs an act which, while legally defensible, is unfit for a man of high repute, of whom generally more is expected than of an ordinary person, then he is guilty of having desecrated the holy name. This is the manner Rav defines the profanation of the holy name: “For example, if I would purchase meat and do not pay promptly,” that is to say, it is not fitting for a man of his position to buy anything unless paid for at once without procrastination, although such a practice is permissible for others: Likewise, the comment by R. Yohanan is a case in point: “For example, if I walk four paces without phylacteries.” The point here is that it is not fitting for a man of his calibre to do so. Thus we find in the Talmud the dictum concerning “the distinctiveness of the prominent individual” (Shabbat 51a and in parallel sources).

The second type of the specific element delineates a learned person who conducts his commercial affairs with his fellowman with disdain and in an unseemly, hideous manner. He receives people in an irascible, contemptuous manner, devoid of any display of affable social behavior or the usual discreet and courteous amenities. Such an individual is guilty of desecrating the holy name. Referring to them the sages say (Yoma 86): “But if someone studies Scripture and Mishnah, but is dishonest in business, and discourteous in his relations with people, what do people say about him? ‘Woe unto him who studied the Torah, woe unto his father who taught him Torah; woe unto his teacher who taught him Torah!’ This man has studied the Torah: Look, how corrupt are his deeds, how ugly his ways; of him Scripture says: ‘In that men said of them: These are the people of the Lord, and are gone forth out of His Land!’”

If not for my apprehension at unduly prolonging this essay and deviating from the intending theme, I would expound upon the proper social amenities incumbent upon us to observe as well as delineate the proper kind of activities, the kind of conversation to engage in and above all the art of greeting our fellowmen in a manner that would evoke the praise of everyone we communicate and come in contact with. I would also like to further elucidate upon the rabbinic dictum “to be honest in business transactions, and gentle in his conversation with his fellow creatures.” But this would require a long treatise. Let me therefore return to my subject matter.

Sanctification of the Divine name is the contrary of the desecration of the name, to wit: When one performs a commandment without an ulterior motive save out of love and service of the Lord, he sanctifies the holy name in public. Likewise, a person’s exemplary behavior calling for admiration sanctifies the name, as we quoted before the rabbi’s statement: “At a time when man. .. and he said unto me, thy servant art thou O Israel, thou on whom I will be glorified.” By the same token, a distinguished person who refrains from certain activities that may appear reprehensible to others, although not to himself, also sanctifies the Divine Name as we read. .. “and perverseness of lips put away far from thee” (Prov. 4:24).[[23]](#footnote-23)

It is a source of regret that Maimonides did not produce the extensive treatise alluded to in his words, elaborating on the concepts of “to be honest in business transactions, and gentle in his conversation with his fellow creatures.” Such a work would have undoubtedly enriched our ethical literature significantly. Although the demand for these virtues might initially seem straightforward and self-explanatory, Maimonides hinted that he had expanded and deepened their definition and application according to his own understanding and interpretation. The fruits of this profound expansion and its implications are apparent in the *Mishneh Torah*. In essence, there is a notable difference between the *Iggeret Hashmad* and *Hilkhot Yesodei Hatorah*: the latter omits the second part of the general section that attributes this type of *hillul Hashem* to every person, limiting these requirements to only a great, wise man renowned for his piety.

For now, it suffices to include the comment of Yitzhak Shilat who edited and published the letter:

This aspect is not mentioned in *Sefer Hamitzvot* and in *Hilkhot Yesodei Hatorah*. In truth, the distinction between it and the second part of the specific section is not clear … that this type of *hillul Hashem* applies only to the sage. It seems that the discussion here pertains to rumors of “very indecent” acts, implying actual offenses, but even if they did not occur as rumored, nevertheless, since the individual was not cautious in his actions and left room for such rumors, it is deemed *hillul Hashem* that he caused. (The phrase “his friends are embarrassed by the rumors concerning him” might be a somewhat awkward translation, and the intention is to suggest the existence of indecent stories about him.) This concept should apply to every person. Concerning the sage, the focus is not on suspicions and rumors but on overt behavior that does not befit someone of his stature… When composing the *Mishneh Torah*, it appears that Maimonides revised his stance and interpreted “May God forgive him” and “His friends are embarrassed from the rumors concerning him” in line with other statements in the Talmud there, which are applied specifically to the sage. For an ordinary person, however, *hillul Hashem* would not arise unless he commits an offense with contempt and disgust.[[24]](#footnote-24)

It is pertinent to incorporate a brief excerpt from the conclusion of the fourth chapter of Maimonides’ *Shemona Perakim*, which has not received attention in the current discussion. The concept that a distinguished individual is forewarned against engaging in distinctive behavior and carries a unique obligation to the nation which learns from his actions, is succinctly expressed in the final section of Maimonides’ original analysis of the essence of Moses’ sin at the waters of Meriva (Num. Chap. 10). Maimonides writes:

The sin of Moses consisted merely in that he departed from the moral mean of patience to the extreme of wrath in so far as he exclaimed, ‘Hear now ye rebels,’ yet for this God found fault with him that such a man as he should show anger in the presence of the entire community of Israel, where wrath is unbecoming. This was a profanation of God’s name, because men imitated the words and conduct of Moses, hoping thereby to attain temporal and eternal happiness.[[25]](#footnote-25)

A person of eminence, serving as a role model for the people, is commanded to exercise utmost caution in both his actions and words.

III

In essence, the definition of *kiddush Hashem* that emerges from this understanding is to make God the focal point and center of life. As expressed in the words “I have set the Lord always before me,” such a life is devoid of routine, arbitrariness, random, or distracted actions. Every aspect is directed toward one supreme purpose. This type of existence constitutes a life of *kiddush Hashem*. All actions and words are intricately connected, inseparable, and saturated with an awareness of God’s presence and continual reference to Him. This ongoing and deepening reference is situated in the domain of holiness, within *kiddush Hashem*, or more precisely, in everything encompassed by the commandment “that I may be sanctified in the midst of the Israelite people.” Maimonides’ depiction in his *Guide of the Perplexed*, particularly in that remarkable chapter (III:51), where he employs the verse “I have set the Lord always before me” as a proverb signifying cleaving to God, seems fitting to describe the various facets of *kiddush Hashem.*

You have the choice: if you wish to strengthen and to fortify this bond, you can do so; if, however, you wish gradually to make it weaker and feebler until you cut it, you can also do that. You can only strengthen this bond by employing it in loving Him and in progressing toward this, just as we have explained. And it is made weaker and feebler if you busy your thought with what is other than He…It is for this reason that excellent men begrudge the times in which they are turned away from Him by other occupations and warn against this, saying: “Do not let God be absent from your thought” (b. Shabbat 149a) And David says: “I have set the Lord always before me because He is at my right hand, I shall not bend down” (Psalms 16:8); he means to say: I do not empty my thought of Him, and it is as if He were my right hand from which, because of the rapidity of its motion, my attention is not distracted even for an instant, and therefore I do not bend down — that is, I do not fall.[[26]](#footnote-26)

 An individual dedicated to embodying the ideal of *kiddush Hashem* does not divert their thoughts from it; it remains a constant focus. Just as it is said about one who loves God that their “mind is not free” from this love,[[27]](#footnote-27) similarly, the person striving for *kiddush Hashem* conducts all their actions in a sacred manner and goes beyond the letter of the law.

We need to take an additional step to demonstrate that *kiddush Hashem*, along with the sanctification of life as its expression, holds an essential and expansive role in Maimonides’ body of work. This ideal, along with the spiritual aspiration to attain it, is not confined solely to the formal definition of the commandment. Therefore, we must pay attention to identical or overlapping expressions, such as holiness, purity, abstinence, paths of wisdom, paths of service, going beyond the letter of the law, and highlight their connections. When necessary, we should illuminate ambiguous ideas with explicit ones. Numerous discussions within Maimonides’ works can shed valuable light on the subject of holiness, its offshoots, and its integration. We are particularly interested in how Maimonides, equipped with adept interpretive skills and meticulous halachic thinking, defines: (a) specific acts that sanctify life while simultaneously sanctifying God’s name, making the heavenly name beloved through these acts; (b) speech directed at God or about God, comprising complimentary words, praise, requests, or commitments, which are a form of sacred expression and are articulated in a holy manner. Anyone who dedicates themselves to God – whether fully or partially – is “sanctified as the holiest of holies”[[28]](#footnote-28) and, incidentally, sanctifies God’s name. Those whose behavior goes beyond the letter of the law are deemed pious and are referred to as holy, in line with the statement “everyone who keeps the words of the sages is called holy” (Yevamot 20a). Several examples suggest that holiness is inherent in fulfilling the commandments, serving as a pathway to greater holiness.

IV

In *Hilkhot Tumat Okhlin* 16:12, Maimonides addresses the idea that it is advisable for an individual to distance themselves from impurity as much as possible, even in situations where there is no strict legal obligation to do so:

Although it is permissible to eat unclean foodstuffs and to drink unclean liquids, the pious of former times used to eat their common food in conditions of cleanness, and all their days they were wary of every uncleanness. And it is they who were called Pharisees (*Perushim*), ‘separated ones.’ This is an expression of special holiness (*kedushah*), and the way of piety is for a man to keep himself separate and to go apart from the rest of the people and neither touch them nor eat and drink with them. For separation leads to the cleansing of the body from evil deeds, and the cleansing of the body leads to the hallowing (*kedushat*) of the soul from evil thoughts, and the hallowing of the soul leads to striving for likeness with the Shekinah, as is written: “and you shall be holy; for I am holy” (Lev. 11:44), “for I the Lord, who sanctify you, am holy” (21:8).

This significant expansion, emphasizing matters of impurity and purity as a unique path of piety and extreme holiness, holds considerable importance.[[29]](#footnote-29) The equation: separateness = increased holiness = piety, along with the gradual and certain progression from one situation to another – where the purity of the body leads to the holiness of the soul, ultimately resulting in *imitatio Dei* – is particularly enlightening. It appears that the purity of the body paves the way for the sanctity of the soul, preparing the way for its attainment, much as how the perfection of the body leads to the perfection of the soul.[[30]](#footnote-30) The holiness of the soul, or the “purification of the actions and the purification of the heart from polluting opinions and polluting moral qualities,”[[31]](#footnote-31) readies an individual to become God-like or, in a sense, attain a state of likeness to Him, “for I the Lord, who sanctifies you, am holy.” Holy behavior, by its very nature and essence, is a form of likeness. The connection between holiness and purity is very nuanced, containing many different elements.

We recall that at the beginning of *The* *Guide of the Perplexed*, Maimonides issues a warning against the potential “destruction” that may arise from discussing profound matters without sufficient knowledge. He stresses the importance of mental preparation, advocating for a gradual acclimation to wisdom and knowledge. In the same vein, Maimonides underscores the significance of preserving the purity of the mind, ensuring it remains untainted by defilement, as he writes:

This having happened to these men [the “nobles of the children of Israel”], it behooves us, all the more, as being inferior to them, and it behooves those who are inferior to us, to aim at and engage in perfecting our knowledge of preparatory matters and in achieving those premises that purify apprehension of its taint, which is error. It will then go forward to look upon the divine holy Presence. It is accordingly said: “And let the priests also, that come near to the Lord, sanctify themselves, lest the Lord break forth upon them” (Exod. 19:22).[[32]](#footnote-32)

It is worthwhile to draw a comparison to this with Maimonides’ doctrine in Part III of *The* *Guide of the Perplexed*, where he states that “one of the intentions of the Law is purity and sanctification.”[[33]](#footnote-33) After establishing the concept that “holiness is the renunciation of sexual intercourse”[[34]](#footnote-34) and that “abstinence from drinking wine is also called holiness,” – signifying the restraint of physical desires and maintaining control over them – he offers a generalization, stating:

A text of *Siphra* reads: “Sanctify yourselves therefore, and be ye holy” (Lev. 11:14)— This concerns sanctification by the commandments. And just as the Law designates obedience to these commandments as sanctity and purity, it also designates transgression of these commandments and the perpetration of evil actions as impurity.

Here, there is a clear definition of holiness and purity within the overarching framework of the sanctity of the commandments in general.

In another chapter, Maimonides writes:

As for His dictum, may He be exalted, “Sanctify yourselves therefore, and be ye holy, for I am holy” (Lev. 11:14) it does not apply at all to uncleanness and cleanness. *Siphra* states literally: This concerns sanctification by the commandments, they also say of His dictum, “Ye shall be holy: (Lev. 19:2) that this concerns sanctification by the commandments. For this reason, transgression of the commandments is also called uncleanness.[[35]](#footnote-35)

Purity and impurity serve as symbolic terms for the sanctity of the commandments in general. They represent the purpose and ultimate goal of the commandments. This concept complements the earlier-discussed passage from the *Hilkhot Tumat Okhlin.*

Maimonides does make mention of purity of the body, but this is just a first level, relatively low, and its value lies in that it serves as a foundation for higher level purity.

Cleaning garments, washing the body, and removal of dirt also constitute one of the purposes of this Law. But this comes after the purification of the actions and the purification of the heart from polluting opinions and polluting moral qualities. For to confine oneself to cleaning the outward appearance through washing and cleaning the garment, while having at the same time a lust for various pleasures and unbridled license in eating and sexual intercourse, merits the utmost blame. Isaiah says about this: “They that sanctify themselves and purify themselves to go unto the gardens behind one in the midst, eating the flesh of swine, and so on (Isa. 66:17). He says: They purify themselves and sanctify themselves in the open and public places; and afterward, when they are alone in their rooms and in the interior of their houses, they are engaged in acts of disobedience [[36]](#footnote-36) … Solomon has drawn attention to those who rely upon washing the body arid cleaning the garments, whereas their actions are impure and their moral qualities evil. For he says: There is a generation that are pure in their own eyes, and yet are not washed from their filthiness…” (Prov. 30:12-13).[[37]](#footnote-37)

It is noteworthy that, contrary to his remarks at the conclusion of *Hilkhot Tumat Okhlin* mentioned earlier, Maimonides, in a different context, underscores the close and direct connection between bodily purity and the purity of the soul. He expresses this as follows:

Our sages forbade [a person from partaking of] food and drink from which the souls of most people are revolted, e.g., food and drink that were mixed with vomit, feces, foul discharges, or the like. Similarly, our sages forbade eating and drinking from filthy utensils from which a person's soul languishes… Similarly, they forbade eating with unclean and soiled hands and with dirty utensils. All of these matters are included in the general [prohibition]: “Do not make your souls detestable” (Lev. 11:43). Similarly, it is forbidden for a person to delay relieving himself at all.

In his conclusion of this law, Maimonides clarifies that these practices extend beyond the fundamental level of bodily purity he outlined in *The* *Guide of the Perplexed:* “Anyone who is meticulous about these matters adds another layer of holiness and purity to his soul, cleansing it for the sake of the Holy One, blessed be He, as (Lev. 11:44) states: ‘And you shall sanctify yourselves and you will be holy, for I am holy.’”[[38]](#footnote-38) Also in this context, he refers to “an additional measure of holiness and purity.” The distinction between these two sources is evident and requires no further analysis.

In his *Guide of the Perplexed*,[[39]](#footnote-39) Maimonides delineates a form of bodily purity that, on its own, does not directly influence the purity of the soul. Consequently, it holds a lower value and may border on hypocritical behavior. According to Maimonides, this type of purity only becomes meaningful when it serves as a foundation for a higher level of purity. This perspective is reiterated in his later statements in the *Guide*. Maimonides grounds his argument in the overarching principle that purity is aligned with the directives of the Torah, writing:

This section [=*Sefer Shoftim* in the *Mishneh Torah*] contains also the law concerning preparing “a place without the camp,” and “having a paddle upon the weapon” (Deut. 23:12, 13). This book [=*Sefer Shoftim* in the *Mishneh Torah*] also includes the commandment “to prepare a [secluded] place and a paddle” (Deut. 23:12, 13). For one of the purposes of this Law consists, as I have made known to you, in cleanliness and avoidance of excrements and of dirt and in man’s not being like the beasts. And this commandment also fortifies, by means of the actions it enjoins, the certainty of the combatants that the Indwelling has descended among them … Accordingly He, may He be exalted, has commanded us to perform actions that make call to mind that the Indwelling has descended among us so that we should be preserved from those actions, and has said: “Therefore shall thy camp be holy that He see no unclean thing in thee” (Deut. 23:14).[[40]](#footnote-40)

In this context, bodily purity aligns with purity of action, serving a distinct and elevated purpose. The purity of the body discussed in the laws at the end of *Hilkhot* *Ma’akhalot Asurot* inherently acts as a natural bridge to the purity of the soul. Maimonides underscores the soul’s inherent demand for this purity, linking it to the fundamental verse: “You shall therefore sanctify yourselves, and you shall be holy.” Importantly, “performing these commandments,” inclusive of all commandments, holds intrinsic sanctity and purity according to its inner logic. This sanctity and purity, in turn, fosters closeness with God, as the sanctity of the soul leads to *imitatio Dei*.

In a different context, Maimonides elaborates, and apparently adds, that purifying the soul from spiritual impurity, “which is wicked thoughts and bad character traits,” necessitates special and rigorous intention. Maimonides dedicated significant effort to unveiling the spiritual dimensions of the laws of impurity and purity, infusing them with symbolic and purposeful significance. The following are his concluding words to *Hilkhot Mikvaot*, which serve as the signature to his treatise on purity (*Sefer Tahara*):

It is a clear and apparent matter that the concepts of purity and impurity are Scriptural decrees and they are not matters determined by a person’s understanding and they are included in the category of *hukim*. Similarly, immersion in a *mikve* to ascend from impurity is included in the category of *hukim*, because impurity is not mud or filth that can be washed away with water. Instead, the immersion is a Scriptural decree and requires the focusing the intent of one’s heart. Therefore our sages said: “When one immersed, but did not intend to purify himself,” it is as if he did not immerse.[[41]](#footnote-41)
Although it is a Scriptural decree, there is an allusion involved: One who focuses his heart on purifying himself becomes purified once he immerses, even though there was no change in his body. Similarly, one who focuses his heart on purifying his soul from the impurities of the soul, which are wicked thoughts and bad character traits, becomes purified when he resolves within his heart to distance himself from such counsel and immerse his soul in the waters of knowledge. And Ezekiel 36:25 states: “I will pour over you pure water and you will be purified from all your impurities and from all your false deities, I will purify you.”[[42]](#footnote-42)

*Aven*, translated here as “wickedness,” stands as the antithesis of *kedusha* (sanctity). Considering this, Maimonides’ selection of the verse from Psalms (119:133) as the heading for the Book of Holiness (*Sefer Kedusha*) becomes clear: “Order my steps in Thy word, and let not any wickedness (*aven*) have dominion over me.”

The verse from Psalms (51:12) that introduces Maimonides’ Book of Purity (*Sefer Tahara*) underscores the idea that the ultimate goal of all the laws of purity and impurity is a pure heart. The Book of Purity is organized to address various types of impurities, starting with the most severe, elucidating the process by which an individual can elevate themselves from a state of impurity to one of purity. Encompassing eight areas of Jewish law, it covers defilement by a dead body, the Red Heifer, uncleanness of leprosy, defilement of a couch or seat, other original sources of defilement, defilement of foods, vessels, and ritual baths. The opening verse for the book, “Create in me a pure heart, O God, and renew a steadfast spirit within me,” serves as a thematic anchor, encapsulating the symbolic-spiritual conclusion of the book, illustrating the need for an individual to aspire for purity of the heart, allowing them to “immerse his soul in the waters of knowledge and become pure.”

V

A concise illustration of how the intention to sanctify the name of God alters the nature of an action is demonstrated in the law concerning the return of a lost object to a non-Jew:

It is permissible to keep an object lost by an idolater, for Deuteronomy 22:3 speaks of returning “an object lost by your brother.” Indeed, if one returns such an article, one transgresses a prohibition, for one strengthens the power of the wicked peoples of the world. If, however, one returns it to sanctify God’s name, so that others will praise the Jewish people and know that they are trustworthy, this is praiseworthy.[[43]](#footnote-43)

In essence, an action driven by faith in God – for it is that faith that prompts someone to act beyond the strict requirements of the law – embodies an aspect of *kiddush Hashem*. Indeed, it could be articulated as follows: it is as if God’s honor is magnified through the honor bestowed upon Israel as devout believers.

There is yet another source where Maimonides underscores the pivotal role of intention in shaping the nature and significance of an action. Maimonides’ language – which seemingly does not derive from clear Talmudic sources – regarding the profound spiritual state of a soldier, are particularly noteworthy: “He who fights with all his heart, without fear, with the sole intention of sanctifying the name...”[[44]](#footnote-44)

When the motive behind an action is driven by a fervent desire to sanctify God’s name, manifested through courage and exemplary dedication, its impact extends far beyond the immediate context. The essence of the act is elucidated and delineated by the underlying motive and purpose driving it.

VI

The sanctification of God extends from deeds to words, as even spoken words – when deliberate, thoughtful, and purposeful – serve to exalt the divine and underscore the significance of the idea they convey. Maimonides’ formulation regarding the act of taking an oath before judges, which sparked puzzlement and debate among scholars such as Raavad and Nachmanides, underscores this notion:

Just as it is a negative commandment not to swear vainly or falsely so it is a positive commandment that whosoever becomes subject to an oath in court should swear by the Divine Name. For the Scriptural statement “And by His name shalt thou swear” (Deut. 6:13), is a positive commandment, and swearing by His great and holy name is one of the ways of serving God, whereby He is greatly honored and sanctified.[[45]](#footnote-45)

An oath serves as a public declaration, affirming that truth is inherently bound to God, with God alone serving as the ultimate source and guarantor of truth. Thus, an oath taken in the name of God bears witness to His magnificence and reflects the individual’s profound awareness thereof, thereby sanctifying His name.

To this we must append what he wrote at the beginning of Chapter 12 in *Hilkhot Shevuot*, teaching us that false speech is not only a sin but is also a desecration of God’s name:

Although a person who took a false oath or an oath in vain is given lashes, and similarly, one who takes a [false] *shevuat haedut* or *shevuat hapikadon* brings a sacrifice, they do not receive complete atonement for the sin of taking a [false] oath, as [Exod. 20:7] states: “God will not cleanse [one who takes His name in vain].” He will not be absolved from the judgment of heaven until he receives retribution for his desecration of [His] great name, as [Lev. 19:12] states: “[You shall not take a false oath in My name, for] you will desecrate the name of your God.”

To this, Maimonides adds in the next paragraph: “This sin is considered one of the severe transgressions…Although it does not involve *karet* or execution by the court, it involves the desecration of [God’s] holy name which is more severe than all other sins.”[[46]](#footnote-46)

In *Hilkhot Nedarim*, as well, we encounter the notion that proper speech entails an element of service to God. Here, the theological underpinning establishes the framework for discerning the quality and impact of speech:

When a person takes vows in order to establish his character traits and correct his conduct, he is considered eager and praiseworthy. What is implied? If a person was a glutton and he [took a vow] forbidding meat for a year or two…similarly, a person who would be proud of his comely appearance and took a nazirite vow, or the like – all of these are paths in the service of God and concerning such vows and the like our sages said: “Vows are a safeguard for restraint” (*Avot* 3:13).[[47]](#footnote-47)

Maimonides’ reference to the nazirite is explained in greater detail – where his language is important and clarifies what he has already stated – at the end of *Hilkhot Nezirut*:

When a person says: “I will be a nazirite if I do this and this” or “...if I do not do [this or this],” he is a wicked man and a nazirite vow of this type is one of the nazirite vows taken by the wicked. If, however, a person takes a nazirite vow to God in a holy manner, this is delightful and praiseworthy and concerning this, [Num. 6:7-8] states: “The diadem of his God is upon his head... He is holy unto God.” And Scripture equates him with a prophet, as [Amos 2:11] states: “And from your sons, I will raise [some] as prophets, and from your youths, [some] as nazirites.”

VII

Maimonides adeptly underscored the concept of *kiddush Hashem* in both speech and action in diverse contexts, each warranting detailed examination. For now, let us consider an instance from the resolute language he employs in the concluding passages of *Hilkhot Shemitta Veyovel*:

Why did the tribe of Levi not acquire a share in the Land of Israel and in its spoils together with their brothers? Because this tribe was set apart to serve God and to minister to Him, to teach His straight ways and righteous ordinances to the multitudes…Therefore they were set apart from the way of the world…They are rather the army of God, as is written: “Bless, Lord his substance” (Deut. 33:11). He, blessed be He, acquires [goods] for them, as is written: “I am they portion and thy inheritance” (Num. 18:20).

Not only the tribe of Levi but every single individual from the world’s inhabitants, whose spirit moved him and whose intelligence gave him the understanding to withdraw from the world in order to stand before God to serve and to minister to Him, and to know God, and who walked upright in the manner in which God made him, shaking off from his neck the yoke of the manifold contrivances which men seek – behold, this person has been totally consecrated, and God will be his portion and inheritance forever and ever.

An individual who is schooled in renunciation, finding contentment in simplicity, and who is committed to separation from worldly distractions to draw nearer to God – unburdening themselves from the petty concerns that preoccupy most people, so that God becomes the focal point of their existence – such a person is sanctified. If, as articulated in the *Guide*, the person who has reached perfection is one who is “always with God,” then the holy person is one who is continuously devoted to God.[[48]](#footnote-48)

Take note also of this nuanced passage found in *Hilkhot Issurei Bi’ah* 21:24:

One of the pious men of the early eras and the wise men of stature prided himself in that he never looked at his male organ. Another said with pride that he had never contemplated his wife’s physical form. For their hearts would be diverted from profligate matters to the words of truth which take hold of the hearts of the holy.

Maimonides consistently underscores the intimate bond between sanctity and truth. It is worth revisiting his words in Chapter 4 of *Hilkhot Tefillin*, previously cited. Truth and sanctity, in Maimonides’ view, mutually reinforce each other, enhancing their respective significance.

VIII

It is notable that Maimonides occasionally eschews technical language, although his meaning remains evident (perhaps he was influenced by R. Abraham ibn Ezra’s commentary on Exodus 20:1: “Hence all the wise men of all nations are in the habit of preserving the ideas conveyed by a word and are not concerned with changes in wording when the meaning remains one and the same.”) This observation is aptly illustrated by Maimonides’ words at the conclusion of *Hilkhot Issurei Mizbe’ah.*[[49]](#footnote-49)

If all kinds (of oil) were valid for meal offerings, why did the sages rank their quality? So that one would know which was the very best, which were equal in value, and which was the least valuable. Thus he who wished to earn merit for himself might bend his greedy inclination and make broad his generosity, and bring an offering from the finest, from the very best of the species that he was bringing…

The same principle applies to everything which is done for the sake of the good God; namely that it be of the finest and the best. If one builds a house of prayer, it should be finer than his private dwelling. If he feeds the hungry, he should give him of the best and of the sweetest of his table. If he clothes the naked, he should give him of the finest of his garments. Hence if he consecrated something to God, he ought to give of the best of his possessions. Thus, Scripture says: “All the fat is the Lord’s” (Lev. 3:16).

The meaning of the expression “for the sake of the good God” that appears here is identical to an attribute of piety or going beyond the letter of the law. It is not a specific word that is important, but the underlying reason – the content and the meaning. God appears here as the final recipient, not only of priestly gifts[[50]](#footnote-50) and items consecrated to the Temple, but also of gifts to the poor.

An action done “for the sake of the good God” surpasses mere legal obligation and embodies an act of *kiddush Hashem*. Rabbi Abraham Maimonides eloquently captures this notion, writing: “Most acts of piety go beyond strict duty – they are voluntary stringencies. Those who willingly embrace such commitments, are deserving of blessings as they are acting for the sake of heaven and in the ways of the service of Israel.”[[51]](#footnote-51)

IX

The primary concept to grasp is that wherever there is a mention of exceptional holiness – such as the emphasis on separation and self-restraint in *Hilkhot Tumat Okhlin*, or the exhortation to go beyond the legal requirements for heightened holiness in *Hilkhot Ma’akhalot Assurot* and *Hilkhot Issurei Bi’ah* 22:2 (“to subjugate his natural inclination with regard to this matter and train himself in extra holiness”) – the implication is the presence of ordinary holiness as a foundational element. Ordinary holiness serves as the starting point, with special holiness being the ultimate objective. By faithfully “performing these commandments” without embellishment or excess, one ascends to a higher level of holiness. Each commandment is inherently tied to sanctity and contributes to the expansion of holiness. It is essential to recall Maimonides’ unequivocal declaration in his *Sefer Hamitzvot* that the ultimate purpose of all commandments is the attainment of holiness:

And [others] have already erred in this principle, such that they counted, “You shall be holy” (Lev. 19:2), to be included among the positive commandments. And they did not know that “You shall be holy,” and “you shall sanctify yourselves and be holy” (Lev. 11:44) are commands to keep the whole Torah. It is as if it said, “Be holy by doing everything I have commanded you and being careful about anything I have prohibited to you.” And the words of the *Sifra* (*Sifra*, *Kedoshim* 1:1) are, “‘You shall be holy’ – you shall be separated – meaning to say, separate from all the disgraceful things that I have prohibited to you.” And in the *Mekhilta* (*Mekhilta d’Rabbi Yishmael* 22:30:1), “Issi ben Yehudah says, ‘When the Holy One, Blessed be He, originates a commandment for Israel, He adds holiness to them’.”[[52]](#footnote-52)

Indeed, the ultimate aim underlying all commandments is holiness. Likewise, the execution of any commandment constitutes an act of *kiddush Hashem.* “Whoever refrains from a transgression or fulfills a commandment without any [extraneous] motive whatever: not fright, fear, or pursuit of honor, but for the sake of the Creator (blessed be He)…sanctifies the name.”[[53]](#footnote-53)

In his renowned *responsum* concerning poetry and hymnology, Maimonides elucidates his stance regarding the objective and aim of all commandments, once more highlighting the correlation between holiness and perfection. He states: “And the truth has already been proven, that the intention is for us to be a holy nation and that every act or speech performed by us should be only perfection or what brings us to perfection.”[[54]](#footnote-54)

In his correspondence addressed to his beloved pupil, Joseph ben Judah, Maimonides articulates sentiments imbued with emotional resonance.

Far be it from you to be indignant or to raise questions about his sense of justice and faith. For he and his ilk and even his superiors hold that the canons of justice apply only to major offenses. This is the general impression shared by the masses of people who likewise are prone to divest the elements of religious commitment from ethical conduct. Unlike erudite scholars and accomplished men of letters, they are careless about their utterances of ethical norms.[[55]](#footnote-55)

As demonstrated, there exists no allowance for capriciousness or laxity. Holiness manifests as consummate excellence in action and expression, culminating ultimately in sublime sanctity.

Let us revisit Maimonides’ exposition in the *Guide* (III:51), wherein he addresses the concept of cleaving to God and establishes a parallel between this devotion and engagement with the commandments:

Know that all the practices of the worship, such as reading the Torah, prayer, and the performance of the other commandments, have only the end of training you to occupy yourself with His commandments, may He be exalted, rather than with matters pertaining to this world; you should act as if you were occupied with Him, may He be exalted, and not with that which is other than He.

This elucidation aligns with Maimonides’ interpretation of the verse: “I have set the Lord always before me” (Ps. 16:8).

The teachings of Rabbi Abraham Maimonides are once again instructive. Rabbi Abraham’s writings often reliably reflect his father’s ideas:

When reciting a blessing before performing any of the commandments, using the formula “Who has made us holy through His commandments,” one must contemplate the sanctity inherent in these commandments, which elevate us through the laws of the Torah. This sanctity was emphasized both at the outset when the commandments were initially given: “Now therefore, if you will obey my voice indeed…and you shall be to me a kingdom of priests, and a holy nation” (Exod. 19:5-6), and upon their conclusion, “…and that thou mayst be a holy people to the Lord thy God, as he has spoken” (Deut. 26:18-19). Additionally, there is the profound promise: “The Lord shall establish thee a holy people to himself, as he has sworn to thee” (Deut. 28:9).[[56]](#footnote-56)

Elsewhere, Rabbi Abraham Maimonides emphasizes that: “The fundamental elements of our religion are the unity of the Creator, His sanctity and the sanctification of his great and awesome name…”[[57]](#footnote-57) The commandments are a certain, proven method of attaining sanctity.

Thus, the overarching framework for all commandments is holiness; every commandment serves as a means to holiness, and holiness itself is their ultimate purpose. However, within this comprehensive framework, certain areas stand out as particularly significant manifestations of holiness. Maimonides designates the fifth book of the *Mishneh Torah* as *Sefer Hakedusha*, “the Book of Holiness,” explaining in its introduction that God sanctified and distinguished the Jewish people from the nations of the world specifically in matters related to sexuality and dietary laws. These areas, which embody tangible expressions of holiness, are underscored by the divine injunction: “I am the Lord your God, who have separated you from the peoples... And you shall be holy to me: for I the Lord am holy, and have separated you from the peoples, that you should be mine” (Lev. 20:24, 26).

From this perspective, while all commandments lead towards holiness, there exists a distinct connection between the laws outlined in *Sefer Hakedusha* and the broader concept of holiness itself. The focal point of all commandments is holiness, a quality intertwined with concepts of separation, self-restraint, emotional and spiritual purification, separation, and reserve. This quality permeates all religious acts and serves as the distinguishing feature between Israel and other nations. Maimonides teaches us that within this sphere of holiness, there exists a level of sanctity that unequivocally sets apart the Jewish people from the nations, just as there exists an “extra holiness” that distinguishes the most devout and meticulous individuals within the Jewish community.

In this context, it is pertinent to consider the unique holiness attributed to the “sons of the prophets,” individuals who stand apart from the common populace, marked by a separation aimed at their elevation and sanctification: “When someone abounding in all these qualities and sound of body enters Pardes, is drawn into its great and wondrous subjects, with a mind readied to understand and grasp [them], progressively sanctifies himself, forsaking the ways of the commonality who walk in temporal darkness…”[[58]](#footnote-58) Importantly, there exists no contradiction between different levels of holiness; rather, they complement each other.

X

To affirm our discussion regarding the multifaceted nature of sanctity – sanctity as both the foundational principle and the ultimate goal of all commandments, along with an additional sanctity manifest in the observance of specific commandments and behavior surpassing the literal requirements of the law – I would like to draw attention to a parallel conceptual framework concerning the aspiration to emulate God. On one hand, all commandments are rooted in the notion of *imitatio Dei*, exemplified in the directive: “And you shall walk in His ways”:

We have been commanded to follow these justly balanced ways, which are the ways that are good and right. For it is said: “And you shall walk in His ways” (Deut. 28:9). Following is the explanation of that commandment learned [on tradition]: “As He is called gracious (Exod. 34:6), so you be gracious; as He is called merciful, so you be merciful… It was in this vein that the prophets referred to God by the various metonymical names such as Slow to Anger and Abundantly Kind (Exod. 34:6), Just and Upright (Deut. 32:4), Blameless (Deut. 32:4), Mighty (Deut. 10:17), and Strong (Jer. 50:34) [though *He* does not act from dispositions of the soul] – to teach [us] that these are good and right ways, and that a person is duty-bound to conduct himself by them and pattern himself [after them] to the best of his ability….Because these appellations of the [Divine] Form-Giver correspond to the justly balanced way we are duty-bound to follow, that way is called “the way of the Lord.” It is the one that our father Abraham taught his progeny, as it is said, “For I have singled him out that he may instruct his progeny and followers [who come] after him to keep the way of the Lord by doing what is virtuous and just” (Gen. 18:19).[[59]](#footnote-59)

In the *Guide*, we encounter a remarkable encapsulation of this perspective: “For the utmost virtue of man is to become like unto Him, may He be exalted, as far as he is able which means that we should make our actions like unto His, as the sages made clear when interpreting the verse, ‘Ye shall be holy’ (Lev. 19:2) They said: ‘He is gracious, so be you also gracious – He is merciful, so be you also merciful.’”[[60]](#footnote-60)

However, if we scrutinize further, we would realize that certain commandments possess a distinct connection of similarity to God or they facilitate an elevated resemblance to Him. One example is *Hilkhot Megilla* 2:17:

It is preferable to spend more on gifts to the poor than on the Purim meal or on presents to friends. For no joy is greater or more glorious than the joy of gladdening the hearts of the poor, the orphans, the widows, and the strangers. Indeed, he who causes the hearts of these unfortunates to rejoice, emulates the Divine Presence, of whom Scripture says, “To revive the spirit of the humble, and to revive the spirit of the contrite ones” (Isa. 57:15).”[[61]](#footnote-61)

Similarly in *Hilkhot Avadim* 9:8:

It is permitted to work a heathen slave with rigor. Though such is the rule, it is the quality of supralegal piety (*hasidut*) and the way of wisdom (*hokhma*) that a man be merciful and pursue justice and not make his yoke heavy upon the slave or distress him, but to give him to eat and to drink of all foods and drinks…So is it explained in the good (virtuous) ways of Job, in which he prided himself, “If I did despise the cause of my manservant, or of my maidservant, when they contended with me…Did not He that made me in the womb make him? And did not One fashion us in the womb” (Job 31:13, 15). Cruelty and effrontery are not frequent except with the heathen who worship idols. The children of our father Abraham, however – i.e., the Israelites – upon whom the Holy One blessed be He, bestowed the favor of the law and laid upon them statutes and judgments, are merciful people who have mercy on all. Thus also is it declared by the attributes of the Holy One, blessed be He, which we are enjoined to imitate: “And His tender mercies are over all His works” (Ps. 145:9).

In my *Introduction to the Code of Maimonides*,[[62]](#footnote-62) I have already highlighted the unique teaching derived from this ruling. The mention of the rules and regulations of the Torah, despite their not obligating us in the “supralegal piety” advocated here, may seem out of place. However, it underscores the broader purpose of all Torah laws: to purify individuals and cultivate ethical-spiritual sentiments within them. Thus, the formalistic understanding of the law alone does not suffice as the sole criterion for ideal religious actions, whether positive or negative. Instead, there exists a continual process that elevates from the explicit commandments to actions that transcend them, aspiring towards the highest ethical and spiritual ideals. Ultimately, the true purpose of the Torah is to sanctify human life to the fullest extent possible and instill in individuals values of piety and wisdom.

Moreover, Maimonides elucidates that the emulation of God springs from a profound comprehension of His nature:

“For in these things I delight, saith the Lord” (Jer. 9:23). He means that it is My purpose that there should come from you loving-kindness, righteousness, and judgment in the earth in the way we have explained with regard to the thirteen attributes, namely, that the purpose should be assimilation to them and that this should be our way of life… acquired by him who has achieved, in a measure corresponding to his capacity, apprehension of Him, may He be exalted… The way of life of such an individual, after he has achieved this apprehension, will always have in view loving-kindness, righteousness, and judgment, through assimilation to His actions, may He be exalted.[[63]](#footnote-63)

In *Hilkhot De’ot*, we have already gleaned that each person is to enact acts of lovingkindness, justice, and righteousness according to their own capacities. The pinnacle of human perfection is attained by those who fulfill commandments and engage in acts of lovingkindness, justice, and righteousness with unparalleled insight, sensitivity, and steadfastness. Ultimately, “the end of the universe is similarly a seeking to be like unto His perfection as far as is in its capacity.”[[64]](#footnote-64) Thus, the individual who acts with thoughtfulness and goodness, without anticipating any form of reciprocation from those they benefit, is likened to God.[[65]](#footnote-65)

Indeed, Maimonides’ discourse on the stages of emulating God parallels his teachings on holiness and drawing closer to God. Within the framework of the commandments, there exists both a profound likeness to God and a profound sanctity.

Our exploration concludes much where it began. The laws and concepts we have briefly examined shed light on Maimonides’ body of work, illustrating his expansion and deepening of the scope and application of the second aspect of the mitzva of *kiddush Hashem*, as articulated in *Hilkhot Yesodei Hatorah* 5:11.

1. This is Joseph Ibn Kaspi’s language in his ethical will addressed to his son. See Israel Abrahams, *Hebrew Ethical Wills* (Philadelphia, The Jewish Publication Society of America, 1926), Vol. 1, 136, 139; also the language of Maimonides at the beginning of his description of the fourteen books at the end of his introduction to the *Mishneh Torah*. [↑](#footnote-ref-1)
2. *Hilkhot Yesodei Hatorah* 5:1. See *Sefer Hamitzvot*, Positive Commandment No. 9; Negative Commandment No. 63. The *Yad Halevi* correctly notes that “the positive commandment and the negative commandment are connected and dependent one on another, and one who violates one will, of necessity, violate the other.” Yitzchak Simcha Horowitz, *Sefer Hamitzvot Larambam im Perush Yad Halevi*, (Jerusalem, 1927), 197. In *Hilkhot Melakhim* 10:2, Maimonides rules: “A Noachide who is forced by another person to violate one of his commandments is permitted to transgress. Even if he is forced to worship false gods, he may worship them. For Noachides are not commanded to sanctify God’s name.” It would appear from here that the second aspect of *Kiddush Hashem*, which is the topic addressed in this essay, does not apply to Noachides, since both aspects of this commandment are, essentially, one (but see the quote from *Hilkhot Shemittah Veyovel* that appears later). With regard to the third aspect, “that I may be sanctified in the midst of the Israelite people” that is, the recitation of matters of sanctity, see *Hilkhot Tefilla* 8:6. It is important to note that the commandment to sanctify the Name of God is also dependent on the commandment to love God. In *Hilkhot Yesodei Hatorah* 5:7 Maimonides writes: “How do we know that even if life is at risk, none of these three may be transgressed? For it is said: “Love the Lord your God with all your heart, all your soul, and all your strength” (Deut. 6:5). Compare: *Yesodei Hatorah* 2:1; 4:13 and *Teshuva* 10:2; Berakhot 10:3; *Sefer Hamitzvot,* Positive Commandment 3; *Guide for the Perplexed* III:51. It is, therefore, clear, as we shall see, that the additional aspect of *kiddush Hashem*, namely that the Heavenly Name is made beloved by an individual, appears in the definition of the commandment of loving God recorded in the *Sefer Hamitzvot*, even as it is omitted in the definition of the commandment of *kiddush Hashem* in the same source. Essentially, we must combine what is taught in the *Sefer Hamitzvot* and in the *Mishneh Torah* about loving God and *kiddush Hashem*, and then these ideas align. [↑](#footnote-ref-2)
3. See, for example, Menahem Krakowsky, *Avodat HaMelekh*, (Vilna 1931), who references some of the explanations offered by his predecessors and offers an interesting explanation of his own. It is important to note that in his “Letter on Apostacy” (*Iggeret HaShmad*), which we will discuss later (see below, note 7) Maimonides’ language is clear, absolute, and resolute, with no room for compromise. There is not a single trace of the notion of going beyond the letter of the law: “And in a situation in which the sages rule ‘He should transgress rather than be killed’ and an individual perceived himself be greater than the sages and more punctilious in the observance of the commandments and permitted himself to die by mouth and speech, sanctifying God’s name in word and thought – he is a sinner and rebels through his actions, his blood is on his head, he is accountable for his own life, because of the word of the Almighty God: ‘which a person shall do, and he shall live by them’ – but he should not die by them.” See: *Iggeret HaShmad* in *Igrot Harambam*, Shilat edition, p. 52. Still, there is one instance in which Maimonides expressed a different view, see *ibid* at the end of p. 53. Indeed, other *Sefardi* sages of later eras – like the Radbaz, Rabbi Joseph ibn Habiba (who authored the *Nemukei Yosef*) and Rabbi Joseph Karo – were supportive of the opposing view and had reservations about Maimonides’ position. In his *Kesef Mishneh* *ad loc*, Rabbi Karo notes: “But many virtuous individuals hold the belief that choosing to sacrifice one’s life rather than being killed is considered an act of righteousness.” Especially noteworthy is the well-balanced expression found in the *Nimukei Yosef* in Sanhedrin 74a: “Whenever it is suggested that one should transgress rather than face death, he must not surrender himself to death for the sanctity of God’s Name. If he chooses to do so, the responsibility lies with him. However, if he is a distinguished and devout God-fearing individual and observes that the generation is lacking in this aspect, he may choose to sanctify God and become a martyr, even for a minor commandment. This serves as a means for people to witness and learn to revere God and love Him with all their hearts.” The notion of martyrdom beyond the strict requirements of the law is fundamentally an educational concept. [↑](#footnote-ref-3)
4. Nahmanides, *Sefer Milkhamot Hashem* 17b in the pages of *Alfasi*. [↑](#footnote-ref-4)
5. *Hilkhot Yesodei Hatorah* 5:11. It is worth acknowledging parallels in the *Mishneh Torah* to the concepts outlined here. “Cause people to murmur against him” – *Hilkhot Tefilla* 15:6; “even though not transgressions” – *Hilkhot Teshuva* 3:11; “greets them with a pleasant aspect” – *Hilkhot Deot* 2:7, 5:7; *Hilkhot Matanot Aniyim* 10:4; “dining and drinking at the table of the ignorant and in their midst” – *Hilkhot Sanhedrin* 25:4; “suffers their insults without reciprocating” – *Hilkhot Deot* 2:3, 5:13; *Hilkhot Talmud Torah* 7:13; “conducts his business honorably” – *Hilkhot Deot* 5:13, *Hilkhot Tefilla* 15:6, *Hilkhot Mehira* 3:5-6, 14:1; “is ever seen studying Torah” – *Hilkhot Talmud Torah*, Chapter 3; “wrapped in *tzitzit”* – *Hilkhot Tzitzit* 3:11; “crowned with *tefillin”* – *Hilkhot Tefillin* 4:25; “goes beyond the letter of the law in all he does” – *Hilkhot Deot* 1:6; “so long as he doesn't go *too* far” *Hilkhot Deot* 3:1. The notion that only an individual recognized for their piety can display overt moral and religious conduct resonates with Rashi’s words in Tractate Berakhot 17b on the statement: “Not everyone who wishes to assume the reputation of a God-fearing person may assume it.” Rashi comments, “If he is not renowned publicly as a sage and pious individual, it amounts to nothing but haughtiness.”

 [↑](#footnote-ref-5)
6. See, for example, Ketubot 17a; Yoma 23a; Sota 10b; Bava Kamma 113a; Shabbat 33a. [↑](#footnote-ref-6)
7. *Hilkhot Deot*, Chapter 1 [↑](#footnote-ref-7)
8. *Hilkhot Gezela VaAveda* 11:17 [↑](#footnote-ref-8)
9. *Hilkhot Rotze’ah U’shemirat HaNefesh* 13:4 [↑](#footnote-ref-9)
10. For example, *Hilkhot Ma’aser Sheni* 2:2 [↑](#footnote-ref-10)
11. For example, *Hilkhot Sekhirut* 7:7 [↑](#footnote-ref-11)
12. *Guide* III:54 [↑](#footnote-ref-12)
13. Maimonides’ Introduction to the Mishnah, Shilat edition, p. 37. Compare: Shabbat 118b [↑](#footnote-ref-13)
14. *Hilkhot Deot* 6:2 [↑](#footnote-ref-14)
15. Rabbi Abraham ben Moshe ben Maimon, *Hamaspik Le'ovdey Hashem*, annotated and translated by Nissim Dana, (Ramat Gan: Bar-Ilan University, 1989), 113. [↑](#footnote-ref-15)
16. With regard to *kiddush Hashem* in its first meaning, see *Yesodei Hatorah* 5:4, 5:10. See also Maimonides’ *Mishna Commentary*, Avot 4:5. Maimonides appears to ignore the notion of “in secret.” However, in his *Iggeret HaShmad*, he extensively addresses the concept of “desecrating the Name of Heaven in secret.” [↑](#footnote-ref-16)
17. *Hilkhot Tefillin* 4:25. See Chapter 11, p. 269 [↑](#footnote-ref-17)
18. *Hilkhot Mezuza* 5:4. [↑](#footnote-ref-18)
19. *Hilkhot Mezuza* 6:13 [↑](#footnote-ref-19)
20. *Guide* I:61 [↑](#footnote-ref-20)
21. This is how it appears in *Shu”t HaTashbe”tz* 1:63. [↑](#footnote-ref-21)
22. The *Shu”t Riva”sh* (11), refers to it in this manner. Currently there are three good editions of the letter in Hebrew: (1) *Igrot HaRambam*, Shilat edition, pp. 25 ff.; (2) *Igrot leRabbenu Moshe ben Maimon*, Yosef Qafih edition, (Jerusalem 1972), pp. 75 ff.; (3) Yitzchak Akiva Setz, *Iggerest HaShmad laRambam, Memorial Volume for Rabbi Hayyim Shmuelevitz*, ed. Yosef Buxbaum, (Jerusalem 1980), 229 ff. [↑](#footnote-ref-22)
23. *Iggeret HaShmad, Igrot Harambam*, in the Shilat edition pp. 47-49. [↑](#footnote-ref-23)
24. *Igrot Harambam*, Shilat edition, p. 48; emphasis in the original. [↑](#footnote-ref-24)
25. *Shemona Perakim*, Maimonides’ Introduction to the Mishnah, Shilat edition, Chapter 4, 240. [↑](#footnote-ref-25)
26. *Guide* III:51. This chapter delves into the ultimate perfection of man, while our specific focus is on *kiddush Hashem* and holiness. The relationship between sanctity and perfection requires elucidation. I would suggest that the holy individual is perpetually devoted to God, as will be expounded upon later, and the perfect individual, who is driven to adhere to intellectual requirements and achieve intellectual accomplishments, is always with God. (*Guide* III:8: “A man should be in control of all these impulses, restrict his efforts in relation to them, and admit only that which is indispensable. He should take as his end that which is the end of man qua man: namely, solely the mental representation of the intelligibles, the most certain and the noblest of which being the apprehension, in as far as this is possible, of the deity, of the angels, and of His other works. These individuals are those who are permanently with God. They are those to whom it has been said: ‘Ye are gods, and all of you children of the Most High’ (Ps. 82:6).”) Supreme perfection involves comprehending God, cleaving to Him, and walking in His ways. Holiness plays a crucial role in this process, as it is considered a prerequisite for perfection (see, for example, *Hilkhot Yesodei Hatorah* 7:1; *Guide* I:34; 2:36; and also: III:27, 33; Maimonides’ *Mishnah Commentary*, Avot 3:11). In the introduction to his *Shemona Perakim*, Maimonides writes: “According to our understanding, there is no higher level of piety than prophecy, and piety is what leads to it.” As noted above, Maimonides adjusted his wording from what was suggested in his *Iggeret HaShmad*, and in determining the halakhic ruling in his *Mishneh Torah*, he applied it only to a great and pious individual capable of sanctifying God through his actions. Such an individual is seen as dedicating themselves to achieving their final perfection. It is noteworthy that Maimonides frequently emphasizes that the purpose of all commandments is holiness and that commandments sanctify the person. Simultaneously, he asserts that the purpose of most commandments is perfection, stating, “This is the perfection of the moral virtues. It consists in the individual’s moral habits having attained their ultimate excellence. Most of the commandments serve no other end than the attainment of this species of perfection.” (*Guide* III:54). At the conclusion of *Hilkhot Temura* (4:13), Maimonides closes with a resounding generalization: “Similarly, most of the Torah’s laws are nothing other than ‘counsels given from distance’ from ‘He Who is of great counsel’ to improve one’s character and make one’s conduct upright.” In his *Iggeret Teiman* (*Iggrot Harambam*, Shilat edition, p. 122) Maimonides’ succinctly captures the essence of his message: “If he could only fathom the inner intent of the law, then he would realize that the essence of the true divine religion lies in the deeper meaning of its positive and negative precepts, every one of which will aid man in his striving after perfection, and remove every impediment to the attainment of excellence. These commands will enable the throng and the elite to acquire moral and intellectual qualities, each according to his ability. Thus the godly community becomes pre-eminent, reaching a two-fold perfection. By the first perfection I mean, man’s spending his life in this world under the most agreeable and congenial conditions. The second perfection would constitute the achievement of intellectual objectives, each in accordance with his native powers.” Holiness and perfection are intertwined, and, as we shall see later, truth and holiness must become integrated, as well. The commandment of *kiddush Hashem* is woven together with the commandment to love God into a unified, organic whole. [↑](#footnote-ref-26)
27. *Hilkhot Teshuva* 10:3 [↑](#footnote-ref-27)
28. This is Maimonides’ language at the end of *Hilkhot Shemitta VeYovel*. [↑](#footnote-ref-28)
29. Refer to my discussion in the *Introduction to the Code of Maimonides* (New Haven: Yale University Press, 1982), pp. 433-435, which delves into the contrasting perspectives on the rationale behind commandments as presented in the *Mishneh Torah* and the *Guide*. In the *Guide* (III:47), Maimonides distinctly articulates, “for this matter of uncleanness and cleanness concerns only the Holy Place and holy things, nothing else... As for the rest [who do not intend to enter the Sanctuary or touch any holy thing], there is no sin if one remains unclean as long as one wishes and eats, as one wishes, ordinary food that has become unclean for this matter of uncleanness and cleanness concerns only the Holy Place and holy things, nothing else.” Further elucidation on the divergent interpretations of “purity” and “sanctity” can be found at the conclusion of the chapter. [↑](#footnote-ref-29)
30. As Maimonides’ expresses it in the *Guide* III:27. [↑](#footnote-ref-30)
31. *Guide* III:33 [↑](#footnote-ref-31)
32. *Guide* I:5. Compare with *Hilkhot Me’ila* 8:8. [↑](#footnote-ref-32)
33. *Guide* III:33. Compare III:27. [↑](#footnote-ref-33)
34. Compare: *Guide* III:8 and *Hilkhot Isurei Bi’ah* 21:24. See also: *Hilkhot Deot* 4:19; 5:4-5; and *Hilkhot Melakhim* 3:6; *Hilkhot Tefilla* 4:4. In Maimonides’ *Mishna Commentary*, Hagiga 2:1, Maimonides defines the sexual drive as a rejection of reason, “…because at the moment of desire…reason is lacking.” In the *Guide* III:8 Maimonides concludes: “Also the commandments and prohibitions of the Law are only intended to quell all the impulses of matter. It behooves him who prefers to be a human being in truth, not a beast having the shape and configuration of a human being, to endeavor to diminish all the impulses of matter— such as eating, drinking, copulation, anger, and all the habits consequent upon desire and anger…” He concludes with an explanation of why the Hebrew language is called “the holy tongue” – “For in this holy language no word at all has been laid down in order to designate either the male or the female organ of copulation, nor are there words designating the act itself that brings about generation, the sperm, the urine, or the excrements.” Notably, Maimonides apologizes at the end of the chapter for what may seem like a digression, as he deems the discussion of controlling sexual impulses and striving for holiness “to deal with moral and also religious matters” rather than philosophical ones.” See also: *Guide* III:12, 49.

 [↑](#footnote-ref-34)
35. *Guide* III:47. [↑](#footnote-ref-35)
36. On the prohibition against duplicity and hypocrisy, see also: *Hilkhot Deot* 2:6. [↑](#footnote-ref-36)
37. *Guide* III:33. [↑](#footnote-ref-37)
38. *Hilkhot Ma’akhalot Asurot* 17:32. See also *Guide* III:47. [↑](#footnote-ref-38)
39. *Guide* III:33. [↑](#footnote-ref-39)
40. *Guide* III:41. [↑](#footnote-ref-40)
41. Mishna Hagiga 2:6. [↑](#footnote-ref-41)
42. *Hilkhot Mikva’ot* 11:12. [↑](#footnote-ref-42)
43. *Hilkhot Gezela VaAveda* 11:3. Compare: Bava Kamma 113a; Y. Bava Metzia 2:5. Maimonides’ formulation is entirely original. [↑](#footnote-ref-43)
44. *Hilkhot Melakhim* 7:15 [↑](#footnote-ref-44)
45. *Hilkhot Shevuot* 11:1. Raavad, in his gloss to the enumeration of the commandments at the beginning of the *Mishneh Torah*, and Nachmanides in his gloss to the *Sefer Hamitzvot*, 7, argue with this formulation. In the *Guide* III, 36 Maimonides says, with regard to oaths: “All this has a manifest reason; for it is intended to glorify Him, may He be exalted.” In his *Sefer Hamitzvot*, Positive Commandment 7, he writes as follows: “That is that He commanded us to swear by His name when it is necessary to ratify something or to deny it. For there is aggrandizement, glory and exhalation through this.” [↑](#footnote-ref-45)
46. *Hilkhot Shevuot* 12:1; See the commentaries *ad loc*. See also *Hilkhot Shevuot* 11:26; *Hilkhot Teshuva* 1:4. [↑](#footnote-ref-46)
47. *Hilkhot Nedarim* 13:23. In the following law, Maimonides writes: “Although [taking vows] is an element of the service of God, a person should not take many vows involving prohibitions and should not habituate himself to taking them. Instead, he should abstain from those things from which one should abstain without taking a vow.” The *Kesef Mishneh* notes: “He is teaching good advice, as is appropriate for him.” It appears that the disparity between taking a vow, which is cautioned against, and taking an oath, is that even a commendable vow hinges on an individual’s disposition and preferences, yet the vow itself lacks inherent majesty or sanctity. While there is an aspect of “service to God” in a vow, it does not carry the weight of “great sanctification of God’s great Name.” Conversely, an oath, due to both its form and intention, invariably fulfills a commandment and embodies sanctity and great majesty. Nevertheless, see *Hilkhot Shevuot* 12:10, 12. Another difference between a vow and an oath is that in the case of a vow “it is a mitzva to ask [a sage] to absolve it” (*Hilkhot Nedarim* 13:25), while in the case of an oath, “It is permitted to approach [a sage] to have an oath released as we explained and there is no fault [in doing so]… Nevertheless, it is appropriate to show care in this regard. One should not respond [to a request] to release [an oath] unless it involves a matter concerning a mitzva or a great need” (*Hilkhot Shevuot* 12:12). See, the Raavad’s gloss, *ad loc*. The rationale for this difference appears to be that while it is feasible to annul the oath, since every oath necessitates invoking the Name of God (see: *Hilkhot Shevuot* 2:1, 4), absolving it would render the original oath as having invoked the Name of God in vain (even though no prohibition would be transgressed, there remains the issue of retroactive desecration), and once the oath is nullified, it becomes evident that God’s Name was uttered without purpose. [↑](#footnote-ref-47)
48. See above, n. 46. [↑](#footnote-ref-48)
49. *Hilkhot Issurei Mizbe’ah* 7:11. [↑](#footnote-ref-49)
50. That is, those gifts that contain sanctity – see *Hilkhot Bikkurim* 1:2. [↑](#footnote-ref-50)
51. *Responsum*, R. Abraham Maimonides (see below in the next footnote), *Siman* 62. p. 65. [↑](#footnote-ref-51)
52. *Sefer Hamitzvot, Shoresh* 4. See also: *Responsum* Rabbi Abraham Maimonides 63 (Freiman and Goiten eds., Jerusalem 1938) p. 65. A parallel idea to our suggestion of sanctity and extra sanctity can be found in Maimonides’ description of joy and extra joy. See *Hilkhot Lulav* 8:12. Regarding love of God and extra love, see *Hilkhot Berakhot* 10:3 and compare with *Hilkhot Teshuva* 10:3. [↑](#footnote-ref-52)
53. *Hilkhot Yesodei Hatorah* 5:10. [↑](#footnote-ref-53)
54. Maimonides, *Responsum* 224. p. 400, Blau edition. [↑](#footnote-ref-54)
55. *Igrot HaRambam*, p. 308 in the Shilat edition. [↑](#footnote-ref-55)
56. Rabbi Abraham Maimon, *HaMaspik Le'ovdey Hashem* (see above, n. 15), pp. 257-258. See also *Responsum*, Rabbi Abraham Maimonides (see above, n. 51), *Siman* 62. [↑](#footnote-ref-56)
57. Rabbi Abraham Maimon, *Milhamot Hashem* (Reuven Margoliyot edition, Jerusalem: Mosad Harav Kook, 1953), 49. [↑](#footnote-ref-57)
58. *Hilkhot Yesodei Hatorah* 7:1. Compare with the *Guide* II:36. Aloneness, or separation, occupies a central role in Maimonides’ teachings on the sanctification of God and life. However, it is not an end in itself; rather, it serves as a means to attain a higher level of spiritual elevation, from which one can exert a profound influence and exemplify behavior in accordance with the law. This principle applies not only to prophets and the pious (review what we have seen at the end of *Hilkhot Tumat Okhlin*), but also to kings, as delineated in Maimonides’ *Hilkhot Melakhim* (3:6). To this discussion we must add Maimonides’ words in the *Guide* (III:51), where he writes: “It has thus been shown that it must be man’s aim, after having acquired the knowledge of God, to deliver himself up to Him... He accomplishes this generally by seclusion and retirement. Every pious man should therefore seek retirement and seclusion, and should only in case of necessity associate with others.” I would like to point out the teaching of the *Hatam Sofer (Responsum* Yoreh De’ah, Pressberg 5601, reprinted in *Pituhei Hotam* (Jerusalem 1972), 172), who provides additional insight by intertwining Maimonides’ teachings from *Hilkhot Yesodei Hatorah* (5:11) with his own argument. According to *Hatam Sofer*: “It is [Maimonides’] intent that solitude is truly a great benefit to the purification of the soul...but the reality of human existence necessitates engagement with others. Through friendly interaction and communal engagement, the sage can effectively capture the souls of others and assist them in their spiritual journey…” [↑](#footnote-ref-58)
59. *Hilkhot Deot* 1:5-7. See also 6:2. [↑](#footnote-ref-59)
60. *Guide* I:54. Note that here Maimonides bases the idea of *imitatio Dei* on the verse in Leviticus, “Ye shall be holy” rather than on the verse in Deuteronomy “And you shall walk in His ways.” (See Yehuda ibn Shmuel’s comment *ad loc* in his edition of the *Guide* in Hebrew (Mosad HaRav Kook, 1982), 79, n.3.) This is the point we made above when clarifying the law at the end of *Hilkhot Tumat Okhlin*: “the hallowing of the soul leads to striving for likeness with the *Shekhinah*,” indicating that there is, apparently, a parallel between sanctity and *imitatio Dei*. [↑](#footnote-ref-60)
61. Compare with *Hilkhot Matnot Aniyim* 10:5. And see Chapter 10 below. [↑](#footnote-ref-61)
62. *Introduction to the Code of Maimonides* (above, n. 29), p. 427. [↑](#footnote-ref-62)
63. *Guide* III:54. And see above, *Hilkhot Tumat Okhlin* 16:12. [↑](#footnote-ref-63)
64. *Guide* I:69. [↑](#footnote-ref-64)
65. *Guide* I:72. [↑](#footnote-ref-65)