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MAIMONIDES ON LITURGY AND PRAYER

Ellen Jay Lewis

Thesis submitted in partial fulfillment of
the requirements for ordination

Hebrew Union College - Jewish Institute of Religion
Cincinnati, Ohio 1980

Referee: Professor Jakob J. Petuchowski

For Bill

הַלְלוּיָהּ, הַלְלִי עַבְדֵי יְיָ, הַלְלוּ אֶת - שֵׁם יְיָ:
יְהִי שֵׁם יְיָ מְבֹרָךְ מֵעַתָּה וְעַד - עוֹלָם:
מוֹשִׁיבִי עֲקֶרֶת הַבַּיִת אֵם - הַבָּנִים שְׂמֵחָה, הַלְלוּיָהּ:

O God, Creator of all life,
You have given me the power to answer the call of life.
I praise You, the God who in wisdom constantly renews
the marvels of creation.

Send the blessings of a strong body, an alert mind,
and a true and kindly spirit
upon our dear Gideon.

Help Bill and me to be worthy of our responsibility and our joy:
to cherish and protect our child,
and to lead him in ways pleasing to You.

Help us to see in Gideon yet another bond
drawing us more closely to each other
in understanding and mutual helpfulness.

Teach us, O God, to carry on, through our child,
the noble heritage of Israel,
to perform Your will at all times,
in happy reliance upon Your love.
Amen.

בָּרוּךְ אַתָּה יְיָ, אֱלֹהֵינוּ מֶלֶךְ הָעוֹלָם,
שֶׁהֶחֱיָנוּ וְקִיְּמָנוּ וְהִגִּיעָנוּ לַזְּמַן הַזֶּה:

DIGEST

Although Maimonides concerns himself with Jewish liturgy and prayer in almost all of his works, nowhere does he offer a systematic presentation of his attitudes towards worship. In an effort to draw a comprehensive picture of Maimonides' views on liturgy and prayer, this thesis makes use of the following of Maimonides' halakhic and philosophical works:

1. The Guide of the Perplexed
2. Mishneh Torah
   a. Hilkhoth Qeri-ath Shema'
   b. Hilkhoth Tephillah
   c. Hilkhoth Berakhoth
3. Maimonides' Commentary on Mishnah Berakhoth
4. Sepher Hammitzwoth
5. Maimonides' Responsa on prayer
6. Maimonides' Seder Hatephillah

This thesis attempts to take the preceding works, analyze their content in regard to prayer, and apply the results of this analysis to the question of whether Maimonides' primary loyalty is to Jewish Halakhah or to Aristotelian philosophy. Chapter One includes an introduction, a brief biography of Maimonides' life, and a description of the relevant sources. Chapter Two deals with Maimonides' general philosophical presuppositions and their bearing on worship. Chapter Three discusses Maimonides' fundamental halakhic presuppositions and their application to specific cases involving prayer and liturgy. Chapter Four outlines the basic structure of Maimonides' prayer book and compares and contrasts Maimonides'

prayer book with the Seder Rabh Amram Ga-on, the Yemenite Tikhlal, and the Sephardic Seder Hatephilloth. Chapter Five describes how Maimonides views the history of Jewish liturgy. Finally, on the basis of the preceding research, Chapter Six presents the conclusion that Maimonides was, first and foremost, an observant Jew. He was deeply involved with and committed to philosophy, but his primary loyalty was to the Halakhah.

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CHAPTER 1:

Introduction and Description of Sources

One often finds the philosopher stereotyped as a person whose head is perpetually in the clouds and whose mind is preoccupied with lofty thoughts, a person who displays a lack of concern for the here-and-now and a disdain for the practical details of everyday life. In contrast to this stereotypical philosopher, the this-worldly person dispenses with philosophical theory in favor of actual practice. Deeds matter more than spiritual intentions, details more than lofty generalizations. There is no question that these two "types" can exist side-by-side in a peaceful manner. There is a question, however, as to whether the two tendencies represented by the respective types can coexist within the same person. This latter question is often asked with reference to Maimonides. Was Maimonides a philosopher in the Greek tradition or a religionist in the rabbinic tradition? Was he a free-thinker or an observant halakhist? Or, to use David Hartman's typology,[1] did Maimonides live in Athens or did he live in Jerusalem - or did he, perhaps, inhabit both worlds?

If Maimonides himself had felt a conflict between these two loyalties, nowhere would it have become more apparent than in the realm of Jewish liturgy and prayer. The God of the Greek philosophers was remote and impersonal; the God of the Jews was ever-near. Aristotle's God was subject to the mechanical laws of the universe; the Creator-God of the Jews

freely willed the world into existence and so maintained control over this world. Aristotle's God did not enter the human arena; the God of the Jews was an active participant. Philosophers tried to reach their God through contemplation; Jews worshipped their God by observing His Mitzwoth, offering sacrifices and praying in a statutory way.

Yet Maimonides did attempt a synthesis of these two worlds. While some of his works are primarily philosophical and others halakhic, the two approaches often overlap. Maimonides concerned himself with both the philosophical and the legal underpinnings of prayer. He recommended meditation but did not dispense with statutory prayer. He codified the various Jewish laws dealing with prayer and stressed the importance of fulfilling these Mitzwoth, but at the same time he cautioned the people that the mere perfunctory recitation of prayers would not suffice. He wrote a philosophical treatise for the erudite and edited a prayer book for the masses. An investigation of Maimonides' attitudes toward prayer and liturgy can reveal whether his attempted synthesis of philosophy and religion succeeded. Any research into Maimonides' attitudes towards prayer and liturgy, therefore, must begin with a discussion of his life and works.

'Erebh Pesah in the year 4895 (March 30, 1135) provided an auspicious date for Maimonides' birth to the Maimon family in Cordoba, Spain. As an albeit declining center for Jewish learning and Islamic culture, Cordoba provided a fertile starting point for young Moses ben Maimon's religious

and intellectual development. Long after his having left Spain, Maimonides' Spanish origin remained an important enough part of his identity for him to continue signing his correspondence as Moshe ben Maimon HaSephardi. The influence of the Spanish liturgical customs to which Maimonides was exposed as a youth later appeared in Maimonides' own prayer book. The Maimon family remained in Spain until 1148 when the Almohades conquered Cordoba and offered Jews the option of conversion or death. The next nine or ten years saw Moses ben Maimon, along with his brother, father and sister, wandering through southern Spain and northern Africa before settling in Fez. While the Almohade dynasty also reigned over Morocco, the regional ruler is reputed to have behaved more moderately toward the local Jewish population than did his brethren in Spain.

Despite this early disruption of his life and its subsequent instability, Maimonides' literary career began during this nomadic period. His Treatise on Logic (known as Makalah fi-Sina'at al-Mantik in the Arabic original; translated into Hebrew as Milloth Hahiggayon) is generally assumed to have been composed by 1158, although it may have appeared as early as 1151.[2] During that same period, Maimonides produced Ma-amar Ha-ibbur, explicating the details of the Jewish calendar. He composed both works in Arabic, possibly as specific responses to requests from those who already had learned of his scholarly abilities.[3] 1158 marked the beginning of a major effort which was to span ten years, Maimonides'

Commentary on the Mishnah (known as the Kitab al-Siraj in the original Arabic version and Sepher Hamma-or in the Hebrew translation). Maimonides explains the goal of the commentary in his introduction:

> My object in this compilation is to explain the Mishnah in the way in which the Talmud explains it. I will choose the true explanations and will reject those explanations which appear to be discarded in the Talmud. I will reveal the causes and reasons on whose account a disagreement arose between opponents in some arguments and according to whose opinion the law is decided, as it is explained in the Talmud. In every matter, I will take care to abbreviate my words so that the reader will not become confused, for the purpose of our explanations is not to educate rocks but rather to educate the one who has a mind capable of understanding.[4]

Maimonides lists the four potential benefits of such an effort as the presentation of:

> 1) ...the explanation of the Mishnah according to the correct meaning, and the clarification of its words...
> 2) ...every halakhah according to the opinion of the one whose opinion is decisive...
> 3) ...an introduction for anyone who is a beginner in the search for wisdom...
> 4) ...a reminder for the one who has studied and who knows...[5]

Maimonides thus intended his commentary to serve as a guide both for the learned and for the uneducated.

In composing the commentary, Maimonides chose to follow the traditional organization of the Mishnah: "I have seen proper that the arrangement of my composition should be according to the custom of all the commentators (of the Mishnah)..."[6] Maimonides did not view this order as constrictive. Whenever he felt it to be appropriate, he broadened the scope of his commentary by explaining other topics. Thus he expanded his

commentary on Pereq Heleq in Sanhedrin to deal with the general issue of Jewish belief. Similarly, he described his ideal of the "Golden Mean" and the nature of human freedom in his introduction to Pirqé Abhoth. Perhaps the most innovative and widely acclaimed portion of his commentary is the general introduction,

> ...which may properly be described as the first comprehensive, sophisticated inquiry into the theoretical, historical and doctrinal foundations of the Oral Law - the act of revelation and, particularly, the process of transmission and on-going interpretation.[7]

The portion of Maimonides' commentary which has particular bearing on Jewish liturgy is his commentary on Mishnah Berakhoth. During the years in which he worked on this commentary, Maimonides also lent his efforts to other projects. He produced two works on the Talmud: one, a commentary on portions of the Babylonian Talmud, covering most of Mo'ed, Nashim and Nezikin; and two, a collection of laws from the Palestinian Talmud.

Maimonides' correspondence with different Jewish communities also began in this early period of his life. His Letter on Forced Conversion (Iggereth Hashemad, c. 1161-2) defended the Jewish status of those Jews who had superficially pretended to accept Islam in order to adapt to the demands of Almohade rule. An halakhist who was a contemporary of Maimonides had issued a decision that these "forced converts" were no longer considered part of the Jewish community. The impassioned quality of Maimonides' response has led to thus far unsubstantiated speculation that he and his family, too, feigned

being Moslems in order to survive. A few years later, in response to a request from the Jews of Yemen, Maimonides again concerned himself with the issue of religious persecution. In his Epistle to Yemen (Iggereth Teman, c. 1165), Maimonides explains the nature of suffering throughout Jewish history, reassures the Yemenites of God's steadfastness, exhorts them to continue being faithful, and so establishes his enduring relationship with the Yemenite Jewish community. The Yemenites were so grateful to Maimonides for his assistance that they included mention of the sage in their Kaddish and modelled their prayer book on his.[8]

In 1165, possibly as a result of the martyrdom suffered in Morocco by Maimonides' teacher R. Judah ibn Shoshan, the young scholar and his family set sail for Eretz Yisrael. They arrived in Acco and toured the land before leaving for Alexandria five months later. They subsequently settled in Fostat, the old city of Cairo. Fostat boasted of two congregations, one of which followed the Palestinian rite and the other of which followed the Babylonian. Maimonides was aware of these different rites and of the influence of local custom on the liturgy. While Maimonides advised the local inhabitants of matters relating to prayer, their rites in turn influenced him and the prayer book which he subsequently issued.[9]

Maimonides' father died during this time, either in Israel or in Egypt, but a worse blow was yet to come. Maimonides' brother David, the sole economic support of the family, was lost at sea. Maimonides describes himself as lying prostrate

with grief for a year before rousing himself and deciding to earn his livelihood by practicing medicine. He served as the physician to Saladin's vizier al Fadil. At the same time,

> he merged as the untitled leader of the Jewish community, combining the duties of rabbi, local judge, appellate judge, administrative chief responsible for appointing and supervising community officials, and overseer of the philanthropic foundations - to which he was especially dedicated.[10]

In his capacity as leader of the Jewish community, Maimonides succeeded in eliminating the power of the local Karaite community and in establishing the precedence of the rabbanite community.

Despite the turbulence in his personal life and the assumption of additional responsibilities vis-a-vis both the Jewish and non-Jewish communities, Maimonides expanded his writing pursuits into areas previously untouched by him. He composed the Book of Commandments (Kitab al-Fara'id in the original Arabic, Sepher Hammitzwoth in the Hebrew translation), an enumeration and explanation of the six hundred and thirteen commandments, as an introduction to the Mishneh Torah. One of these six hundred and thirteen Mitzwoth was the Mitzwah of prayer. While attempting to determine these Mitzwoth did not in itself represent an innovation in the realm of Halakhah, Maimonides' particular choices and techniques did make his work unique. Maimonides criticized his predecessors for their failure to state organizing principles on which to base a determination of the six hundred and thirteen Mitzwoth. In his own schematization,

> Maimonides divided his work into two parts. Part I presents the Fourteen Principles by which, in his view, it is to be determined which Commandments are to be included in the Taryag Mitzvoth, and which are not. He defines these principles with great care, and establishes their validity with irrefragable logic and with a profound insight into the subleties of Rabbinic law. Part II consists of a detailed presentation of the 613 Commandments. These are divided into Two Hundred and Forty-eight Positive Commandments, and Three Hundred and Sixty-five Negative Commandments.[11]

These fourteen principles, not all of which were immune to controversy, then served as the organizing structure for the Mishneh Torah. Rather than following the traditional organization of the Mishnah, Maimonides proposed to disregard the order of the tractates and, under each of the fourteen categories, substitute instead groups of Halakhoth subdivided into chapters and then paragraphs. The ninth class of these fourteen categories is elaborated on in the second book of the Mishneh Torah, Sepher Ahabhah. The sections of Sepher Ahabhah which are particularly relevant to prayer are Hilkhoth Qeri-ath Shema', Hilkhoth Tephillah, and Hilkhoth Berakhoth. In addition, Maimonides appended his prayer book to the end of Sepher Ahabhah.

Maimonides began the Mishneh Torah itself between 1168 and 1170. He composed the work in response to what he considered a pressing need:

> In our time, extraordinary troubles overwhelm us and time weighs heavily on us all. The wisdom of our sages has been lost; the understanding of our wise ones is hidden. Therefore, those very commentaries, laws, and responsa which the Geonim collected, and which had been made clear, have become difficult to understand in our days. No one understands their meaning

> properly except for a very few. It is not necessary to mention (that the same difficulty holds with regard to) the Gemara itself, both the Babylonian Talmud and the Palestinian Talmud, the Siphra, the Siphré and the Tosephta, all of which require a broad mind, a wise spirit and a long time (to study). Afterwards, one can know from these works the correct procedure concerning forbidden and permitted matters, and the rest of the rules of the Torah.[12]

While the code as a whole shows the extensive influence of earlier authorities,[13] some of its original features nevertheless caused great controversy within the Jewish community, a controversy which was to span oceans and centuries.

> Its novelty and importance may best be understood by noting five features, to which Maimonides himself called attention in various places and which he considered as the distinctive characteristics of this work.
> (1) Language. Maimonides chose the Hebrew of the Mishnah rather than the Hebrew of the Bible or the Aramaic of the Talmud. Biblical Hebrew was inadequate and Talmudic Aramic was too difficult, and he wanted his work to be easily intelligible to as large an audience as possible...
> (2) Arrangement and classification...There is neither antecedent nor sequel in rabbinic literature for such an ambitious attempt at classification...
> (3) Codificatory form. Maimonides chose to present the massive material in crisp, concise form, moving at a quick tempo, eliminating indeterminate debate and conflicting interpretations, and formulating as a rule unilateral, undocumented decisions...
> (4) Scope. One of the truly revolutionary aspects of the Mishneh Torah is its all-inclusive scope, obliterating accidental distinctions between the practical and the theoretical. Maimonides opposed the pervasive tendency... to study only those parts of the Talmud which were of practical value and immediate relevance...
> (5) Fusion of Halakhah and philosophy. As part of the overall unity of learning, Maimonides tried to bring about the unity of practice and concept, external observance and inner

> meaning, visible action and invisible experience, law and philosophy...[14]

Opposers of the code objected either to Maimonides' religious ideas or to the nature of the code itself.[15] Rabbi Abraham ben David of Posquieres, one of Maimonides' most ardent critics, criticized Maimonides' use of Mishnaic Hebrew, his departure from Talmudic order, his deciding according to the Tosephta and the Palestinian Talmud, and his failure to cite his sources.[16] In spite of this controversy, the Mishneh Torah not only survived but became a central document in the history of Jewish ideas and practices.

Although Maimonides had incorporated certain philosophical tenets into the Mishneh Torah and into some of his earlier works, the Guide to the Perplexed (Dalalat al-Ha'irin in the original Arabic, Moreh Nebhukhim in the Hebrew translation) remains his major philosophic effort. He himself had felt deeply the influence of Greek philosophy via Moslem culture. He was aware that other Jews, too, had studied Greek philosophy, a phenomenon which led to their feeling confused about the relationship between the religious tenets of Judaism and the rationalism of Aristotle. In his opening letter to his disciple Joseph ibn Judah ibn Shamun, Maimonides writes that he has composed this treatise "for you and those like you, however few they are"[17] in order to explain certain terms occurring in the books of prophecy and to explain obscure parables. Maimonides thus gears this work to a specific audience:

> It is not the purpose of this treatise to make its totality understandable to the vulgar or to beginners in speculation, nor to teach those who have not engaged in any study other than the science of the Law - I mean the legalistic study of the Law. For the purpose of this treatise and of all those like it is the science of the Law in its true sense. Or rather its purpose is to give indications to a religious man for whom the validity of our Law has become established in his soul and has become actual in his belief - such a man being perfect in his religion and character, and having studied the sciences of the philosophers and come to know what they signify. The human intellect having drawn him on and led him to dwell within its province, he must have felt distressed by the externals of the Law and by the meanings of the above-mentioned equivocal, derivative or amphibolous terms, as he continued to understand them by himself or was made to understand them by others. Hence he would remain in a state of perplexity and confusion as to whether he should follow his intellect, renounce what he knew concerning the terms in question, and consequently consider that he has renounced the foundations of the Law. Or he should hold fast to his understanding of these terms and not let himself be drawn on together with his intellect, rather turning his back on it and moving away from it, while at the same time perceiving that he had brought loss to himself and harm to his religion. He would be left with those imaginary beliefs to which he owes his fear and difficulty and would not cease to suffer from heartache and great perplexity.[18]

In the Guide, too, Maimonides explains certain of his philosophical tenets which have bearing on prayer. His God-concept, his feelings about the use of attributes for God in prayer, his concern for the proper intention in prayer, his understanding of the institution of sacrifice as a form of worship, his opposition to Piyyutim, and his conception of meditation and contemplation are among the ideas which find expression in the Guide.

The completion of the Guide in 1190 marked Maimonides' final major work. He continued to write letters (e.g., Ma-amar Tehiath Hammethim, 1191) and to author Responsa. He had begun the latter process in 1167 and did not conclude until 1204 shortly before his death. It is estimated that his Responsa totalled 464[19] over his lifetime. Many of his Responsa dealt with questions pertaining to the conduct and content of worship services. While Maimonides shows respect for the influence of local custom on the worship service, he does not hesitate to issue decisions which override these customs, especially when the people deviate from the prayer-forms set by the sages or when the peoples' customs lead to a lack of Kawwanah or decorum.

The details concerning this stage of his personal life become even fewer. He apparently married twice, remarrying after his first wife's death in Egypt. He had two children, a daughter who died in childhood and a son, Abraham, born in 1187. Abraham was later to carry on his father's tradition of scholarship. Upon Maimonides' death at the age of 70, "in Fostat, both Jews and Mohammedans observed public mourning for 3 days. In Jerusalem, a general fast was appointed, a portion of the 'Tokahah' was read, and the history of the capture of the Ark of the Covenant by the Philistines."[20] It is said that at Maimonides' request, his body was buried in Tiberias.

CHAPTER 2:

Maimonides' Philosophical Presuppositions Concerning Prayer

Maimonides expresses the greater part of his philosophical tenets in The Guide of the Perplexed. Just as his works of codification and commentary show the influence of his Jewish predecessors, so do Maimonides' philosophical writings reflect the opinions of Aristotle and the Spanish Aristotelian school. In the Guide, Maimonides takes these two traditions and attempts what to him seemed a natural synthesis between Talmudic Judaism and Aristotelian philosophy:

> Despite Maimonides' keen awareness of the differences between Judaism and the Aristotelian schools, he does not consider philosophy as something alien or external to religion, something that needs some adjustments and adaptations in order to effect a reconciliation. On the contrary, the relationship between the two is essentially one of identity, and its demonstration is Maimonides' main concern.[1]

For Maimonides, religious experience, i.e., communion with God, represents the ultimate goal of philosophy. Thus the nature of this God and the means to achieving true love of God become the all-important foci of the Guide. Maimonides' conception of God wields particular significance for his philosophical presuppositions concerning prayer. One cannot determine the nature and purpose of prayer without first establishing to whom or to what one prays, or the wording of prayer without first knowing how to address the intended recipient of one's prayer. One cannot discuss the efficacy of prayer without first ascertaining God's ability and desire

to answer human prayer. One cannot appreciate the specific commandments concerning prayer without first grasping the general purpose of commandments and Torah in God's world. Thus a study of Maimonides' philosophical attitudes towards prayer must begin with an investigation of Maimonides' conception of God and His commandments before it can proceed to issues related more directly to the actual practice of worship.

Maimonides begins the Guide with a discussion of biblical terms for God and of the corporeal picture of God which subsequently emerges from the misinterpretation of such terms. The cause of such misunderstanding derives from "habit and upbringing :"

> ...Man has love for, and the wish to defend, opinions to which he is habituated and in which he has been brought up and has a feeling of repulsion for opinions other than those. For this reason also man is blind to the apprehension of the true realities and inclines toward the things to which he is habituated. This happened to the multitude with regard to the belief in His corporeality...All this is due to people being habituated to, and brought upon, texts that it is an established usage to think highly of and to regard as true and whose external meaning is indicative of the corporeality of God and of other imaginings with no truth in them, for these have been set forth as parables and riddles.[2]

Maimonides does not propose to allow a continuation of this blind functioning. While he believes that instructing the multitude in certain philosophical doctrine would incur danger to belief and as such is inadvisable, Maimonides

disagrees with Averroes that the incorporeality of God represents one of those hidden doctrines:

> ...the negation of the doctrine of the corporeality of God and the denial of His having a likeness to created things and of His being subject to affections are matters that ought to be made clear and explained to everyone according to his capacity and ought to be inculcated in virtue of traditional authority upon children, women, stupid ones, and those of a defective natural disposition, just as they adopt the notion that God is one, that He is eternal, and that none but He should be worshipped. For there is no profession of unity unless the doctrine of God's corporeality is denied.[3]

Just as the multitude must accept on traditional authority God's unity and His right to be worshipped solely,

> ...so it behooves that they should be made to accept on traditional authority the belief that God is not a body; and that there is absolutely no likeness in any respect whatever between Him and the things created by Him; that His existence has no likeness to theirs; nor His life to the life of those among them who are alive; nor again His knowledge to the knowledge of those among them who are endowed with knowledge. They should be made to accept the belief that the difference between Him and them is not merely a difference of more or less, but one concerning the species of existence.[4]

One cannot attribute corporeal features to God because God does not resemble human beings in any respect.

Considering the vehemence with which Maimonides insists on God's incorporeality (a vehemence not necessarily shared by either his scholarly or less educated Jewish contemporaries), one might logically ask how Maimonides justifies the Bible's use of corporeal features in describing God.

Where one might think that these terms serve only to confuse the believer, Maimonides explains that, on the contrary, such terms "establish in us the belief that there is an existent who is living, is the agent who produces everything other than He, and in addition apprehends His own act."[5] How do these terms establish such true belief? Each reference to God's so-called bodily organs represents a figurative way of describing God's actions, which actions in turn represent various perfections according to the human perspective.

> And those particular acts are figuratively ascribed to Him in order to indicate a certain perfection, which is not identical with the particular act mentioned. For instance, an eye, an ear, a hand, a mouth, a tongue, have been figuratively ascribed to Him so that by this means sight, hearing, action, and speech should be indicated. But sight and hearing have been figuratively ascribed to him with a view to indicating apprehension in general.[6]

Maimonides quotes the rabbinic tradition that the Torah recognizes the human need to understand God in human terms: "The Torah speaketh in the language of the sons of man."[7] Thus the use of such terms did not deceive the rabbinic sages who, according to Maimonides, "were innocent of the belief in the corporeality of God..."[8] As in the rabbis' time, so in Maimonides' time the correct understanding of the Bible's intention inculcated proper belief. The faulty interpretation of such terms lies not in the Bible itself but in human misunderstanding of the Bible's intentions.

Just as God does not possess a body, so God does not possess an essential affirmative attribute. God's essence

and existence are one and the same. God's unity precludes His being divided at all, whether that division be into bodily parts or into essential attributes. Even the various names for God do not designate attributes: "All the names of God except the tetragrammaton designate his activities in the world. Jhvh alone is the real name of God, which belongs to him alone and is not derived from anything else."[9] Maimonides lists five types of attributes and explains that none of the first four kinds can be applied to God. The fifth category does apply to God: "A thing has its own action predicated of it."[10] In this case, the attribute "is remote from the essence of the thing of which it is predicated"[11] and so can refer to God.

> There is also another class of attributes which is allowable, and that is represented by such expressions as Creator. This means simply that he is the cause of existing things. It does not name a part of him or a characteristic quality, it merely states the fact that if not for him nothing would be. This kind of attribute is permissible also because it does not endanger his unity.[12]

When Moses asked to know God's attributes, he was allowed to know only attributes of action as perceived by the human eye, e.g., that God is merciful and gracious (Ex. 34:6-7): "The meaning here is not that He possesses moral qualities, but that He performs actions resembling the actions that in us proceed from moral qualities..."[13] One can know God through his actions in this world but not through any essential attributes.

While certain human actions might proceed from jealousy and anger, similar actions on God's part proceed instead

from God's will and not from such emotions. Such "affections entail change"[14] and Maimonides' God does not change. When Maimonides says that God does not change, however, he means that God's essence does not change, not that any external causes prevent God from changing His mind in response to the human condition. Here Maimonides' view of God diverges from Aristotle's. Aristotle's conception of the eternity of the universe includes a God who of necessity is subject to the mechanical laws of such a universe. Maimonides' conception of the creation of the universe includes a Creator-God who freely wills the world into existence and so maintains control over this world: "The gist of Maimonides' arguments here is that the difference between eternity and creation resolves itself into a more fundamental difference between an impersonal mechanical law as the explanation of the universe and an intelligent personality acting with will, purpose and design."[15] God's activity in the human sphere results from His divine purpose and will. Were it not for the continuing control of God's will, Maimonides' God would not have the power to respond to human prayer. God's performing miracles, too, remains in keeping with the world order since "...the disposition for miracles was implanted in nature at the time of creation."[16]

If one knows God only through his actions in the universe, and if one cannot describe God in corporal terms or with affirmative attributes, how can one describe God? "...We have no way of describing Him unless it be through negations

and not otherwise."[17] Negative attributes, unlike affirmative attributes, do not cause one to ascribe multiplicity to God: "...We say of Him...that He is powerful and knowing and willing. The intention in ascribing these attributes to Him is to signify that He is neither powerless nor ignorant nor inattentive nor negligent."[18] Saying that God possesses free will thus means that His decisions are not subject to any external factors. These negations do draw one closer to apprehension of God.

Maimonides' doctrine of negative attributes contains implications for his attitudes towards the contents of prayer. For if one can only speak of negative attributes concerning God, how can one explain the use of positive attributes in prayer? Maimonides reiterates that the Torah's use of divine attributes represents the human need for being addressed in human terms. Yet the usage of such terms in prayer, although permitted to some extent, must be restricted. The only terms which one may use in prayer must first meet two criteria: "...one of them is that they occur in the Torah, and the other is that the prophets in question (here, the men of the Great Synagogue) used them in the prayer they composed."[19] One may not even use the attributes mentioned in the books of the prophets. Maimonides predictably criticizes those who do not restrict their usage of such terms; he expresses displeasure with

> ...what is done by the truly ignorant who spoke at great length and spent great efforts on prayers that they composed and on sermons that they compiled and through which they, in

> their opinion came nearer to God. In these prayers and sermons they predicate of God qualificative attributions that, if predicated of a human individual, would designate a deficiency in him.[20]

Poets and preachers both fall victim to this sharp condemnation.

As Maimonides' picture of an abstract God affects his judgment of the content of prayer, so, too, do the commandments of such a God have bearing on prayer. This unique and indescribable Creator God bestowed the Torah and its commandments upon Israel, the purpose of such laws being "the ordering of society and the proclamation of religious truth."[21] While the purpose of some of these Mitzwoth is obvious, the purpose of the rest remains obscure. Maimonides does not claim that these laws represent the best conceivable laws:

> Not all of them are the best possible commandments in an absolute sense; some are the best that is possible in a particular historical situation; for the necessary break with the past would have been impracticable if, within limits, some form of continuity had not been preserved.[22]

Recognizing the human need for continuity, God imposed laws which were appropriate for the given situation, although not necessarily ideal for all time. Mosaic legislation concerning the sacrificial cult illustrates this pragmatism. God did not issue these laws in a vacuum but rather with regard to the situation of humankind at the time of the revelation:

> For a sudden transition from one opposite to another is impossible. And therefore man, according to his nature, is not capable of abandoning suddenly all to which he was accustomed...As therefore God sent Moses our Master to make out of us a kingdom of priests and a holy nation - through the knowledge of Him, may He be exalted...so that we should devote ourselves to His worship...and as at that time the way of life generally accepted and customary in the whole world and the universal service upon which we were brought up consisted in offering various species of living beings in the temples in which images were set up, in worshipping the latter, and in burning incense before them...His wisdom, may be exalted, and His gracious ruse which is manifest in regard to all His creatures, did not require that He give us a Law prescribing the rejection, abandonment, and abolition of all these kinds of worship...[23]

God's regulations prescribing the institution of sacrifice thus constituted in part a confession to human nature.

Yet God did not merely permit the sacrifical cult to continue operating in its customary way; instead, He redefined the focus of the cult, ultimately leading to the disappearance of the sacrifical cult as a form of worship:

> ...Therefore He, may He be exalted, suffered the above-mentioned kinds of worship to remain, but transferred them from created or imaginary and unreal things to His own name, may He be exalted, ordering us to practice them with regard to Him, may He be exalted. Thus He commanded us to build a temple for Him...to bow down in worship before Him; and to burn incense before Him. And He forbade the performance of any of these actions with a view to someone else...[24]

God restricted the cult so that, in contrast to other forms of worship, these sacrifices could not simply be offered in any place by anyone at any time.

"On the other hand, invocation and prayers are made in every place and by anyone whoever he may be."[25] Having been slowly weaned away from the sacrificial cult in favor of other modes of worship, the people gradually forgot idolatry and established their loyalty to one God. For God to have forbidden the cult altogether would not have allowed the people to come to this realization of their own accord and would have left them with a "feeling of repugnance."[26] For God to have abruptly required prayer as a replacement for sacrifice at that time would have been analogous in Maimonides' time to God's having forbidden prayer in favor of meditation:

> At that time this would have been similar to the appearance of a prophet in their times who, calling upon the people to worship God, would say: "God has given you a Law forbidding you to pray to Him, to fast, to call upon Him for help in misfortune. Your worship should consist solely in meditation without any works at all."[27]

Yet it seems only logical to presume that if the institution of sacrifice had been completely repugnant to God, He would have found a way to eliminate it sooner. Maimonides does not present sacrifice solely as a concession to human nature. God wanted the institution of sacrifice to be held in esteem:

> He commanded that all the offerings be <u>perfect</u> in the most excellent condition, in order that the sacrifice should not come to be held in little esteem and that what was offered to His name, may He be exalted, be not despised.[28]

What God found offensive was not the institution of sacrifice per sē but rather the misuse and misunderstanding of sacrifice by the people. Sacrifice was an acceptable form of worship as long as it led to the apprehension of God:

> For he says that the first intention consists only in your apprehending Me and not worshipping someone other than Me: And I will be your God, and ye shall be My people. Those laws concerning sacrifices and repairing to the temple were given only for the sake of the realization of this fundamental principle. It is for the sake of that principle that I transferred these modes of worship to My name, so that the traces of idolatry be effaced and the fundamental principle of My unity be established. You, however, came and abolished this end, while holding fast to what has been done for its sake. For you have doubted of my existence. They have belied the Lord, and said: It is not He. And you have committed idolatry: And burn incense unto Baal, and walk after other gods...and come...unto the house, and so on. And still you continue to repair to the temple of the Lord, offering sacrifices, which are things that have not been intended in the first intention.[29]

The people had retained the means of worship, i.e., sacrifice, while neglecting the end, i.e., apprehension of God. Sacrifice as a means of arriving at the "first intention" represented the "second intention." Thus sacrifice was not included in the "first legislation":

> It has been made clear both in the [Scriptural] text and in the tradition that in the first legislation given to us there was nothing at all concerning burnt-offerings and sacrifice... For the first command given after the exodus from Egypt was the one given to us in Marah, namely, His saying to us there: If thou wilt diligently hearken to the voice of the Lord thy God, and so on. There he made for them a statute and a judgment, and so on. And the correct tradition says: The Sabbath and the civil laws were prescribed at Marah. Accordingly, the statute referred to is the Sabbath, and the judgment consists in the

> civil laws, that is, in the abolition of mutual wrong-doing. And this is, as we have explained, the first intention: I mean the belief in correct opinions, namely, in the creation of the world in time. Accordingly it is already clear to you that in the first legislation there was nothing at all concerning burnt-offerings and sacrifices, for, as we have mentioned, these belong to the second intention.[30]

It is interesting to ask whether the reinstitution of the sacrificial cult under the proper conditions would be considered acceptable according to Maimonides' philosophical system. Solomon Zeitlin, for example, contended that Maimonides intended the Mishneh Torah to be the constitution of a messianic state soon to arrive; by extension, since the Mishneh Torah included sacrificial laws, such a state would by definition include the restoration of the sacrificial cult.[31] Zeitlin's argument that the Mishneh Torah is the constitution of the messianic state is tenuous for a number of reasons not immediately relevant to this discussion; yet even if one were to accept Zeitlin's contention, it would not be unreasonable to conclude that Maimonides could accept the restoration of the cult, as long as the sacrifices were made the intention of drawing nearer to the one God.

Maimonides thus explains how the various forms of worship developed through history: sacrifice to the one God replaced sacrifice to idols; prayer and fasting then replaced sacrifice; and, he further implies, meditation might replace prayer and fasting at some time in the future. The highest form of worship in Maimonides' ideal scheme of things would seem to be meditation, a level not yet achieved in his time. If one

draws out the inference, one might judge the Mitzwah of statutory prayer as being as pragmatic and transitory a law in its time as the sacrifical cult was in its.

Maimonides divides the commandments into fourteen general classes, of which the first and the ninth hold particular relevance for the question of prayer. The commandments in the first class, which have a "manifest cause"[32], include the command to invoke God in time of trouble:

> In the same way the commandment given to us to call upon Him, may He be exalted, in every calamity - I mean its dictum, Then ye shall sound an alarm with the trumpets - likewise belongs to this class. For it is an action through which the correct opinion is firmly established that He, may He be exalted, apprehends our situations and that it depends upon Him to improve them, if we obey, and to make them ruinous, if we disobey; we should not believe that such things are fortuitous and happen by chance...For their belief that this is chance contributes to necessitating their persistence in their corrupt opinions and unrighteous actions, so that they do not turn away from them; thus it says: Thou has stricken them, but they were not affected. For this reason we have been commanded to invoke Him, may He be exalted, and to turn rapidly toward Him and call out to Him in every misfortune.[33]

This class of commandments not only includes the command to invoke God's name in time of calamity but also the commandment to repent for sin and error:

> For an individual cannot but sin and err, either through ignorance...or else because he is overcome by desire or anger...If, however, he believes in repentance, he can correct himself and return to a better and more perfect state than the one he was in before he sinned. For this reason there are many actions that are meant to establish

> this correct and very useful opinion, I mean the confessions, the sacrifices in expiation of negligence and also of certain sins committed intentionally, and the fasts.[34]

Both commandments, the command to invoke God in time of calamity and the command to repent, rely on the fact that human beings have free will and that God's providence watches over them. Human beings may choose to sin and repent, to obey or disobey God, and in so doing, they may expect that God will respond appropriately. If human beings did not possess free will, God's commandments would serve no purpose: "...if it were His will that the nature of any human individual should be changed because of what He, may He be exalted, wills from that individual, sending of prophets and all giving of Law would have been useless."[35] If God were not omniscient, He would not apprehend human situations; and if He were not omnipotent, He would not be able to respond on the basis of his knowledge.

There are those who have difficulty reconciling Maimonides' positing of the coexistence of God's knowledge alongside of human free will. If God is omniscient, by definition He knows how human beings will act before they themselves know, thereby raising two questions: first, can human beings really have free will if their actions are known by God in advance; and second, can God justly punish human beings for actions over which they have no control. Alternatively, if human beings have free will, then God must be ignorant because He cannot know human activity beforehand.

Maimonides claims that God is both omniscient and just. He himself did not indicate that he saw any conflict in the co-existence of human free will and divine omniscience. He answers simply that human beings have no conception of God's knowledge since it differs in quality and kind from human knowledge.

Invoking God, therefore, proves to be efficacious due only to this combination of human free will and divine providence. The extent to which providence watches over the individual, however, depends upon the extent to which the individual's intellect is occupied with God:

> Thus providence always watches over an individual endowed with perfect apprehension, whose intellect never ceases from being occupied with God. On the other hand, an individual endowed with perfect apprehension, whose thought sometimes for a certain time is emptied of God, is watched over by providence only during the time when he thinks of God; providence withdraws from him during the time when he is occupied with something else. However, its withdrawal then is not like its withdrawal from those who have never had intellectual cognition.[36]

This doctrine bears implications not only for providence in this life but for immortality in the next. Since the only part of the individual which survives death is the actual intellect, "It means that only philosophers can achieve immortality, and when they do, they are merged in the abstract philosopher. There is little consolation here for the simple man, who is pious and obedient, but who is no philosopher..."[37] What then becomes of this simple person who has little or no intellectual cognition? Maimonides

offers no simple remedy for this life but claims that all who profess his thirteen principles will find a place in the world to come.

The ninth class of commandments contains those commandments which pertain specifically to worship of God in traditional Jewish form:

> Those commandments are: prayer, the recital of the Shema, the blessing of food, and what is connected with it, the blessing of the Priests, phylacteries, the inscription on the posts of the houses and on the gates, acquiring a book of the Torah and reading in it at certain times. All these are actions that bring about useful opinions.[38]

These commandments are significant as a means to true belief:

> The commandments comprised in the ninth class are the commandments that we have enumerated in the Book of Love. All of them have manifest reasons and evident causes. I mean that the end of these actions pertaining to divine services is the constant commemoration of God, the love of Him and the fear of Him, the obligatory observance of the commandments in general and the bringing about of such belief concerning Him, may He be exalted, as is necessary for everyone professing the Law.[39]

Maimonides does not suggest that the rote fulfilling of such ritual commandments brings one any nearer to God, rather he stresses the importance of intention, and by so doing, maintains the traditional Jewish tension between Qebha' and Kawwanah:

> If, however, you pray merely by moving your lips while facing a wall, and at the same time think about your buying and selling; or if you read the Torah with your tongue while your heart is set upon the building of your habitation and do not consider what

> you read; and similarly in all cases in which you perform a commandment merely with your limbs...without reflecting either upon the meaning of that action or upon Him from whom the commandment proceeds or upon the end of the action, you should not think that you have achieved the end.[40]

Maimonides states in the Mishneh Torah that prayer without Kawwanah does not qualify as prayer.[41] He gives a step by step outline advising one how to pray the traditional prayers with the proper devotion:

> From here on I will begin to give you guidance with regard to the form of this training so that you should achieve this great end. The first thing that you should cause your soul to hold fast onto is that, while reciting the Shema prayer, you should empty your mind of everything and pray thus. You should not content yourself with being intent while reciting the first verse of Shema and saying the first benediction. When this has been carried out correctly and has been practiced consistently for years, cause your soul, whenever you read or listen to the Torah, to be constantly directed - the whole of you and your thought - toward reflection on what you are listening to or reading. When this too has been practiced consistently for a certain time, cause your soul to be in such a way that your thought is always quite free of distraction and gives heed to all that you are reading of the other discourses of the prophets and even when you read all the benedictions, so that you aim at meditating on what you are uttering and at considering its meaning.[42]

Thus statutory prayer requires full devotion in order to be considered prayer. When one is not "performing the actions imposed by the law"[43], however, i.e., when one is not engaged in obligatory prayer, one must concentrate on

> intellectual worship consisting in nearness to God and being in His presence in that true reality that I have made known to you

> and not by way of affections of the imagination. In my opinion this end can be achieved by those of the men of knowledge who have rendered their souls worthy of it by training of this kind.[44]

Maimonides differentiates between traditional Jewish prayer and intellectual worship. He categorizes this latter worship as "the worship peculiar to those who have apprehended the true realities."[45] In order for these men of knowledge to achieve this ultimate intellectual worship of God, they must begin by achieving knowledge of God, continue by apprehending God, and conclude by loving and expressing total devotion to God. Maimonides suggests that, "Mostly this is achieved in solitude and isolation. Hence every excellent man stays frequently in solitude and does not meet anyone unless it is necessary."[46] By advising solitude, however, Maimonides does not excuse "those who have apprehended the true realities" from participating in this-worldly affairs or from "performing the actions imposed by the Law,"[47] i.e., from praying the statutory Jewish prayers. Maimonides thus depicts a compromise, as it were, between solitary meditation and Jewish communal worship. Were Maimonides philosophizing for an ideal world, perhaps, as has been said, he would opt for the intellectual worship of meditation as a higher form of prayer. He does not state this explicitly in the Guide, however, but rather remains committed to the importance of traditional Jewish observance.

Maimonides' depiction of God and his justification of the commandments thus have implications for his philosophy of prayer. His theories of creation, free will and providence

bear indirectly on issues concerning the efficacy of prayer. Maimonides deals more directly with the question of prayer when he discusses the sacrificial cult, the appropriate names for God in prayer, the proper devotion in prayer, and the concept of intellectual worship. Nowhere in Maimonides' works does one find a systematic presentation of his philosophical presuppositions concerning prayer. Rather, one finds these presuppositions scattered throughout the Guide. In accordance with his self-proclaimed esoteric methodology, Maimonides leaves it up to the reader to penetrate the smokescreen and to synthesize these various pieces of his philosophy on prayer. Maimonides' ideas on prayer, like the rest of his philosophy, represent a composite of Aristotelian theory and Jewish doctrine. How successfully these philosophical presuppositions work with Maimonides' halakhic decisions remains to be seen.

CHAPTER 3:

Maimonides' *Halakhic* Presuppositions Concerning Prayer

As a result of investigating Maimonides' philosophical presuppositions regarding prayer, one finds that statutory Jewish prayer is an integral part of Maimonides' world. Since Maimonides identifies himself as a person with loyalties other than philosophy, however, one cannot be satisfied with his philosophical justification for prayer, but must continue by analyzing the approach of Maimonides the codifier and halakhist to prayer. Just as one must understand some of Maimonides' general philosophical tenets in order to appreciate his specific presuppositions regarding prayer, so one first must grasp some of the general halakhic assumptions under which Maimonides operates. One then must apply these principles to the place of prayer in Maimonides' halakhic system. While Maimonides offers a better-organized and more explicit description of his halakhic assumptions concerning prayer than of his philosophical ones, nevertheless the tool of inference aids in deciphering his halakhic system as well. Certain underlying principles relevant to prayer are implicit in the rulings of Maimonides as found primarily in: Sepher Hammitzwoth; Hilkhoth Berakhoth, Hilkhoth Qeri-ath Shema' and Hilkhoth Tephillah in the Mishneh Torah; and in Teshuvoth HaRambam. Maimonides employs these implicit principles by applying them to particular cases

and subsequently by utilizing them in making halakhic decisions. Thus a study of Maimonides' halakhic presuppositions regarding prayer must begin with a description of his general understanding of halakhah, continue with an analysis of those underlying principles which have special bearing on prayer, and conclude with a selection of decisions to which Maimonides applies those principles.

"HALAKHIC" PRESUPPOSITIONS

In order to understand Maimonides' halakhic system, one must first determine how he defines and uses certain terminology basic to the Jewish legal system, e.g., Mide-oraitha, Miderabbanan, Midibhré Sopherim and Halakhah LeMoshe MiSinai. Jewish tradition generally understands Mide-oraitha as referring to Torah Shebikhtabh and Miderabbanan as referring to Torah Shebe'al Peh. Maimonides himself draws more careful and at times more complicated distinctions. In Maimonides' schema, Mide-oraitha consists of "only rulings directly transmitted to us from Moses 'master of the prophets' and imparted to us from him as the word of God."[1] Which rulings fall under this rubric? Only Mitzwoth mentioned in the first five books of the Bible are Mide-oraitha. Even Mitzwoth given before Moses are not considered Mide-oraitha, unless reinforced by the Mosaic revelation.[2] As if to complicate matters further, however, Maimonides accepts as Mide-oraitha not just laws explicitly stated in the Torah, but also those

arrived at deductively according to Talmudic tradition. Levinger finds an example of this latter qualification in one of Maimonides' responsa, e.g., A Berakhah which is not necessary is forbidden Mide-oraitha due to Lo Tissa even though according to Maimonides only the sages decided what a "necessary blessing" was in the case of most blessings.[3] How Maimonides decides which particular laws have been arrived at deductively through Talmudic tradition, thus qualifying them as Mide-oraitha, remains a puzzle for Levinger.[4] Yet despite some of these hazier distinctions, the category of Mide-oraitha plays a major role in Maimonides' work. One even finds cases in which the Talmud claims a law is Mide-oraitha and Maimonides disagrees.[5] In his Sepher Hammitzwoth, Maimonides' first of his fourteen organizing principles stipulates that only laws considered Mide-oraitha are included in his count of the 613 Mitzwoth: "This sum does not include the Mitzwoth which are Miderabbanan."[6] He bases this decision on a statement in the Talmud: "Six hundred and thirteen Mitzwoth were revealed to Moses at Sinai."[7] Maimonides criticizes those of his predecessors (e.g., Halakhoth Gedoloth) who have included commandments Miderabbanan in their respective enumerations of these 613 Mitzwoth.

Determining how Maimonides views the term Mide-oraitha assists one in understanding Maimonides' perception of the term Miderabbanan and in appreciating his application of the two different categories. Miderabbanan includes "...whatever was imparted to us via the prophetic literature and Hagiographa

as well as the enactments attributed in Talmudic literature to Biblical personages (including even Moses himself)...[and] ...laws derived by recourse to the 13 hermeneutical principles, though employed by Moses himself..."[8] Levinger equates Maimonides' use of the term Midibhré Sopherim with the Aramaic Miderabbanan. The term Halakhah LeMoshe MiSinai remains a nebulous category located "between Mide-oraitha and Miderabbanan where Maimonides himself never made a decision about the force of these laws."[9] The difference between Mide-oraitha and Miderabbanan plays more than a theoretical role in Maimonides' works. Laws Miderabbanan retain a less important legal role than those Mide-oraitha: first, if one violates a law Mide-oraitha, there is a greater punishment than if one violates a law Miderabbanan; second, if one has a doubt concerning a law Mide-oraitha, one follows the more stringent alternative, while if the doubt concerns a law Miderabbanan, one takes the more lenient option.[10]

This difference between Mide-oraitha and Miderabbanan has specific application to Maimonides' decisions on prayer:

> If one is unsure whether or not he has recited the Shema', he repeats the recitation, along with the blessings preceding and following it, If, however, he knows that he has recited the Shema', but he is unsure whether or not he has recited the blessings preceding and following it, he should not repeat the blessings...[11]

According to Maimonides (here in agreement with Alfasi), the Mitzwah of Qeri-ath Shema' is De-oraitha. Thus a doubt regarding Qeri-ath Shema' obligates one to repeat the Shema'.

If one remembers having recited the Shema' but is unsure about having recited the blessings before and after the Shema', however, that person does not repeat the blessings since according to Maimonides Kol Berakhoth Derabbanan. One does not repeat blessings since blessings were ordained by the sages:

> In reference to all these blessings, if one is unsure whether or not he has recited them, he should not recite them again, no matter whether he would recite them before or after eating, since they are Midibhre Sopherim.[13]

By the same token, one does not repeat the Motzi even if one doubts having recited it:

> If one is unsure whether or not he has recited the Motzi, he should not repeat the recitation, since the Motzi is not Min Hatorah.[14]

Another difference between the categories of Mide-oraitha and Miderabbanan concerns the ability of one person to discharge another's obligation in prayer:

> Anyone who hears a blessing recited from beginning to end with the intention of fulfilling his obligation, has done so even if he has not responded Amen. Anyone who responds Amen after a blessing has been recited is considered to be like the one who recited that blessing, as long as the person reciting was obligated in that blessing. If the one reciting the blessing was obligated Midibhré Sopherim and the one who responds Amen was obligated Min Hatorah, the latter has not fulfilled his obligation unless he has responded Amen or has heard the blessing recited by one who was equally obligated Min Hatorah.[15]

The reciter of a blessing can only discharge the obligation of another if the two of them are equally obligated in that particular blessing. Thus a problem arises regarding the

ability of women to say the Birkath Hammazon and so to discharge the obligation of others. The general rule concerning the Birkath Hammazon is as follows:

> It is a positive commandment Min Hatorah to recite a blessing after eating a meal, as it is said, "When you have eaten and been satisfied, you shall praise the Lord your God." One is not obligated (to this blessing) Min Hatorah unless one's hunger has been satisfied, as it is written, "When you have been satisfied, you shall praise;" according to the Dibhré Sopherim, however, even if one has only eaten an amount equal to the size of an olive, he must recite a blessing afterward.[16]

Women are also required to recite the Birkath Hammazon, but the source of their obligation remains a question:

> Women and slaves are obligated to the Birkath Hammazon; there is a doubt however, as to whether they are obligated Min Hatorah, since it is not a time-bound commandment, or whether they are scripturally obligated. Therefore, they cannot, by reciting the Birkath Hammazon, discharge the obligation of adult males...[17]

Without endorsing the policy, Maimonides does allow a woman to say the Birkath Hammazon for her husband under certain conditions:

> When two people have eaten together, each one recites the Birkath Hammazon for himself. If one of them knows the Birkath Hammazon and the other does not know it, the one who knows it recites it aloud and the other one responds Amen after each benediction, thereby fulfilling his obligation. A son can recite this blessing for his father, a slave for his master, and a woman for her husband, the reciters thereby discharging the obligation of their respective partners. The sages said, however, that a curse will come to one whose wife and children recite the blessing on his behalf.[18]

He continues in the next Halakhah:

> Under what circumstances does this apply? When they have eaten but their hunger has not been fully satisfied. In this latter case, their obligation to recite the Birkath Hammazon is Midibhré Sopherim and therefore their obligation can be discharged by a minor, a woman, or a slave. If, however, one has eaten and his hunger has been fully satisfied, in which case he is obligated Min Hatorah to recite the Birkath Hammazon, his obligation cannot be discharged by a minor, a woman or a slave. The reason for this is that anyone who is obligated in a commandment Min Hatorah cannot have his obligation discharged except by one who is equally obligated in that matter Min Hatorah.[19]

One must not think that, in the face of the superior force of laws Mide-oraitha one might dispense with those of the sages, however, for the Torah itself requires obedience to the laws of the sages:

> And so it is concerning all Mitzwoth which are Midibhré Sopherim: whether they are Mitzwoth which are obligatory according to the sages' view, e.g., the reading of the Scroll of Esther, the kindling of the Sabbath light, or the kindling of the Hanukkah light; or whether they are not obligatory, e.g., 'Erubh or the ritual purity of the hands; one recites a blessing over all of them before performing them, (containing the phrase) "Who has sanctified us by His commandments and commanded us to perform _____." Where in the Torah has God commanded us concerning this? Where it is written, "According to that which they say to you, so shall you do." Therefore the meaning and proposition of these words is: "Who has sanctified us by His commandments, whereby he commanded us to obey the sages' ordinances of reading the Scroll of Esther or kindling the Hanukah lights." So it is also for the rest of the commandments which are Midibhré Sopherim.[20]

Yet Maimonides also indicates a certain ambivalence toward the rulings of the sages, an ambivalence which perhaps is

consistent with the lower rank of Miderabbanan in comparison with Mide-oraitha. On the other hand, he stipulates that one must respect the forms instituted by the sages:

> Ezra and his Beth Din established the form of all the Berakhoth. It is not proper to change them, to add to them or to subtract from them. Anyone who deviates from the form which the sages have set for the Berakhoth is in error. Any Berakhah which does not contain mention of God's name and kingdom is not considered a Berakhah unless it is directly following another Berakhah.[21]

Yet on the other hand, the changing of the forms established by the sages does not prevent the fulfilling of one's obligation but merely labels one as "in error." Even if one changes the form instituted by the sages, one still has fulfilled one's obligation:

> All of the Berakhoth may be recited in any language as long as one recites them according to the form instituted by the sages. If one changes the form, he still has fulfilled his obligation as long as he mentions God's name and kingdom and the subject matter of the Berakhah.[22]

In Sepher Hammitzwoth, Maimonides quotes the Torah as the source of the general obligation to pray:

> The fifth Mitzwah is the Mitzwah by which we are commanded to serve Him, may He be exalted. This commandment is repeated a number of times (in Scripture): "You shall serve the Lord your God" (Ex. 23:25); "You shall serve Him" (Deut. 13:5); "You shall serve Him" (Deut. 6:13); and "to serve Him" (Deut. 11:13). Despite the fact that this commandment, too, is one of the general Mitzwoth - as we have explained in the fourth precept (i.e., that it is not counted among the 613 Mitzwoth) - still it contains a specific designation, that is, it is the commandment concerning prayer. The Siphré says: "'To serve Him' - means prayer." They (the sages) said further: "'To serve Him' -

> means Talmud Torah." In the Mishnah of R. Eli'ezer the son of R. Yosi Hagelili, they said: "Where do we find that prayer is among the Mitzwoth? From this: 'You shall fear the Lord your God and serve Him.'" They also said: "Serve him through His Torah, serve Him in His sanctuary" - the intention being that one pray in it or towards it, as Solomon explained.[23]

In the Mishneh Torah, he elaborates on the Mitzwah of prayer:

> It is a positive commandment to pray daily, as it is said, "You shall serve the Lord your God." According to tradition, this service ('Abhodah) is prayer...[24]

Although one finds the source of the general commandment for prayer in the Torah, one does not find most of the details regarding prayer in the Torah:

> ...The number of prayers is not ordained in the Torah; the wording of prayer is not ordained in the Torah; and neither is a fixed time for prayer ordained in the Torah...[25]

One finds the source of such particulars among the sages:

> The Tosephta says: "Just as the Torah established Qeri-ath Shema' as an obligatory act, so the sages determined the times for prayer are not ordained in the Torah, but the commandment of prayer is ordained in the Torah, as we have explained, and the sages established the times. This is the meaning of their saying "They ordained the prayer services to correspond to the daily offerings," that is to say: they set the times of the services according to the times of the sacrifices...[26]

While Maimonides states explicitly the preceding legal principles regarding prayer, still other more implicit principles lie at the base of many of his legal decisions. One can extrapolate these principles from Maimonides' own organizational plan of the Mishneh Torah, coupled with his justification for commandments regarding purity and regarding

the Temple. Chapter 4 of Hilkhoth Tephillah lists"five conditions, the absence of which invalidate the recital of prayer, even when the proper time for prayer has arrived:"

> There are five conditions the absence of which invalidate the recital of prayer, even when the proper time for prayer has arrived: the ritual purity of the hands; the covering of one's nakedness; the ritual purity of the place of prayer; (the eliminating of) items which are distracting; and the concentration of the mind.[27]

Chapter 5 lists eight conditions which should be fulfilled before reciting prayers, but where the lack of such observance does not invalidate the recital of prayer at the proper time:

> There are eight conditions which the worshipper should take care to fulfill. If, however, the worshipper is under stress, the victim of an accident, or if he simply let it pass without fulfilling these conditions, the absence of these conditions does not invalidate the recital of prayer at the proper time. These are they: One should stand; one should face the temple; one should put his body in order; one should put his clothing in order; one should pray in a proper place; one should modulate one's voice; one should bow appropriately; and one should prostrate himself correctly.[28]

These requisites for prayer, adopted from the Mishnah and Tosephta, reflect Maimonides' sense of propriety. If one were to categorize these points according to their implicit themes and to Maimonides' explanation of those points, one could define the following themes as indicative of certain values significant for Maimonides' conception of worship: aesthetics, decorum and intention. These themes pervade Maimonides' work and undergird many of his decisions on prayer.

Aesthetic Considerations

Maimonides' sense of aesthetics in prayer incorporates a number of concerns, including the proper state of the body and the proper condition of the physical place in which one prays. Maimonides himself does not label his concerns aesthetic, nor does he define the word "aesthetic"; it is up to the reader to do this defining.

Aesthetics has been defined as "the philosophical study of beauty regarded in itself and in its application to art and nature."[29] The latter discussion of the place of aesthetics in philosophy can well be applied to a discussion of the place of aesthetics in religion and worship:

> In the opinion of the present writer, Aesthetics is a mixed science, borrowing its principles from both metaphysics and psychology, so that...it includes two classes of questions, the one class bearing on the subjective feeling that beauty produces in the person affected by its charm, and the other relating to the qualities of the things to which we ascribe beauty.[30]

If one accepts this definition of aesthetics as it applies to worship, then aesthetics in the realm of the synagogue and prayer concerns the physical or spiritual beauty of the synagogue and peoples' responses to that beauty, i.e., their behavior in the synagogue during the worship service. When one speaks of the aesthetics of the synagogue and prayer, however, one does not speak of aesthetics for aesthetics' sake, but of an aesthetic experience which has a higher goal. In the case of prayer, the aesthetic experience aims at inspiring awe of the synagogue in order to achieve fear of

God.[31] What is the origin of aesthetic concern in the synagogue? One can infer that such concern originated in the Temple cult before 70 C.E. Maimonides, like the rabbis, accepts the idea of prayer's replacing sacrifice in the light of the Temple's destruction.[32] By extension, the now primary place of prayer, the synagogue, becomes the substitute (albeit temporary) for the Temple itself. These individuals who come to pray have assumed the role of the cultic priests; they wash before prayer as the priests washed before offering sacrifices. Thus certain aesthetic principles which applied to the Sanctuary in the Temple can be transferred to the synagogue, as can certain laws concerning ritual purity in prayer.

In the Guide (III:45), Maimonides offers motivation for Laws concerning the Chosen Temple, Laws concerning the utensils of the Sanctuary and those who work in it, and Laws concerning entry into the Sanctuary:

> As for the duty constantly to keep watch over the Sanctuary and to go around it, this was commanded in order to glorify and honor it, so that the ignorant, the unclean, and those who are in a disheveled state should not rush up to it...[33]

Maimonides lists the Mitzwah of watching the Sanctuary as the twenty-second positive commandment of the 613 given to Moses on Sinai:

> The commandment by which we are commanded to keep watch over the Sanctuary and to circle around it continually every night throughout the night in order to honor it, exalt it and magnify it, in accordance with what the Exalted One said to Aaron...[34]

The reason to glorify the Sanctuary is to internalize those feelings of awe and trepidation for God:

> The twenty-first Mitzwah is the commandment by which we are commanded to revere that very Sanctuary to such an extent that it earns a permanent place of awe and trepidation in our hearts. The Siphra says further: "It is not the Sanctuary which you should revere but rather the One who commanded (the building of) the Sanctuary."[35]

One way of glorifying the Sanctuary was to prescribe how often one could enter the Sanctuary and under what conditions:

> We have already explained that the whole intention with regard to the Sanctuary was to affect those that came to it with a feeling of awe and of fear; as it says, Ye shall fear My Sanctuary. Now if one is continually in contact with a venerable object, the impression received from it in the soul diminished and the feeling it provokes becomes slight. The Sages...have already drawn attention to this notion, saying that it is not desirable that the Sanctuary should be entered at every moment. This being the intention, He, may He be exalted, forbade the unclean to enter the Sanctuary.[36]

Not only were the ritually unclean forbidden from entering the sanctuary, so were others whose appearance or behavior was improper:

> For one of the things that necessarily resulted in an exaltation and glorification of the Sanctuary, bringing about in us fear of it, was the prohibition against drunken, unclean and disheveled individuals - I mean those with unkempt hair and torn garments - entering it together with the commandment that everyone engaged in the divine service shall sanctify his hands and his feet.[37]

This sanctifying of hands and feet, a procedure of ritual purification, contributes to the aesthetics of prayer as it glorifies the Sanctuary. Among the purposes of such purity

laws, Maimonides includes "safeguarding the sanctuary" and "keeping men away from disgusting things."[35] Although ideally he would desire both inner and outer purity, Maimonides recognizes that someone can be pure externally but not internally:

> Cleaning garments, washing the body, and removal of dirt also constitute one of the purposes of this Law. But this comes after the purification of the actions and the purification of the heart from polluting opinions and polluting moral qualities.... To sum up the dictum: their outward appearances are clean and universally known as unsullied and pure, whereas innerly they are engaged in the pursuit of their desires and the pleasures of their bodies. But this is not the purpose of the Law for the first purpose is to restrain desire - the purification of the outer coming after the purification of the inner.[39]

The clothing of the priests played a part in creating this exalted atmosphere:

> Also in order to exalt the Temple, the rank of its servants was exalted, the Priests and Levites were singled out, and the Priests wore the most splendid, finest, and most beautiful garments: Holy garments...for splendor and for beauty... For to the multitude an individual is not rendered great by his true form, but by the perfection of his limbs and the beauty of his clothes: and what is aimed at is that the Temple and its servants should be regarded as great by all.[40]

The dress of the priests, the behavior and dress of those entering the Sanctuary, the regulation of those who entered the Sanctuary, the ritual washing before entering - all these aesthetic factors encourage reverance for God's Sanctuary and for God Himself.

On somewhat of a lesser scale, these values can be transferred to synagogal behavior. As one was not permitted to enter the Temple frequently, so one does not enter the synagogue lightly:

> The people should not act with light-headedness, for example, with mockery, jesting or idle conversation, in synagogues or in houses of study. They should not eat, drink, enjoy sexual gratification or wander around there. They should not enter them in the summer to escape the heat, nor in the winter to escape the rains...[41]

Maimonides quotes passages which regulate the ritual purity of those who enter. Maimonides devotes much space to laws regarding the ritual purification of hands alone. If the time for prayer has arrived and one cannot find water with which to wash, one still is not exempt from the prerequisite of having clean hands:

> How does one attain ritual purification of hands? He washes his hands in water up to the wrist and then prays. If he is walking on the road when the time for prayer arrives, and there is no water there, then: If there are four miles (that is, 8000 amoth) between him and the water, he should continue on to the place where the water is and wash there before praying; if the distance between him and the water is greater than that, he should wipe off his hands with pebbles, dust or on a tree trunk, and then pray (where he is).[42]

In Hilkhoth Berakhoth, Maimonides includes instruction as to the proper washing of hands before and after meals along with the appropriate accompanying blessings. Before praying Shaharith, Maimonides requires the washing of the face and the feet in addition to the hands.[43]

The Babylonian Talmud annuls the requirement of ritual bathing before prayer for the Ba'al Qeri,[44] and so Maimonides

does not require it either. Yet in the spirit of the later Ge-onim, it will be seen that Maimonides defends the custom of those who choose to bathe voluntarily despite the lack of the requirement:

> All those who are ritually unclean wash only their hands alone, just like those who are ritually clean, and then pray; despite the fact that it is possible for them to undergo ritual immersion and, in so doing, rid themselves of their ritual impurity, the lack of ritual immersion does not delay prayer at its proper time. We have already explained that Ezra ordained that a Ba'al Qeri alone should not read Torah until he has undergone ritual immersion. The Beth Din which followed him subsequently ordained the same practice concerning prayer, that a Ba'al Qeri alone should not pray until he has undergone ritual immersion...[45]

Maimonides hastens to add that this rule is not connected with ritual cleanliness:

> ...This edict is not due to matters of ritual cleanliness and uncleanliness, rather its purpose is to prevent scholars from being as accessible to their wives as roosters (are to hens). It is for this reason that the sages instituted ritual immersions for the Ba'al Qeri alone, thereby excepting him from the general category of the impure.[46]

Maimonides reacts angrily to the intimation of R. Pinhas B. Meshullam that this particular rule of cleanliness is improper as a result of its having been derived from Islamic influence:

> This matter is merely a custom in Shinar and the West; in the cities of Rome, France and the provinces, however, the people of your cities never observed this custom, thus it always happens when the great sages and rabbis of your cities come to Spain and see us washing from seminal emissions, they laugh at us and say, "You learned from the cleanliness of the Ishmaelites..."[47]

In this case, Maimonides does not disapprove of Islam's influencing aesthetics in the synagogue. According to Maimonides, Abraham himself consciously accepted a tradition of idolaters when he chose high Mt. Moriah as a place of worship, although in so doing Abraham intended to counteract those idolaters:

> It is known that idolaters sought to build their temples and to set up their idols in the highest places they could find there... therefore Abraham our father singled our Mount Moriah, because of its being the highest mountain there proclaimed upon it the unity (of God), and determined and defined the direction toward which one would turn in prayer, fixing it exactly in the West. For the Holy of Holies is in the West. This is the meaning of the dictum (of the Sages): The Indwelling is in the West. They...have made clear in the Gemara of the Tractate Yoma that Abraham our father fixed the direction toward which one should turn in prayer, I mean the Temple of the Holy of Holies. In my opinion, the reason for this is as follows: Inasmuch as at that time the opinion generally accepted in the world was to the effect that the sun should be worshipped and that it is the deity, there is no doubt that all men turned when praying towards the East. Therefore Abraham our father turned, when praying on Mt. Moriah - I mean in the Sanctuary - toward the West, so as to turn his back on the sun.[48]

The direction in which one prays was a negative response to idolatry, as was the "covering of nakedness" in the Temple:

> You know likewise how widespread was the worship of Pe'or in those times, and that it consisted in the uncovering of the nakedness. Therefore it commands the Priests to make themselves breeches to cover the flesh of their nakedness during the divine service.[49]

This covering of nakedness, once applied to the priests, becomes a requisite for prayer at the proper time.[50]

As Maimonides showed concern for the attire of priests in the Temple and for individuals before entering the Temple, so he shows concern not only for the physical state of the body itself but also for the person's attire in prayer:

> How does one put one's clothing in order? First he straightens his clothing, adorning and beautifying himself, as it is written, "You shall bow down before the Lord in the beauty of holiness." He should not stand for prayer while wearing his money-belt, nor with his head uncovered, nor with his bare feet if he is in a place where it is the way of the local inhabitants not to stand bare-footed in front of the great ones. And under no circumstances should one hold tephillin in his hand or a Sepher Torah in his arms, for his heart would be preoccupied with these articles...If he has a burden on his head when the time for prayer arrives: if that burden is less than four qabhim, he lowers it behind him and then prays; and if it is four qabhim, he puts it on the ground and then prays...[51]

Thus according to Maimonides, one's physical state has a relationship to one's spiritual state.

Not only does one's physical state have bearing on prayer, so also does the state of one's surroundings. One does not recite the Shema' in unfit surroundings:

> They should not recite the Shema' in a bathhouse or in a latrine, even when it does not contain excrement, or in a cemetery, or next to the corpse itself. If he distances himself four amoth from the grave or from the corpse, however, he is permitted to recite the Shema'. Anyone who recites the Shema' in a place where it should not be recited must repeat the recitation.[52]

This general rule applies not only to the recitation of the Shema' but also to the discussion of other holy matters:

> This does not pertain only to the recital of the Shema', rather it is forbidden to speak about anything which is considered a holy matter when one is in a bathhouse

> or in a latrine, even if one says it in a secular language. This ruling does not apply only to verbalizing, rather it is forbidden even to meditate in one's heart on words of Torah when one is in a latrine, a bathhouse, or in a dirty place which contains excrement or urine.[53]

Maimonides reiterates this point in regard to all prayers:

> How does one fulfill the condition of praying in a ritually pure place? One does not pray in a dirty place, not in a bathhouse or a latrine, not in a garbage heap or a place where one cannot presume as to its ritual purity until one has inspected it. In summary, they do not pray in any place in which they do not recite the Shema'. Just as they distance themselves from excrement, urine, an evil odor, a corpse, and the exposure of nakedness before they recite the Shema', so do they distance themselves before prayer.[54]

Sufficient lack of ritual purity of the place in which one prays prevents the recitation of the prayer at the proper time. Thus ritual and non-ritual purity in prayer, the direction in which one prays, the prohibition of praying with one's nakedness uncovered, the surroundings in which one prays, and the clothing one wears all contribute to the aesthetics of the service, although their immediate motivation is not necessarily aesthetic.

Decorum

Closely related to this concern for aesthetics is Maimonides' sense of decorum during prayer. In the case of decorum, too, one finds Maimonides discussing bodily functions and the physical location of prayer. He lists one prerequisite for prayer as being the absence of distracting elements and describes the nature of such elements:

> How does one eliminate items which are distracting? If it is necessary for one to attend to one's orifices, he should not pray. Anyone who needs to attend to his orifices, but who prays regardless, his prayer is considered an abomination. He should repeat the prayer after having attended to his needs. If he is able to control himself in order (to walk) a parsah, his prayer is considered a proper prayer. Despite this, from the start one should not pray until he has examined himself well, has inspected his orifices, and has coughed up mucus, phlegm, and anything else which might bother him. Afterwards, he should pray.[55]

Disregarding one's bodily needs makes one's prayer an abomination and necessitates the repetition of that prayer. In order to avoid urges like belching, yawning and sneezing, one must inspect oneself carefully before beginning to pray:

> One who belches, yawns or sneezes voluntarily while he is praying is considered reprehensible. If, however, he inspected his body prior to praying and these acts occurred against his will, it does not matter. If he feels like he has to spit while praying, he swallows it up in his tallith or in his clothing. If doing this would bother him, he throws it behind him with his hand, so that it should not disturb his prayer and leave him feeling troubled. If flatulence escapes from him involuntarily while he is standing in prayer, he stops until it has passed and then returns to praying.[56]

In addition to controlling one's pressing physical needs, one should also regulate one's physical attitude and desires during prayer:

> One who is reciting the Shema' should not blink with his eyes, gesticulate with his lips, or point with his fingers, so that his recital should not be perfunctory. If he does these things, even though he has fulfilled his obligation, he still is considered reprehensible...[57]

One must maintain the correct posture in prayer:

> How does one put one's body in order? When he stands in prayer, he must place his feet next to each other and cast his eyes downward as if he were looking at the ground. His heart should be directed upward as if he were standing in the heavens. He should place his hands over his heart, the right hand over the left, and should stand in awe, reverence and fear, like a servant in the presence of his master. He should not place his hand over his loins.[58]

One should modulate one's voice during prayer:

> How does he modulate his voice? He should not raise his voice in prayer, nor should he pray silently, rather he should pronounce the words quietly with his lips, while still being able to hear the words. He should not cause his voice to be heard by others unless he is sick or unable to direct his heart without causing others to hear him. In the latter two instances, he is permitted to pray loudly as long as he is not at public services, where he would cause others to be disturbed by his voice.[59]

As Maimonides shows aesthetic concern for the physical place of prayer, so he reveals his regard for the behavior proper in such a place. One should pray facing the Temple site[60] in a fixed place which should not be a ruin or the rear of a synagogue.[61] People must sit in an orderly way in rows[62] (whether this is a description of reality or fantasy remains a subject of debate). Simply being present in the synagogue requires one to behave decorously:

> In synagogues and in houses of study, people should behave respectfully. They should sweep and sprinkle the floors...[63]

Maimonides considers lightheaded behavior inappropriate:

> The people should not act with lightheadedness, for example, with mockery, jesting or idle conversation, in synagogues or in houses of study. They should not eat, drink, enjoy sexual gratification, or wander around there. They should not enter them in summer to escape the heat or in winter to escape the rains...[64]

Thus in his legal rulings, Maimonides paints a picture, however idealized, of prayer in a clean, quiet place, ruled by order and permeated with respect; decorum and aesthetics prevail.

"Kawwanah"

One might argue that decorum and aesthetics in prayer are important to Maimonides only insofar as they relate to another of his fundamental principles, to that principle which retains perhaps the greatest amount of significance for Maimonides: The element called Kawwanah, alternately translated as intention, devotion and concentration. Maimonides defines Kawwanah in prayer and explains how to achieve it:

> What is Kawwanah? When one directs one's heart away from extraneous thoughts and pictures himself as if he were standing before the Shekhinah. Therefore, the worshipper must sit for awhile prior to praying, in order to direct his heart, so that afterwards he can pray with calmness and supplication. He should not treat his prayer as someone who bears a burden, casts it off, and then continues on his way. Therefore, the worshipper must sit for awhile after praying and leave only after doing so. The early hasidim used to wait an hour before praying, and they would draw out their prayers for an hour.[65]

As has been mentioned in the chapter concerning Maimonides' philosophical presuppositions, Maimonides considers that, "Any prayer prayed without Kawwanah is not considered prayer."[66]

One way of discovering the nature of Kawwanah involves understanding what lack of Kawwanah means. As Maimonides defines it, Oebha' is the opposite of Kawwanah:

> That is to say, the meaning of Oebha' is that the worshipper treats his prayer as one who has obligatory business, performs it, and completes it so that he can rest from his work, having cast off his trouble and his burden.[67]

One finds a prime example of this difference between prayer recited out of obligation and prayer recited out of devotion in one of Maimonides' Responsa, in which he replies to a question concerning the speed with which one recites the 100 daily obligatory blessings:

> In reference to the hurried and hasty recital of the hundred daily blessings or the Zemiroth, such an act represents a total error. A person sins who does not reprove the Hazzanim for this, since all these (blessings and Zemiroth) are varieties of the Lord's service which happen to take the form of speech. The intention behind (these prayers) is that people should meditate on (the words) while saying them. The worshipper should direct his heart and know that he is speaking with the Master of the World through them, whether he is petitioning Him, thanking Him, praising Him, describing His works and pious deeds, or describing the wondrous acts performed through His creation and His power. These are the general rules concerning Berakhoth, Zemiroth, or Pesuqé Zimra. If all this is considered to be communication with the Exalted One, how could one be permitted to hurry through and to divert one's mind from that which is being said, except in the case of a person who does not know what he is saying, nor does he understand. Otherwise, the law concerning prayer is a law designed for a parrot or a fool who merely repeat the words which people teach them.[68]

Thus Maimonides deplores the speedy recitation of prayers because such a recitation can only suffer from lack of Kawwanah.

The proliferation in Maimonides' works of synonyms for Kawwanah and for its opposite itself indicates the importance of this concept. Some examples of synonyms for Kawwanah follow:

1. תתקרר דעתו[69]
2. גמר בלבו[70]
3. שלא הסיח דעתו מהן[71]
4. בשמצא דעתו מכוונת[72]
5. שתהנן דעתו עליו[73]
6. לכוון את לבו[74]
7. שיכול לכוון את דעתו[75]
8. כובד ראש[76]
9. שתהא דעתו מיושבת עליו[77]
10. עד שתתישב דעתו עליו[78]
11. שתהא דעתו פנויה עליו[79]

The following terms describe either the opposite of Kawwanah or the state of someone who cannot pray with Kawwanah:

1. מבוהל[80]
2. עראי[81]
3. מי שהיה לבו טרוד ונהפז[82]
4. דחוק[83]
5. קלות ראש[84]
6. אם היה טרוד או דחוק[85]

Depending upon the particular situation, a person to whom any of the latter terms apply either must refrain from reciting the Shema' and praying the 'Amidah, or is exempt from doing so. A sick person may pray the 'Amidah as long as he retains the ability Lekhawwen eth Libbo:

> A sick person may pray even if he must lie on his side as long as he is able to direct his mind. The same applies to one who is thirsty or hungry; he is considered to be in the category of the sick and may pray as long as he has the ability to direct his mind. If he does not have the ability, he should not pray until he has eaten and drunk...[86]

Thus like a sick person, a hungry or a thirsty person should pray the 'Amidah only if able to muster sufficient Kawwanah. Maimonides permits one who is pressed or troubled to abridge the 'Amidah and recite the Me'en Shebha'.[87] This is preferable to reciting the 'Amidah without Kawwanah, for someone who has recited the 'Amidah without Kawwanah must repeat it with Kawwanah.[88] Maimonides agrees with the sages that a bridegroom is sufficiently preoccupied to be exempted temporarily from reciting the Shema' and from performing other Mitzwoth:

> One whose heart is troubled or preoccupied with a Mitzwah is released from all of the Mitzwoth and from Qeri-ath Shema'. Therefore, a bridegroom who marries a virgin is released from the obligation of Qeri-ath Shema' until after he has had sexual intercourse with her. This is because his mind is not free beforehand due to the fear that he might not find signs of her virginity...[89]

Death interferes with one's ability to pray with Kawwanah. Thus a mourner and one who is guarding the body before burial are exempt from reciting the Shema':

> One who has a relative die for whom he is obligated to mourn is released from Qeri-ath Shema' until the body has been buried. This is because his mind is not sufficiently free for him to recite the Shema'. If he is one of those guarding the body, he is released from reciting the Shema' even though the dead person was not related to him...[90]

The people invited to relieve the pallbearers are released from the Shema'[91] as are those who, after the burial, stand in a line from which they look directly upon the mourners.[92] All present, including those who came to accompany the dead, are released from reciting the 'Amidah.[93]

Events less shocking than death can also affect one's Kawwanah. Someone riding on an animal should not dismount before praying the 'Amidah, for dismounting would disrupt Kawwanah more than riding and praying.[94] Artisans stop working until after they have recited the first paragraph of the Shema'.[95] Workers sitting at the top of a wall may not pray the 'Amidah there due to "troubled heart" but they may recite the Shema' there because only the first verse requires Kawwanah:

> One who recites the first verse of the Shema', beginning Shema' Yisra-el, without the proper Kawwanah has not fulfilled his obligation. If he recites the rest of the Shema' without Kawwanah, however, he has fulfilled his obligation. Even if he was reading from the Torah in the usual way or was checking these Parashiyoth during the time of Qeri-ath Shema', he has fulfilled his obligation as long as he directed his heart during the first verse.[96]

Anyone released from reciting the Shema' may choose to recite it anyway under certain circumstances:

> Anyone who is released from reciting the Shema' may be stringent with himself and recite the Shema' if he so desires, as long as his mind is sufficiently free. If, however, the one who is released from reciting the Shema' happens to be agitated, he is not permitted to recite the Shema' until he has settled down.[97]

Kawwanah plays the same role in regard to the recital of different blessings as it does in regard to the Shema' and the 'Amidah. In the case of these blessings, however, it is more useful to think of Kawwanah in terms of "intention" than of "devotion" or "concentration." A correspondent inquires about the role of Kawwanah in discharging one's obligation in a given Berakhah:

> In reference to what you said in the first chapter of Hilkhoth Berakhoth, "Anyone who hears a blessing recited from beginning to end with the intention of fulfilling his obligation has done so even if he has not responded Amen," and as it is said, "Anyone who responds Amen after a blessing has been recited is considered to be like the one who recites the blessing." Does this apply only if he heard it with the intention of fulfilling his obligation or does it also apply if one heard it without this intention.[98]

Maimonides responds briefly and pointedly:

> The one who responds Amen or who merely listens must do so with Kawwanah, and only then will he have fulfilled his obligation.[99]

As one can hear a blessing in which one is obligated and yet not be discharged of this obligation due to lack of Kawwanah, so one can say an incorrect blessing with the proper Kawwanah and thereby fulfill that obligation.

> In the case where someone takes a cup of wine in his hand and begins the blessing with the intention of reciting Shehakkol, but errs and instead says Boré Peri Haggafen, he does not have to repeat the correct blessing. The same applies if he has in front of him fruit from the earth and he begins the blessing with the intention of reciting Boré Peri Ha-adamah, but errs and instead says Boré Peri Ha'etz, he does not have to repeat the correct blessing. The same applies if he has before him a dish of grain and he begins reciting the blessing with the intention of saying Boré Mine Mezonoth but errs and instead recites Hammotzi Lehem; he has fulfilled his obligation because at the time when he mentioned God's name and kingdom, the two things which express the main idea of the blessing, he had intended to recite the blessing appropriate to that particular species. Since there was no error in that essential part of the blessing, even though he erred at the end of the blessing, he has fulfilled his obligation and does not have to repeat the correct blessing.[100]

Lest one think that all of Maimonides' decisions concerning Kawwanah reflect mainstream Talmudic Judaism, Rabad offers violent opposition to this particular decision:

> Everything which Maimonides wrote concerning these matters is worthless; he was merely following an explanation which came directly from his own mouth.[101]

Whereas one generally recites a blessing over spices and perfumes, there are times when one does not recite blessings over such materials due to the intention behind their use and the purpose for which they are being used. For example, there are three types of fragrances over which one does not recite a blessing because of the intention for which they are used:

> A pleasant scent which one is not permitted to smell; a scene made for the purpose of dispelling a bad odor; a pleasant scent which was not made for the purpose of being smelled itself.[102]

> For example, in the case of perfumes used by idol-worshippers or perfumes used by those engaged in sexual transgression, one does not recite a blessing over these perfumes because it is forbidden to smell them. In the case of perfumes used over corpses, perfumes used in the latrine, or an oil whose purpose was to cause the dispersal of bad odors, one does not recite a blessing over them because they were made only for the purpose of dispelling a bad odor. In the case of the incense with which one fumigates utensils or clothing, one does not recite a blessing because it was not made for the purpose of being smelled itself. The same holds for one who smells clothing which has been perfumed; one does not recite a blessing over it since it does not contain the essence of a perfume but rather an odor with no essence.[103]

One does not say a blessing over perfumes found in a gathering of idolaters since the presumed purpose of such an assembly is idolatry.[104] Thus it is not the materials themselves which require a blessing, but the materials in conjunction with the intention for which they are used. Not only does one have an obligation to be suspect of perfumes found in an assemblage of idolaters, one also should be circumspect with regard to reciting Amen after hearing part of an idolater's blessing:

> Anyone who hears an Israelite reciting a blessing is obligated to respond Amen, even if he has not heard the whole blessing from beginning to end, and even if he himself is not obligated to that blessing. One does not respond Amen if the one reciting the blessing was a goy, a heretic or a Kuthi; or if he was a child learning the blessings; or if he was an adult who altered the form of the blessing.[105]

Whereas one can be relatively certain of an Israelite's intention in prayer, one cannot treat the idolater with the same sureness.

Kawwanah also has a function in the areas of blessing before eating and drinking:

> When a number of people have agreed in advance to eat bread or drink wine, and one of them recites the blessing while the rest respond Amen, they are all permitted to eat and drink. If, however, they had not intended to eat together initially, but rather each one had come individually, then each one must recite the blessing himself even though they all ate from the same loaf...[106]

Only if a group intends to eat together at the outset can one person recite a blessing for all; without the existence

of such an intention, each must recite the blessing individually. The same principle applies to the case of an individual who

> had intended to stop eating or drinking, but afterwards changed his mind (and decided) to continue eating and drinking, even though he has not changed his location, he must recite the blessing again. If he had not intended (to stop eating or drinking), however, but had intended from the beginning to resume eating or drinking, even if he had interrupted (his meal) for a whole day, he does not have to recite the blessing a second time.[107]

Thus theoretically one could envision a situation in which two individuals eat the same food and allow the same amount of time to elapse between courses, yet one is obligated to recite only one blessing while the other must recite two, all due to the difference in their respective intentions. Depending upon the purpose bread serves at a meal, bread can be considered a main course requiring a blessing or it can be considered dependent on the main course and so not require a blessing. Maimonides offers an example of such a case where intention determines whether one recites the blessing over bread:

> The words of this particular Mishna refer to garden-watchers who eat the fruit when it is at its sweetest, and, because of this fact, prepare a salty food in order to break up the sticky juices which collect in the stomach. It is impossible to eat this salty food alone, and, because of this fact, they eat it with bread. Their intention is not to eat bread, however: therefore, in this case, the bread is considered the side dish and the salty food the main dish.[108]

SELECTED "HALAKHIC" DECISIONS

Thus aesthetics, decorum and intention represent major principles underlying Maimonides' halakhic decisions. Maimonides

did not create the aforementioned halakhic material which exemplifies these concepts but rather found it in traditional sources. Maimonides did innovate, however, in his reorganizing of this traditional material into his own schema in order to emphasize the principles important to him. Maimonides also proceeded to innovate by making certain halakhic decisions based on these and other themes found in his work. Selections from these decisions follow.

The Temporary Abolition of the Silent "'Amidah"

Maimonides temporarily abolishes the recital of the silent 'Amidah due to its interference with the decorum of the worship service. He begins by supporting the dual recitation of the 'Amidah instituted by the sages:

> The proper thing, upon which one must rely, is that which the sages (may their memory be for a blessing) ordained, that is, that everyone should pray the Tephillah silently and anyone who does so thereby fulfills his obligation. In this case, there is no difference between the reader and any other member of the congregation. Afterwards, the reader repeats the Tephillah aloud, including the Qedushah, in order to discharge the obligation of the inexpert. This is the opinion of the sages and it is the Halakhah...[109]

The original purpose of a two-fold 'Amidah was to allow the experts to fulfill their obligation themselves by praying the 'Amidah silently, and to allow the less competent to discharge their obligation by listening to the reader's repetition aloud. Maimonides recognizes the changing times, however, as he explains how the sages' motivation no longer corresponds to reality:

> I must say, however, that this is necessary in our time because of a reason which I shall clarify. (That reason is) that when the reader is praying the Tephillah aloud, everyone who has already prayed the Tephillah silently, and thereby has fulfilled his obligation, indulges in talking or idle conversation, turns away from the Hekhal and spits or coughs...[110]

This disrespectful behavior on the part of the experts, who already have prayed silently and so have fulfilled their obligation, deceives the less competent:

> When someone who is inexpert sees this behavior, undoubtedly he will indulge in similar behavior, thinking that he does not need to rely upon the reader's repetition. Thus the inexpert one will leave, even though he has not fulfilled his obligation, thereby negating the purpose for which the reader is reciting the Tephillah, that purpose's being to discharge the obligation of the inexpert.[111]

Thus in order to allow all involved to discharge their respective obligations while still maintaining a semblance of decorum, Maimonides recommends the omission of the silent 'Amidah:

> If the people do not pray the Tephillah silently at all, rather if everyone prays the Tephillah including the Qedushah along with the reader, then anyone who is an expert can pray silently with the reader and anyone who is inexpert can listen. Everyone should bend his knees with the reader when they are facing the Hekhal. If all this is done with the proper Kawwanah, then by doing this they have fulfilled their obligation. The matter has been put in order, established, and the long repetition omitted...[112]

At the end of his Responsum, Maimonides reveals that the temporary abolition of the silent 'Amidah would serve an additional purpose concerning the reaction of non-Jews to the apparently indecorous conduct of the Jews:

> This (omission of the silent Tephillah) will remove the desecration of God's name which has spread among the non-Jews, that the Jews spit, cough and converse during prayer; for this is how the non-Jews have witnessed the phenomenon.[113]

He concludes:

> Thus in my opinion, this is the most fitting alternative in our times, due to the reasons which have been mentioned.[114]

Maimonides also expresses this position in other Responsa.[115]

Naphtali Wieder attributes this temporary abolition of the silent 'Amidah to the value Islam placed on decorum and to the influence Islam held over Maimonides. According to Wieder, the Moslem in prayer is obligated to refrain from any deviation from the commanded body posture and from any slight movement which does not belong to the movements of the ritual. Maimonides judged according to this Islamic perspective and was embarrassed by the Jewish lack of respectful behavior.[116] In addition, Wieder claims that Maimonides' son Abraham also operated under the influence of Islamic decorum in addition to being a proponent of his father's approach to Halakhah. Abraham wanted everyone in the synagogue to face East as do the Moslems, not just during the 'Amidah but also while sitting. Such a rule would avoid disorder.[117] In any case, whether or not one credits Islam with Maimonides' concern for decorum, decorum remained a motivating factor in this particular decision concerning the silent 'Amidah.

The Washing of the Feet Before "Shaharith"

Perhaps also in the light of Islamic influence, Maimonides requires the washing of one's feet before Shaharith:

> ...This rule that he washes only his hands before praying applies to all of the services except Shaharith. Before Shaharith, he washes his face, hands and feet, and afterwards prays...[118]

This particular Halakhah puzzles Rabad and later scholars and inspires Rabad to ask simply, "Why his feet?" In Abraham's explication of his father's work, he recognizes this as a deviation from normal practice:

> This is the law which applies to all the services. Prior to Shaharith, however, they voluntarily added the additional obligation of washing their face and feet along with their hands. This latter addition is not due to necessity, however, as is washing the hands.[119]

In this case, the son not only follows in his father's footsteps but goes even further by extending the ruling from just the morning service to prayer at any time:

> ...That which is most praiseworthy and preferable, however, is the washing of both the hands and the feet before every service and not just before Shaharith. For the sages instituted the services to correspond to the daily offerings, and since prayer has replaced sacrifice, and the Torah says, "You shall make a copper laver, etc.," and "They shall wash, etc.," "And when they enter, etc.," "Or when they approach the altar, they shall wash with water that they may not die" (Ex. 30: 18-20), it is necessary that one make an effort to wash his hands and feet before every prayer service. He should not cease to do so, thinking that it is not necessary...for this observance is like the service in the Temple...I am not saying, however, that washing one's feet is equivalent to the stature of washing one's hands...[120]

Upon Returning from a Journey

As one would expect, Maimonides makes some decisions based on Kawwanah as a motivating factor:

> ...If one finds that his mind is confused and his heart troubled, he is forbidden to pray until he settles down. Therefore, when one returns from a trip feeling tired or distressed, he is forbidden to pray until he has settled down. The sages said that, upon returning from a trip, one should wait three days (before praying) until he has rested and has been pacified.[121]

In this case, the sages advised a person returning from a journey to rest and not to pray for three days in order to attain the proper Kawwanah. Maimonides takes the sages' advice and couches it in the form of a legal ruling. Once again, Maimonides' son corroborates and elaborates on his father's opinion.[122]

Opposition to Objects Which Interfere With Prayer

Certain of Maimonides' other rulings show the influence of the concept of Kawannah. When a correspondent asks whether one might pray in a building with no windows, and what the relationship is between windows and prayer, Maimonides responds that synagogues and other places for prayer do not require windows. He explains that R. Hanina's stance that one should pray only in a house with windows refers to a private home:

> The words of R. Hanina refer only to an individual praying at home, as did Daniel (May he rest in peace), since it is preferable for him also to face a window open to the air, in order for him to arouse his Kawwanah and to imagine that he is facing

> Jerusalem. There should be nothing interfering between him and Jerusalem, neither a wall nor beams, since when he speaks by the open windows, his vision will pass from the windows through the wide air, and there is no doubt that his image and appearance require great Kawwanah.[123]

An open window in a private house thus aims to arouse Kawwanah for prayer. Maimonides also relies on Kawwanah as his justification for why there should be nothing intervening between a person reciting prayers and the wall:

> The reason why they thought it was preferable to be closer to the wall is that this makes possible the greatest concentration, so that one's heart can be directed. A curtain does not cut them off nor is it reprehensible if it separates him from the wall; rather, this refers to a box, a chest, sacks, household utensils and similar articles, since this would interfere with his Kawwanah. If one directs his prayer towards shapes, even if they are indistinct, that person is considered reprehensible, since it distracts him to look at these forms and his Kawwanah is lost. We close our eyes during prayer whenever it suits us, whether a curtain or a wall is present.[124]

Opposition to "Piyyutim"

Maimonides bases his adamant opposition to Piyyutim in part on how the Piyyut interferes with Kawwanah. He blames Piyyutim for causing a lack of Kawwanah and for inciting indecorous behavior. Maimonides explains in a Responsum that certain prayers may be read in any language because a change in language does not constitute a change in the meaning of the prayers, rather the essence of the prayers remains the same. He contrasts the case of a change in language with the role of the Piyyut:

> This is not like the case of the Piyyutim which add additional subject matter to the prayers and bring in many matters which do not pertain to the subject matter of the prayer. When their rhymes and tunes also are added, prayer leaves the realm of prayer and becomes a joke.[125]

The Piyyut's addition of new ideas, forms and tunes causes disruption:

> This is the greater reason that Kawwanah is lacking, and that the people behave so irreverently that they converse in the middle of the service, for they feel that these words which are being said are not obligatory.[126]

Maimonides does not allow Piyyutim to disrupt the normal order of the service:

> Question: ...Is it permissible for the worshipper to interrupt the blessing which precede and follow the Shema' with one of the recent Piyyutim...
> Response: Interrupting (the blessings) with one of the Piyyutim is a mistake and a total error; there is no reason to permit this...[127]

Maimonides refuses to permit the recital of Kaddish after the saying of Mizmorim.[128] If he cannot eliminate Piyyutim altogether, he can at least attempt to restrict the timing of their recital:

> It is better not to say a word of this poetry during prayer. If the masses want nothing as much as to recite it, however, and the brutish ones are in control, then this poetry should come before the blessings of Qeri-ath Shema'. Under no circumstances should they add anything to the substance of these blessings, nor should they insert anything between these blessings and the Shema'.[129]

Maimonides offers another reason for rejection of the Piyyutim, a reason he also presents in the Guide:

> In reference to the Piyyutim, they often are the words of poets, not of scholars who are deserving of having their words used for supplication and for drawing closer to God; these words (of the poets) detract from the words which were composed by the prophets and those holding the rank of the prophets...[130]

In the Guide, Maimonides expounds further on those poets who use inappropriate attributes of God in their prayers, i.e., attributes other than the ones mentioned in the Torah and subsequently used in prayer by the Men of the Great Assembly:

> Thus what we do is not like what is done by the truly ignorant who spoke at great length and spent great efforts in prayers that they composed and on sermons that they compiled and through which they, in their opinion, came nearer to God. In these prayers and sermons they predicate of God qualificative attributions...This kind of license is frequently taken by poets and preachers or such as think that what they speak is poetry, so that the utterances of some of them constitute an absolute denial of faith... But I shall not say that this is an act of disobedience, but rather that it constitutes unintended obloguy and vituperation on the part of the multitude who listen to these utterances and on the part of the ignoramus who pronounces them.[131]

Maimonides also places a legal limitation on the use of attributes by allowing only those attributes used by Moses:

> ...One also should not multiply epithets for God and say, "The God who is great, mighty, powerful, strong and majestic," for no one has the power to exhaust the praises of God, rather one should say only (those attributes) which Moshe Rabbenu said...[132]

Thus certain Kinuyim qualify as holy expressions while others stay in the realm of the profane:

> It is permitted to discuss secular matters in the latrine using the Holy Language. It is also permitted to utter Kinuyim for God, such as Rahum and Ne-eman and terms like them, in the latrine. It is forbidden, however, to mention the special names for God, that is, names which may not be erased, while one is in the latrine or an old bath-house...[133]

The "Halakhic" Status of "'Arabhith"

In addition to basing some of his halakhic decisions on the aforementioned concepts of decorum, aesthetics and Kawwanah, Maimonides also makes other halakhic decisions on a different basis. Often he makes these decisions in cases where the Talmud itself does not resolve the issue, e.g., in the case of the evening service, Rabban Gamaliel says that 'Arabhith is compulsory and R. Joshua that it is optional.[134] Maimonides decides that it is optional but that it is treated "as though it were an obligatory prayer."

> The 'Arabhith service is not compulsory like Shaharith and Minhah. Despite this fact, all of Israel in all of their habitations have become accustomed to praying 'Arabhith and have accepted it as though it were an obligatory prayer.[135]

In some cases, Maimonides chooses to rely on the Palestinian Talmud in his decision-making but generally only if the Babylonian Talmud does not make a decision in the case or if the Palestinian Talmud's decision does not contradict the Babylonian Talmud.[136] In other cases, Maimonides uses expressions which indicate that his rulings derive from his own opinion, e.g., Wekhakh Ra-ui La'asoth[137] and Ani Omer.[138]

Thus Maimonides' halakhic presuppositions reveal a deliberate methodology. He carefully delineates the categories of Mide-oraitha and Miderabbanan and applies these categories to issues involving prayer. His organization of the Mishneh Torah reveals the centrality of the values of decorum, aesthetics and Kawwanah to his halakhic philosophy. Maimonides bases many of his halakhic decisions on these particular values, while he bases other rulings on other reasons.

CHAPTER 4:

Maimonides' Prayer Book

The mention of the term "prayer book" for the average modern Jew connotes a thick tome containing a lengthy and highly-structured liturgy. In terms of the history of Jewish liturgy, however, the advent of such a formal prayer book represents a relatively recent phenomenon. Prior to the institution of a written collection of prayers, Jewish communal prayer went through several stages of development. The regularity of public prayer was set before there was any set liturgy. Even with the development of a more formalized content in the prayers, however, the prayers were not yet committed to writing. This was in consonance with the early tradition that, "Writers of blessings are like those who burn the Torah."[1] As the prayers became lengthier and remembering their order became increasingly difficult, the people came to depend more and more on the public prayer leaders to order and lead the recital of congregational prayer. By the time of the redaction of the Talmud, however, Jewish opposition to writing down prayers had taken second place to the need for a standardized rite. Such a rite would help regulate the prayer of Jewish communities in the Diaspora.

The first so-called "prayer book", the Seder Rabh Amram Gaon (S.R.A.), was compiled by this ninth-century Ga-on in response to a request from R. Isaac bar R. Simeon, reputedly

a representative of a Spanish congregation. Amram states in the letter which accompanied the prayer book,

> We have seen fit to arrange and to return an order of prayers and berakhoth for the whole year, which you requested, which they have taught from the heavens, in accordance with our tradition, in conformity with the institution of the Tannaím and the Amoraim.[2]

Next, Saadia Gaon (tenth century) edited his own prayer book. Both of these works combined halakhic material with individual prayer texts, interspersing commentary and instructions between the prayers. Although both of these prayer books have been produced in scientific editions, still they can only be described as fragmentary.

Maimonides' prayer book, Seder Tephillah shel ha-Rambam (also known as Seder Tephilloth Kol Hashanah), appeared after Amram's and Saadia's works. Maimonides did not issue his Seder as a separate work but rather attached it to the end of Sepher Ahabhah. Unlike Amram and Saadia, Maimonides did not incorporate the relevant halakhic material into his prayer book. Instead, most of the halakhic material appeared in Sepher Ahabhah, primarily in Hilkhoth Qeri-ath Shema', Hilkhoth Tephillah and Hilkhoth Berakhoth. The location of the prayer book at the end of Sepher Ahabhah had repercussions for the accuracy of the Seder's transmission:

> The Prayer Book of Maimonides...has reached us in an abbreviated form through the fault of copyists. Most of the prayers were shortened by the copyists and printers who, because they were familiar with the texts, thought copying them in their entirety to be superfluous.[3]

In addition, copyists and printers may have tried to make Maimonides' prayer book conform to the rites of their own time, thus deliberately adding to or altering Maimonides' text.

Although some have tried to reconstruct Maimonides' prayer book on the basis of the present day Yemenite Tikhlal, which was influenced greatly by Maimonides, it was not until Daniel Goldschmidt's scientific edition of the prayer book that one could point to a relatively reliable text.[4] At the end of Sepher Ahabhah in this particular manuscript appear the handwritten words, "corrected in accordance with my book. Moses son of R. Maimon."[5] While Goldschmidt himself points out that this signature does not guarantee the exactness of the prayer-texts which follow, he remarks that these texts still retain importance due to their age and accuracy. Goldschmidt defends the manuscript against the accusation that Maimonides did not add such a supplement. He mentions that prayers for which Maimonides does not cite the complete text in the Mishneh Torah are quoted in full in the prayer book, while those which do appear in full in the Mishneh Torah are not repeated in the prayer book. The prayer book on occasion refers directly to the Mishneh Torah: "We have already said in this book..."[6] Thus Goldschmidt finds a deliberateness about the harmonious relationship between the prayer book and the Mishneh Torah.

Before Goldschmidt issued his scientific edition of Maimonides' Seder, many scholars, among them Ismar Elbogen, assumed that Maimonides' rite had been influenced directly

by Saadia. Goldschmidt is not alone in his disagreement with Elbogen's presumption that Maimonides' based his Seder on Saadia's:

> An exacting inspection seems to establish that the Seder Hatephillah of the Rambam is closer to the Siddur of Rabh Amram and to the Seder Hatephillah which was used in Spain, the land of his birth, than to Rabh Saadia's Siddur.[7]

Goldschmidt describes the eclectic nature of Maimonides' prayer book:

> Therefore it seems to me that the Rambam did not establish his own text, rather he passed along what was practiced in Egypt at the time. It is known that in Fustat, Maimonides' residence, there were two congregations, one Palestinian and the other Babylonian. There is reason to suppose that the two rites influenced each other. In later periods, too, even after the invention of printing, almost no one rite existed in an unadulterated form. Each one absorbed outside influences. Even the rite of the Yemenites, who pride themselves on having preserved the Rambam's version to this very day, received a few additions from other rites, particularly from the Minhag Sepharad. Thus one can assume that even the Siddur of Saadia, although it was accepted in Egypt and its influence was great in the oriental countries, did not remain the same from the time of its initial appearance to the period of the Rambam, rather elements from other rites entered it...[8]

Thus Maimonides' prayer book shows evidence of having been influenced by different sources which were influential during his lifetime.

One might ask what would have inspired Maimonides to write a prayer book and for what audience he wrote. Some have suggested that Maimonides compiled his prayer book specifically

for Egyptian Jews,[9] while others do not find this latter opinion consonant with Maimonides' general approach:

> One must bear in mind that the Rambam did not compile his Seder Tephillah only for the needs of the Egyptian Jews while in front of his very eyes stood the dispersion of the Golah, particularly those who dwelled in the lands of Islam.[10]

The fact that Maimonides clearly intended his Mishneh Torah not just for Egyptian Jews, but for all Jews living in the Diaspora would seem to substantiate this latter opinion. One can also only conjecture as to why Maimonides would have compiled a prayer book to begin with. Certainly Maimonides' interest in prayer pervades all of his works, whether they be works of philosophy, commentary or law. In the Guide, he proffers his philosophical justification for statutory prayer. In his Responsa, he attends to many questions concerning prayer, paying equal regard to all questions, whether they concern matters of greater or of lesser significance. These facts, combined with Maimonides' concern over the wide variation between the different rites and his disagreement with certain practices common to those rites, seem to have provided enough impetus for Maimonides to edit his own prayer book. Thus his issuing of a prayer book comes as no surprise.

The basic order of Maimonides' daily and Sabbath services closely follows that of Amram's, even where specific prayers vary. The following analysis of Maimonides' prayer book will follow those basic rubrics of the service found in Amram and Maimonides. Comparisons of Maimonides' rite with those of Amram, Yemen and Sepharad will be included where pertinent.

BIRKHOTH HASHAHAR

These prayers originally were intended to be private devotions said at home by the individual upon waking up in the morning. Maimonides affirms this practice of reciting these blessings at home, giving the texts of the particular prayers not in his prayer book, but in chapter seven of Hilkhoth Tephillah. He does not mention these blessings at all in his prayer book. Maimonides cautions the worshipper against reciting the eighteen morning blessings unless they prove applicable to the individual's situation:

> These eighteen blessings have no particular order, rather one recites each one of them over the appropriate act at the proper time. For example: If one tightens his girdle while still in bed, he recites Ozer Yisrael bigebhurah. If he hears the crow of a rooster, he recites Hannoten lasekhwi bhinah. One does not recite any of the blessings to which one is not obligated.[11]

Of these eighteen blessings, the only three which do not hinge on a particular action but which one must recite daily are Shelo 'asani goy, Shelo 'asani 'ebhed, and Shelo 'asani ešhah.[12] Maimonides accordingly objects to the perfunctory recital of all of these blessings in synagogue, where they are recited without regard to individual obligation:

> In most of our cities, the people have become accustomed to reciting these blessings one after the other in synagogue, whether or not they are obligated to those particular blessings. This is an error; it is not to act in this way. One should not recite a blessing to which one is not obligated.[13]

Maimonides' position concerning these blessings runs counter not only to the established practice of "the people in most of our cities," but also to Amram's position:

> The custom of all Israel in Sepharad, that is, Spain, is the following: In order to discharge the obligation of the one who does not know [how to recite the blessings], the hazzan begins by reciting the blessings.[14]

While Maimonides often supports local custom, he does not do so in a case where the people's custom violates his interpretation of the halakhah. In the case of the morning benedictions, Maimonides fights the prevailing Spanish custom and the decisions of his gaonic predecessors in order to uphold the Talmudic position. The Tikhlal reserves Netilath Yadayim and Asher Yatzar for home benedictions, in accordance with Maimonides' stance, but deviates from Maimonides' edict in reference to the rest of the Birkhoth Hashahar:

> But now it has become customary to recite all of the blessings in order in the synagogue except for Birkath Netilath Yadayim and Asher Yatzar which each individual should recite in his home in connection with his washing...[15]

A footnote adds:

> Even if he [i.e., the reader] has already recited the blessings at home, he may recite them [again] in order to discharge the obligation of one who is inexpert or one who has not yet recited them. So is the custom.[16]

The Sephardic prayer book includes the Birkhoth Hashahar as part of public worship.

The exact wording of these eighteen benedictions varies from rite to rite although the ideas expressed generally remain consistent, e.g., Amram has Barukh...asher lo hasar

mitzorkhi klum while Maimonides has She'asah li kol tzorkhi. The Yemenite and Sephardic rites follow Maimonides here. Amram includes the blessing Magbia shephalim which does not appear in the other three rites. These other rites contain instead Mattir asurim, a benediction which appears only parenthetically in S.R.A.

Maimonides suggests the recital of Elohai Neshamah immediately upon waking before washing, where Amram inserts it into the public recital of the eighteen benedictions. The Yemenite and Sephardic rites follow Amram here. Maimonides also reserves for the home the obligatory daily study of Torah and the accompanying three blessings (Al dibhré Torah, Weha'arebh-na, and Nothen Hatorah) which precede this study:

> One is obligated to recite these three blessings every day and afterwards read a little Torah. The people are accustomed to reading the Birkath Cohanim. There are some places where they read Tzaw eth bene Yisrael. There are other places where they read both of these sections. They [also] read chapters and paragraphs from the Mishnah and the Beraithah.[17]

These blessings directly precede the Qorbanoth in Amram, Maimonides and the Yemenite rite, although not in the Sephardic ritual. Maimonides thus intermingles the Qorbanoth rubric with that of the Birkhoth Hashahar.

One can hardly refer to Maimonides' Qorbanoth section without remarking on its brevity. He only includes one passage, i.e., Numbers 28: 1-8, regarding the daily sacrifices. In part, this phenomenon indicates the flexibility of this part of the service in Maimonides' time. Extra passages regarding

sacrifices also would have added to the service, perhaps violating Maimonides' feeling that a service should not be too long. The insertion of additional passages regarding the sacrifices also would have required that the people commit more Torah passages to memory (see p. 185 infra.). Amram's section of Qorbanoth, although also brief, is lengthier than Maimonides'. The sacrificial passages in S.R.A. consist of Numbers 28:1-8, Ezehu Meqoman and Rabbi Yishma-el Omer, plus a special Sabbath insertion, Ubheyom Hashabbath. Maimonides does not have this latter insertion (see above and p. 185 infra.) although the Yemenite and Sephardic rites do. The Yemenite rite contains Numbers 28:1-8, preceded by Attah Tziwwithanu and followed by a footnote: "There are those whose custom is to read Pittum Haqqetoreth before Birkath Cohanim."[18] The Sephardic rite has a much longer and more elaborate Qorbanoth section.

After the insertion of the Qorbanoth section, Maimonides concludes his Birkhoth Hashahar with Mishnah Pe-ah 1:1, Amar Rabh Zera (found only in Maimonides and the Yemenite rite), Le'olam Yehé Adam, Ribbon Kol Ha-olamim, Abhal Anahnu, Lephikhakh and Shema', Attah Hu and Attah Hu Adonai Lebhadekah. These concluding prayers are generally the same in Amram, the Tikhlal and the Sephardic rite (although the latter rite is longer).

It is interesting to take one or two prayers as examples and compare the respective texts in order to see how the same prayer can differ from rite to rite.

Ribbon Kol Ha'olamim

Amram's opening phrase begins Ribbon Ha'olamim, as does the Sephardic rite, while the other two rites begin Ribbon Kol Ha'olamim. The Sephardic ritual contains a number of additions, the most unusual of which was also adopted by the Yemenites:

> ...except the pure soul which in the future must render an account before the throne of Thy glory. All the nations are as naught before Thee, as it is said: "The nations are but a drop in the bucket, reckoned as dust on a balance. The very coastlands He lifts like motes."[19]

The Tikhlal's usage of these verses indicates that the Yemenites accepted influences other than Maimonides.

Other more minor differences are indicative of the kinds of variations which appear throughout the respective rites. Where Amram has Ki Khol Ma'asenu Tohu Wabhohu, Maimonides has Ki Khol Ma'asenu Tohu, and the Yemenite and Sephardic rites have Ki Robh Ma'asenu Tohu.

Attah Hu

Amram begins Attah Hu-ad shelo nibhra ha'olam we-Attah Hu mishenibhra ha'olam. Maimonides begins Attah Hu qodem shenibhra ha'olam we-Attah Hu ahar shenibhra ha'olam. The Tikhlal follows Maimonides. The Sephardic rite differs from all three rites: Attah Hu Ehad shebaratha ha'olam we-Attah Hu Ehad le-ahar shebaratha ha'olam. Amram and Maimonides retain essentially the same verses, although in a different order, throughout the prayer. Here the Sephardic rite follows

Amram closely while the Tikhlal follows Maimonides. Maimonides and the Yemenites conclude: "The Lord rules, the Lord has ruled, the Lord will rule forever and ever; Praised be the Lord forever, amen and amen." Amram and the Sephardic rite conclude with Abhinu Shebashamayim, which ends with Zephaniah 3:20:

> At that time I will gather you, And at [that] time I will bring you [home]; For I will make you renowned and famous among all the peoples on earth, When I restore your fortunes Before their very eyes - said the Lord.[20]

PESUQÉ DEZIMRA

This rubric, too, like the Birkhoth Hashahar, originally constituted a part of private devotion. Maimonides' description of this rubric indicates his recognition of the sages' role in establishing benedictions and of local custom in adding supplementary verses:

> The sages praised the one who daily recites [these] zemiroth from the Book of Psalms, from Tehillah leDawid (Ps. 145) to the end of the book. They [the people] have already become accustomed to reading verses before and after [these psalms]. They instituted a blessing before the zemiroth, i.e., Barukh She-amar, and a blessing after them, i.e., Yishtabbah. Afterwards, one recites the blessings before the Shema' and then recites the Shema' itself.[21]

It is interesting to note that Maimonides views the recitation of Psalms 145-150 as "praiseworthy" while the customary recitation of verses before and after these psalms does not receive equivalent praise from him. This disparity in attitude

could reflect the fact that Maimonides places a higher value on decisions made by the sages than he does on decisions made by the people. This also could reflect Maimonides' hesitancy to encourage people to add verses to the service.

Maimonides' collection of what he terms Pesuqé Hazemiroth is brief. He begins with the opening blessing Barukh She-amar, follows it with Yehi Khebhod, Ashré, Psalms 146-150, and Barukh Adonai Le'olam, and concludes with Yishtabbah (preceded by Nishmath on the Sabbath). He notes the custom of following Yishtabbah with Hashirah (Shirath Hayam) or Ha-azinu, although in the Yemenite and Sephardic rites Shirath Hayam precedes Yishtabbah. In Kafiḥ's introduction to the Tikhlal, however, he states that older Yemenite manuscripts have Shirath Hayam located after Yishtabbah. This represents a case where the Yemenites originally concurred with Maimonides' statement but later changed their custom to conform with general practice. Maimonides mentions that, on the Sabbath, some are accustomed to reciting Mizmor Shir, Hallel Gadol, and Shiré Hama'aloth before Barukh She-amar.

Maimonides' arrangement of the Pesuqé Dezimra is similar to Amram's. Amram, too, begins with Barukh She-amar, although Maimonides' version is longer. This is followed by what Amram describes as "our custom in the Academy," i.e., the recitation of verses preceding Yehi Khebhod:

> "They [call] on chariots, they [call] on horses, but we call on the name of the Lord our God. They collapse and lie fallen, but we rally and gather strength. O Lord, grant victory! May the King answer us when we

> call." [Ps. 20:8-10] Praised art Thou, Lord our God, King of the universe, the King who is hallowed by the mouth of his people, glorified and exalted by the tongue of all his followers and servants. With songs of David, your servant, etc.[22]

As in Maimonides' rite, Ashré and Psalms 146-150 follow Yehi Khebhod. Where Maimonides places Barukh Adonai le'olam, Amram cites Wayebharekh Dawid. The Yemenite rite here includes Wayebharekh Dawid and not Barukh Adonai le'olam, thus following Amram and not Maimonides. Amram, too, concludes with Yishtabbah.

The Yemenite rite begins its Pesuqé Dezimra with Hamehullal le'olam before the recitation of Barukh She-amar. Psalm 100 follows, as it does in the Sephardic rite, then Yehi Khebhod, Ashré, Psalms 146-150 and Wayebharekh Dawid. At this point, the Yemenite rite deviates from Maimonides with the insertion of Wayosha' and Az Yashir. In reference to the latter passage, a note in the Tikhlal mentions that earlier Tikhlals do not mention the saying of Shirath Hayam at all, but that its inclusion is a recent custom.[13] The Yemenite rite here also contains the unique additions of Watiqqah Miryam and Repha-eni Adonai before concluding with Yishtabbah. In cases like these, where the Yemenite rite departs from Maimonides, one often finds brief prefatory comments offered in the Tikhlal. For example, Watiqqah Miryam is introduced by the following explanation from 'Etz Hayyim:

> Our predecessors were also accustomed to saying Watiqqah Miryam, etc., in order to call to mind also that which Miriam the prophetess sang; so as to arouse (for us) her merit and the merit of the righteous women who were with her.[24]

'Etz Hayyim introduces Repha-eni Adonai in the following way:

> They were accustomed to saying these verses, Repha-eni Adonai, etc., which speak in reference to the future redemption (it should come quickly in our day), for there is no healing like the healing of redemption...[25]

Both of the preceding passages, then, presumably reflect the influence of Kabbalistic custom on the Yemenite rite.

The Sephardic rite has lengthier passages preceding Barukh She-amar (including Hodu , Romemu Adonai, Psalm 30, Psalm 103, Psalm 19). From Barukh She-amar through Psalm 150, the Sephardic rite is like the others. After Psalm 150, the Sephardic ritual contains Barukh Adonai le'olam, thus representing a case in which the Yemenite rite follows Amram, and the Sephardic rite agrees with Maimonides.[26] The Sephardic rite also reflects Amram's influence by including Wayebharekh Dawid (plus Nehemiah 9:5-11) in addition to Barukh Adonai le'olam. Wayosha' follows, as does Shirath Hayam (the latter only on specified days, however). Yishtabbah concludes the section.

Barukh She-amar

Barukh She-amar does not originate in the Talmud, perhaps accounting for the wide variation in the wording of the respective rites (if not in the main idea). The opening sentences differ slightly. Amram's version appears to be the shortest, although occasionally Amram does include an additional phrase not found in Maimonides, e.g., Barukh Oseh Bhereshith (the Sephardic rite follows Amram here). Maimonides

includes the following sentences, sentences which are not found in Amram, but which are found subsequently in both the Yemenite and Sephardic rites:

> Praised be the One who causes darkness to pass away and brings forth light...Praised be the One before whom there is neither iniquity nor forgetfulness, falsehood nor guile, partiality nor the taking of bribes.[27]

The Yemenite version of Barukh She-amar closely resembles Maimonides'. The Sephardic version is more eclectic, being a combination of Maimonides' and Amram's versions and adding more sentences of its own, e.g., "He is righteous in all of his ways, kind in all of his deeds, Praised be the One who redeems and saves."[28]

SHEMA' UBHIRKHOTEHA

Where Amram begins his congregational service prior to the recitation of the Shema' and its blessings, Maimonides does not begin his public service until this point:

> This is the order of congregational prayer. In the morning (service), the people are seated. The reader proceeds to the reader's desk, stands in the midst of the people and begins to recite Kaddish. All the people respond with all their strength, Amen yehé shemé rabba mebhorakh le'olam ule'alemé 'alemaya. They respond Amen at the end of the Kaddish. Afterwards he says, Barekhu eth Adonai hammebhorakh and they respond, Barukh Adonai hammebhorakh le'olam wa'ed. He begins to recite the Shema' and its blessings aloud, and the people respond Amen after each blessing. One who knows how to recite the blessings and the Shema' reads along with the reader until he has recited the blessing which concludes Ga-al Yisrael.[29]

A.Z. Idelsohn comments that this particular procedure is no longer followed in most communities, the long exception being the Yemenite community:

> The Yemenite Jews still observe this custom in its original form, while in all other communities the reader approaches the desk with the recitation of the Verses of Song. Among the Ashkenazim the reader approaches the desk when he begins the morning benedictions.[30]

For the daily services, Maimonides lists the following order for the Shema' and its blessings:

Morning	Evening
1. Yotzer Or	1. Ma'aribh 'Arabhim
2. Ahabhath 'Olam Ahabhtanu	2. Ahabhath 'Olam beth 'Amkha Yisra-el Ahabhta
3. Shema'	3. Shema'
4. Ge-ullah	4. Ge-ullah
a. Emeth Weyatzibh	a. Emeth We-emunah
b. 'Al Harishonim	5. Hashkibhenu
c. 'Ezrath Abhothenu	

Maimonides' basic rubric for the Shema' is the same as Amram's, although differences exist between individual blessings. Maimonides includes the Qedushah Deyotzer in his prayer book's version of the Yotzer Or benediction, but in Hilkhoth Tephillah he restricts the recital of the Qedushah Deyotzer to public congregational prayer:

> ...Afterwards he recites the Shema', reciting the blessings before and after and omitting the Qedushah from the first blessing before the Shema' since the individual does not recite the Qedushah...[31]

Maimonides and Amram differ concerning the wording of the benediction immediately preceding the Shema'. This difference reflects a divergence of opinion in the Talmud:

> The controversy in b. Ber. 11b whether ahava rabba or ahavath olam should be used

> was decided by the Gaonim by assigning the first version for Shaharith and the second version for Maariv. The Sephardic and Italian rituals however use the second version only.[32]

The Sephardic ritual here reflects Maimonides rather than Amram. Maimonides did not accept the above-mentioned ge-onic ruling, but used the introductory words Ahabhath 'Olam in the morning benediction as well as in the evening. Amram, on the other hand, accepted the ge-onic precedent. The Yemenite version follows Maimonides. Except for this difference, the Shema' and its blessings remain essentially the same in the morning service of all four rites.

The basic rubric of the Shema' in Maimonides' evening service also is like Amram's with minor variations in individual prayers. The second benediction before the Shema' in Amram's prayer book begins Ahabhath 'Olam beth Yisrael 'Amkha Ahabhta, while Maimonides' begins Ahabhath [Olam] 'Amkha Yisrael Ahabhta. Immediately prior to the hathimah, Maimonides includes a phrase not found in Amram, Ki Hi 'Atereth Roshenu. The Yemenite rite has Ki Hi 'Atereth Roshenu Wethipharthenu. Maimonides' hathimah, Ohebh eth 'Ammo Yisrael Le'ad, differs slightly from Amram's: Ohebh eth 'Ammo Yisrael.

Maimonides' Hashkibhenu is followed by Barukh Adonai Le'olam. This latter blessing is much briefer than Amram's, although, after giving the main text of the blessing, Maimonides comments, "It is customary among some of the people to add verses in the middle of this blessing."[33] The version which he then quotes resembles Amram's version more closely. The

Yeminite rite also contains these additional verses, almost identical to Maimonides' text: Amram's Hashkibhenu for 'Erebh Shabbath has a different hathimah: Barukh Attah Adonai, Pores Sukkath Shalom 'Alenu We'al 'Adath 'Ammo Yisra-el We'al Yerushalayim.

Laws pertaining to the recitation of the Shema' and its blessings appear in Hilkhoth Qeri-ath Shema'.

HATEPHILLAH

Maimonides' version of the weekday 'Amidah closely resembles Amram's, both in terms of basic form and content as well as in terms of the various insertions for special occasions. The Yemenite rite reproduces Maimonides' 'Amidah almost exactly, while the Sephardic rite uses Amram's version of some benedictions and Maimonides' version of others. For example: The Abhoth benediction in Amram's prayer book contains the phrase Lema'an Shemo Be-ahabhah, a phrase found in the Sephardic rite but not in Maimonides or the Tikhlal. One also finds, however, that between Passover and Sukkoth Maimonides inserts the phrase Morid Hatal into the Gebhuroth benediction, something which the Sephardic rite includes but Amram does not.

Some of the benedictions are especially worthy of note, among them being the Qedushath Hashem benediction and the accompanying Qedushah. Maimonides comments that, "The reader always prays the third benediction using this formulation,"[34]

indicating that Maimonides employs the same Oedushah for all occasions. The introductory paragraph of Maimonides' Oedushah begins Naqdishakh Wena'aritzakh, as do the Yemenite and Sephardic rites, the latter rites in all services except for Musaph. The Sephardic rite differs in its continuation of the introductory phrase: Keno'am Siyah Sod Sarphey Oodesh. Amram, on the other hand, uses the introduction beginning Kether Yittenu Lekha. While the basic Scriptural verses remain the same in Amram and Maimonides (i.e., Oadosh, Barukh and Yimlokh), the connecting phrases vary. Amram uses Le'umatham Barukh Yomeru to link Qadosh and Barukh, where Maimonides uses Meshabehim We-omrim and the Sephardic rite uses Le'umatham Meshabehim We-omrim. The Yemenite rite is the same as Maimonides (contradicting Idelsohn's statement that, "The above-mentioned three verses plus two connecting phrases between the 2-3 and the 3-4 which constitute the "Kedusha" for weekdays are in all but the Yemenite ritual"[35]). The Sephardic rite connects Barukh and Yimlokh with the phrase Ubhedibhré Oodshekha Kathubh Lemor, a phrase not found in Amram or Maimonides. Amram's rite, unlike Maimonides', contains the phrase Az Beqol between Qadosh and Barukh. Amram, Maimonides and the Tikhlal insert Mimeqomekha between the second and third responses. Maimonides concludes the Qedushah with Ledor Wador Naggid Godlekha, a paragraph not found in S.R.A.

Where Maimonides retains the same Qedushah for all services, the other rites use different Qedushoth for the

Musaph service. Both the Yemenite and Sephardic rites use the introductory phrase Kether for Musaph of Shabbath and festivals, although the Tikhlal notes: "In the Rambam's version and in very old Tikhlals, the version Kether is not found, rather they recite Naqdishakh Wena'aritzakh in Musaph services as in Shaharith and Minhah. But they already have become accustomed to saying Kether."[36] Amram uses Kether for Musaph while inserting an additional recitation of the Shema' into the Qedushah of the Sabbath and festival Musaph. The Sephardic rite also contains this additional Shema' while Maimonides and the Tikhlal do not. Idelsohn goes into great detail concerning the usage of the Shema' in this particular context:

> The reason for the insertion of (c) [Shema'] and (d) [Ehad hu] is explained in S.R.A., 11a, in M.V., p. 99, and in greater detail in a Geniza fragment. The reason given in these sources is that the Jews in Palestine were forbidden to recite the "Shema" - i.e., to proclaim the oneness of God. The prohibition was issued by the Christian-Byzantine authorities. But they were permitted to assemble in the synagogues on the Sabbath morning in order to sing praises during the Shaharith service and "Kadosh" and "Shema" during the Musaf service. The fragment continues that "since the Ishmaelites (mohammedans) conquered the kingdom of Edom, and it is again permitted to recite Shema and to pray, everything must be said in its proper place." Following this responsum which was written in Palestine in the eighth century, Saadya and Maimonides abolished the Shema including the insertions mentioned above from the Musaf Kedusha. However, in S.R.A., l.c., Sar Shalom recommended that the Shema and the insertions be retained in the Musaf Kedusha as a remembrance of bygone troubles (S.R.A., l.c.).[37]

More recent scientific theory does not necessarily support the view that persecution was a reason for this particular insertion of the Shema'.[38]

Other individual benedictions are worthy of mention. The Birkath Hashanim is quite lengthy in all four rites in contrast to the Ashkenazic rite. The Birkath Haminim begins Lameshu'amadim in Amram, Maimonides and the Tikhlal, but the Sephardic rite contains the later version which was adopted in response to Church attack, Lammalshinim. Maimonides considers this latter benediction the latest of the 'Amidah benedictions, although recent theory does not support this claim.[39] On Purim and Hanukah, when additional paragraphs pertaining to the respective holidays are inserted into the seventeenth benediction, the insertion includes the phrase: "Just as You performed miracles and wonders for them, so do such miracles and heroic deeds for us at the appropriate time."[40] This phrase appears in Amram, Maimonides and the Tikhlal, but not in the Sephardic rite. Unlike Maimonides, the other three rites conclude the 'Amidah with Elohai Netzor. The Yemenite rite qualifies its inclusion of this prayer by noting that it did not appear in the original rite, but has become customary among the people.

Under normal circumstances, the reader does not repeat the 'Amidah aloud in the evening service. On 'Erebh Shabbath, however, while the reader does not repeat the entire 'Amidah aloud, he does according to Maimonides recite an abbreviated form of the 'Amidah, the Me'en Shebha'. The general question

of the repetition of the 'Amidah has been discussed in Chapter Three. Other legal material pertaining to the 'Amidah is found in Hilkhoth Tephillah.

TAHANUNIM (NEPHILATH PANIM)

This section of the service, originally consisting of individual petitions whose content was the choice of the worshipper, still remained a relatively flexible part of the service in Maimonides' time.[41] Maimonides mentions the custom of the peoples' prostrating themselves in prayer and then reciting individual petitions as they lifted their faces from the ground.[42] Amram, too, mentions the public's prostration during petitions.[43] Idelsohn comments that this custom of prostration subsequently was abandoned:

> The custom of reciting individual petitions after the public prayers seems to date back to the Temple service. M. Tamid VII,3 and Ben Sira L:16-21 relate that after the sacrifice the people would prostrate themselves in prayer. This act was called nefilath appayim - "falling on the face," and was carried over into the Synagogue to be enacted after the Tefilla which now replaced the sacrificial cult. However, the custom of prostration was abandoned, and was substituted by reclining on the left side (b. Meg. 23a.; Jer. Avoda Zara IV,1). Prostration on the floor was looked upon with suspicion, because it was identical with pagan worship (l.c.). For this reason, no Jewish community uses this custom, with the exception of the Ashkenazim who prostrate themselves once on New Year and four times on the Day of Atonement...[44]

Abraham Schechter, however, remarks that, "This Minhag is still observed by the Yemenites today..."[15] In the Yemenite

prayer book, the Tahanun section is preceded by the instruction, "'Falling on the face' from a seated position, one reclines on his left side and says silently..."[46] Maimonides mentions three kinds of stances:

> ...After he raises his head from the fifth bending of the knees, he sits on the ground, falls on his face towards the ground, and recites all of the supplications he wishes. Keri'ah, in every place where it is mentioned, means (bending) the knees; Qidah means (falling) on one's face; Hishtahawayah means spreading out one's hands and feet until one is lying on one's face on the ground.[47]

Maimonides goes on to describe who may prostrate himself:

> When one performs Nephilath Panim after prayer, there are those who perform Qidah and those who perform Hishtahawayah. It is forbidden to do Hishtahawayah on stone except in the Temple, as we explained in Hilkhoth 'Abhodah Zarah. An important person is not allowed to fall on his face unless he is aware that he is a righteous person like Joshua. (Even so), he should incline his face a little but not press it into the ground...[48]

Maimonides' formal Tahanunim consist simply of Lephanekha Ani Korea' and Wa-anahnu Lo Neda'. Amram offers a lengthier version consisting of a number of different paragraphs, including a brief Abhinu Malkenu. The Yemenite rite includes Lephanekha Ani Korea', an Abhinu Malkenu which differs from Amram's, and Wa-anahnu Lo Neda'. The Yemenite rite also contains a much lengthier Tahanun, although a footnote comments, "In the earlier Tikhlals, this entire text does not appear, nor did Morenu Harabh Yahya Bashiri include it in his siddur."[49] The Sephardic rite contains an elaborate Tahanun.

(THE TORAH SERVICE)

In his prayer book, Maimonides makes no mention of the Torah service. In the Mishneh Torah, he does discuss such items as the procedure for calling readers to the Torah, the blessings necessary for reading from the Torah, and the Torah portions appropriate for various occasions. In neither the Mishneh Torah nor the prayer book, however, does he mention which, if any, prayers introduce and conclude the Torah service. In all probability, this omission indicates both the simplicity of the Torah service in Maimonides' time and Maimonides' lack of concern for matters not directly related to the Torah reading itself. Maimonides mentions that some communities use a triennial cycle of Torah readings, but he adds that it is not a widespread custom.[50]

Amram's Torah service consists simply of a few introductory verses, the Torah reading, and a few concluding verses. One might assume that Maimonides' rite was similar. The Yemenite and Sephardic rites are longer, but still maintain the basic simplicity of the Torah service.

CONCLUDING PRAYERS (SEDER HAYOM)

Maimonides concludes his service with what he terms the Seder Hayom, consisting of Wehu Rahum, Ashré, and Ubha Letzion Go-el (the latter prayer, also known as the Qedushah Desidra, contains the Qedushah and its Aramaic translation). In his prayer book, he mentions that "...the people are accustomed

to supplicating after the Seder Hayom..."[51] He includes this particular set of supplications, beginning with the words Adonai Elohé Abhraham, Yitzhaq WeYisrael Abhotenu. In the Mishneh Torah, Maimonides cautions the individual against misusing this opportunity for private supplications:

> They should silence anyone who says during his supplications, "He who had mercy on a bird's nest, (the one who said that) one should not take the mother together with her young or slaughter an animal on the same day with its young, may He have mercy on us," or similar petitions, since these Mitzwoth are decrees of Scripture and were not [commanded out] of mercy. If they had been commanded out of mercy, we would not have been permitted to slaughter animals at all. One also should not multiply epithets for God and say Ha-el hagadol hagibbor wehehazaq wehe-amitz weha'izuz for no one has the power to exhaust the praises of God, rather one should say only (those attributes) which Moshe Rabbenu said...[52]

After these supplications, Maimonides cites the custom among some of the people to recite the following: a daily psalm ("a Shir Mizmor which the Levites used to say in the Temple on that day");[53] Psalm 25; Amar R. Elazar; En Kelohenu; and Akh Tzaddiqim before the final Kaddish. Since the 'Alenu did not appear as a daily prayer until the Mahzor Vitry, Maimonides' service does not contain a concluding 'Alenu. In Amram, Kaddish Tithkabbel precedes En Kelohenu. En Kelohenu then is followed by Pittum Haqetoreth before the psalm of the day. The Yemenite rite, following Kaddish Tithkabbel, also contains Pittum Haqetoreth, the recital of which is "customary now".[54] In addition to the latter passage, that which follows in the Yemenite rite also is not found in Maimonides. The Yemenite rite continues with Tanna Debé

Eliahu, followed by another explanatory note indicating a change from the original ritual: "It is customary now for the hazzan to read some halakhoth to the people, e.g., Pisqé HaRambam or the Shulhan 'Aruch..."[55] This reading from Maimonides' works once again reveals the importance of the Rambam to the Yemenites. This reading is followed by Rabbi Hananya ben 'Aqashya Omer, Kaddish Derabbanan, the Barekhu, the 'Alenu, and some additional prayers which precede and follow voluntary study. These latter prayers do not appear to be indigenous to the Yemenite service, but represent later accretions, as a footnote explains:

> In the versions of Morenu Harabh Yahya Bashiri and all the ancient manuscripts, it is not found that one says the Barekhu and the 'Alenu after the service. But Morenu Harabh Yahya b. Yoseph Zelah wrote in the name of some of the outstanding holy men that one should not omit this prayer under any circumstance.[56]

In the Sephardic rite, Kaddish Tithkabbel precedes the psalm of the day. The Sephardic rite also concludes with the Barekhu and the 'Alenu.

Other parts of the service will be dealt with in the following section.

KADDISH

In his prayer book, Maimonides does not always mention the recitation of the Kaddish at every point in the service where it appears. Instead, he devotes one paragraph of his

prayer book to an explanation of the occasions on which Kaddish is recited:

> The reader always recites Kaddish prior to each Tephillah, after each Tephillah, and after Seder Hayom. Each time after one says Seder Hayom, he supplicates a little and then recites Kaddish. When he finishes reading Torah (he recites Kaddish). Every time one recites words of supplication, he recites Kaddish after he has completed his supplications.[57]

Maimonides gives the text of three different versions of the Kaddish and explains when they are used. All of his texts include the phrase Weyatzmah purqané wiqarebh meshihé weyiphroq 'ammeh, a phrase which does not appear in Amram but which does appear in the Yemenite and Sephardic rites. Maimonides' Kaddish also always includes the phrase le'ela le'ela. The Yemenites follow suit, but Amram and the Sephardic rite have only le'ela.

Maimonides first gives the text of the Half Kaddish, although he does not identify it as such but rather refers to it as Nusah Hakaddish. He then lists points at which the congregation responds to the reader's recitation. Next, he gives the text of what he terms the Kaddish Bathra (otherwise known as the Full Kaddish, Kaddish Shalem or Kaddish Titkabbel) and explains that the Full Kaddish is

> Every Kaddish which the reader recites after finishing the service, after which no one responds, but rather all the people listen to it and then leave...[58]

Lastly, he gives the text of the Kaddish Derabbanan accompanied by the following directions:

> Whenever ten or more are occupied with the study of Torah She-be'al Peh, or even with Midrashoth or Hagadoth, when they conclude, one of them stands and recites Kaddish using this version.[59]

Maimonides does not mention a mourner's Kaddish; evidently the recital of the Kaddish by mourners was not yet known at the time.[60] According to Hilkhoth Tephillah, the basic order of Maimonides' service including the various forms of the Kaddish looks like this: Kaddish, Barekhu and Shema', Hatephillah, Tahanunim, Kaddish, Seder Hayom (and more Tahanunim), and Kaddish. Schechter[61] and others claim that the Yemenites, in order to honor their beloved Rambam while he was still living, included mention of Maimonides in their Kaddish: Ubhehayé marana werabbana Rabbenu Moshe.

SABBATH SERVICE

With the exception of changes in the middle benediction of the Tephillah, Maimonides' Sabbath service does not vary greatly from his weekday service. Although various communities supplemented their Sabbath services with Piyyutim and Mizmorim, Maimonides acted in accordance with his philosophic principles and did not include such Piyyutim. His attitude towards those who do add Piyyutim vacillates from outright condemnation to mere disapproval, depending upon the situation. These attitudes are reflected in a Responsum in which a hazzan asks Maimonides directly about specific insertions in the blessings for Leyl Shabbath and Motza-é Shabbath:

> Changing these blessings on the Sabbath and other occasions is undoubtedly an error. Since the people cling to this (custom), however, and the matter could result in controversy, it is permitted to allow it, since it does no great violence to the law...You should have no apprehension as long as you approximate the correct wording and begin with this phrase: "Praised be Thou, Lord our God, King of the universe, who with His word brings on the evening twilight with wisdom, (who) finished His deeds on the seventh day and called it the Sabbath"; "With everlasting love You have loved Your people Israel, and for the sake of the priestly service of Your people Israel..." As for the blessings after the Shema', you should have no great anxiety concerning them. On Motza-é Shabbath, begin: "Who with His word brings on the evening twilight, who distinguishes between the holy and the profane, etc."; "With everlasting love You have loved Your people Israel. You have distinguished us as a holy people to you, etc."[62]

Amram calls the insertion of "who finished his deeds" (Asher Kalah Ma'asaw) an "error".[63] While Maimonides does not approve of these insertions, he allows the individual community to continue its custom as long as it observes certain guidelines. As another Responsum indicates, these particular insertions originate with Saadia. In his answer to this latter question, Maimonides takes a firmer position against the insertions:

> ...The conclusion is that it is forbidden to change the form instituted by the sages. There must be no changing (these forms) for one of these Piyyutim which later (people) inserted. If the worshipper does recite these blessings on Leyl Shabbath and Motza-é Shabbath, he has fulfilled the obligation of these blessings, since the intentions of the blessings are preserved in them.[64]

Although Maimonides disapproves of the additions, the fact that the blessing still retains the correct intention prevent

him from condemning the worshippers altogether.

In the prayer book, Maimonides gives the texts of the middle benedictions of the Tephillah as they appear in the respective Sabbath services. Maimonides and Amram frequently differ on these middle benedictions. The middle benediction for the Sabbath evening service is Attah Qiddashta, Wayebharekh (part of Wayekhulu), and Elohenu Welohé Abhotenu Retzeh. Amram has a different benediction beginning Ume-ahabhatekha and including Elohenu Welohé Abhotenu Retzeh (although one S.R.A. manuscript does include Attah Qiddashta). For Sabbath morning, Amram and Maimonides both have Yismah Moshe, Weshameru, Yismehu, and Elohenu Welohé Abhotenu Retzeh. Between Weshameru and Elohenu Welohé Abhotenu Retzeh in Amram's rite, however, he includes Welo Nethatto. For Musaph, Amram has Tikanta Shabbath, Qorbanoth (Ubheyom Hashabbath), Yismehu and Elohenu Welohé Abhotenu Retzeh. Maimonides' Musaph benediction consists of LeMoshe Tziwwita, Lo Nethatto (like Welo Nethatto), and Elohenu Welohé Abhotenu Retzeh. Maimonides does not include the Scripture verse of Qorbanoth in his Musaph 'Amidah (see this chapter, p.104). For Minhah, where Maimonides has Attah Ehad and Hanah Lanu, Amram cites only a longer Hanah Lanu, but adds that some are accustomed to reciting Attah Ehad for the middle benediction. After the Minhah 'Amidah, Amram includes some verses which begin Tzidqatekha. Amram also inserts the following phrase into the first benediction of all Shabbath 'Amidoth: "He was pleased with and gave to the Israelites Sabbaths for rest for the sake of His name."[65] All of the middle benedictions for

the Sabbath conclude with Meqaddesh Hashabbath. (Hathmoth for New Moons which fall on the Sabbath, New Moons which fall on weekdays, Hol Hamo'ed, etc., are altered accordingly in all the rites.) All four rites insert Attah Hibhdalta into the fourth benediction on Motza-é Shabbath.

The middle blessings in the Sephardic and Yemenite rites are as follows. The Yemenite rite follows Maimonides exactly, including the positioning of Lo Nethatto in the Musaph 'Amidah and the omitting of Ubheyom Hashabbath (the Qorbanoth verses). Interestingly enough, however, the Yemenite rite does add Ubheyom Hashabbath to Numbers 28:1-8 on Shabbath morning. The Sephardic rite does insert Ubheyom Hashabbath into the Musaph benediction and does not have Lo Nethatto in the Musaph 'Amidah but has Welo Nethatto in the Shaharith 'Amidah like Amram. All rites add Nishmath before Yishtabbah.

As has been said, Maimonides mentions that some communities are accustomed to reciting Mizmor Shir Leyom Hashabbath, Hallel Gadol, or Shiré Hama'aloth before Pesuqé Dezimra on the Sabbath. The Yemenite rite adds these and more to the Sabbath morning service. In Kafih's introduction to the Tikhlal, however, he comments that the Yemenite rite originally did not distinguish between Sabbath and weekday but that the present changes made in the Sabbath service result from more recent influences.

ROSH HASHANAH AND YOM KIPPUR

The major changes which Maimonides makes in the services for the High Holidays occur in the various 'Amidoth. He makes

the routine changes in the hathimoth of the third and eleventh benedictions:

> Throughout the whole year, one concludes the third benediction Ha-el Haqadosh and the eleventh benediction Melekh Ohebh Tzedaqah Umishpat, but during the ten days from Rosh Hashana to the close of Yom Kippur, one concludes the third benediction Hamelekh Haqadosh and the eleventh benediction Hamelekh Hamishpat.[66]

While Maimonides considers the above changes in hathimoth a fixed part of the liturgy, he treats many of the other insertions in the 'Amidah as merely "customary" and not obligatory:

> There are places where, during these ten days, they are accustomed to inserting Zokhrenu Lehayyim, etc., in the first benediction, Mi Khamokha Abh Harahamim, etc., in the second, Zekhor Rahamekha, etc., in Hoda-ah and Besepher Hayyim, etc., in the final benediction. So, also, there are places where, during these ten days, they are accustomed to inserting Ubhekhen Ten pahdekha, Ubhekhen, etc., into the third benediction; but on Rosh Hashanah and Yom Kippur it is widespread practice to insert Ubhekhen Ten Pahdekha into the third benediction.[67]

He quotes the full text of these insertions in his prayer book, where he reiterates that "all these additions (depend on) local custom and there are places which do not add anything."[68]

Maimonides' 'Amidah for all Rosh Hashana services except Musaph consists of: the first two benedictions, including the appropriate insertions; the Qedushath Hashem benediction, including Ubhekhen Ten Pahdekha, Ubhekhen Ten Kavod, We-az Tzaddikim (Amram has Ubhekhen Tzaddikim), Wetimlokh Attah,

and the paragraph commonly referred to as Qadosh Attah, although Maimonides does not begin with this phrase:[69] the Qedushath Hayom benediction, consisting of Attah Bhehartanu, Watiten Lanu, Ya'aleh Weyabho and Melokh; and the usual final three benedictions with appropriate insertions.

As do the other rites, Maimonides' 'Amidah for the Musaph service contains nine benedictions. The middle three are: the Qedushath Hayom benediction, consisting of Attah Bhehartanu, Umipne Hata-enu, and the 'Alenu (as the beginning of the Malkhuyoth verses); the Zikhronoth verses, beginning with Attah Zokher and including Ya'aleh Weyabho (Note: Assaf, and subsequently Dienstag quoting Assaf, claim that Maimonides objected to Ya'aleh Weyabho in Musaph on Rosh Hashana); and the Shopharoth verses, beginning with Attah Nigleta. While Maimonides keeps the basic structure of the Rosh Hashana and Yom Kippur 'Amidah, he chooses not to include in the 'Amidah the verses specifying the Oorbanoth of the day. Maimonides comments in his prayer book:

> In all Musaph services, when one says "as it was written for us in Your Torah by Moses your servant," the people are accustomed to mentioning the Qorbanoth of that day. One reads those verses as they are written in the Torah. If one does not mention (them), he does not have to, since he did say "as it was written for us in your Torah."[70]

Thus as has been mentioned, Maimonides does not add Ubheyom Hashabbath to the Sabbath Musaph 'Amidah. Maimonides is not the only one who chose not to incorporate these verses with the sacrifices in the Qedushath Hayom benediction:

> Early authorities debated the wisdom of including biblical verses here. A talmudic statement (R.H. 35a) is used by Paltoi to prove that one need not say the verses in question: "Rab Chananel said in the name of Rab, as long as one says, 'It is written in Your Torah," he need say nothing more." But, the gaon adds, "It is a mitsvah to mention them [the verses]." According to his colleague Natronai, however, "In the academny we do not say the verses." Sar Shalom concurs, since, "They constitute a burden; we worry whether the worshipper's mind may be distracted," for he will not want to misquote the Bible and will be overly concerned about citing the verses accurately, to the detriment of the peace of mind necessary for true worship.[71]

Considering the value Maimonides places on Kawwanah in prayer, one can understand how he would not want the worshipper's mind to be distracted by concern for quoting biblical verses accurately. Maimonides also may have wished to prevent such misquoting of scripture altogether, simply because Scripture represented the word of God. Amram includes these verse, as does the Sephardic rite. The Yemenite rite includes Ubheyom Hashabbath in the Qorbanoth section of the Sabbath morning service but not in the Musaph 'Amidah, nor does the Tikhlal include the Qorbanoth verses in the Rosh Hashanah and Yom Kippur 'Amidoth.

Idelsohn comments on the Sephardic High Holiday liturgy:

> True to their tradition that additional prayers or poetry should not be inserted into the section of "Shema" and "Amida," the Sephardim have some "piyyutim" at the end of "Verses of Song."[72]

Idelsohn writes further:

> The YEMENITE RITUAL does not permit such poetical insertions as are contained in the Sephardic ritual because they are considered an interruption of the service.[73]

Both of the latter liturgies for the High Holidays are lengthier than Maimonides' rite. The Yemenite rite remains close to Maimonides' while the Sephardic rite contains many more Piyyutim than the Yemenite.

As the Widdui for 'Arabhith, Shaharith, Musaph and Minhah of Yom Kippur, Maimonides includes Tabho, Ashamnu in acrostic form, 'Al Het, and Elohai Ad Shelo Notzarti. For Ne'ilah, the Widdui consists of Mah Anu and Attah Hibhdalta. Amram has Attah Noten Yad preceding Ma-Anu but the Sephardic and Yemenite rites follow Maimonides.

Maimonides accepts a ge-onic precedent by not including Kol Nidré in his rite:

> The custom [of annulment of vows on 'Erebh Yom Kippur] was for a long time opposed by such outstanding rabbis as Rabbi Natronai and Hai Gaon, (sic) Amram Gaon states that it was not customary in the Babylonian academies to recite Kol Nidre and that it was a foolish habit.[74]

Some of the manuscripts of S.R.A. do contain Kol Nidré. The Yemenites, despite Maimonides' omission of Kol Nidré, do incorporate Kol Nidré into their liturgy.

General Observations

The form and content of Maimonides' prayer book reflect many of the halakhic and philosophic principles which appear in the rest of his works. As an halakhically observant Jew, Maimonides felt himself bound by the decisions of the "Men of the Great Synagogue." As has been mentioned, Maimonides relies on these decisions made by the "Men of the Great

Synagogue" to help determine the acceptability of the language of prayer:

> According to the spirit, this dictum makes it clear that, as it happened, two necessary obligations determined our naming these attributes [pertaining to God] in our prayers: one of them is that they occur in the Torah and the other is that the prophets in question [i.e., the Men of the Great Synagogue] used them in the prayer they composed.[75]

Thus, as one would expect, Maimonides includes in his prayer book prayers which meet the above criteria. He excludes prayers which multiply attributes of God:

> One also should not multiply epithets [for God]...for no one has the power to exhaust the praises of God. One should therefore limit himself to the attributes used by Moses, our teacher.[76]

Maimonides emphasizes the importance of not deviating from the forms established by the sages, although he does quarrel with later ge-onic decisions on occasion.

Because of this limitation concerning attributes of God and because of their interference with proper Kawwanah, Piyyutim do not appear in Maimonides' prayer book. Maimonides' negative attitude towards Piyyutim, as it is expressed in his Responsa, in the Guide, and in the Mishneh Torah, thus extends to his prayer book. Piyyutim also serve to lengthen a service which Maimonides tried to keep brief. Maimonides also emphasizes the importance of brevity in his reluctance to allow additions to the service. Maimonides' public service, in that it begins with the Shema', is brief.

Maimonides carefully differentiates between prayers which are mandatory and prayers which are merely customary.

He respects local custom in prayer as long as that custom does not violate one of his principles. If the custom changes the form established by the sages, however, or if it interferes with Kawwanah, adds substantially to the length of the service, or adds Piyyutim, Maimonides makes his opposition known.

Maimonides' prayer book does not differ in any essential way from Amram's but follows Amram relatively closely. The basic Yemenite rite follows Maimonides almost exactly but, as Kafih indicates, it has gathered accretions over the years. The Sephardic prayer book, too, is similar to Maimonides' except for having accumulated many more prayers particularly Piyyutim.

CHAPTER 5:

Maimonides' View of the History of Jewish Liturgy

In its simplest form, Jewish prayer involves a relationship in which human beings pray to a God who listens and responds. While God issued the original commandment requiring human prayer, the specifics of prayer were determined by later generations. Thus Maimonides depicts the history of Jewish prayer as both a divine and a human enterprise. The history of Jewish liturgy, as depicted by Maimonides, was determined by God's commandments to Israel, coupled with Israel's subsequent historical experience. Maimonides' most systematic presentation of this history appears in Hilkhoth Tephillah and the Guide. Maimonides himself divides his chronology of the history of Jewish liturgy into two main parts, pre-exilic and post-exilic. The pre-exilic period includes the history of prayer beginning with the time of the patriarchs and continuing through Moses, Joshua and the prophets. The post-exilic period starts with Ezra and his Beth Din and proceeds through the time of the Talmud.

The term "prayer", when used in connection with the pre-exilic period, refers to the spontaneous prayer of the individual worshipper and not to the later phenomenon of statutory prayer. The content and frequency of one's prayers were not biblically prescribed; the only biblical obligation was that one pray daily:

> It is a positive commandment to pray daily, as it is said: "You shall serve the Lord your God." According to tradition, this service ('Abhodah) is prayer, as it is written: "to serve Him with all your heart." The sages said, "What is the service of the heart? It is prayer." The number of prayers is not ordained in the Torah; the wording of prayer is not ordained in the Torah; and neither is a fixed time for prayer ordained in the Torah.[1]

Maimonides further explicates the general kinds of prayer intended by this commandment:

> ...the obligation (inherent) in this commandment is as follows; a person should supplicate and pray daily, and should tell the praises of the Holy One, Praised be He. Afterwards, in petitionary prayer, he should request that his needs be met. Still afterwards, he should offer praise and thanksgiving to God for the goodnews which He has granted him. Each person should do this according to his own ability...[2]

The frequency, length and quality of one's prayer depended upon the individual worshipper:

> The one who was accustomed to praying would increase the amount of his petitionary prayers. One who was impeded in speech, however, would speak according to his ability, whenever he so chose. So, too, the number of times one prayed would depend upon the ability of the individual. Some would pray once a day; others (would pray) many times. All would pray facing the Temple. So it was from the time of Moses our teacher to Ezra.[3]

Thus the prayer of Moses and the patriarchs was spontaneous individual prayer, although Moses and other biblical figures played an important part in determining specific prayers for future generations:

> This is the order of the Birkath Hammazon: the first blessing is Birkath Hazan; the second blessing is Birkath Ha-aretz; the

> third blessing is Birkath Boneh Yerushalayim; and the fourth blessing is Birkath Hatobh Wehametibh. Moses our teacher instituted the first blessing; Joshua, the second; David and his son Solomon, the third; and the sages of the Mishnah, the fourth.[4]

Moses also was instrumental in establishing regular public Torah readings:

> ...Moses ordained for Israel the reading of the relevant portion on each festival.[5]
>
> Moses our teacher ordained for Israel the public reading of the Torah on the Sabbath, and on the second and fifth days of the week during Shaharith, so that three days would not go by without their having heard Torah...[6]

Moses and the patriarchs were unique in their ability to worship:

> And there may be a human individual who, through his apprehension of the true realities and his joy in what he has apprehended, achieves a state in which he talks with people and is occupied with his bodily necessities while his intellect is wholly turned toward Him, may He be exalted, so that in his heart he is always in His presence, may He be exalted, while outwardly he is with people, in the sort of way described by the poetical parables that have been invented for these notions... I do not say that this rank is that of all the prophets; but I do say that this is the rank of Moses our Master...This was also the rank of the Patriarchs, the result of whose nearness to Him, may He be exalted, was that His name became known to the world through them: The God of Abraham, the God of Isaac, and the God of Jacob...; this is My name for ever. Because of the union of their intellects through apprehension of Him, it came about that he made a lasting covenant with each of them...For in these four, I mean the Patriarchs and Moses our Master, union with God - I mean apprehension of Him and love of him - became manifest...[7]

This form of worship is the kind which Maimonides considers the ideal, the perfect apprehension of God. This worship on the part of Moses and the patriarchs, a worship which no one can duplicate, accomplished a particular end:

> For the end of their efforts during their life was to bring into being a religious community that would know and worship God... Thus it has become clear to you that the end of all their efforts was to spread the doctrine of the unity of the Name in the world and to guide people to Him, may He be exalted. Therefore this rank befitted them, for these actions were pure worship of great import. This rank is not a rank that, with a view to the attainment of which, someone like myself may aspire for guidance. But one may aspire to attain that rank which was mentioned before this one through the training that we described. One must beseech God that He remove the obstructions that separate us from Him, even though most of them come from us, as we have explained in certain chapters of this Treastise...[8]

The respective biblical leaders' ability to worship represented the "first intention", that is, they were able to apprehend God directly.[9] The common people's form of worship was defined as the "second intention," that is, they participated in the sacrificial cult as a means to apprehending God. As has been explained (in Chapter Two, supra.), Maimonides felt that God allowed the continuation of this form of worship in part as a concession to human nature. He carefully defined the institution of sacrifice to ensure that sacrifices should be held in esteem[10] and that the intention behind the offerings should be the apprehension of Him alone. The people came to abuse the institution of sacrifice, however; they forgot the end for which the means was intended. In any case, sacrifice

as a form of worship gradually disappeared and was replaced by prayer.

The Babylonian Exile caused a change in Jewish prayer, from a free-form and spontaneous expression of human emotions, to a carefully-defined and statutory means of communication between human beings and God. Living in exile disrupted the peoples' lives and language:

> Once Israel was exiled in the days of Nebuchadnezzar the Wicked, however, they mixed with the Persians, the Greeks and the rest of the nations. Children were born to them in these foreign nations. The language of these children became confused so that each one's speech became a jumble of many languages. Whenever one would speak, he would be unable to express all his needs in one language, except in a confused way, as it is said, "Their children spoke half in the speech of Ashdod and could not speak in the Jews' language, but according to the language of each people..."[11]

These changes in language posed great difficulties for one who wished to pray in Hebrew:

> ...Because of this fact, whenever one of them would pray in the Holy Language, his speech was insufficient for voicing his needs or when recounting the praises of the Holy One, Praised be He, so that other languages would become mixed in with the Hebrew...[12]

When Ezra and his Beth Din realized the problem, they tried to remedy the situation:

> ...When Ezra and his Beth Din saw that this was so, they arose and ordained for the people eighteen benedictions (to be said) in the proper order.[13]

In his fixing of the 'Amidah, Ezra had in mind a goal which extended to other blessings and prayers:

> ...(They ordained these benedictions) in order that (the benedictions) would be properly arranged in the mouths of everyone, that they would learn them, and that the prayer of those who were not fluent in speech would be as complete a prayer as the prayer of those who spoke with clarity. For this same reason, they fixed all of the blessings and prayers in an orderly form in the mouths of all Israel, so that the subject matter of each blessing would be properly arranged in the mouth of the one not fluent in speech.[14]

Ezra and his Beth Din also were responsible for instituting the daily morning and afternoon prayer services, each service corresponding to the two daily offerings, and the additional service on days when an additional sacrifice was offered:

> So, too, they ordained that the number of worship services should be equal to the number of sacrifices, two services a day, corresponding to the two daily offerings. For any day which required an additional sacrifice, they ordained a third service to correspond to the additional sacrifice. The service which corresponds to the morning sacrifice is called Shaharith; The service which corresponds to the afternoon sacrifice is called Minhah; and the service which corresponds to the additional sacrifice is called Tephillath Hamusaphin.[15]

Ezra and the Beth Din also instituted an evening service, "since the parts of the animal offered as the afternoon sacrifice were consumed on the altar during the night."[16] They did not consider this service obligatory since it did not correspond to an actual sacrifice (for a more detailed discussion of the obligatory nature of the evening service, see Chapter Three, supra.). The obligatory services as set by Ezra and the Beth Din thus included Shaharith, Minhah, Musaph and Ne'ilah on Yom Kippur. These services represented the minimal

requirement; individuals were permitted to pray more often if they wished.[17] These extra voluntary prayers corresponded to the voluntary offerings which had been made by individual worshippers; the congregation as a whole, however, was not permitted to hold such a voluntary service, since at no time had a congregation brought a voluntary offering.[18]

While Moses instituted public Torah readings on the Sabbath and on the second and fifth days of the week, Ezra added other regulations concerning Torah readings:

> ...Ezra ordained that they also read Torah during Minhah on Shabbath in order to prevent idleness. He also ordained that, on the second and fifth days of the week, three people would read, and that they would read no fewer than ten verses.[19]

> Ezra ordained for Israel that they read the Qelaloth in Leviticus before Shavu'oth and in Deuteronomy before Rosh Hashanah...[20]

The custom of translating the Torah reading into the vernacular also dates from Ezra's time:

> From the days of Ezra, it has been customary to have a translator translate for the people that which the reader reads from the Torah, so that the people will understand the subject matter of the words.[21]

The edicts of Ezra and his Beth Din did not always win acceptance among the people:

> Ezra and his Beth Din decreed that a Ba'al Qeri alone should not read from the Torah, thus excepting him from the general category of the impure, until he has undergone ritual immersion. This Taqqanah did not spread throughout Israel since the majority of the public did not have the strength to observe it. Therefore, it fell into disuse. All Israel already has become accustomed to reading from the Torah and to reciting the Shema' even if they are Ba'alé Qeri.[22]

This latter situation represents a case where the will of the people prevailed over Ezra's decree, thereby affecting the course of the history of Jewish liturgy. Despite this lack of success in requiring ritual immersion by a Ba'al Qeri before reading Torah, however, the Beth Din after Ezra attempted to require ritual immersion of a Ba'al Qeri before prayer:

> ...We have already explained that Ezra ordained that a Ba'al Qeri alone should not read Torah until he has undergone ritual immersion. The Beth Din which followed him subsequently ordained the same practice concerning prayer, that a Ba'al Qeri alone should not pray until he has undergone ritual immersion...[23]

Ezra and his Beth Din established the form (Matbe'a) of all blessings,[24] including those blessings surrounding the Shema'. One is not permitted to alter these blessings established by the sages:

> The first blessing which precedes (the Shema'), whether in the day or at night, begins with Barukh and concludes with Barukh. As for the rest of its (the Shema''s) blessings, each one concludes with Barukh but does not begin with Barukh. These blessings, along with all the rest of the blessings which were properly arranged in the mouths of all Israel, were instituted by Ezra the Scribe and his Beth Din. No one is entitled to subtract from them or to add to them...In summary, anyone who deviates from the form established by the sages is in error...[25]

The sages also ordained certain blessings which did not contain the formal opening and closing mentioned above:

> The sages instituted other blessings and many other words, having the character of praise and thanksgiving to God, which have no formal opening or closing, just as they instituted the blessings of the worship

> service about which we have already written. These are they: One who builds a new house or who acquires new utensils, whether or not he already has similar articles, recites the blessing "Praised art Thou, Lord our God, King of the Universe, who has kept us alive, sustained us, and brought us to this season."[26]

Worshippers were permitted to recite blessings in any language as long as they preserved the forms of the sages and the main idea of the blessing:

> All of the blessings may be recited in any language as long as one says them according to the form instituted by the sages. If one changes the form, he still has fulfilled his obligation as long as he mentions God's name and kingdom and the subject matter of the blessing.[27]

Even if one did not recite these prayers in Hebrew, it was still important to preserve the original wording of prayers and blessings, especially where the wording expressed attributes of God. As has been mentioned (see Chapter Two, supra), the only such terms which qualified for usage in prayer were those employed by Moses and subsequently by the Anshé Keneseth Hagedolah. The sages had a specific reason for allowing the usage of attributes and anthropomorphisms in prayer:

> Yet the necessity to address men in such terms as would make them achieve some representation - in accordance with the dictum of the Sages: The Torah speaks in the language of the sons of man - obliged resort to predicating of God their own perfections when speaking to them.[28]

It was the Anshé Keneseth Hagedolah who formalized the language of prayer.[29]

The sages instituted three different kinds of blessings to be recited upon specific occasions:

> Just as they recite blessings before they partake of sensual enjoyment, so they recite blessings before they perform any commandment, the recitation of the blessing being followed immediately by the performance of the commandment. The sages ordained many blessings having the nature of praise, thanksgiving and petition, in order that one always be mindful of the Creator, even when one is not partaking of sensual enjoyment or performing a commandment.[30]

> All of the blessings fall into three categories: blessings of enjoyment; blessings of commandment; and blessings of thanksgiving; all of which have the nature of praise, thanksgiving and petition, and the purpose of which is always to be mindful of and to revere the Creator.[31]

The sages not only determined these and other laws regarding worship, they also were responsible for the transmission of certain customs concerning prayers and blessings:

> The sages of Israel observed many customs at meals, all of which are considered to be good manners. These are they: when they prepare to enter for a meal, the eldest among them washes his hands first. Afterwards, they enter and sit in a reclining position. The eldest reclines at the head (of the room), the second eldest below him. If there are three couches, the eldest reclines at the head, the second eldest above him and the third eldest below him.[32]

Maimonides also acknowledges certain changes in Jewish liturgical development as reflected in the Mishnah itself. The sages instituted seemingly contradictory decrees in reference to the role of the Kuthim in reciting blessings:

> ...One should not answer Amen when a Kuthi is reciting a blessing until after he (the listener) has heard the whole blessing. Here I will explain to you the subject of the Kuthim, the people whom Sennacherib brought from Kuti and whom he settled in the cities of Samaria. Scripture testifies

> about them: "They feared the Lord and served their own gods." As the days passed, however, they studied the Torah and accepted it for its simple meaning. The commandments that they adopted they observed strictly and they paid much attention to them. They were presumed to be believers in our laws and in one God until the sages investigated them and found that they honored Har Gerizim. They investigated the matter further and found on the mount the form of a dove. The sages knew then that they (the Kuthim) were idol-worshippers. They considered them to be idolaters in every respect. Whenever you find in the Mishnah references to the Kuthim where you might understand from them that the Kuthim are respected more than idol-worshippers but less than Israel, e.g., "A Kuthi can be counted for Zimmun," and, "A Kuthi who recites a blessing," and the like, these things were said before the sages investigated them. Once they investigated them and found that they were as we have mentioned, however, the Kuthim have been respected much less than other idol-worshippers...[33]

Maimonides thus defends the sages' seemingly uneven treatment of the Kuthim in regard to matters of worship.

Where Maimonides gives credit to the sages for the authoring and editing of prayers and blessings, forbidding the altering of forms instituted by the sages, he does not maintain the same attitude in regard to the later Ge-onim. As has been mentioned (Chapter Four, supra.), Maimonides disagreed freely with Ge-onic decisions on liturgy, particularly in the area of Piyyutim. He allowed Ge-onic decisions to go unchallenged when these decisions did not contradict the form or the intention of the sages. So, too, he acknowledged the role of the people's preference and custom in prayer, permitting such customs to rule when it did not contradict the edicts of the sages. One can assume that Maimonides issued

his prayer book in an attempt to settle once and for all the questions surrounding, and at times preventing, proper ways of worship. One might imagine that Maimonides hoped that his prayer book would be the last word on the subject of the correct way to worship. In his own opinion, Maimonides' prayer book reflected the intentions of the sages; Maimonides did not intend his prayer book to be an innovation in Jewish liturgy. The real history of Jewish liturgy, to Maimonides' way of thinking, thus ended with the sages.

It is interesting to try and predict how Maimonides might have envisioned the future of Jewish liturgy. Maimonides, unlike many of the codifiers who preceded him, was careful to include the Talmudic regulations regarding the operation of the Temple cult, even though the cult had long been defunct. There was a chance that such laws would be needed once again. As has been mentioned, the hoped-for return of the exiled Jewish people to E.retz Yisrael could prompt the reinstitution of the sacrificial cult. According to Maimonides, the proper conducting of such a cult could lead to the apprehension of God.

While the sacrificial cult represented an acceptable means to apprehending God, Maimonides does offer an alternative which would allow the immediate apprehension of God. Maimonides accepted the co-existence of statutory prayer and meditation as two complementary forms of worship in his time. While Maimonides was a proponent of meditation as a way of achieving communion with God, he also was a faithful adherent

of the statutory forms established by the sages. Yet Maimonides did seem to imply that the day might come when statutory prayer might no longer be necessary, but when it would be replaced by meditation, just as sacrifices had been replaced by prayer. Meditation would lead to the immediate apprehension of God. Such a change, however, if it were to come at all, would of necessity occur in the distant future, perhaps in the messianic age. One might make a distinction between the ideal future for which Maimonides hoped, and the real future which he predicted and which he truly believed would arrive. If meditation were ever to be the sole form of worship, it could only happen in the ideal future, a future so remote that one must question whether Maimonides ever really believed it should or would come. Thus a projection of the actual future of Jewish liturgy would come full-circle and end with the sages, just as Maimonides' description of the history of Jewish liturgy to his time ended with the sages.

CHAPTER 6:

Conclusion

It is time to return to the question of Athens versus Jerusalem; where did Maimonides live? Was he a free-thinking Aristotelian or an halakhically-observant Jew; or, did he try to incorporate both perspectives? Furthermore, if Maimonides did indeed try to incorporate both approaches, how successful was the merger? Did he give equal weight to both approaches, or did he evince greater loyalty to one tradition than to the other? After having investigated all aspects of Maimonides' ideas on prayer and liturgy, the writer of this thesis has come to the conclusion that Maimonides achieved a successful synthesis between the two loyalties, between his philosophical and his religious presuppositions. For the most part, these two perspectives complement each other in Maimonides' works. Situations do arise, however, where Maimonides must make a choice between these two approaches; in these cases, Maimonides' decisions reveal his primary dedication to the Halakhah. Maimonides was, first and foremost, an observant Jew. Although he was innovative in his philosophical explanations of the Mitzwoth, in the structure of his works, and in the scope of his works, at the same time he remained a staunch defender of Jewish tradition and law. This dedication to Halakhah is apparent in Maimonides' approach to prayer.

Maimonides' philosophical presuppositions regarding prayer do not contradict or compete with Jewish laws regulating prayer; on the contrary, his philosophical ideals support and strengthen the notion of statutory prayer. Maimonides does explain in the Guide how one can and should infuse one's obligatory prayer with Kawwanah. Certainly Kawwanah is of central importance to Maimonides; yet even Kawwanah is not new with Maimonides, but finds its roots in the ideas of the sages who preceded him. Maimonides elaborates on their idea and gives it greater prominence. Maimonides' ideas on prayer also reflect the influence of the Greek philosophical tradition, particularly in the area of meditation. Maimonides is a proponent of meditation as a way of achieving communion with God, yet he does not intend meditation to supplant statutory Jewish prayer. While Maimonides implies that meditation could conceivably replace obligatory Jewish worship at some time in the distant future, he saw meditation in his lifetime as only an additional means of worship. Meditation can best be achieved in solitude; Jewish prayer is most effective in a congregation. It is significant that Maimonides does not legislate that one must meditate in solitude; he does, however, rule that one must fulfill the Jewish obligation to worship in the context of a community.

> The prayer of the congregation is always heard. Even if there are sinners among them, The Holy One, praised be He, does not reject the prayer of the many. Therefore, a person must become a part of a congregation. He should never pray alone when he

> is able to pray with the congregation. A person should go to the synagogue in the morning and in the evening, for human prayer is not always heard unless one is in the synagogue. Anyone who has a synagogue in his city and does not enter it is called a bad neighbor.[1]

Solitary meditation is not a legal obligation; worship as a member of a community is an obligation.

Once one understands the importance of statutory Jewish prayer in Maimonides' philosophy, it is not difficult to understand why Maimonides issued a prayer book. His prayer book was not an innovation, nor did Maimonides intend it to be one. Maimonides' prayer book reflects the rulings of the sages on prayer. When it comes to the liturgy of the prayer book, Maimonides' role is as a defender of the tradition. He permits local variations in worship as long as they do not contradict the sages' rulings. He does not allow any deviation from the forms or blessings established by the sages. He fights against the inclusion of elements which do not originate with or receive the approval of the sages, or which interfere with the aesthetics, decorum or Kawwanah appropriate to worship. Maimonides' prayer book is a conservative document, a fact which his philosophical presuppositions serve to reinforce. For example, Maimonides severely restricts the use of epithets for God in prayer, since one cannot describe God using positive attributes, according to Maimonides' philosophical system. Yet Maimonides does not categorically reject the use of all attributes for God, as one might expect if Maimonides' primary loyalty were

to the discipline of philosophy. Rather, Maimonides permits the use of those attributes which were used first by Moses and which were adopted subsequently by the Men of the Great Synagogue. Maimonides' adherence to the forms established by the sages takes precedence over his philosophy in this case.

Maimonides adopts the traditional Jewish approach to the question of human free will versus divine providence, even though such a approach is not compatible with Aristotelian premises. For the fulfilling of Mitzwoth to have any meaning, according to Maimonides, a person must be free to choose whether or not to observe these Mitzwoth. Yet at the same time, Maimonides cannot conceive of a God who is not omnipotent and omniscient. Thus Maimonides comes no closer than the sages to resolving this traditional Jewish paradox. Maimonides follows the sages, however illogical their ideas might be from a philosophical point of view. The Greek philosophers had no vested interest in the faith-versus-free will controversy; Maimonides did. In addition, where the Aristotelian philosophers might shun animal sacrifice as a form of worship, Maimonides attempts to lend credence to the institution of sacrifice. God issued laws regarding sacrifice; Maimonides as an observant Jew was bound to stay within this legal system.

This dissecting of Maimonides' mind into its component parts can give the unfair impression that he led a rather schizophrenic existence. In actuality, Maimonides himself

indicates that he led a well-integrated life. It is only today's world which has a need to impose modern categories, to explain Maimonides' character in terms of a dichotomous "either-or" rather than a harmonious "both-and." For Maimonides, science, religion and philosophy were all of a piece, a fact he attempted to communicate to his readers, as his preface to the Guide indicates. Joseph ibn Judah ibn Shamun presumably had difficulty reconciling these various approaches to existence; the contemporary student of religion and philosophy has no easier a time trying to construct a whole out of these various parts. The basic questions have not changed much over the years, although the phrasing of the questions might be slightly different. Maimonides' disciples wondered whether one could honestly pray to a Creator-God and at the same time, subscribe to Aristotelian theory. The modern student of religion wonders whether one can honestly pray to a Creator-God and at the same time accept Darwin's theory of evolution or the "Big Bang" theory of creation. It is impossible to know whether Maimonides' advice was comforting to Joseph ibn Judah; as for whether Maimonides' answers are useful for the modern Jew, that remains up to each individual to decide. Yet even if his specific answers are not helpful, it is Maimonides' admonition to keep searching that speaks to the modern student of religion:

> My knowledge goes forth to point out the way,
> To pave straight its road.
> Lo, everyone who goes astray in the field of Torah,
> Come and follow its path.
> The unclean and the fool shall not pass over it;
> It shall be called Way of Holiness.[2]

ABBREVIATIONS

Commentary	=	Maimonides. Perush Hamishnayoth LehaRambam Mimasekheth Berakhoth (Maimonides' Commentary on Mishnah Berakhoth). In Masekheth Berakhoth Min Talmud Babhli. New York: Schulsinger Brothers, 5606.
Guide	=	Maimonides. The Guide of the Perplexed. Translated with an Introduction and Notes by Shlomo Pines. Vols. 1 and 2. Chicago and London: University of Chicago Press, 1963.
H.B.	=	Maimonides. Mishneh Torah, Hilkhoth Berakhoth.
H.Q.SH.	=	Maimonides. Mishneh Torah, Hilkhoth Qeri-ath Shema'.
H.T.	=	Maimonides. Mishneh Torah, Hilkhoth Tephillah.
P.B.	=	Maimonides. "Seder Hatephillah Shel HaRambam" (The Prayer Book of Maimonides). In Studies of the Research Institute for Hebrew Poetry in Jerusalem. Edited by Daniel Goldschmidt. Vol. VII. Jerusalem and Tel Aviv: Schocken, 1958, pp. 185-213.
Responsum	=	Maimonides. Teshubhoth HaRambam. Edited by Yehoshua Blau. Vol. II. Jerusalem: Mekize Nirdamim, 1934.
S.M.	=	Maimonides. Sepher Hammitzwoth. Edited by Joseph Kafih. Jerusalem: Hotza-ath Mosad HaRabh Kook, 1958.
S.R.A.	=	Amram Ga-on. Seder Rabh Amram Ga-on. Edited by Daniel Goldschmidt. Jerusalem: Hotza-ath Mosad HaRabh Kook, 1971.
S.T.	=	Seder Hatephilloth Kephi Minhag Kehillah Qedushah Sepharadim (The Book of Prayer and Order of Service According to the Custom of the Spanish and Portuguese Jews). Edited by Moses Gaster. Vols. I-V. London: Oxford University Press, 1901.

Tikhlal = Tikhlal Shibhath Tziyon. Edited by Joseph Kafih. Vols. I-III. Jerusalem: Eshkol, 5712.

Note: All translations from the above-mentioned texts are mine unless otherwise noted.

NOTES TO CHAPTER ONE:

"Introduction and Description of Sources"

1. David Hartman, Maimonides: Torah and Philosophic Quest (Philadelphia: The Jewish Publication Society of America, 1976), p. 7.

2. Jewish Encyclopedia, 1905, s.v. "Moses ben Maimon," by J.Z. Lauterbach.

3. Isadore Twersky, ed., A Maimonides Reader (New York: Behrman House, 1972), p. 5.

4. Maimonides, Haqdamath HaRambam Lepherusho Lamishnayoth, trans. and ed. Zvi L. Lampel, (New York: Judaica Press, 1975), p. 30 (Hebrew). All translations from the Hebrew are mine.

5. Ibid.

6. Ibid., p. 31.

7. Twersky, A Maimonides Reader, pp. 12-13.

8. Abraham Schechter, Lectures on Jewish Liturgy (Philadelphia: The Jewish Publication Society of America, 1933), p. 38.

9. P.B., p. 188.

10. Twersky, A Maimonides Reader, p. 5.

11. Maimonides, The Commandments: Sefer ha-Mitzvoth of Maimonides, trans. and ed. Charles B. Chavel (London and New York: The Soncino Press, 1967), p. xi.

12. Maimonides, "Haqdamath HaRambam LeMishneh Torah," in Mishneh Torah LehaRambam, 5 vols. (Jerusalem: Pardes, 5728), Vol. 1, p. 4a.

13. Ḥayyim Tchernowitz, "Maimonides as Codifier," trans. Harry S. Lewis, in Maimonides Octocentennial Series (New York: Arno Press, 1973), No. III, p. 13.

14. Twersky, A Maimonides Reader, pp. 16-18.

15. Ḥayyim Tchernowitz, "Maimonides as Codifier," p. 22.

16. Jewish Encyclopedia, 1905, s.v. "Moses ben Maimon."

17. Twersky, A Maimonides Reader, p. 235.

18. Ibid., pp. 236-7.

19. Encyclopedia Judaica, 1971, s.v. "Maimonides," by Jacob I. Dienstag, et al.

20. Jewish Encyclopedia, 1905, s.v. "Moses ben Maimon."

NOTES TO CHAPTER TWO:

"Maimonides' Philosophical Presuppositions Concerning Prayer"

1. Julius Guttmann, Philosophies of Judaism, trans. David W. Silverman (New York: Holt, Rinehart and Winston, 1964), p. 175.

2. Guide, I, 31, ed. Pines, Vol. 1, p. 67.

3. Ibid., I, 35, Vol. 1, p. 81.

4. Ibid., pp. 79-80.

5. Ibid., I, 46, Vol. 1, p. 99.

6. Ibid..

7. Ibid., p. 100.

8. Ibid., p. 103.

9. Isaac Husik, A History of Mediaeval Jewish Philosophy (New York: Atheneum, 1976), p. 265.

10. Guide, I, 52, Vol. 1, p. 118.

11. Ibid., p. 119.

12. Isaac Husik, "The Philosophy of Maimonides," in Maimonides Octocentennial Series (New York: Arno Press, 1973), No. III, p. 8.

13. Guide, I, 54, Vol. 1, p. 118.

14. Ibid., I, 55, Vol. 1, p. 128.

15. Isaac Husik, A History of Mediaeval Jewish Philosophy, p. 271.

16. Julius Guttmann, Philosophies of Judaism, p. 192.

17. Guide, I, 58, Vol. 1, p. 135.

18. Ibid., p. 136.

19. Ibid., I, 59, Vol. 1, p. 141.

20. Ibid.

21. Julius Guttmann, Philosophies of Judaism, p. 105.

22. Guide, "Introduction," Vol. 1, p. lxxiv.

23. Ibid, III, 32, Vol. 2, pp. 525-6.

24. Ibid.

25. Ibid., pp. 529-30.

26. Ibid.

27. Ibid., p. 526.

28. Ibid., III, 46, Vol. 2, pp. 582-3.

29. Ibid., III, 32, Vol. 2, p. 530.

30. Ibid., pp. 530-1.

31. Solomon Zeitlin, Maimonides: A Biography (New York: Bloch Publishing Company, 1935), p. 85.

32. Guide, III, 36, Vol. 2, p. 539.

33. Ibid., pp. 539-40.

34. Ibid., p. 540.

35. Ibid., p. 529.

36. Ibid., III, 51, Vol. 2, pp. 624-5.

37. Isaac Husik, "The Philosophy of Maimonides," p. 15.

38. Guide, III, 44, Vol. 2, p. 574.

39. Ibid.

40. Ibid., III, 51, Vol. 2, p. 622.

41. H.T. 4:15.

42. Guide, III, 51, Vol. 2, p. 622.

43. Ibid., p. 623.

44. Ibid.

45. Ibid., p. 620.

46. Ibid., p. 621.

47. Ibid., p. 623.

NOTES TO CHAPTER THREE:

"Maimonides' Halakhic Presuppositions Concerning Prayer"

1. Jacob Levinger, Maimonides' Techniques of Codification (Jerusalem: Magnes Press, 1965), p. VIII.

2. Ibid., p. 36.

3. Ibid., p. 38.

4. Ibid., p. 42.

5. Ibid., p. 43.

6. S.M., Haqdamah, General Principle 1, Kafiḥ, p. 7.

7. Ibid., p. 8.

8. Jacob Levinger, Maimonides' Techniques of Codification, p. VIII.

9. Ibid., p. IX.

10. Ibid., p. 46.

11. H.O.SH., 2:13.

12. S.M., Positive 10, Kafiḥ, p. 59.

13. H.B. 8:12.

14. H.B. 4:2.

15. H.B. 1:11.

16. H.B. 1:1.

17. H.B. 5:1.

18. H.B. 5:15.

19. H.B. 5:16.

20. H.B. 11:3.

21. H.B. 1:5.

22. H.B. 1:6.

23. S.M., Positive 5, Kafiḥ, p. 56.

24. H.T. 1:1.

25. H.T. 1:1.

26. S.M., Positive 10, Kafiḥ, pp. 59-60.

27. H.T. 4:1.

28. H.T. 5:1.

29. Encyclopedia of Religion and Ethics, ed. A. Hastings, 1967, s.v. "Aesthetics," by Maurice de Wulf.

30. Ibid.

31. S.M., Positive 21, Kafiḥ, p. 64.

32. Guide, III, 32, Vol. 2, p. 526.

33. Ibid., III, 45, Vol. 2, pp. 578-9.

34. S.M., Positive 22, Kafiḥ, p. 65.

35. S.M., Positive 21, Kafiḥ, p. 65.

36. Guide, III, 47, Vol. 2, p. 593.

37. Guide, III, 45, Vol. 2, pp. 578-9.

38. Ibid., III, 47, Vol. 2, p. 594.

39. Ibid., III, 33, Vol. 2, p. 533.

40. Ibid., III, 45, Vol. 2, p. 579.

41. H.T. 11:6.

42. H.T. 4:2.

43. H.T. 4:3.

44. b. Ber. 22a.

45. H.T. 4:4.

46. H.T. 4:4.

47. Naphtali Wieder, Islamic Influences on Jewish Worship (Oxford: East and West Library, 1947), p. 24 (my trans.).

48. Guide, III, 45, Vol. 2, p. 575.

49. Ibid., p. 578.

50. H.T. 4:7.

51. H.T. 5:5.

52. H.Q.SH. 3:2.

53. H.Q.SH. 3:4.

54. H.Q.SH. 4:8.

55. H.T. 4:10.

56. H.T. 4:11.

57. H.Q.SH. 2:8.

58. H.T. 5:4.

59. H.T. 5:9.

60. H.T. 5:3.

61. H.T. 5:6.

62. H.T. 11:3.

63. H.T. 11:4.

64. H.T. 11:5.

65. H.T. 4:16.

66. H.T. 4:15.

67. Commentary 4:4.

68. Responsum 261, ed. Blau, pp. 490-2.

69. H.T. 4:15.

70. H.B. 4:7.

71. H.B. 6:17.

72. H.T. 2:2.

73. H.T. 10:15.

74. H.T. 4:16.

75. H.T. 5:2.

76. Commentary 5:1.

77. H.T. 5:2.

78. H.Q.SH. 4:7.

79. H.Q.SH. 4:7.

80. H.Q.SH. 4:7.

81. H.Q.SH. 2:3.

82. H.Q.SH. 4:1.

83. H.T. 2:2.

84. Commentary 9:5.

85. H.T. 2:2.

86. H.T. 5:2.

87. H.T. 2:2.

88. H.T. 4:15.

89. H.Q.SH. 4:1.

90. H.Q.SH. 4:3.

91. Commentary 3:1.

92. Commentary 4:2.

93. Commentary 3:1.

94. H.T. 5:2.

95. H.Q.SH. 2:4.

96. H.Q.SH. 2:1.

97. H.Q.SH. 4:7.

98. Responsum 184, ed. Blau, p. 336.

99. Ibid., p. 339.

100. H.B. 8:11.

101. Rabad's comment on H.B. 8:11.

102. H.B. 9:7.

103. H.B. 9:8.

104. H.B. 9:9.

105. H.B. 1:13.

106. H.B. 1:12.

107. H.B. 4:7.

108. Commentary 6:7.

109. Responsum 258, ed. Blau, p. 482.

110. Ibid., p. 483.

111. Ibid., p. 484.

112. Ibid.

113. Ibid.

114. Ibid.

115. Responsum 256, ed. Blau, pp. 469 ff.; Responsum 291, ed. Blau, pp. 548 ff.

116. Naphtali Wieder, Islamic Influences on Jewish Worship, p. 28.

117. Ibid., p. 68.

118. H.T. 4:3.

119. Abraham ben Maimon, (Abraham Maimonides). "Chapters 24 and 25 from a Manuscript of R. Abraham b. R. Moshe b. R. Maimon," trans. into Hebrew S. Eppenstein, in Festschrift zu Israel Lewy's Siebzigstem Geburtstag, ed. M. Brann and J. Elbogen (Breslau: Verlag von M. & H. Marcus, 1911), p. 35 (my trans.).

120. Ibid., pp. 42-3.

121. H.T. 4:14.

122. Abraham ben Maimon, "Chapters 24 and 25 from a Manuscript of R. Abraham b. R. Moshe b. R. Maimon," p. 122.

123. Responsum 216, ed. Blau, p. 381.

124. Responsum 215, ed. Blau, pp. 379-80.

125. Responsum 254, ed. Blau, pp. 467 ff.

126. Ibid.

127. Responsum 180, ed. Blau, p. 328.

128. Responsum 208, ed. Blau, pp. 367 ff.

129. Responsum 207, ed. Blau, pp. 365 ff.

130. Responsum 254, ed. Blau, pp. 467 ff.

131. Guide, I, 59, Vol. 2, pp. 141-2.

132. H.T. 9:7.

133. H.O.SH. 3:5.

134. b. Ber. 27b.

135. H.T. 1:6.

136. Responsum 299, ed. Blau, p. 558.

137. H.O.SH. 3:1.

138. H.O.SH. 2:11.

NOTES TO CHAPTER FOUR:

"Maimonides' Prayer Book"

1. b. Shabbath 1156.

2. S.R.A., p. 1.

3. Jacob I. Dienstag, "The Prayer Book of Maimonides," in The Leo Jung Jubilee Volume, ed. Menahein M. Kasher, Norman Lamm, and Leonard Rosenfeld (New York: The Jewish Center, 1962), p. 53.

4. P.B.

5. Ibid., "Introduction," p. 185.

6. Ibid., p. 202.

7. Simha Assaf, "Introduction" Siddur Rabh Saadia Gaon, ed. I. Davidson, S. Assaf, and B.I. Joel (Jerusalem: Mekize Nirdamim, 1941), p. 24 (my trans.).

8. P.B., "Introduction," p. 188.

9. Abraham Schechter, Lectures on Jewish Liturgy, p. 25.

10. Assaf, "Introduction," p. 24.

11. H.T. 7:7.

12. It is not until Abudraham in the fourteenth century that mention is made of a woman's reciting She'asani Khirtzono

in place of Shelo 'Asani Ishah. The Sephardic rite contains this alternative blessing.

13. H.T. 7:9.

14. S.R.A., p. 2.

15. Tikhlal, p. 2.

16. Ibid., footnote #1.

17. H.T. 7:11.

18. Tikhlal, p. 6.

19. Translation of the verse from The Book of Isaiah is from The Prophets (Philadelphia: The Jewish Publication Society of America, 1978).

20. Ibid., (Translation of the verse from The Book of Zephaniah).

21. H.T. 7:12.

22. S.R.A., p. 8.

23. Tikhlal, p. 16, footnote.

24. Ibid., p. 18.

25. Ibid.

26. It should be noted here that the fact that the Sephardic rite "agrees with" the rite of Maimonides does not necessarily imply the direct influence of the latter upon the former.

27. P.B., p. 190.

28. S.T., p. 18.

29. H.T. 9:1.

30. Abraham Idelsohn, Jewish Liturgy and Its Development (New York: Schocken Books, 1960), p. 88.

31. H.T. 7:17.

32. Idelsohn, Jewish Liturgy, p. 90.

33. P.B., p. 195.

34. Ibid., p. 199.

35. Idelsohn, Jewish Liturgy, p. 94.

36. Tikhlal, p. 186, footnote.

37. Idelsohn, Jewish Liturgy, p. 97.

38. Jakob J. Petuchowski, Lecture given in "Liturgy 1" at the Hebrew Union College - Jewish Institute of Religion, Cincinnati, Ohio, November 15, 1977.

39. Ibid., November 8, 1977.

40. P.B., p. 198.

41. Idelsohn, Jewish Liturgy, p. 110.

42. P.B., p. 201.

43. S.R.A., p. 37.

44. Idelsohn, Jewish Liturgy, pp. 110-111.

45. Schechler, Lectures on Jewish Liturgy, p. 26.

46. Tikhlal, p. 34.

47. H.T. 5:13.

48. H.T. 5:14.

49. Tikhlal, p. 36.

50. H.T. 13:1.

51. P.B., p. 201.

52. H.T. 9:7.

53. P.B., p. 201.

54. S.R.A., p. 56.

55. Tikhlal, p. 58.

56. Ibid., p. 59, footnote.

57. P.B., p. 199.

58. Ibid., p. 200.

59. Ibid.

60. Jakob J. Petuchowski and Michael Brocke, ed., The Lord's Prayer and Jewish Liturgy (New York: The Seabury Press, 1978), p. 60.

61. Schechter, Lectures on Jewish Liturgy, p. 38.

62. Responsum 181, ed. Blau, pp. 329-30.

63. S.R.A., p. 62.

64. Responsum 260, ed. Blau, pp. 487-89.

65. S.R.A., p. 63.

66. H.T. 2:18.

67. H.T. 2:19.

68. P.B., p. 205.

69. Assaf, obviously referring to a different version of Maimonides' prayer book, claims that Maimonides makes no reference to the Ubhekhen prayers.

70. P.B., p. 210.

71. Lawrence A. Hoffman, The Canonization of the Synagogue Service (South Bend, Indiana: University of Notre Dame Press, 1979), pp. 157-8.

72. Idelsohn, Jewish Liturgy, p. 72.

73. Ibid., p. 217.

74. Ibid., p. 226.

75. Guide, I, 59, Vol. 1, p. 140.

76. H.T. 9:7.

NOTES TO CHAPTER FIVE:

"Maimonides View of the History of Jewish Liturgy"

1. H.T. 1:1.

2. H.T. 1:2.

3. H.T. 1:3.

4. H.B. 2:1.

5. H.T. 13:8.

6. H.T. 12:1.

7. Guide, III, 51, Vol. 2, pp. 623-4.

8. Ibid., p. 624.

9. Ibid., III, 32, Vol. 2, p. 530.

10. Ibid., III, 46, Vol. 2, pp. 582-3.

11. H.T. 1:4.

12. H.T. 1:4.

13. H.T. 1:4.

14. H.T. 1:4.

15. H.T. 1:5.

16. H.T. 1:6.

17. H.T. 1:11.

18. H.T. 1:12.

19. H.T. 12:1.

20. H.T. 13:2.

21. H.T. 12:10.

22. H.Q.SH. 4:8.

23. H.T. 4:4.

24. H.B. 1:5.

25. H.O.SH. 1:7.

26. H.B. 10:1.

27. H.B. 1:6.

28. Guide, I, 59, Vol. 1, p. 140.

29. According to Maimonides, transmission of the Oral Law proceeded from Moses, through Joshua and the Elders, to the prophets, to the Anshé Keneseth Hagedolah. The era of the Anshé Keneseth Hagedolah began with Haggai, included Ezra and Nehemiah among others, and concluded with Shimon Hatzaddik, the earliest of the sages first mentioned in the Mishnah.

30. H.B. 1:3.

31. H.B. 1:4.

32. H.B. 7:1.

33. Commentary 8:8.

NOTES TO CHAPTER SIX:

"Conclusion"

1. H.T. 8:1.
2. Guide, Vol. 1, p. 2.

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