Rewriting Jewish Intellectual History: A Review of *Sefer Chaim Be'Emunasom*

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Introduction

Sefer Chaim Be'Emunasom: HaEmunah BeChazal UveDivrehem HaKedoshim is a newly published book by Rabbi Reuven Schmeltzer of Monsey. Its subtitle is: "A selection from the great ones throughout the generations in the matter of the tradition of faith, and the sanctity and truth of all the words of the Sages, and the methods of approach to studying concealed topics in Aggadah and matters relating to science." The book features glowing rabbinic approbations from Rav Michel Lefkowitz (Bnei Brak), Rav Moshe Shapiro (Jerusalem), Rav Elya Ber Wachtfogel (South Fallsburg), Rav Elya Weintraub (Bnei Brak), Rav Yaakov Hillel (Jerusalem), Rav Yitzchak Scheiner (Jerusalem), Rav Avraham Levin (Chicago), and Rav Malkiel Kotler (Lakewood), all of whom were signatories to the ban on my works and some of whom were extensively involved in it. There is also a generous acknowledgment to "the Gaon Rabbi Leib Tropper" for supporting the book's publication via his organization "Eternal Jewish Family."

In the approbations, Rav Scheiner writes that R. Schmeltzer's book presents "virtually every possible perspective," Rav Kotler refers to the "great breadth" (*hekef rav*) of the discussion, and Rav Elya Ber Wachtfogel laments that there are those who claim that there are alternate strains of the *mesorah* to that described in the book. Rav Moshe Shapiro, who describes the topic of this book as one of the "fundamental principles of faith," is R. Schmeltzer's principal *rebbe* and he is quoted at length throughout the book; from my knowledge of numerous people's conversations with him, it accurately represents his approach.

There are many, many positions in this book that I dispute on theological or empirical grounds. For example, this book takes the position that Chazal's statements about science all come from Sinai, and are thus all correct; I believe otherwise, based on both theological and empirical grounds. However in this essay, I am not raising such theological and empirical disputes. Instead, I am restricting the critique to something much more basic, fundamental and indisputable: the misquotations of the positions of the Rishonim themselves, which in some cases involves literally distorting their words (i.e. editing them to give them a different meaning), and in other cases involves unacceptable selectivity. In the introduction, on p. 17,

R. Schmeltzer claims that "the book is nothing other than a compilation of sources which represent the *mesorah*." Let us investigate the truth of that claim.

Rambam on the Definition of Torah from Sinai

In the very first paragraph of the introduction to the work, where R. Schmeltzer explains that the goal of the work is to demonstrate the sanctity in every single (sic) statement of Chazal, he enlists the support of Rambam, with the following quotation regarding the words of Chazal:

> ...שהעתיקו איש מפי איש, מפי משה רבינו מסיני... נמצא, שכולם מה׳ אלקי ישראל (רמב״ם יד החזקה - הקדמה לספר יד החזקה)

R. Schmeltzer uses Rambam's words in reference to his claim that every single statement of Chazal was transmitted to Moshe by Hashem. But when Rambam says that "they are all from God," he is not referring to every statement of Chazal! This is abundantly clear without having to cite Rambam's statements in the *Moreh* about how Chazal sometimes erred in science and other such statements by Rambam. One only needs to look at the sentence *immediately preceding* this quote, in which Rambam notes that the Gemara *also* includes laws that were innovated by Batei Din subsequent to Sinai:

> וענין שני הגמרות הוא, פירוש דברי המשניות, וביאור עמקותיה, **ודברים שנתחדשו בכל בית דין ובית דין, מימות רבינו הקדוש ועד חיבור הגמרא**. ומשני הגמרות, ומן התוספתות, ומספרא וספרי, מכולם יתבאר האסור והמותר, הטמא והטהור, החיוב והפטור, הפסול והכשר, כמו שהעתיקו איש מפי איש, מפי משה רבינו מסיני:

Even worse is when this source is cited again in the first chapter. The introductory paragraph to the chapter (p. 21) explains that the purpose of the chapter is:

> to demonstrate that all the words of Chazal, including halachos and aggados, and that which does not include laws, was received "man from man, from Moshe Rabbeinu at Sinai" (quotes are in original)

The quoted text is from Rambam's introduction to the *Mishneh Torah*, indicating that in the view of Rambam, even aggados were received from Sinai – which has no basis whatsoever in the writings of Rambam. The citation from Rambam appears on the next page, as the second quote enlisted in support of the chapter's thesis, as follows:

> וענין שני הגמרות הוא, פירוש דברי המשניות, וביאור עמקותיה, ודברים שנתחדשו בכל בית דין ובית דין, מימות רבינו הקדוש ועד חיבור הגמרא. ומשני הגמרות, ומן התוספתות, ומספרא וספרי, מכולם יתבאר האסור והמותר כו׳ כמו שהעתיקו איש מפי איש מפי משה רבינו מסיני וכו׳ נמצא מרב אשי עד משה רבינו עליו השלום, ארבעים דורות. ואלו הן... ומשה רבינו מפי הגבורה. **נמצא, שכולם מה׳ אלקי ישראל**:

From R. Schmeltzer's citation, it seems that after discussing the contents of the Gemara, Rambam concludes that it is all from God, transmitted to Moshe at Sinai. But upon checking this in the original, I was stunned to see that R. Schmeltzer has *inverted the order of*

the text of Rambam! Here is the original citation, with the text that was quoted by R. Schmeltzer in bold:

> **...נמצא, מרב אשי עד משה רבינו עליו השלום, ארבעים דורות. ואלו הן... ומשה רבינו מפי הגבורה. נמצא, שכולם מה' אלקי ישראל**:
>
> כל אלו החכמים הנזכרים, הם גדולי הדורות. מהם ראשי ישיבות, ומהם ראשי גליות, ומהם סנהדרי גדולה. ועמהם בכל דור ודור, אלפים ורבבות, ששמעו מהם ועמהם. רבינא ורב אשי, הם סוף חכמי הגמרא. ורב אשי, הוא שחיבר הגמרא הבבלית, בארץ שנער, אחר שחיבר ר' יוחנן הגמרא ירושלמית, בכמו מאה שנה .**וענין שני הגמרות הוא, פירוש דברי המשניות, וביאור עמקותיה, ודברים שנתחדשו בכל בית דין ובית דין, מימות רבינו הקדוש ועד חיבור הגמרא. ומשני הגמרות, ומן התוספתות, ומספרא וספרי, מכולם יתבאר האסור והמותר, הטמא והטהור, החיוב והפטור, הפסול והכשר, כמו שהעתיקו איש מפי איש, מפי משה רבינו מסיני:**
>
> גם יתבאר מהם דברים, שגזרו חכמים ונביאים שבכל דור ודור, לעשות סיג לתורה, כמו ששמעו ממשה בפירוש, שנאמר (ויקרא יח, ל) ושמרתם את משמרתי, עשו משמרת למשמרתי (מועד קטן ה' ע"א). וכן יתבאר מהם, המנהגות והתקנות ,שהתקינו או שנהגו, בכל דור ודור, כמו שראו בית דין של אותו הדור. לפי שאסור לסור מהם, שנאמר (דברים יז, יא) לא תסור מן הדבר אשר יגידו לך ימין ושמאל. וכן משפטים ודינים מופלאים, שלא קיבלום ממשה, ודנו בהם בית דין של אותו הדור במדות שהתורה נדרשת בהן, ופסקו אותם הזקנים, וגמרו, שהדין כך הוא, הכל חיבר רב אשי בגמרא, מימות משה ועד ימיו.

In the original text, Rambam first discusses the explanation of the mitzvos, which is how he defines *Torah SheBe'al Peh*. He then describes the transmission of this through the generations, and concludes that section by saying that "they are all from God." *After* this, Rambam states that the Gemara also includes matters that were innovated after Sinai. Rambam does not say that these are from God at Sinai – in fact, he explicitly states that they were *not* received from Moshe! And it is perfectly clear that he would not include Aggadata in this category either. But R. Schmeltzer has *reversed* the order of Rambam's sentences, placing his statement that "they are all from God" at the end, so as to make it seem as though Rambam is saying that *everything* printed in the Gemara is from Sinai!

R. Schmeltzer also quotes from a letter of Rambam on p. 26 and on p. 30 describing the need to accept the wisdom of Chazal's statements, as the first source enlisted in the chapter on the need to accept all the words of Chazal, whether in halachah or aggadah. Yet this citation has nothing to do with prohibiting doubting any statement of Chazal; instead it is explicitly discussing teachings which appear at face value to be utterly nonsensical (which would not apply to statements that are merely scientifically in error, reflecting the wisdom of the day), or to contradict the fundamentals of Torah (as Rambam understood them).

Rambam on Heresy

In the introduction to Chapter 3, R. Schmeltzer explains that the chapter will deal with how doubting any of the words of Chazal, whether in halachah or Aggadah, is heresy. R.

Schmeltzer takes the situation of such a "heretic" very seriously; in reference to this, he has a footnote quoting the *Shulchan Aruch* that one should bring about the death of such a person by any possible means.[1] But immediately following his words about how heresy includes doubting the words of Aggadah, he writes that it is our obligation in this regard to fulfill the words of the Rambam with regard to "not making our faith an abomination in lacking the correct understanding of words of wisdom."[2] Yet it is quite clear that Rambam was referring to a specific class of Talmudic allegories, not to every statement of Chazal, since he himself considered several statements of Chazal to have been refuted by science:

> It is one of the ancient beliefs, both among the philosophers and other people, that the motions of the spheres produced mighty and fearful sounds. ... This belief is also widespread in our nation. Thus our Sages describe the greatness of the sound produced by the sun in the daily circuit in its orbit. ... Aristotle, however, rejects this, and holds that they produce no sounds. ... You must not find it strange that Aristotle differs here from the opinion of our Sages. The theory of the music of the spheres is connected with the theory of the motion of the stars in a fixed sphere, and our Sages have, in this astronomical question, abandoned their own theory in favor of the theory of others. Thus, it is distinctly stated, "The wise men of other nations have defeated the wise men of Israel." **It is quite right that our Sages have abandoned their own theory**; for everyone treats speculative matters according to the results of his own study, and every one accepts that which appears to him established by proof. (*Guide for the Perplexed* 2:8)
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> You must, however, not expect that everything our Sages say respecting astronomical matters should agree with observation, for mathematics were not fully developed in those days; **and their statements were not based on the authority of the Prophets, but on the knowledge which they either themselves possessed or derived from contemporary men of science**. (*Guide for the Perplexed* 3:14)
>
> In the opinion of all who are knowledgeable in science, the words of the stargazers are all lies. I know that if you will search you may find isolated statements from the Sages of the Talmud and the Midrashim, which show that at the time of one's birth, the stars will cause him some specific circumstance. This should not be a problem; just as it is not proper to follow various obscure opinions when it comes to a matter of halachah, so too it is not right to discard things which are reasonable and have been proven to be true, to reject them and base oneself on the words of an individual Sage **who may have been unaware of the facts**, or whose words may be an allusion [and not to be taken literally], or may only refer to a specific time or incident which happened to him. (*Letter to the Sages of Montpellier*)

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[1] Does R. Schmeltzer genuinely believe that this should be done to people such as myself? If so, this is deeply problematic; if not, then it is extremely irresponsible for him to write such a thing, considering that there are individuals out there who take such recommendations seriously and see it as authorizing persecution, if not taking it as far as actual murder. In fact, since the publication of R. Schmeltzer's book, I have received disturbing threats, by telephone and e-mail, not just against myself but even against my children. R. Schmeltzer and the rabbis who endorsed his work may have to shoulder some of the responsibility for such appalling acts.

[2] Cited from Rambam's letter to his son R. Avraham.

In the first quotation in this chapter, to support his claim that it is heretical to doubt any statement of Chazal, R. Schmeltzer cites Rambam's description of a *makhchish maggideha* as a heretic. But Rambam explicitly defines *makhchish maggideha* as "someone similar to Tzaddok and Baytus," who Rambam explains denied the very concept of an Oral Torah.[3] He certainly did not intend it to refer to someone who denies any statement of Chazal, as he would then have been defining himself as a heretic!

In a footnote, R. Schmeltzer attempts to deal with this obvious problem by citing Rav Moshe Cordovero's position that since the *sefiros* are part of *Torah SheBe'al Peh*, the status of *makhchish maggideha* also applies to one who denies *sefiros*, and by extension, any part of *Torah SheBe'al Peh*. But this is Rav Moshe Cordovero's extension of Rambam's position; it is not Rambam's position! One can choose to adopt the position that it is heretical to doubt any of the words of Chazal whatsoever, but one cannot draft Rambam in support of this.

Rambam on *Machlokes*

Chapter 10 of *Chaim B'Emunasam* is dedicated to showing that "every dispute, question and opinion in Shas was given at Sinai." According to R. Schmeltzer, one is obligated to accept that when there is a dispute or question in the Gemara, every position was received by Moshe Rabbeinu at Har Sinai. I was utterly bewildered to see R. Schmeltzer citing Rambam's introduction to his *Commentary to the Mishnah* in support of this claim, since only a few days earlier I had been listening to a *shiur* about how Rambam held precisely the opposite view and how he was challenged by others for this very reason. This is made explicit in the *Mishneh Torah*:

> דברי קבלה אין בהן מחלוקת לעולם, וכל דבר שתמצא בו מחלוקת בידוע שאינו קבלה ממשה רבינו (יד החזקה - הלכות ממרים פרק א הלכה ג)

Rambam's view was that only undisputed matters in the Gemara can be said to have been received from Sinai; anything about which there is dispute is *ipso facto* not received from Sinai. How on earth could R. Schmeltzer be citing Rambam in support of the view that both sides of a disputed matter are from Sinai?

Upon comparing R. Schmeltzer's citation from Rambam with the original, I realized how this had happened. R. Schmeltzer had omitted certain parts from Rambam's discussion, in some cases not even including an ellipsis or "et cetera" to indicate where he had done so! Here is the paragraph as cited by R. Schmeltzer; the highlights are his:

> חלק השלישי, הדינין שהוציאו על דרכי הסברא ונפלה בם מחלוקת והעיון בדבר כו' ותמצא בכל התלמוד שהם חוקרים על טעם הסברא שהוא גורם המחלוקת בין החולקים כו' כו' **אבל מי שיחשוב שהדינין שנחלקין בהם כמו כן מקובלים מפי משה, וחושבים שנפלה המחלוקת כדרך טעות ההלכות**, או השכחה, או מפני שאחד מהם קבל קבלת אמת והשני טעה בקבלתו,

[3] *Perush haMishnayos*, *Sanhedrin* 11:3.

או שכח, או לא שמע מפי רבו כל מה שצריך לשמוע, ויביא ראיה על זה מה שנאמר (סנהדרין דף פח ע״ב), משרבו תלמידי שמאי והלל שלא שמשו כל צרכן רבתה מחלוקת בישראל ונעשית תורה כשתי תורות, זה הדבר מגונה מאד והוא דברי מי שאין לו שכל ואין בידו עיקרים ופוגם באנשים אשר נתקבלו מהם המצות, **וכל זה שוא ובטל**. ומה שהביאו להאמין באמונה הזאת הנפסדת, הוא מיעוט הסתכלותו בדברי החכמים הנמצאים בתלמוד כו׳ אבל מה שאמרו, משרבו כו׳ והעיקרים כמו כן הנתונים לזה כו׳ **לא מפני שטעו בהלכות, ושהאחד אומר אמת והשני שקר** כו׳ ומה יקר וגדול זה העיקר במצות:

As cited by R. Schmeltzer, it sounds as though Rambam is saying that one should not think that disputes in the Gemara are due to errors in transmission from Sinai or intellectual shortcomings, and that one position in a dispute is false. The inference is that all Chazal's statements are true, and all reflect an accurate transmission from Sinai of unique permutations. In other words, Rambam is saying that one should not think that in a dispute, one view is not from Sinai; they are *both* from Sinai.

Yet this cannot be, since as we have seen Rambam say plainly and unambiguously in the Mishneh Torah, only undisputed matters in the Gemara can be said to have been received from Sinai; anything about which there is dispute is *ipso facto* not received from Sinai. So how did R. Schmeltzer manage to present Rambam as saying the opposite? Once again, he has edited Rambam's words in order to give them a different spin. When we look at the full discussion in the original text, we see Rambam's true view. Rambam begins by noting that the halachic aspects of the *Torah SheBe'al Peh* can be divided into several categories. The first two categories both include matters that were transmitted from Sinai:

לפיכך היו חלקי הדינין המיוסדים בתורה על העיקרים האלה שהקדמנו נחלקים לחמשה חלקים:

החלק הראשון, פירושים מקובלים מפי משה, ויש להם רמז בכתוב, ואפשר להוציאם בדרך סברא, וזה אין בו מחלוקת, אבל כשיאמר האחד כך קבלתי אין לדבר עליו:

החלק השני, הם הדינים שנאמר בהן הלכה למשה מסיני, ואין ראיות עליהם כמו שזכרנו, וזה כמו כן אין חולק עליו:

Now we come to the third category of laws, which in contrast to the previous two, were *not* received from Sinai, but rather were derived via exegeses. The highlighted words in this quote are those that R. Schmeltzer chose to cite:

החלק השלישי, הדינין שהוציאו על דרכי הסברא ונפלה בם מחלוקת, כמו שזכרנו, ונפסק הדין בהן על פי הרוב, וזה יקרה כשישתנה העיון, ומפני כך אומרים (יבמות דף עו ע״ב) אם הלכה נקבל ואם לדין יש תשובה. אבל נפלה המחלוקת **והעיון בדבר** שלא נשמע בו הלכה, **ותמצא בכל התלמוד שהם חוקרים על טעם הסברא שהוא גורם המחלוקת בין החולקים**, ואומרים במאי קא מיפלגי, או מאי טעמא דר׳ פלוני, או מאי בינייהו, והם מביאים אותו על ענין זה ברוב מקומות. וזוכרים הטעם הגורם למחלוקת, כגון שיאמרו רבי פלוני מחזיק טענה פלונית, ופלוני מחזיק טענה פלונית וכדומה לו. **אבל מי שיחשוב שהדינין שנחלקין בהם כמו כן מקובלים מפי משה, וחושבים שנפלה המחלוקת כדרך טעות ההלכות, או השכחה, או מפני שאחד מהם קבל קבלת אמת והשני טעה בקבלתו, או שכח, או לא שמע מפי רבו כל מה**

שצריך לשמוע, ויביא ראיה על זה מה שנאמר (סנהדרין דף פח ע״ב), משרבו תלמידי שמאי והלל שלא שמשו כל צרכן רבתה מחלוקת בישראל ונעשית תורה כשתי תורות, זה הדבר מגונה מאד והוא דברי מי שאין לו שכל ואין בידו עיקרים ופוגם באנשים אשר נתקבלו מהם המצות, וכל זה שוא ובטל. ומה שהביאו להאמין באמונה הזאת הנפסדת, הוא מיעוט הסתכלותו בדברי החכמים הנמצאים בתלמוד. שהם מצאו שכל הפירוש המקובל מפי משה הוא אמת, ולא נתנו הפרש בין העיקרים המקובלים ובין תולדות הענינים, שיוציאו אותן בעיון. אבל אתה אל יכנס בלבך ספק, שמחלוקת ב״ש וב״ה, באמרם (ברכות פ״ח, דף נא ע״ב), מכבדין את הבית ואחר כן נוטלים לידים, או נוטלין לידים ואח״כ מכבדין את הבית, ותחשוב שאחד משני הדברים האלו אינו מקובל מפי משה מסיני, אבל הטעם שהוא גורם להיות חולקים, הוא מה שנזכר בתלמוד (שם נב ע״ב), שאחד מהם אוסר להשתמש בעם הארץ והשני מתיר. וכן כל מה שידמה לאלו המחלוקות שהם ענפי הענפים:

אבל מה שאמרו, משרבו תלמידי שמאי והלל שלא שמשו כל צרכם רבתה מהלוקת בישראל, ענין זה מבואר, שכל ב׳ אנשים בהיותם שוים בשכל ובעיון ובידיעת העקרים שיוציאו מהם הסברות, לא תפול ביניהם מחלוקת בסברתם בשום פנים, ואם נפלה תהיה מעוטא, כמו שלא נמצא שנחלקו שמאי והלל אלא בהלכות יחידות. וזה מפני שדעות שניהם היו קרובות זה לזה בכל מה שיוציאו בדרך סברא. **והעיקרים כמו כן, הנתונים לזה כמו העיקרים הנתונים לזה.** אבל כאשר רפתה שקידת התלמידים על החכמה ונחלשה סברתם נגד סברת הלל ושמאי ובם נפלה מחלוקת ביניהם בעיון על דברים רבים, שסברת כל אחד ואחד מהם היתה לפי שכלו, ומה שיש בידו מן העיקרים. ואין להאשימם בכל זאת. שלא נכריח אנחנו לשני חכמים מתוכחים בעיון להתוכח כשכל יהושע ופנחס, ואין לנו ספק כמו כן במה שנחלקו בו, אחרי שאינם כמו שמאי והלל או כמו שהוא למעלה מהם, שהקב״ה לא צונו בעבודתו על ענין זה. אבל צונו לשמוע מחכמי הדור, כמו שנאמר (דברים יז), אל השופט אשר יהיה בימים ההם. ועל הדרכים האלו נפלה המחלוקת, **לא מפני שטעו בהלכות, ושהאחד אומר אמת והשני שקר.** ומה מאד מבואר ענין זה לכל המסתכל בו. **ומה יקר וגדול זה העיקר במצות:**

This is based on the Hebrew translation used by R. Schmeltzer; in those of Rav Kapach and Rav Shilat, widely considered more accurate, matters are even clearer. Here is the first paragraph in the Kapach translation, in which the most important phrases are in bold:

החלק השלישי, הם הדינים שנלמדו באחת המדות, ובהם נופלת מחלוקת כמו שאמרנו, ונפסק בהם הדין כדעת הרוב לפי הכללים שהקדמנו, במה דברים אמורים כשהדבר שקול, ולכן אומרים אם הלכה נקבל ואם לדין יש תשובה. **ולא תפול מחלוקת ומשא ומתן אלא בכל מה שלא שמענו בו קבלה,** ותמצאם בכל התלמוד חוקרים על דרכי הדין שבגללם נפלה מחלוקת בין החלוקים ואומרים במאי קא מיפלגי, או מאי טעמא דר׳ פלוני, או מאי ביניהו, כי יש שהם הולכים בדרך זו בענין זה במקצת מקומות ומבארים סבת המחלוקת ואומרים שפלוני סומך על דבר פלוני ופלוני סומך על דבר פלוני וכיוצא בזה. אבל סברת מי שחשב שגם הדינים שיש בהם מחלוקת קבלה ממשה, ונפלה בהם מחלוקת מחמת טעות בקבלה או שכחה, ושהאחד צודק בקבלתו והשני טעה בקבלתו, או ששכח, או שלא שמע מרבו כל מה שצריך לשמוע, ומביא ראיה לכך מה שאמרו משרבו תלמידי שמאי והלל שלא שמשו כל צרכן רבתה מחלוקת בישראל ונעשית תורה כשתי תורות, הנה זה חי ה׳ דבר מגונה ומוזר מאד, והוא דבר בלתי נכון ולא מתאים לכללים, וחושד באנשים שמהם קבלנו את התורה, וכל זה בטל. והביא אותם לידי

השקפה נפסדת זו מיעוט ידיעת דברי חכמים הנמצאים בתלמוד, לפי שמצאו שהפירוש מקובל ממשה וזה נכון לפי הכללים שהקדמנו, אבל הם לא הבדילו בין הכללים המקובלים והחדושים שנלמדו [בדרכי העיון]. אבל אתה אם תסתפק במשהו ודאי לא תסתפק במחלוקת בית שמאי ובית הלל באמרם "מכבדין את הבית ואח"כ נוטלין לידים" או "נוטלין לידים ואח"כ מכבדין את הבית", **שאין אחת משתי הסברות** (i.e. neither one) **מקובלת ממשה ולא שמעה מסיני**, וסבת מחלוקתם כמו שאמרו שאחד מהם אוסר להשתמש בעם הארץ והשני מתיר, וכן כל הדומה למחלוקות אלו שהם סעיפי סעיפי סעיפים.

As can be clearly seen when the text is studied in its entirety, and even more obviously in the superior translation, Rambam is saying that any *halachos* which involve dispute were *not* received from Sinai. When Rambam later says that one should not think that in a dispute, one view is correct and one view is false, his point is that one cannot say that such a dispute is regarding the truth of a law transmitted from Sinai; instead, such a dispute is regarding a law derived by the Sages via *sevara*, about which the understandable limitations of the human intellect will lead to disagreements; in the case of Shammai and Hillel, only a few disputes, but with their weaker disciples, many such disputes arose. Rambam's view is that in a dispute, one should not think that one view is false, i.e. a perversion of that received from Sinai. R. Schmeltzer presents an edited version of the text which implies that *both* sides of a dispute are accurate representations of the tradition from Sinai, but clearly Rambam's real position, as seen from the full text, is that *neither* is intended to represent a received tradition from Sinai.

Rambam continues to note two other categories of legal statements in the Gemara which were not received from Sinai. First are the decrees instituted to safeguard the Torah's laws, which are subject to dispute, since people may not agree on their necessity. Finally are all the other decrees of the Sages, instituted for various purposes, some of which were instituted by Moshe Rabbeinu, and others of which were instituted in later generations. Rambam concludes this section with a summary, again reiterating that the first two of the five categories involve matters received from Moshe at Sinai – but not the others:

אם כן, כל הדינין הנזכרין במשנה נחלקים על אלו החמשה חלקים –

(1) **ומהם פירושים מקובלים מפי משה**, ויש להם רמז בכתוב, או אפשר להיות סוברים עליהם סברא.

(2) **ומהם הלכה למשה מסיני**.

(3) ומהם מה שהוציאו בדרך הקש וסברא ובו נפלה המחלוקת.

(4) ומהם גזרות.

(5) ומהם תקנות.

He then explains why both opinions are cited in a dispute, even that which is not adopted:

והטעם שהצריכם לכתוב המחלוקת הנופלת בין שתי הדעות, הוא מה שאומר, שההלכות, אילו נכתבו פסוקות, שאין בהם מהלוקת, ונדחו דברי החכם שאין הלכה כמותו, אפשר שיבא אחר כן מי שקבל הפך הדבר שעליו נפסקה ההלכה, מהחכם החולק על הדעת ההיא, או ממי שהוא נוטה לדעתו, ותכנס ספקא בנפשותינו ונאמר, איך יקבל זה האיש, והוא איש אמת, שדבר

פלוני אסור, והמשנה אומרת שהוא מותר, או הפך הענין הזה. ובשביל זה, כשיהיו לנו כתובות אלו הדעות, יהיה נגדר זה הפרץ. כי כשיאמר המקבל, שמעתי שכך וכך אסור, נאמר לו, כן דברת, וזהו דעת פלוני, אבל רבים חולקין עליו, או פלוני חלק עליו, וההלכה כדעת החולק, מפני שסברתו יותר נכונה, או מפני שמצאנו דבר אחד מסייעתו (עדיות פ״א):

Finally, Rambam concludes with an explanation of why when Chazal rejected their own opinions in favor of others, the original is still cited. After all, since the original opinion was incorrect, what is the purpose of citing it? (Obviously, it was not from Sinai, otherwise there would be good reason to cite it!) Rambam explains that it was cited to demonstrate the intellectual honesty of Chazal in rejecting their own positions when disproved:

אבל הטעם שהצריכום לכתוב דברי יחיד ורבים, הוא מפני שאפשר להיות הלכה כיחיד, וע״כ בא ללמדך, כשתהיה סברה פשוטה, ואפילו ליחיד, שומעין לו, ואע״פ שחולקין עליו רבים. והטעם שהצריכום לכתוב דעת איש אחד, ואחר כן חוזר מן הדעת ההיא, כגון שאמרו, בש״א כך ובה״א כך וכך, וחזרו ב״ה להורות כדברי ב״ש, כדי להודיעך אהבת האמת והגברת הצדק והאמונה. שהרי אלו אנשים הנכבדים, החסידים, הנדיבים, המופלגים בחכמה, כשראו דברי החוק עליהם טובים מדבריהם, ועיונו נכון, הודו לו וחזרו לדעתו. כל שכן שאר האנשים, בראותם האמת נוטה עם בעל דינו, יהיה כמו כן נוטה לאמת, ולא יקשה עורף. וזהו דברי הכתוב (דברים יד), צדק צדק תרדוף. ועל זה אמרו חכמים, הוי מודה על האמת. רצו לומר, אף על פי שתוכל להציל נפשך בטענות תוכחיות, כשתדע שהם אמת דברי חבירך, אשר טענתך עליו גלויה מפני חולשתו, או מפני יכולתך להטעות האמת, חזור לדבריו והריב נטוש:

Halevay that others would adopt such intellectual honesty.

Rambam's *Moreh Nevuchim*

Chapters 66 through 70 are devoted to the *Moreh Nevuchim*, which is the thorn in the side of anyone trying to deny the authenticity of the rationalist approach. After all, in the *Moreh Nevuchim*, Rambam does everything that R. Schmeltzer defines as being heretical: denying the truth of some of Chazal's statements, interpreting many of Chazal's statements allegorically, deriving truth from secular philosophy, and interpreting many parts of the Written Torah allegorically. R. Schmeltzer provides several ways of doing away with the *Moreh*:

- It was written merely for outreach (and cannot be taken as either Rambam's own approach, or as a legitimate approach; according to this, it is apparently acceptable to teach heresy for the sake of outreach).
- Its true meaning is in its secret kabbalistic depths (and it cannot be interpreted in the way that it was interpreted by Rambam's official translator Shmuel Ibn Tibbon and hundreds of years of subsequent interpretation).

- It was written before the revelations of kabbalah (pp. 276, 291).[4]

R. Schmeltzer is free to follow those approaches. However to claim that these are the *only* possibilities, and that the *Moreh* (with a non-kabbalistic interpretation) is not considered by any authority to represent a legitimate approach within Judaism, is unacceptable. Especially with regard to the statements in the *Moreh Nevuchim* that we are discussing – those noting that some scientific pronouncements of Chazal were in error – there have been many, many authorities in more recent generations who took the same approach in these matters.[5]

Rabbeinu Avraham ben HaRambam

Rabbeinu Avraham ben HaRambam's "Letter concerning the Aggados of Chazal" is the most famous (albeit far from unique) source concerning Chazal's errancy in scientific matters:

> …We are not obliged, on account of the great superiority of the sages of the Talmud, and their expertise in their explanations of the Torah and its details, and the truth of their sayings in the explanation of its general principles and details, to defend them and uphold their views in all of their sayings in medicine, in science and in astronomy, or to believe them [in those matters] as we believe them regarding the explanation of the Torah… we find that they made medicinally related statements in the Gemara which have not been justified or validated...

But this source concerning the potential errors of Chazal's scientific statements, which should surely be a central point of discussion in a book on this topic, it is only relegated to a footnote. And in this footnote (p. 224 note 5), R. Schmeltzer, following Rav Moshe Shapiro, claims that the essay is a forgery. While the superficial language of the footnote may indicate that he is merely raising questions as to its authenticity, the clear message of the footnote, and indeed of the wider context, is that it *is* and *must be* a forgery. After all, he has already established that someone who doubts anything in the Gemara, even scientific statements, is liable for the death penalty!

But not only is there no reason to conclude that the essay must be a forgery, there is not even any serious reason to doubt its authenticity, especially the section regarding Chazal's knowledge about science.

In 1974, Rabbi Elazar Hurvitz published fragments from the Cairo Genizah of Rabbeinu Avraham ben HaRambam's essay in its original Judeo-Arabic (dating possibly back to the 14th century), along with an overview of the various manuscripts available and their citations by other Torah authorities. Parts of Rabbeinu Avraham ben HaRambam's essay are quoted in Hebrew translation by 16th century authors, including R. Vidal Tzarfati in the

[4] I must confess that I find it odd that in certain circles it is acceptable to say that Rishonim were ignorant of the revelations of kabbalah, but not to say that they were unaware of the discoveries of modern science.

[5] For example, R. Yair Chaim Bacharach, Rav Hirsch, Maharam Schick, Ben Ish Chai, the Ruzhiner, Rav Herzog, etc. See www.torahandscience.blogspot.com for an extensive list.

introduction to his *Imrei Yosher* commentary on Midrash Rabbah and R. Avraham Ibn Migash in his *Kevod Elokim*. There are similarities between the essay and some of Rabbeinu Avraham's other writings; significantly, Rabbeinu Avraham writes in his *Milchamos Hashem* that the Jewish sages conceded to the gentile sages regarding the path of the sun at night. It is also completely consistent with Rambam's own views.

R. Schmeltzer argues that the manuscript's authenticity is in doubt in light of the fact that the 1836 publication of a Hebrew translation includes a fraudulent signature at the end of it, and that various manuscripts contain differences. But this is simply nonsense. The differences in the manuscripts reflect obvious kabbalistic additions from the copyist, Rabbi Avraham Eilburg of Braunschweig. The various manuscripts of Hebrew translations that exist, some dating from the 16th century, are all fundamentally the same – the manuscripts' authenticity is not undermined by a signature that was added to one of them by a copyist wanting to show who authored it. Thus, we have multiple copies of the manuscript from different sources, some dating as far as the fourteenth century, which are all fundamentally similar, which are entirely consistent with the other writings of Rabbeinu Avraham and his father Rambam, and which have been repeatedly published and widely accepted as being Rabbeinu Avraham's view (even by those who strongly disputed the actual position) without anyone batting an eyelash. Then all of a sudden, following the ban on my books, some non-specialists claim that a recent *maskil* substantially changed the text! Many have disputed Rabbeinu Avraham's approach, but I do not know of anyone who claimed that he never wrote it; Rav Shlomo Zalman Auerbach wrote that he does not know if anyone is even entitled to dispute it. And again, since the fundamental point of contention here is regarding Rabbeinu Avraham's views concerning Chazal being mistaken in science, the entire discussion is irrelevant, since Rabbeinu Avraham reiterates in *Milchamos Hashem* that Chazal erred in this matter and R. Yehudah HaNasi conceded their error.

R. Schmeltzer quotes Rav Aharon Kotler as saying that the approach of Rabbeinu Avraham ben HaRambam is not our *mesorah*. If this means that it is not the accepted approach in the *charedi* yeshivah world today, I do not deny that. But with regard to whether they are part of any *mesorah* – part of a legitimate tradition handed down through the generations – Rav Yitzchak Herzog, a rebbe of Rav Elyashiv, writes that "the attitude of the orthodox Jew towards the scientific matter embedded in this colossal mass of Jewish religious learning may be best summed up in the words of R. Abraham Maimuni, the great son of the greatest codifier of Jewish law and the foremost Jewish philosopher of the Middle Ages..." Certainly many authorities have been of the opinion that it was very much part of the *mesorah*. It has been traditionally printed in the *Ein Yaakov* and quoted in dozens of other works, even in the ArtScroll Schottenstein Talmud, and was recently cited approvingly in a *Yated Ne'eman* article about Rabbeinu Avraham. Is it reasonable to suppose that all these people have been utterly unaware of the true nature of the mesorah, or is it more reasonable to suppose that R. Schmeltzer is defining the mesorah far more narrowly than the reality?

In any case, R. Schmeltzer co-opts the view of Rav Kotler as though he was likewise claiming it to be a forgery. There are absolutely no serious grounds for considering it a forgery, and in any case Rabbeinu Avraham reiterates the same view in his other writings, and furthermore it has been widely accepted as the legitimate view of Rabbeinu Avraham for hundreds of years. To dismiss it as a heretical forgery in a footnote is unacceptable.

Rav Shimshon Raphael Hirsch

Following Rabbeinu Avraham ben HaRambam, the second most explicit discussion of Chazal's fallibility in the scientific era is found in the letters of Rav Shimshon Raphael Hirsch, which also discuss the status of *aggadah*:

> In my opinion, the first principle that every student of Chazal's statements must keep before his eyes is the following: Chazal were the sages of God's law – the receivers, transmitters, and teachers of His *Toros*, His *mitzvos,* and His interpersonal laws. They did not especially master the natural sciences, geometry, astronomy, or medicine – except insofar as they needed them for knowing, observing, and fulfilling the Torah. We do not find that this knowledge was transmitted to them from Sinai… We find that Chazal themselves considered the wisdom of the gentile scholars equal to their own in the natural sciences. To determine who was right in areas where the gentile sages disagreed with their own knowledge, they did not rely on their tradition but on reason. Moreover they even respected the opinion of the gentile scholars, admitting when the opinion of the latter seemed more correct than their own.
>
> …We are not to budge from the road to life shown us by our *rishonim* when they made a major and intrinsic distinction between statements made as transmissions from God to Moshe and statements made as Aggadah. Their very names speak for themselves. The former were transmitted from master to disciple, and their original source is a human ear hearing from the mouth of Moshe who heard at Sinai. The latter, though transmitted from master to disciple (for many aggadic statements are introduced by a disciple in the name of his master and sometimes even in the name of the master's master), have their origin in what the originating scholar stated as his own opinion in accord with his broad understanding of Tanach and the ways of the world, or as statements of *mussar* and fear of G-d to attract his audience to Torah and *mitzvos.*

In dealing with these important letters – also unacceptably relegated to a footnote (p. 224) – R. Schmeltzer follows Rav Moshe Shapiro's lead and denounces the letters as forgeries. He rates the content of these letters as heresy "along the lines of Azariah de Rossi's *Me'or Einayim*."

This claim is based on the fact that the letters from Rav Hirsch were unsigned and were not written in his handwriting. However, Professor Mordechai Breuer, the greatest expert on Rav Hirsch in our day, noted to me that it was the custom for family members to make copies of correspondence. He laughed when I told him that there were people claiming the letters to be forgeries.

R. Schmeltzer claims that there is no basis for attributing them to the "*tzaddik* Rav Hirsch." This is simply false. Rav Hirsch's letters were part of a lengthy exchange with Rabbi

Hile Wechsler, and Rabbi Wechsler's original handwritten letters are extant. To maintain a belief that the Hirsch letters were forged, one would have to claim that somebody was consistently intercepting the letters that Rabbi Wechsler was sending, and was writing responses in a style and handwriting that fooled Rabbi Wechsler into thinking that he was corresponding with Rav Hirsch and continuing the correspondence! This is absurd. The Wechsler letters prove beyond doubt that the Hirsch letters are genuine.

R. Schmeltzer claims that the publisher of *Shemesh Marpeh* (Rav Hirsch's letters) asked Rav Shimon Schwab about these letters, and Rav Schwab "forbade him from publishing them, as though they were written by his hand, and therefore they were omitted." If that were to have been the case, then Rav Schwab would have been mistaken. However, it seems more likely that R. Schmeltzer has either been misinformed or is misrepresenting what happened. R. Schwab did advise the editor, Rabbi Eliyahu Meir Klugman, not to publish the letters but this was because the letters would be considered controversial and cause problems for him.[6]

What is especially disturbing is that the proof of the letters' authenticity has already been pointed out a long time ago. A friend of mine in Bayit Vegan, Rabbi Matis Greenblatt, brought the Wechsler letters to Rav Moshe Shapiro's attention. Much later I heard that when someone else asked Rav Moshe about Rav Hirsch's letters, Rav Moshe no longer claimed that the letters were forgeries and replied instead that "Rav Hirsch is not from our Beis HaMidrash." So why is *Chaim B'Emunasom* still claiming that the letters are forgeries?

R. Schmeltzer must concede that the Hirsch letters are genuine. Which in turn means that either Rav Hirsch was espousing heresy, or that the fundamental message of R. Schmeltzer's book is false.

Eruvin: Mathematical Errors

In the introduction to Chapter 5, R. Schmeltzer stresses that "attributing 'error', Heaven forbid, in any way, to Chazal's words in the halachah and its reasons and its details that are explained in the Gemara, is heresy, Heaven forbid, in the concept of *Torah min HaShamayim*." This may sound fairly normative, but R. Schmeltzer is not merely referring to accepted halachic opinions in the Gemara. He reiterates that "e*very single word and letter* of Chazal was received from Sinai" (emphasis added). R. Schmeltzer states that this even applies to statements that the Gemara rejects as being refuted or that the Gemara determines were said *badusa* ("in error").

[6] Lawrence Kaplan, in "*Torah U-Madda* in the Thought of Rabbi Samson Raphael Hirsch," *BDD* vol. 5 (Summer 1997) p. 28, reports a conversation that he had with R. Schwab and says that he is citing him practically verbatim as follows: "The editor consulted with me, and I advised him not to publish them. I told him that the letters are controversial and likely to be misunderstood, and that his publishing them would just bring him unnecessary *tzorres*."

Now, this is not only bizarre, it is also clearly not the approach of most Rishonim. In a footnote (any positions of the Rishonim that explicitly refute R. Schmeltzer's approach and which I have managed to raise to public attention are only ever dealt with in a footnote), R. Schmeltzer discusses the statement of Tosafos (*Eruvin* 76b) that Rabbi Yochanan and the Gemara in *Sukkah* erred in interpreting a position stated by the judges of Caesarea. R. Schmeltzer places the word "erred" in quotes, and proceeds to explain that one should not, Heaven forbid, think that Tosafos means that it is an error in the ordinary sense of term. Instead, it was certainly a legitimate alternative viewpoint and was certainly something that was received at Sinai. In a circular argument, R. Schmeltzer claims that if Rabbi Yochanan's statement was truly an error, it would be *bittul Torah* to study it (a view that numerous people have also heard from Rav Moshe Shapiro).

But this is clearly *not* the meaning of Tosafos. The kind of error being discussed by Tosafos is not one of *sevara* or methodology, where different viewpoints are possible, and where one can say that *eilu v'eilu divrei Elokim chaim*. Rather, it is a *mathematical* error. Tosafos says that Rabbi Yochanan and the Gemara in *Sukkah* misunderstood a statement by the judges of Caesarea to mean that the diagonal of a square is equal to twice the length of its side. This is a simple mathematical statement, and it is one that is in error. Tosafos states that Rabbi Yochanan subscribed to this understanding of the judges of Caesarea, and that the Gemara in *Sukkah* rejected it precisely because it is mathematically inaccurate.

Further confirmation of this understanding of Tosafos (as if any were needed) can be found in the other Rishonim. Rashba expresses surprise at Tosafos attributing a simple mathematical error to Chazal, and he gives an alternate explanation, but he does not deny that Tosafos does indeed say this! Ran likewise expresses surprise that the judges of Caesarea erred in a simple mathematical matter, and cites an alternate explanation of Rabbi Yochanan's misunderstanding of what the judges of Caesarea were saying, which somewhat lessens the error, but still leaves Rabbi Yochanan making genuine errors of both interpretation and mathematics. Tosafos HaRosh states similarly. Tosafos Rid expresses surprise that Rabbi Yochanan and the judges of Caesarea erred in such a simple mathematical matter, and leaves it as an unresolved difficulty, but does not say that it is inconceivable for any error to have been made. Yet R. Schmeltzer does not cite any of these Rishonim.

R. Schmeltzer does cite the Vilna Gaon, who states that one should not, Heaven forbid, state that there was an error here. But this is *exactly* why the Vilna Gaon gives an *alternate* explanation of the entire passage in the Gemara. The Vilna Gaon does not deny that Tosafos was indeed attributing a genuine error!

Thus, R. Schmeltzer has totally ignored the views of the Rishonim, and has misrepresented the view of the Vilna Gaon. But he was forced to do so; since they refute his insistence that everyone is obligated to believe that "every single word and letter of Chazal was received from Sinai."

The Sun's Path at Night

One of the most basic sources for saying that Chazal were fallible in scientific matters is the Gemara discussing various disputes concerning astronomy:

> תנו רבנן, חכמי ישראל אומרים, גלגל קבוע ומזלות חוזרין, וחכמי אומות העולם אומרים, גלגל חוזר ומזלות קבועין. אמר רבי תשובה לדבריהם, מעולם לא מצינו עגלה בדרום ועקרב בצפון. מתקיף לה רב אחא בר יעקב, ודילמא כבוצינא דריחיא ,אי נמי כצינורא דדשא. חכמי ישראל אומרים, ביום חמה מהלכת למטה מן הרקיע ובלילה למעלה מן הרקיע, וחכמי אומות העולם אומרים, ביום חמה מהלכת למטה מן הרקיע ובלילה למטה מן הקרקע, אמר רבי ונראין דבריהן מדברינו, שביום מעינות צוננין ובלילה רותחין. (פסחים צד ע״ב)
>
> The Rabbis taught: The Sages of Israel say that the celestial sphere is fixed and the constellations revolve [within it], and the sages of the nations say that the sphere revolves and the constellations are fixed [within it]. Rebbi said: A response to their words, is that we have never found the Great Bear in the south and the Scorpion in the north. Rav Acha bar Yaakov objected: But perhaps it is like the axle of a millstone, or the hinges of a door socket.
>
> The Sages of Israel say, During the day, the sun travels below the firmament, and at night, above the firmament. And the scholars of the nations say, During the day the sun travels below the firmament, and at night below the ground. Rebbi said: Their words seem more correct than ours, for during the day the wellsprings are cool and at night they steam. (Talmud, *Pesachim* 94b)

At face value, this passage is saying that Rebbi acknowledged that the Sages of Israel erred in believing that the sun travels behind the sky at night. (In the versions of the Gemara cited by some Rishonim, Rebbi's concession was regarding the first dispute regarding the sphere and constellations.) But is this the true meaning of the Gemara? According to Rambam, yes:

> **It is quite right that our Sages have abandoned their own theory**; for everyone treats speculative matters according to the results of his own study, and every one accepts that which appears to him established by proof. (*Guide for the Perplexed* 2:8)

Rabbeinu Avraham ben HaRambam states likewise, both in his *Letter on Aggados* and in *Milchamos Hashem*. So does Tosafos Rid:

> וכדבריי מצאתי שתירץ גם ר״ת בספר הישר (סי׳ קפא). אלא שהוא תירץ כפי חכמי ישראל שאומרים כי החמה הולכת בלילה אחר הכיפה למעלה מן הרקיע, ואני תירצתי כפי חכמי אומות העולם שאומרים שהחמה מהלכת בלילה תחת הארץ, **והוא העיקר**, כדאמרינן התם בפרק מי שהיה טמא (פסחים צד, ב). (תוספות ריי״ד, שבת לד:)
>
> I have discovered that Rabbeinu Tam answered in the same manner as have I, except that his explanation followed the view of the sages of Israel, who say that the sun travels behind the covering of the firmament – above the sky – at night, whereas **I have followed in my explanation the view of the gentile sages**, who say that the sun travels below the earth at night, and **whose opinion is the main one**, as it says in the chapter "*Mi Shehayah Tamei*" (*Pesachim* 94b). (Tosafos Rid, *Shabbos* 34b, s.v. *Eizehu*)

Rabbi Eliyahu Mizrachi is explicit that this was a scientific dispute which was decided in favor of the non-Jewish scholars (this is in the context of his ruling that it is permissible to teach science to non-Jews):

> ובפסחים פרק מי שהיה טמא "תנו רבנן חכמי אומות העולם אומרים גלגל חוזר וכוכב קבוע וחכמי ישראל אומרים גלגל קבוע וכוכב חוזר ואמר רבי נראין דבריהם" משמע שהיו מתוכחים ביניהם והיו מביאין ראיות כל אחד משתי הכתות לקיים דבריהם, ואלו היה אסור בדבר היאך יכולים להודיע להם ראיותיהם להתוכח עמהם עד שהכריע בזה רבינו הקדוש ואמר נראין דבריהם (שו"ת ר' אליהו מזרחי סימן נז)
>
> In *Pesachim*, in Chapter *Mi Shehayah Tamei*, the Rabbis taught: The Sages of Israel say that the celestial sphere is fixed and the constellations revolve [within it], and the sages of the nations say that the sphere revolves and the constellations are fixed [within it]. Rebbi said, Their view appears more correct. The implication is that they were disputing each other, each side bringing proofs to support its position. If there were a prohibition [against teaching non-Torah knowledge to gentiles], how could [Chazal] have informed [the gentiles] of their proofs and disputed with them until Rebbi decided between them and said that their view appears more true? (*Responsa Rabbi Eliyahu Mizrahi* #57)

Rabbi Yitzchak Arama explicitly states that it was a scientific dispute in which the Sages erred due to their limited time spent studying astronomy:

> ...שאם יתנועעו גופי הכוכבים ממקומותיהם, כמו שחשבו חכמי ישראל האומרים (פסחים צד:) מזל חוזר וגלגל קבוע, כבר ישוער מהם שהם רצים ושבים מדעתם ורצונם, ותוכל לטעות בהם שעושים מעצמם. אבל מאחר שהם אינם רק כמסמרות נטועים בגלגלי הקפותיהם הנושאים אותם, שאותם הגלגלי' גם הם נשואים בגלגל הגדול הנושא של כל אחד מהם... כי הא דתנו רבנן חכמי ישראל אומרים מזלות חוזרים וגלגל קבוע וחכמי האומות אומרים גלגל חוזר ומזלות קבועים נצחו חכמי אומות בעולם, **והודו להם חכמים** כדאיתא במסכת (פסחים שם), **כי הענין הזה** רצוני מהיות הככבים גופים נחים בלתי מתנועעים מעצמם ולא נעתקים ממקומם אשר מזה נתבא' מיעוט יכלת' ושכל מה שעשו לא עשו אלא מדעתו כמו שאמרנו **נתבאר אמתתו ראשונה לחכמי הגוים** ולמלכיהם מצד עוצם השתדלותם בעניני פרטי המלאכה ההיא אשר כוונו אליה לעבוד עבודתה ולשמור משמרתה כמו שנתפרסם מעבודתם הנכריות אשר אסרה אותם התורה תכלית האיסור **מה שלא הוצרך כל זה לחכמי ישראל** רק לדעת מה שכוון מהמלאכה ההיא לחכמת העבור ולחשבון תקופות ומולדות כתורה וכמצוה כמו שיבא. והנותר מהם היה להם לזרה ולאבוד זמן בעניינים חצוניים שלא הותר להם להתעסק בהם... (עקידת יצחק, פרשת בא אל פרעה, שער שבעה ושלשים)
>
> If the stars themselves moved, as was thought by the Jewish sages who said that the celestial sphere is fixed and the constellations revolve within it, one might then conjecture that they moved of their own accord, and mistakenly conclude that they did so with their own independent power. But they are merely like nails affixed to the spheres [forming] their orbits, which carry them, and which are in turn carried by the great sphere… With regard to the rabbis' teaching that the Sages of Israel say that the celestial sphere is fixed and the constellations revolve within it, and the sages of the nations say that the sphere revolves and the constellations are fixed within it, **the sages of the nations triumphed, and the Jewish sages conceded to their view**, as it says in the tractate – for this means that the stars are

bodies at rest, not moving independently, implying, in turn, that they have no independent abilities, doing whatever they do only because of God. **This truth was discovered first by the gentile scholars and their kingdoms because of their immense efforts in pursuing this study** [**of astronomy**], which they concentrated on in order to serve [the heavenly bodies]... in the foreign ways of their religions, which the Torah forbade; **while the Jewish sages did not need to know** [**all this astronomy**] – except as it related to the intercalation of months and the timing of the seasons and the new moons, necessary for the Torah and [its] commandments.... The rest they considered foreign and a waste of time – foreign matters that they were never permitted to study.... (*Akeidas Yitzchak*, *Parashas Bo*, Chap. 37)

Maharam Alashker[7] notes that the majority view is to accept the position of the non-Jewish scholars:

וידוע הוא ומשכל ראשון ד**דברים אלו אין להם שום מציאות כי אם לדעת חכמי ישראל** שסוברים גלגל קבוע ומזלות חוזרין ושהשמש מהלכת בלילה אחרי הכפה דע״כ צריכה ללכת כל עובי הרקיע נוכח חלונה כדי לעלות למעלה על גבי הכפה כדאמרן. והעולה מדבריו של ר״ת ז״ל דשעור ג׳ מילין ורביע אחר שלא תראה החמה על הארץ כלו מן היום לכל דבר שהרי אין בין השמשו׳ מתחיל עד שקיעה שניה דהיינו סוף השקיעה וכדבעי׳ נמי למימר קמן. **אמנם שאר המפרשים ז״ל והמחברים ז״ל והרמב״ם ז״ל בפרק ח׳ מהחלק השני מהמורה והגאונים ז״ל סוברי׳ כחכמי אומות העולם** דגלגל חוזר ומזלות קבועים ושהחמה מהלכת בלילה תחת הארץ ובכי האי גונא אין צורך להליכת עובי הרקיע ולא לנגד החלון כי הגלגל הוא ששוקע בה תחת האופק ואין שם כי אם שקיעה אחת... (שו״ת מהר״ם אלשקר סימן צו)

It is known and obvious that the description (given by Rabbeinu Tam) is true only according to the opinion of the sages of Israel, who believe that the sphere is fixed and the constellations revolve within it, and that the sun travels behind the firmament's covering at night. **But the authors and commentators other** [**than Rabbeinu Tam**], **and also the Rambam… and the Geonim, accept the view of the gentile sages**, that the sphere revolves and the constellations are fixed in it, and that the sun travels below the earth at night, according to which theory it is not necessary for the sun to travel through the thickness of the firmament or opposite the opening in it, for it is the sun that descends below the horizon, there being only one sunset… (*Responsa Maharam Alashkar* #96)

Lest one think that such an interpretation of the Gemara was only given by those Torah scholars who lived prior to the revelations of kabbalah, it should be noted that many prominent Torah scholars of more recent times also interpreted the Gemara in this way. Rabbi Yair Chaim Bacharach (*Chavos Ya'ir*) writes that the Sages of Israel were making errors in the factual reality:

ומצד הפלגת רוממותו והעלמו וקדושתו פגם הטועה גדול מהחוקר בחכמת התכונה גם מצד שאין בנמצא כולי האי סתירת מאמרים בחכם אחר מיני׳ וביה אף שבשאר דברים **הצד שוה**

[7] Note that R. Schmeltzer, on p. 95, cites Maharam Alashkar's statement that the relationship of his generation to that of the Rishonim was like that of a monkey to a man. R. Schmeltzer equates this to mean that Chazal spoke entirely with *ruach hakodesh* and were infallible; but from the statement of Maharam Alashkar regarding the dispute in Pesachim, he was clearly not of this view.

בהם שהוא טעות במציאות ומעט מזעיר מוסכם מכל שלא יהיה בו מחלוקת וכארז״ל שנחלקו ח״י עם חכמי א״ה בגלגל קבוע וכו׳ ועי׳ במ״נ ח״ב ספ״ה ופ״ט ונחלקו התנאים במהלך החמה בלילה אם למעלה מכיפת הרקיע או למטה מהארץ.... (שו״ת חוות יאיר סימן רי)

The blemish of one who errs in the study of Kabbalah is greater than that of one who errs in astronomy… albeit the common denominator [of Kabbalah and astronomy] is that [**such errors reflect**] **mistaken understanding of the factual reality**. And [in astronomy, unlike Kabbalah] almost nothing is entirely agreed upon and not subject to dispute, as per the dispute between the Jewish and gentile sages regarding whether the sphere is fixed and the constellations revolve, or the sphere moves and the constellations are fixed in it. And see *The Guide for the Perplexed* Part II, the end of Chapter 8 and Chapter 9, (where Rambam cites the dispute and says that the knowledge of astronomy in Talmudic times was incomplete); and the Tannaim dispute whether the sun travels above the covering of the sky at night or below the earth… (*Responsa Chavos Ya'ir* #210)

Rabbi Moshe Schick stresses that the opinion of the Sages of Israel was *not* received from Sinai (in stark contrast to the claim of R. Schmeltzer!) and was a speculation that has now been scientifically proven false:

מה שהעיר על דברי התוס׳ בברכות דף ב׳ ע״ב בד״ה דלמא וברש״י בפסחים דף צ״ג ע״ב ד״ה מעלות השחר ועוד בכמה דוכתי כ׳ דהחמה נכנסת בעובי הרקיע וזה נגד הסכמת גמרא בפסחים דף צ״ד ע״ב שאמר רבי נראין דבריהם מדברינו שהחמה נכנס בלילה תחת הקרקע והיכא דאמרינן נראין כ׳ התוס׳ בעירובין דף מ״ו ע״ב ד״ה ר״א וכו׳ שמורין כן וכ״כ הרא״ש בפ׳ כל שעה והטור וב״י באו״ח סי׳ תנ״ה בשם ר״א ממיץ דהחמה מהלכת תחת הארץ בלילה ולכך אין לשין אלא במים שלנו. ויותר תימה על נוסח הלשון שתיקנו בזמירות לשבת ״הפותח בכל יום דלתות שערי מזרח ובוקע חלוני רקיע מוציא חמה ממקומה ולבנה ממכון שבתה ומאיר לעולם כולו״ דמשמע כמ״ד דנכנס בעובי ברקיע עכ״ל. והנה לפי הנראה לי דה**דברים דלא קבלו חכז״ל מהלממ״ס אלא שאמרו כן לפי סברתן, ובדבר שאינו מקובל ואין לו שורש בתורתינו אלא עפ״י החקירה והנסיון קשה להכריע.** וכמה פעמים הכריעו חכמים עפ״י השכל שהדבר הוא כך והדור הבאים אחריהם השכילו יותר בדבר זה וחלקו על הדיעה הראשונה וכל דבר שמסכימים עליו עפ״י הנסיון א״א להחליט הדבר אלא עפ״י הרוב וכן הוא בהא דאמר רבי שנראין דברי חכמי אומות העולם אבל לא הכריע בהחלט כי בדבר כזה שמביאין רק ראיות א״א להחליט לגמרי ובאמת בהרמב״ם בספר המורה הגירסא שחכמי ישראל חזרו מדבריהם ועכ״פ לפי הגירסא שלנו לא אמר רבי אלא נראין. ואין זה ענין למ״ש התוס׳ שם בעירובין דנראין היינו הסכמה דזה שייך רק בדיני תורה שאנו מחוייבין לעשות כפי שנראה ואין לדיין אלא מה שעיניו רואות והקב״ה מסכים על ידו משא״כ בדברים שהם בחקירת הטבע... ובגוף הדבר כבר הקשה על הנוסח הנ״ל בספר הברית מאמר ד׳ שני המאורות פרק כ׳ וביאר שדרך המשורר לינקוט מליצה לפי המדומה לבני אדם עיי״ש. ועכ״פ בש״ס שלנו אינו מוכרע לא לכאן ולא לכאן וצריכין אנו לחוש אם יש נפ״מ לדינא לחומר היוצא מב׳ הסברות ולכך לענין מים שלנו חששו לדיעה ההוא ורש״י ותוס׳ נקטו בלשונם הדבר לפי דעת חכמי ישראל שהיו אז ואע״ג **שעתה הסכימו המחקרים וגם נראה כן בעין ובניסיון שהחמה נכנסת בלילה מתחת לארץ** מ״מ נקטו בזמירות הנ״ל לפי המדומה... (שאלות ותשובות מהר״ם שיק ,אבן העזר, תשובה ז)

Regarding the question concerning what is written in *Tosafot*, *Berachot* 2b, s.v. "*dilma*"; in Rashi, *Pesachim* 93b, s.v. "*mei'alot hashachar*"; and in several other places – that the sun enters into the thickness of the firmament [at night] – which contradicts the conclusion of the Gemara on *Pesachim* 94b, where Rebbi says, "Their view (that the sun travels beneath the earth at night) appears more correct (*nir'in*) than our own"; and where the word *nir'in* is used, *Tosafot* on *Eruvin* 46b, s.v. "Rabbi Eliezer etc." writes that we rule accordingly, and the Rosh, in Chapter *Kol Sha'ah*, and the Tur and *Beit Yosef* (*Orach Chaim* 455) concur, as they quote from Rabbi Eliezer of Metz that the sun travels beneath the earth at night, and we therefore knead [matzah] dough only with water that has sat at least one night since being drawn. Even more perplexing (than Rashi and Tosafot's contradiction to the Gemara's conclusion) is the statement established in the Shabbos prayers: "He who opens daily the doors of the gates of the east and breaches the windows of the sky; He brings the sun out from its place, and the moon from its resting-place, and illuminates the world" – which implicitly concurs with the view that the sun enters the thickness of the firmament [at night].

It seems to me that such matters that were not received by Chazal as *halachah leMoshe miSinai*, but rather were said according to their own reasoning. And with something that is not received [from Sinai] and has no root in our Torah, but rather comes from investigation and experience, it is difficult to resolve conclusively. And there are many occasions when the sages determined, according to their own intellects, that a matter was a certain way, and the subsequent generation analyzed the matter further and disputed the earlier view. Any conclusion drawn from experimentation is can be considered only probable, [not certain]. Indeed, in the dispute on *Pesachim* 94b, Rebbi said that the gentile sages' view appeared more correct, but he did not express certainty; for a matter like this, which is investigated only by finding evidence [of one view or the other], cannot be resolved with certainty. In truth, according to the reading of the Gemara found in *The Guide for the Perplexed*, the Jewish sages recanted their position; but according to our reading, Rebbi said only that the gentile sages' view appears (*nir'in*) more correct...

Regarding the fundamental issue: the text of the [Shabbat] prayer quoted above has already been questioned in *Sefer HaBrit*, *ma'amar* 4 – *Shnei Me'orot*, Chap. 20, where he explains that it is the poetic style to describe things based on how they appear to the human observer [as opposed to how they really happen]. Regardless, in our Gemara it is not decided one way or the other, and we must [therefore] observe the stringencies resultant from each view. Therefore with regard to water passing the night we implement the stringency resulting from the [gentile sages'] view; while Rashi and Tosafot described [the sun's movement] according to the Jewish sages of the time [of the dispute in the Gemara]. Although **scientists now agree – and it is apparent to the eye and by experimentation – that the sun travels below the earth** [at night], the [Shabbat] prayer describes it based on how it appears to us... (*Responsa Maharam Schick #7*)

Chacham Yosef Chaim (the "Ben Ish Chai") likewise, in contrast to R. Schmeltzer's assertion that everything in the Gemara is a metaphysical truth received from Sinai, explains that the view of the Sages of Israel was a scientific speculation that has since been disproved by modern science:

דע כי מ״ש ר״א ור״י כאן בענין מהלך החמה **אמרו זה לפי השערת השכל מה שנראה להם בחכמת התכונה**, ולא החליטו דברים אלו לאמת אותם אלא כל אחד כפי שנראה לו על פי

כללים דחכמת התכונה שבידו, אבל **לא אמרו דברים אלו בקבלה מרבותם**, ולכן עתה בזמן הזה שנתפשטו הכללים של חכמת התכונה ונתחכמו לעשות כלים של ראייה בכוכבים ומזלות ובכדור הארץ ובמעלות השמש, המה ראו וידעו כמה דברים שנראה להחליט אותם אליבא דאמת והסכמת הכל, שהחמה הולכת בלילה למטה מכדור הארץ בעבר השני של הכדור... ואם חכמי ישראל אמרו דבר זה מן הקבלה שבידם, איך אומר נראין דברי אוה״ע מדברינו, וגם איך עושה הוכחה מסברא דמעיינות רותחים לדחות דברי קבלה ח״ו, אלא **ודאי חכמי ישראל לא החליטו דברים אלו לאמת אלא אמרו שהשערת השכל כן נראה לומר על פי חכמת התכונה שהיתה בזמנם**, ולא אמרו אלא בדרך אפשר. (ספר בניהו להרב בן איש חי, בבא בתרא כה ב)

Know that regarding what R. Eliezer and R. Yehoshua say here regarding the motion of the sun, **was said according to their intellectual assessment**, according to whatever seemed true to them in the science of astronomy. And they did not determine these things and establish them as true; rather, each went according to whatever appeared to him in accordance with his principles of astronomy; **they did not say these things as a tradition from their teachers**. And therefore, nowadays, when the principles of astronomy are widespread, and they have devised observational tools for the stars and constellations and the globe and the elevations of the sun, they have seen and know many things that can be genuinely determined and universally agreed upon, [such as that] the sun travels below the earth at night on the other side of the globe… And if the Sages of Israel said their view [regarding the sun's motion at night] from their tradition, how could it be said that the words of the non-Jewish scholars seem more correct? And how could one bring a proof from the argument regarding steaming waters to contradict matters that were received via tradition, Heaven forbid? Rather, it is certain that **the Sages of Israel did not determine these things to establish them as true; rather, they said that their intellectual assessment suggests it according to the science of astronomy that they possessed in their era**, and they only suggested it as a possibility… (Chacham Yosef Chaim, *Benayahu*, *Bava Batra* 25b)

There are many, many more such views; I have merely cited those that are most prominent and explicit. The overwhelming consensus of Rishonim and Acharonim is to interpret this account in the Gemara at face value, that Rebbi conceded that the Sages of Israel had been bettered by the non-Jewish scholars in astronomy.

But when R. Schmeltzer cites this section of the Gemara, in chapter 27 (p. 134), the *only* view from the Rishonim that he cites is that of Rabbeinu Tam, who held that the non-Jewish scholars only had more powerful arguments but the truth lay with the Sages of Israel. R. Schmeltzer completely ignores Rambam, Tosafos Rid, Rav Yitzchak Arama, Maharam Alashkar, and the others, merely parenthetically referring the reader to his later establishing of Rabbeinu Avraham ben HaRambam's statement as being a forgery! And while he cites a number of Acharonim who follow in the approach of Rabbeinu Tam or Maharal, he does not mention the view of Chavos Ya'ir, Maharam Schick, Rav Hirsch, or the Ben Ish Chai.

Furthermore, what does R. Schmeltzer mean by citing Rabbeinu Tam as the only legitimate approach from the Rishonim? Does he likewise believe that the sun really does pass behind the sky at night? In a footnote, R. Schmeltzer cites several kabbalists who

reinterpret Rabbeinu Tam's position to be referring to a metaphysical reality. In the introduction, on p. 12, R. Schmeltzer likewise states that the statement of the Sages of Israel "is true and absolutely in accordance with its literal meaning, even though it is not so according to the eyes of flesh-and-blood," explaining that the Sages of Israel were making a statement about the metaphysical reality.

Yet R. Schmeltzer neglects to mention that many other authorities interpreted Rabbeinu Tam quite literally. We have already noted that Tosafos Rid and Maharam Alashkar understood Rabbeinu Tam in this way, and they pointed out that Rabbeinu Tam's view has been rejected. *Lechem Mishneh* (*Hilchos Shabbos* 5:4) likewise interprets Rabbeinu Tam in accordance with his plain meaning, and notes that his view is problematic in light of the Gemara favoring the opinion of the non-Jewish scholars.

So, in discussing this Gemara, R. Schmeltzer ignores the vast majority of Rishonim and Acharonim in favor of the opinion of a single Rishon, and he furthermore ignores how several Acharonim interpreted this Rishon in accordance to with its plain meaning. Again, he is forced to do so, since according to R. Schmeltzer's definition of heresy, all these authorities are guilty of espousing heresy.

Miscellaneous Selective Citations of Authorities

There are several sections in which R. Schmeltzer displays extreme selectivity in his citation of sources, only bringing those that are in line with his ideological goal. This is unacceptable in a work that claims to be presenting the definitive and sole authentic approach based on the writings of Rishonim and Acharonim throughout the generations.

I. *Me'or Einayim*

R. Schmeltzer quotes several authorities who followed Maharal in opposing R. Azariah de Rossi's *Me'or Einayim* as a work of "utter heresy." He gives the overwhelming impression that the condemnation of *Me'or Einayim* was unequivocal. But subsequent to Maharal's condemnation, *Me'or Einayim* was still cited by many prominent Torah authorities, often positively, including R. Yosef Shlomo Delmedigo,[8] R. Yissachar Baer Eilenburg,[9] R. Avraham Gombiner,[10] R. Chaim Benveniste,[11] R. Yechezkel Feivel;[12] R. Malachi ben Yaakov HaKohen,[13] R. Yitzchak Lampronti,[14] R. Pinchas Hurwitz,[15] R. Yishayahu Basan,[16] R.

[8] *Matzref Le-Chachmah* 8b; *Novelos Chachmah* 111a; *Michtav Achuz* p. 22.

[9] *Tzedah leDerech*, in numerous places, e.g. his comment in *parashas Vayera*, on *tikkun soferim*. My thanks to Rabbi Dr. Shnayer Leiman for this and many other references.

[10] *Magen Avraham.*

[11] *Kenesses HaGedolah.*

[12] *Toldos Adam*. See Shraga Abramson's essay in *Sinai* 72 (1973), pp. 106-107.

[13] *Yad Melachi.*

[14] *Pachad Yitzchak*, sv. *kelayos* 72b.

Yaakov Emden,[17] R. Elazar Fleckeles,[18] Rav Shmuel Yitzchok Schorr,[19] R. Avraham Dayyan,[20] Maharatz Chajes,[21] R. Yishayahu (Pik) Berlin,[22] Chida,[23] Chassam Sofer,[24] and Netziv,[25] and even by the Maharal's own disciples, such as R. Yom Tov Lippman Heller[26] and R. Dovid Gans.[27] Quoting the condemnation of Maharal and a few others does not give a remotely accurate picture of Jewish history.

II. The Signs of Kosher Fish

On p. 112, in a chapter devoted to showing the extent of Chazal's scientific knowledge, R. Schmeltzer cites two views that the Gemara's declaration that any fish with scales also has fins is an absolute statement. He does not mention the view of R. Yonasan Eibeschitz (*Kreisi*, Y.D. 83:3) and R. Yaakov Tzvi Mecklenberg (*HaKesav VeHaKabbalah*, Vayikra 11:9) that the Gemara's statement is merely a general rule that can have exceptions. Since both these views were in my book *The Camel, The Hare And The Hyrax* that R. Schmeltzer arranged to have banned, he is certainly aware of these views.

III. Mermaids

On p. 113 in this chapter on the extent of Chazal's scientific knowledge, R. Schmeltzer cites a view that the Gemara's description of *dolfins*, which Rashi explains to refer to mermaids, has been confirmed by Spanish explorers who (allegedly) discovered such creatures.[28] R. Schmeltzer neglects to cite the far more straightforward view of *Mussaf haAruch* (which he knows of from my book, and which is brought in the ArtScroll Gemara) that the Gemara is referring to dolphins, not mermaids.

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[15] *Sefer HaBris* in numerous places.

[16] *Lachmei Todah*, no. 19.

[17] R. Yaakov Emden cites *Me'or Enayim* regularly, mostly to argue with him, but sometimes to praise him. For a good sample of the praise, see M. M. Goldstein, "*Hagahos HaRav Yavetz KeSav Yad al sefer Me'or Einayim*," *Kovetz Tiferes Mordechai* 3 (2000), p. 400.

[18] *Meleches Ha-Kodesh* 2:3.

[19] *Minchas Shai*, *Zekhariah* 14:5.

[20] *Zichron Divrei Aretz*, printed in *Holech Tamim U'Po'el Tzeddek* (Livorno 1850) p. 66b.

[21] *Toras Nevi'im*, 7b; *Mevo Ha-Talmud* in numerous places.

[22] *Minei Targima*, *likkutim* at the end.

[23] *Kisei Rachamim*, (Jerusalem 1990), *Perush* on *Maseches Sofrim* 1:8, p. 41.

[24] *Responsa Chasam Sofer*, vol. 5, *hashmatos* 193.

[25] *Ha'amek Davar* to Ex. 28:36 and five times in his commentary to Sifrei.

[26] *Tosafos Yom Tov*, *Menachos* 10:3.

[27] *Tzemach David*, vol. 1 pp. 7, 19; vol. 2 pp. 9b, 11a; *Nechmad Ve-Na'im*, no. 90.

[28] They were probably referring to manatees, which Christopher Columbus also thought to be mermaids.

IV. Lice

On pp. 298-299, R. Schmeltzer cites Rabbi Yehudah Brill's position on Chazal's scientific infallibility vis-à-vis lice spontaneously generating – without mentioning that we only know of this position from its citation in *Pachad Yitzchak* by Rabbi Yitzchak Lampronti, who disagreed with it and felt that there may well have been a scientific error! While some attempt to claim that Rabbi Lampronti rejected his own opinion in favor of Rabbi Brill's, this is not how it is generally understood, and with good reason; after citing Rabbi Brill's position, Rabbi Lampronti again explains why he believes that one should be concerned for a scientific error. In any case, Rabbi Lampronti's view should certainly be cited!

V. Rambam and Demons

On p. 290-291 R. Schmeltzer cites the Vilna Gaon's well-known declaration that Rambam was led astray by the "accursed philosophy" to deny the existence of demons and other such phenomena.[29] Of course it is not acceptable, even in R. Schmeltzer's circles, to simply dismiss the Rambam in this way, and so in the footnotes, R. Schmeltzer cites numerous views which explain that Rambam did not really deny the existence of demons. (There are, in fact, many more such views beyond those cited by R. Schmeltzer.) So R. Schmeltzer presents the reader with two options: either Rambam was perverting Judaism (in a way that R. Schmeltzer classifies as bona fide heresy), or Rambam has been misunderstood and did not really deny demons. R. Schmeltzer is forced into this view because his book's fundamental point is that everyone is unequivocally obligated to accept the truth of everything in the Gemara. But noticeably absent from the numerous sources cited by R. Schmeltzer are the views of the Gerona kabbalist R. Shlomo b. Meshullam da Piera,[30] R. Yosef b. Shem Tov,[31] R. Yosef Shalom Delmedigo,[32] R. Aviad Sar-Shalom Basilea,[33] Abarbanel,[34] R. Yosef Ergas,[35] R. Yosef Shaul Nathanson,[36] and R. Menashe ben Yisrael,[37] all

[29] R. Schmeltzer clarifies in a footnote that the Vilna Gaon did not mean to denigrate Rambam himself, Heaven forbid, and reports the account of how the Vilna Gaon spoke highly of the Rambam and wished to share his portion in the World-to-Come; however, this story appears to be nothing more than a folktale, with no authentic basis. See R. Yisrael Yaakov Dinstag, "Was the Gra Opposed to the Philosophical Approach of the Rambam?" [Hebrew], *Talpiot* 4:1-2 (Tammuz 5709) p. 254.

[30] In *Yediyot HaMachon LeCheker HaShirah HaIvrit* 4 (1938) pp. 33, 55. This and the following sources are taken from Marc Shapiro, *Maimonides and his Interpreters*, pp. 105-108.

[31] His comment is printed in his translation of Crescas' *Bittul Ikkarei HaNotzrim* p. 93.

[32] *Eilim* (Amsterdam 1628) p. 83.

[33] *Emunas Chachamim* p. 15b.

[34] Commentary to Devarim 18:9, p. 173.

[35] *Shomer Emunim*, p. 11.

[36] Responsa *Shoel U'Meishiv* 4:87.

[37] *Nishmas Chayyim* 3:12.

of whom note that Rambam indeed denied the existence of demons, and most of whom did not consider Rambam to have thereby fundamentally perverted Judaism.

Peshat and *Penimiyus*

The message of *Chaim B'Emunasom* is that every Jew is obligated to accept that every single word of Chumash, Gemara and Midrash as true. But not only does R. Schmeltzer insist that every word is true; he also repeatedly insists that every word is *literally* true (כפי פשוטו). Now, even R. Schmeltzer has to admit that this certainly does not appear to be the case. After all, we can see that the sun goes on the other side of the planet at night, not behind the sky. And he is probably not willing to accept the physical factual reality of the astounding creatures described by Rabbah bar bar Chanah, such as a baby goat forty miles in length, or a frog the size of a village that was eaten by a snake which was eaten by a bird, and so on. But R. Schmeltzer gets around this problem by defining literally true to mean "literally true in a metaphysical sense," i.e. referring to the factual reality of the spiritual roots to our universe that we cannot see with our eyes. (See chapters 62, 72 and 73.)

This was indeed the approach of Maharal and some others who followed in his footsteps. But R. Schmeltzer claims that it is the *only* authentic approach! This not only means ignoring, dismissing or distorting all the Geonim and Rishonim and Acharonim who stated that certain statements of Chazal are not true at all. It also means distorting the words of those Rishonim and Acharonim who held that all the words of the Torah are true in the literal physical, not metaphysical, sense. It means fundamentally ignoring and/or distorting all the debates that raged in the medieval period between various Rishonim concerning the literalness of various statements in the Aggadah. The ferocious quarrel between Rabbi Shlomo ben Avraham of Montpellier and Rabbeinu Avraham ben HaRambam concerning whether the Leviathan is an actual giant fish or an allegory for spiritual concepts, the sharp words of Rabbi Moshe Abulafiah for Rashi's literal interpretation of certain Aggadatas, the enormous controversy over Rambam's allegorization of several parts of Scripture – according to R. Schmeltzer, there were no such debates; every legitimate Torah scholar always held that everything in Torah is literally true but in a metaphysical sense!

Astonishingly, R. Schmeltzer even cites Rambam in these chapters. On p. 340, R. Schmeltzer cites Rambam's instructions on how one should attribute any difficulties in Aggados to one's own intellectual shortcomings. However, it is abundantly clear from the sources cited earlier that Rambam did not consider this to apply to Chazal's statements concerning science, which he freely rejected. On p. 362, R. Schmeltzer quotes Rambam about how he is interpreting the Torah's description of creation *ex nihilo* literally. But Rambam certainly interpreted many other parts of the Torah non-literally, which is exactly why he was sharply criticized by Ramban, Abarbanel and many others!

Dealing with Inconvenient Sources

The introduction to Chapter 60, which is entitled "I shall consider that I did not understand their words," addresses "a *few* statements of the Rishonim that initially appear to oppose the mesorah which obligates us to interpret everything literally" (emphasis added). Of course, it is not a mere few statements, but let us see how R. Schmeltzer deals with these inconvenient sources that undermine his entire message.

R. Schmeltzer provides three paths of guidance. He first refers the reader back to the previous chapter, which states that with the kabbalistic revelations of the Arizal and so on, all previous alternative approaches to Torah have been disqualified. He then cites Rav Simcha Zissel that one should consider oneself not to have understood their meaning. As a third course of guidance, he quotes the Chazon Ish that one should not think about such things.

Words do not suffice to fully describe how nonsensical this is. However, I will make some remarks. First of all, there is the extraordinarily offensive assertion that an entire school of thought in the Rishonim, the Golden Age of Sefarad, has been rendered not only obsolete by the kabbalah, but even heretical. Second, this ignores the fact that even subsequent to the spread of kabbalah, there were numerous authorities – and even kabbalists, such as Rabbi Yair Chaim Bacharach, Rabbi Yisrael Friedman of Ruzhin and the Ben Ish Chai – who stated that the Gemara contains scientific errors.

Then, with regard to R. Schmeltzer's citation of Rav Simcha Zissel that one should consider oneself not to have understood their meaning, it should be pointed out that Rav Simcha Zissel explicitly states that he is speaking about statements that contradict the fundamentals of faith, which he surely did not define in the same way as R. Schmeltzer. With regard to the statements of the Rishonim and Acharonim concerning the scientific errors in the Talmud, they are explicit, unambiguous, and often verbose. They said what they meant and meant what they said. There is no basis for saying that we have misunderstood their meaning.

With regard to the final piece of guidance, that it is better not to think about such things – I fully agree that there are potential dangers involved in these views. But in a work which claims to be a work of Torah scholarship, reflecting the views of Torah scholars throughout the ages, and defining the limits of authentic and legitimate approaches, it is unacceptable to use this as a basis for ignoring or distorting these views.

Summary

Historically, there have been several approaches to various statements of Chazal that are apparently scientifically incorrect. Some have asserted that such statements are all nevertheless literally, physically true (aside from there being deeper layers of meaning). Some have interpreted them allegorically. Many have stated that they are indeed simply incorrect. And Maharal innovated the approach that such statements are literally true, but at a

metaphysical level. R. Schmeltzer makes the staggering assertion that the last approach is the *only* legitimate approach and is historically the only one to have existed!

The fundamental message of *Chaim B'Emunasam*, repeated again and again and again, is that it is *obligatory* to accept the truth of *all* the words of Chazal, whether in halachah, aggadah or science, and that this is historically the *only* legitimate *mesorah*. Yet while *Chaim B'Emunasam* includes countless citations from Maharal and Ramchal, there are virtually no citations from the Geonim and few from the Rishonim. Critical sources from prominent authorities that refute R. Schmeltzer's perspective are either ignored or selectively quoted in such a way as to pervert their meaning. The implicit *bizayon* towards many of the most prominent Rishonim and Acharonim, categorizing their approach as being heretical, is shockingly offensive.

In the introduction, on p. 17, R. Schmeltzer claims that "the book is nothing other than a compilation of sources which represent the *mesorah*." This is false on two counts. First is that he adds in plenty of his own material and editorial comments on the sources that he brings. Second, and more egregiously, is that he is not providing quotes which represent the *mesorah*, but rather engaging in selective quoting, suppression, distortion, and manipulation of the numerous sources which do not fit with his view.

If the *mesorah* is defined as the acceptable view regarding these issues in the Charedi yeshivah world today, then it is perhaps correct to state that this book is a presentation of the *mesorah*. But if the *mesorah* is defined as the collective views of the Geonim, Rishonim and Acharonim over the ages – which is how this book claims to present it – then this book is not a presentation of the *mesorah*; it is a gross perversion of it. The fact that this book contains glowing endorsements from several prominent *rabbanim*, who describe it as presenting a "fundamental principle of faith" from "virtually every possible perspective" and insist that there is no other *mesorah*, is exceedingly disturbing.

FURTHER RESOURCES:

- Rabbi Chaim Eisen's important essay, "Maharal's *Be'er ha-Golah* and His Revolution in Aggadic Scholarship — in Their Context and on His Terms," which demonstrates at length how Maharal represented a striking innovation rather than the normative and universal approach, is freely available at www.hakirah.org/Volume%204.htm.
- An extensive list of quotations from Rishonim and Acharonim who believed that Chazal made statements about science that were in error can be found at www.TorahAndScience.blogspot.com.
- An extensive collection of documents relating to the ban on my books, including several relating specifically to Rav Moshe Shapiro, can be found at www.ZooTorah.com/controversy.
- Discussion relating to this critique takes place at www.RationalistJudaism.com.
- This document can be downloaded at www.ZooTorah.com/controversy/chaim.html. A Hebrew version is also available for download at that location.