Chapter 13

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

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

I

The first commandment discussed 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 juxtaposed 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: “That I may be sanctified in the midst of the Israelites” (Lev. 22:32), and are proscribed from profaning it, as it is said: “Do 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 let himself be killed rather than transgress 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.” [[3]](#footnote-3)

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 “for by them a person shall live” (Lev. 18:5), understood by the sages as “‘for by them a person shall live,’ but they were not given so that one will die due to one’s observance” (Sanhedrin 74a). Therefore, should an individual in such cases willingly forfeit his life instead of transgressing, Maimonides staunchly and famously 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.[[4]](#footnote-4) As is well known, 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 supererogatory 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.

Naḥmanides’ striking formulation, which appears in his *Sefer Milḥamot 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, “And for your own lifeblood I will demand account” (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.[[5]](#footnote-5)

To employ concepts commonly used in the realm of Jewish law, we can assert that in the absence of a *meḥayev*, a mandatory imperative for *kiddush Hashem*, there is no *matir,* no license to willingly sacrifice one’s life. Without a compelling situation that necessitates and obliges an individual to face death, one cannot permit himself 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 comprehensive 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 through you I am glorious’” (Is. 49:3).[[6]](#footnote-6)

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.

What are the circumstances that cause desecration of God’s name? Rav said: For example, if I take meat from a butcher and do not give him money immediately… Rabbi Yoḥanan said: For example, if I would walk four cubits without Torah and without phylacteries… Rav Naḥman bar Yitzḥak said: 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: “And you shall love the Lord your God” (Deut. 6:5), which means that you shall make the name of Heaven beloved in by reading Torah, and learning Mishna, and serving Torah scholars, and being 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: “You are My servant, Israel, through you I am glorious” (Is. 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 the verse states: “It was said of them: These are the Lord’s people, and they have left His land” (Ezekiel 36:20).

Additional excerpts from various sources and rabbinic statements that employ the phrase *kiddush Hashem* in accordance with the expanded meaning can be cited,[[7]](#footnote-7) 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 “origins and originality,” i.e., 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.” Weaving together a few concrete examples, he incorporates a decisive and guiding phrase “then he sanctifies the name” – 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 through you I am glorious’” (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 inner perfection and spiritual yearning 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 sensitive 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 fundamental conclusions. 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,[[8]](#footnote-8) acting justly and virtuously in matters of Jewish law, engaging in activities like returning lost objects, [[9]](#footnote-9) loading and unloading, [[10]](#footnote-10) and displaying a degree of piety both towards God[[11]](#footnote-11) and in interpersonal relationships[[12]](#footnote-12)– 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, “Given an isolated person, whose acts affect no one else, you will find all his moral virtues idle, useless to him, and unneeded.”[[13]](#footnote-13) 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.” [[14]](#footnote-14) 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”[[15]](#footnote-15) is to glean insights from their actions. R. 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.” [[16]](#footnote-16) 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.[[17]](#footnote-17) 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.[[18]](#footnote-18)

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

Similarly, Maimonides vehemently condemns those who distort the commandment of the *mezuzah*, 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 *mezuzah*, 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.[[19]](#footnote-19)

The spiritual essence behind the intention of the *mezuzah* commandment, according to Maimonides, is as follows: “Whenever one enters or leaves a home with the *mezuzah* 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.”[[20]](#footnote-20) Encounter with the *mezuzah* serves to awaken and fortify one’s love for the Holy One, blessed be He. Maimonides’ statement in *The* *Guide to the Perplexed* carries significant weight for our discussion:

Do not think anything else or even entertain the ravings of amulet writers and the “names” you hear from them or find in their idiotic books – names they concocted that mean nothing at all. They call them names and pretend they bring purity and holiness and can work wonders – fictions unfit for a grown man to hear, let alone believe![[21]](#footnote-21)

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 the enhancement of mitzvah performance.

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 (*devekut*), walking in the ways of God (*halikhah bidarkhei Hashem*), holiness (*kedushah*), purity (*taharah*), abstinence (*perishut*), enhancement of mitzvah performance (*hiddur*), paths of wisdom (*darkhei hokhmah*), paths of service (*darkhei avodah*), attributes of piety (*midat hasidut*), paths of piety (*darkhei hasidut*) and the like, need to be reconsidered – we must turn to the earliest authoritative formulation of this *halakhah* found in the *Ma’amar Kiddush Hashem*,[[22]](#footnote-22) also known as *Iggeret Hashmad*.[[23]](#footnote-23) This treatise, 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 studied, it seems fitting to present key excerpts that elucidate this aspect of *kiddush Hashem* in their 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 general, and the second, of a particular nature.

The general is, in turn, subdivided into two types. The first type is of a common man 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, therefore if one performed this action in private, he has desecrated the Holy Name of God privately, while if perpetrated publicly, he had desecrated God’s Name publicly. We have already indicated that in every instance when the term “publicly,” is used, reference is to ten Jews.

The second category pertains to individuals who exhibit a disregard for public perception regarding their physical conduct, leading to the proliferation of unfavorable narratives about their behavior. 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. Naḥman, 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 particular element is also divided into two types. The first represents an intelligent 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 caliber 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 particular 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. .. “distance yourself from crooked lips” (Prov. 4:24).[[24]](#footnote-24)

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 what he meant that “he is gentle in his conversation with his fellow creatures.” Such a work would have undoubtedly enriched our ethical literature immeasurably. Although the appearance of 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.[[25]](#footnote-25)

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 cautioned to act in distinctive behavior and carries a unique obligation to the nation which learns from his actions, and if he stumbles, he has profaned God’s name, 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.[[26]](#footnote-26)

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 clearly 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 relation 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 to the Perplexed*, particularly in that remarkable chapter (III:51), where he employs the verse “I have set the Lord before me always” as a proverb signifying cleaving to God, seems fitting to describe the various facets of *kiddush Hashem.*

The choice is yours whether to make that bond stronger and stouter or ever weaker, until you sever it. Only use will strengthen it, devotion to the love of Him, drawing ever nearer, as I explained. Distraction thins and frays it, dwelling in thought on anything else… That is why the virtuous are so jealous of every moment of distraction  from Him and warn against it: “Turn not your thoughts away from God” (B. Shabbat 149a). As David said, I have set the Lord ever against me. With Him at my right I’ll not list! (Psalms 16:8). He says, ‘I never let the thought of Him out of my mind. He is my right hand, as it were, its strokes too swift to slight for an instant, lest I list’ – lest I fall.[[27]](#footnote-27)

An individual dedicated to embodying the ideal of *kiddush Hashem* does not divert his thoughts from it; it remains a constant focus. Just as it is said about one who loves God that one’s “mind is not free” from this love,[[28]](#footnote-28) similarly, the person striving for *kiddush Hashem* conducts all his 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 purity (*taharah*), piety (*hasidut*), abstinence (*perishut)* great enhancement of mitzvah performance (*hiddur gadol)*, paths of service (*darkhei avodah*), going beyond the letter of the law (*lifnim mishurat hadin*), 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 words of praise or gratitude, supplication or commitment, which are a form of sacred expression and are articulated in a holy manner. Anyone who dedicates himself to God – whether fully or partially – is “sanctified as the holiest of holies”[[29]](#footnote-29) and, thereby, 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 individuals 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* *yeterah*), 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 of the soul (*kedushat hanefesh*) from evil thoughts, and the hallowing of the soul leads to striving for likeness with the Shekhinah, as is written: “Consecrate yourselves and be holy” (Lev. 11:44), “because I, the Lord, am holy, and make you holy” (21:8).

This significant expansion, emphasizing matters of impurity and purity as a unique path of piety and extreme holiness, holds considerable importance.[[30]](#footnote-30) 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.[[31]](#footnote-31) The holiness of the soul, or the “cleansing one’s acts and heart of any foul thought or trait,”[[32]](#footnote-32) readies an individual to become God-like or, in a sense, already 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 to 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:

If this was what they [the “nobles of the children of Israel”], deserved, all the more must we lesser men, and those lesser than we, strive to prepare ourselves fully and gain the basis we need to cleanse our consciousness of the taint of error and only then advance to glimpse God’s holy *Shekhinah*. As it says, “Let even the Priests who approach the Lord sanctify themselves, lest the Lord break forth upon them” (Exod. 19:22).[[33]](#footnote-33)

It is worthwhile to draw a comparison to this with Maimonides’ doctrine in Part III of *The* *Guide to the Perplexed*, where he states that “purity and sanctity, too, are aims of the Torah.”[[34]](#footnote-34) After establishing the concept that “holiness clearly calls for sexual abstinence”[[35]](#footnote-35) and that “Giving up wine, too, is directly called holy” – signifying the restraint of physical desires and maintaining control over them – he offers a generalization, stating:

In Sifra we read, “’Consecrate yourselves and be holy’(Lev. 11:44). The holiness comes from the *mitzvot*.” And just as the Torah calls it holy and pure to keep these commandments, it calls flouting them and committing base actions impure.

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:

God’s saying “Sanctify yourselves and be holy, for I am holy”(Lev. 11:44) is not about purity and impurity at all. *Sifra* explains: “This regards the sanctity of the *mitzvot*,” the same as God’s saying “Ye shall be holy”(19:2). This, too, the Sages say: “This concerns the sanctity of the *mitzvot*.” So breaching the *mitzvot* is called impurity.[[36]](#footnote-36)

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 *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 clothes, bathing, and removing filth (Deut. 23:11–15) are goals of this Law. But cleansing one’s acts and heart of any foul thought or trait comes first. To keep pure only outwardly, by baths and clean clothes, while wallowing in license and lust, gluttony and lechery, is utterly foul. Isaiah speaks of those who “sanctify and cleanse themselves to visit groves, after one midmost, eating swine’s flesh…” (Isa. 66:17). They make themselves holy and clean publicly, he says, but in private, behind closed doors, they offend… [[37]](#footnote-37) Solomon castigates those who count on clean clothes and bathed bodies when their acts are filthy and their character vile “a generation pure in their own eyes, but not cleansed of its filth…” (Prov. 30:12–13).[[38]](#footnote-38)

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 yourselves detestable” (Lev. 11:43). Similarly, it is forbidden for a person to delay relieving himself at all.[[39]](#footnote-39)

In his conclusion of this law, Maimonides clarifies that these practices extend beyond the fundamental level of bodily purity he outlined in *The* *Guide to 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: ‘Consecrate yourselves and be holy, for I am holy’”[[40]](#footnote-40) 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 to the Perplexed*,[[41]](#footnote-41) 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 on the overarching principle that purity is aligned with the directives of the Torah, writing:

This book [=*Sefer Shoftim* in the *Mishneh Torah*] also includes the commandment “to designate an area outside the camp...you shall have a trowel” (Deut. 23:13, 14). 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 your camp must; He must not find any indecent thing among you” (Deut. 23:15).[[42]](#footnote-42)

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 Taharah*):

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 *mikveh* 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 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.”[[43]](#footnote-43)  
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 sprinkle over you purifying waters and you will be cleansed; I will cleanse you of all your impurities and all your idols.”[[44]](#footnote-44)

*Aven*, translated here as “wickedness,” stands as the antithesis of *kedushah* (sanctity). Considering this, Maimonides’ selection of the verse from Psalms (119:133) as the heading for the Book of Holiness (*Sefer Kedushah*) becomes clear: “Firm up my footsteps with Your promise, and let no evil (*aven*) rule over me.”

The verse from Psalms (51:12) that introduces Maimonides’ Book of Purity (*Sefer Taharah*) 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 individuals 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 sources of defilement, defilement of foods, vessels, and ritual baths. The opening verse for the book, “Create a pure heart for me, God, renew a firm 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 one 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 “anything your kinsman loses.” 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 believers in God, this is praiseworthy.[[45]](#footnote-45)

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, is particularly noteworthy: “He who fights with all his heart, without fear, with the sole intention of sanctifying the name...”[[46]](#footnote-46)

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 Naḥmanides, demonstrates 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 “only by His name that you must 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.[[47]](#footnote-47)

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: “the Lord will not hold guiltless [those who speak 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: “[Do not swear falsely by My name] desecrating 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.”[[48]](#footnote-48)

In *Hilkhot Nedarim*, as well, we encounter the notion that proper speech entails an element of service to God. Here, the teleological 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 appropriate 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).[[49]](#footnote-49)

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: “His vow of separation to his God is on his head... He is holy to the Lord.” And Scripture equates him with a prophet, as [Amos 2:11] states: “I raised up into prophets some of your sons, and into nazirites some of your young men.”[[50]](#footnote-50)

VII

Maimonides adeptly underscored the concept of *kedushah*, sanctity*,* 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 Shemittah 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, O Lord his vigor” (Deut. 33:11). He, blessed be He, acquires [goods] for them, as is written: “I am your share, your 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 himself from the petty concerns that preoccupy most people, so that God becomes the focal point of his 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.[[51]](#footnote-51)

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.*[[52]](#footnote-52)

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 fatty parts belong to the Lord” (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. Were we to compile a comprehensive index of such concepts, this law would undoubtedly merit inclusion alongside similar precepts. 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[[53]](#footnote-53) 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*. R. 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.”[[54]](#footnote-54)

IX

It is axiomatic 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 achieves 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’.”[[55]](#footnote-55)

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.”[[56]](#footnote-56)

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.”[[57]](#footnote-57)

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

Far be it from you to raise questions about his fear of heaven. For he and his ilk and even his superiors as well as those from the past, all hold that the fear of heaven applies only to major offenses just like the masses who do not consider ethical norms part of their obligation to fear heaven. In addition, they are lax in their utterances, unlike those whose fear of heaven reaches perfection.[[58]](#footnote-58)

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:

All our devotional practices – reading the Torah, praying, and performing the other *mitzvot* – aim only to train us to focus on His precepts and free us from worldly distractions, engrossed, as it were, in Him and lost to all else.

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

The teachings of R. Abraham Maimonides are once again instructive. R. 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 if you faithfully heed my voice… a kingdom of priests and a holy nation you shall be to me” (Exod. 19:5-6), and upon their conclusion, “Today the Lord has proclaimed you to be …His treasured people” (Deut. 26:18-19). Additionally, there is the profound promise: “You will be a people holy to the Lord your God, just as He has promised” (Deut. 28:19).[[59]](#footnote-59)

Elsewhere, R. 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…”[[60]](#footnote-60) 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, there are different levels and categories of holiness. Maimonides designates the fifth book of the *Mishneh Torah* as *Sefer Kedushah*, “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 has set you apart from all other peoples... Be holy to me, for I the Lord am holy, and I have set you apart from all other peoples to be My own” (Lev. 20:24, 26).

From this perspective, while all commandments aspire to holiness and those who practice them are drawn to it, there exists a special connection between the laws outlined in *Sefer Hakedushah* and the broader concept of holiness itself. The focal point of all commandments is holiness, a quality intertwined with concepts of separation, emotional and spiritual restraint, purification, abstention, 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 in matters of purity, from the rest of 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…”[[61]](#footnote-61) Importantly, there exists no contradiction between the different formulations 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 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).[[62]](#footnote-62)

In the *Guide*, we encounter a remarkable encapsulation of this perspective: “The summit of human virtue is to emulate Him, so far as one can, by modeling our actions on His, as the Sages explained in glossing ‘Ye shall be holy’(Lev. 19:2): ‘As He is gracious, so do you be gracious; as He is compassionate, so do you be compassionate’ (Sifre to Deut. 10:12).”[[63]](#footnote-63)

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 Megillah* 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).”[[64]](#footnote-64)

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 (*hokhmah*) 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*,[[65]](#footnote-65) I have already highlighted the unique teaching derived from this ruling. Inasmuch as the mercy shown in this case is supererogatory rather than mandatory – it is avowedly not legislated – why refer to the laws of the Torah? The mention of “statutes and judgments’’ would seem to be gratuitous, inasmuch as they do not prescribe the piety being recommended. The clear inference, however, is that all the laws are a springboard for the highest morality and perfection which emanate slowly and steadily from them. The law alone, in a formal sense, is not the exclusive criterion of ideal religious behavior, either positive or negative. There is rather a continuum from clearly prescribed legislation to open-ended supererogatory performance which transcends it, for the goal of the Torah is the maximum sanctification of life. Ultimately, the true purpose of the Torah is to sanctify human life to the fullest extent possible and instill in individuals the values of piety and wisdom.

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

“For in these do I delight, saith the Lord” (Jer. 9:23).Meaning, ‘My intent is that you show grace, justice, and righteousness on earth,’ as I explained anent the thirteen attributes (I:54). The point is to emulate those attributes and pattern our lives on them…the human attainment rightly gloried in, clearly, is to reach, so far as one can, an awareness of God and His care for His creatures... One who wins such awareness will ever show grace, justice, and righteousness in life, emulating God’s acts, as I have explained more than once in this work.[[66]](#footnote-66)

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 goal of all things is to emulate His perfection, so far as in them lies.”[[67]](#footnote-67) Thus, the individual who acts with thoughtfulness and goodness, without anticipating any form of reciprocation from those they benefit, is likened to God.[[68]](#footnote-68)

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 many-faceted likeness to God and a many-faceted 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. R. Joseph Ibn Kaspi uses the term *libiyot,* commandments of the heart, to characterize the first four mitzvot in *Sefer Hamada*, 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; Maimonides calls them the foundation of the Mosaic religion 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 Tefillah* 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: “You shall love the Lord your God with all your heart, all your soul, and all your might” (Deut. 6:5). Compare: *Yesodei Hatorah* 2:1; 4:13 and *Teshuvah* 10:2; Berakhot 10:3; *Sefer Hamitzvot,* Positive Commandment 3; *Guide to 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. *Yesodei Hatorah* 5:4. [↑](#footnote-ref-3)
4. 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 worthy of note that in his “Letter on Apostasy” (*Iggeret Hashmad*), which we will discuss later (see below, note 23) 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 to 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 *Iggerot 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, R. Joseph ibn Habiba (who authored the *Nemukei Yosef*) and R. Joseph Karo – were supportive of the opposing view and had reservations about Maimonides’ position. In his *Kesef Mishneh* *ad loc*, R. 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.” In light of what we will see below regarding “someone great in Torah and renowned for piety,” the well-balanced expression found in the *Nimukei Yosef* in Sanhedrin 74a is especially noteworthy: “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-4)
5. Nahmanides, *Sefer Milḥamot Hashem* 17b in the pages of *Alfasi*. [↑](#footnote-ref-5)
6. *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 Tefillah* 15:6; “even though not transgressions” – *Hilkhot Teshuvah* 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 Tefillah* 15:6, *Hilkhot Mekhirah* 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-6)
7. See, for example, Ketubot 17a; Yoma 23a; Sotah 10b; Bava Kamma 113a; Shabbat 33a. [↑](#footnote-ref-7)
8. *Hilkhot Deot*, chapter 1. [↑](#footnote-ref-8)
9. *Hilkhot Gezelah Va’avedah* 11:17. [↑](#footnote-ref-9)
10. *Hilkhot Rotze’ah U’shemirat Hanefesh* 13:4. [↑](#footnote-ref-10)
11. For example, *Hilkhot Ma’aser Sheni* 2:2. [↑](#footnote-ref-11)
12. For example, *Hilkhot Sekhirut* 7:7. [↑](#footnote-ref-12)
13. *Guide* III:54. [↑](#footnote-ref-13)
14. Maimonides’ Introduction to the Mishnah, Shilat edition, p. 37. Compare: Shabbat 118b. [↑](#footnote-ref-14)
15. *Hilkhot Deot* 6:2. [↑](#footnote-ref-15)
16. R. Abraham ben Moshe ben Maimon, *Hamaspik Le'ovdey Hashem*, annotated and translated by Nissim Dana (Ramat Gan: Bar-Ilan University, 1989), 113. [↑](#footnote-ref-16)
17. With regard to *kiddush Hashem* in its first meaning, see *Yesodei Hatorah* 5:4, 5:10. See also Maimonides’ *Mishnah 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-17)
18. *Hilkhot Tefillin* 4:25. [↑](#footnote-ref-18)
19. *Hilkhot Mezuzah* 5:4. [↑](#footnote-ref-19)
20. *Hilkhot Mezuzah* 6:13. [↑](#footnote-ref-20)
21. *Guide* I:61. [↑](#footnote-ref-21)
22. This is how it appears in *Responsa Hatashbetz* 1:63. [↑](#footnote-ref-22)
23. The *Responsa Rivash* no. 11, refers to it in this manner. Currently there are three good editions of the letter in Hebrew: (1) *Iggerot Harambam*, Shilat edition, pp. 25 ff.; (2) *Iggerot Lerabbenu Moshe ben Maimon*, Yosef Qafih edition, (Jerusalem 1972), pp. 75 ff.; (3) Yitzchak Akiva Satz, *Iggeret Hashmad Larambam, Memorial Volume for R. Hayyim Shmuelevitz*, ed. Yosef Buxbaum, (Jerusalem 1980), 229 ff. This should be compared with the Sefer Haḥinukh, Commandment 295 (“The copyist wrote in the name of Maimonides…”). The last article that I received on the subject of Maimonides’ *Iggeret Hashmad* – including bibliographic references – is Arie Strikovsky, “Maimonides’ *Iggeret Hashmad – halakha* or rhetoric?” in Jubilee Volume in Honor of Avrahan Yeshaya Dolgin, ed. Itamar Warhaftig (Jerusalem, 1991), 242 ff. [↑](#footnote-ref-23)
24. *Iggeret Hashmad, Iggerot Harambam*, in the Shilat edition pp. 47-49. This translation is based on Leon Stitskin, *Letters of Maimonides*, (New York, Yeshiva University Press, 1977), 56-59. [↑](#footnote-ref-24)
25. *Iggerot Harambam*, Shilat edition, p. 48. [↑](#footnote-ref-25)
26. *Shemonah Perakim*, Maimonides’ Introduction to the Mishnah, Shilat edition, chapter 4, 240. [↑](#footnote-ref-26)
27. *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: “One should control all such urges, limit the energy spent on them, and partake only as needed. The goal to pursue is our true human end: contemplation of ideas, so far as possible – the highest and most lasting being of God and the angels and God’s other works. Those who do this are with God ceaselessly. It is they who are told, ‘Gods are ye, all 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 *Shemonah Perakim*, Maimonides writes: “According to our understanding, there is no higher level 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 himself to achieving his 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 attainment is moral, perfecting the virtues of character in oneself. Most of the *mitzvot* seek just this end.” (*Guide* III:54). At the conclusion of *Hilkhot Temurah* (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* (*Iggerot 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-27)
28. *Hilkhot Teshuvah* 10:3. [↑](#footnote-ref-28)
29. This is Maimonides’ language at the end of *Hilkhot Shemittah Veyovel*. [↑](#footnote-ref-29)
30. 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, “Matters of purity and impurity do not keep one from any activity. For our rules regard only holy objects and the Sanctuary, nothing more… Otherwise, there is nothing wrong with remaining impure as long as you like and eating whatever you please that is not consecrated.” Further elucidation on the divergent interpretations of “purity” and “sanctity” can be found at the conclusion of the chapter. [↑](#footnote-ref-30)
31. As Maimonides’ expresses it in the *Guide* III:27. [↑](#footnote-ref-31)
32. *Guide* III:33. [↑](#footnote-ref-32)
33. *Guide* I:5. Compare with *Hilkhot Me’ilah* 8:8. [↑](#footnote-ref-33)
34. *Guide* III:33. Compare III:27. [↑](#footnote-ref-34)
35. 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 Tefillah* 4:4. In Maimonides’ *Mishnah Commentary*, Hagigah 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 states: “Also the commandments and prohibitions of the Law are only intended to quell all the impulses of matter. What one must do, if one chooses to be truly human and not a beast with human shape and features, is strive to minimize every bodily impulse – for food, drink, sex, anger, and like urges…” He concludes with an explanation of why the Hebrew language is called “the holy tongue” – “In this hallowed tongue, no word is assigned to the sexual organ, male or female; nor to the sexual act; nor to semen, urine, or feces.” 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 as dealing with “moral and religious topics” rather than philosophical ones. See also: *Guide* III:12, 49.

    [↑](#footnote-ref-35)
36. *Guide* III:47. [↑](#footnote-ref-36)
37. On the prohibition against duplicity and hypocrisy, see also: *Hilkhot De’ot* 2:6. [↑](#footnote-ref-37)
38. *Guide* III:33. [↑](#footnote-ref-38)
39. *Hilkhot Maakhalot Asurot* 17:29-31. [↑](#footnote-ref-39)
40. *Hilkhot Ma’akhalot Asurot* 17:32. See also *Guide* III:47. [↑](#footnote-ref-40)
41. *Guide* III:33. [↑](#footnote-ref-41)
42. *Guide* III:41. [↑](#footnote-ref-42)
43. Mishnah Hagigah 2:6. [↑](#footnote-ref-43)
44. *Hilkhot Mikva’ot* 11:12. [↑](#footnote-ref-44)
45. *Hilkhot Gezelah Va’avedah* 11:3. Compare: Bava Kamma 113a; Y. Bava Metzia 2:5. Maimonides’ formulation is entirely original. [↑](#footnote-ref-45)
46. *Hilkhot Melakhim* 7:15. [↑](#footnote-ref-46)
47. *Hilkhot Shevuot* 11:1. Raavad, in his gloss to the enumeration of the commandments at the beginning of the *Mishneh Torah*, and Naḥmanides in his gloss to the *Sefer Hamitzvot*, 7, argue with this formulation. In the *Guide* III, 36 Maimonides says, with regard to oaths: “The grounds for all this are clear as well. For these mitzvot exalt God and instill belief in His greatness..” 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 exaltation through this.” [↑](#footnote-ref-47)
48. *Hilkhot Shevuot* 12:1; See the commentaries *ad loc*. See also *Hilkhot Shevuot* 11:16; *Hilkhot Teshuvah* 1:4. [↑](#footnote-ref-48)
49. *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, and these words are characteristic of 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 does not generate enhancement or sanctification. 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 generates great enhancement. 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 mitzvah 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 mitzvah 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 disrespect), and once the oath is nullified, it becomes evident that God’s Name was uttered without purpose. [↑](#footnote-ref-49)
50. *Hilkhot Nezirut* 10:14. [↑](#footnote-ref-50)
51. See above, n. 27. [↑](#footnote-ref-51)
52. *Hilkhot Issurei Mizbe’ah* 7:11. [↑](#footnote-ref-52)
53. That is, those gifts that contain sanctity – see *Hilkhot Bikkurim* 1:2. [↑](#footnote-ref-53)
54. *Responsa*, R. Abraham Maimonides (see below in the next footnote), *siman* 62. p. 65. [↑](#footnote-ref-54)
55. *Sefer Hamitzvot, Shoresh* 4. See also: *Responsa,* R. Abraham Maimonides 63 (Freimann and Goitein 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 Teshuvah* 10:3. [↑](#footnote-ref-55)
56. *Hilkhot Yesodei Hatorah* 5:10. [↑](#footnote-ref-56)
57. *Responsa* of Maimonides, 224. p. 400, Blau edition. [↑](#footnote-ref-57)
58. *Iggerot Harambam,* p. 308 in the Shilat edition. [↑](#footnote-ref-58)
59. R. Abraham Maimonides, *Hamaspik Le’ovdey Hashem* (see above, n. 15), pp. 257-258. See also *Responsum*, R. Abraham Maimonides (see above, n. 53), *siman* 62. [↑](#footnote-ref-59)
60. R. Abraham Maimonides, *Milhamot Hashem* (Reuven Margoliyot edition, Jerusalem: Mosad Harav Kook, 1953), 49. [↑](#footnote-ref-60)
61. *Hilkhot Yesodei Hatorah* 7:1. Entering *Pardes* refers to engaging in scientific and philosophical studies. 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 supererogatory behavior. 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: “Once you know Him, devote yourself to Him unreservedly…Generally, this is won in solitude and isolation. So the virtuous are all much given to seclusion and consort with others only as they must.” I would like to point out the teaching of the *Hatam Sofer (Responsa,* Yoreh De’ah, Pressburg 5601 (reprinted Jerusalem 1972), *Pituhei Hotam* 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-61)
62. *Hilkhot Deot* 1:5-7. See also 6:2. [↑](#footnote-ref-62)
63. *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), 109, 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, an equation between sanctity and *imitatio Dei*. [↑](#footnote-ref-63)
64. Compare with *Hilkhot Matanot Aniyim* 10:5. And see Chapter ? “On Law and Ethics in the *Mishneh Torah*. [↑](#footnote-ref-64)
65. *Introduction to the Code of Maimonides* (above, n. 29), p. 427-428. [↑](#footnote-ref-65)
66. *Guide* III:54. And see above, *Hilkhot Tumat Okhlin* 16:12. [↑](#footnote-ref-66)
67. *Guide* I:69. [↑](#footnote-ref-67)
68. *Guide* I:72. [↑](#footnote-ref-68)