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GIVING UP: TOWARD A REFORM THEOLOGY OF SACRIFICE

SAMUEL MYLES WEISS

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Hebrew Union College-Jewish Institute of Religion  
School of Rabbinic Studies  
New York

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Advisor: Dr. Andrew Rehfeld

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## I. Introduction

*The priestly service of the Aaronites and the Mosaic sacrificial cult were only preparatory steps for the true priestly service of the whole people which in fact began with the dispersion of the Jewish nation. For inner devotion and ethical sanctification are the only pleasing sacrifices to the All-Holy One. These institutions which laid the groundwork for higher religiosity went out of existence once and for all when the second Temple was destroyed. And only in this sense have they educational value and may they be mentioned in our prayer.*<sup>1</sup>

One of the few resolutions to emerge from the 1869 Philadelphia Conference—the first conference of American Reform rabbis—was to excise nearly all mention of the “Mosaic sacrificial cult” from the synagogue service. This decision and its explanation are consistent with the ideology of the early Reformers. This was just one of many decisions that were made in order to “purify” Jewish practice, resolving the tension that they saw between Judaism’s eternal, rational, ethical essence and its temporal, legalistic, aesthetic form. The rabbis sought to accentuate the coherence between Jewish and American identity, eliminating or obfuscating elements of Judaism which threatened their claim that Judaism and Liberalism were not only compatible, but were, in fact, teleologically entwined. With this in mind, it is unsurprising that the early Reformers were troubled by residual mention of the Temple sacrifices. The Temple cult highlights the Jewish people’s tribal origins and national identity, as well as the persistence of so-called “primitive” modes of religious practice during the Second Temple period.

Now, over 150 years later, the Reform Judaism continues to distance itself from its sacrificial past. *Mishkan T’filah* mentions the *korbanot* only to comment on their irrelevance. In a footnote to *Adonai S’fatai* for the Weekday and Festival *Amidot*, the editors of the siddur quote the Psalmist as well as the authors of *Exodus Rabbah*, underscoring the fact that following the

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<sup>1</sup> “Resolutions,” Article 3, From the Protocols of the Philadelphia Conference in *The Growth of Reform Judaism: American and European Sources*, ed. W. Gunther Plaut (Philadelphia: The Jewish Publication Society, 2015), 30.

destruction of the Second Temple, God no longer wanted blood sacrifices, but offerings of praise and of confessional speech.<sup>2</sup> This point is further argued in the editors' footnote to the *Avodah* blessing, in which they remind worshippers that “following [...] 70 C.E., public prayer came to take the place of sacrifice as the community's daily offering to God. [...] The Reform prayerbook has omitted from this benediction all mention of sacrificial worship.”<sup>3</sup> In short, the sacrifices are ancient history, and, as such, receive only passing, condemning mention in *Mishkan T'filah*.

In this project, I will seek to reformulate sacrifice in a way that makes it relevant to the contemporary Reform Jew. In chapter II, a conceptual analysis, I will set forth a general theory of what sacrificing is, expanding our notion of sacrifice to include contemporary acts of giving up. In an effort to ground this general theory in Jewish particularism, chapter III offers an account of how two medieval Jewish rabbis—Maimonides and Nachmanides—made sense of the *korbanot*, and how their theories influenced the views of modern Reform and Orthodox thinkers. Finally, in chapter IV, I will demonstrate how the insights of chapters II and III can be developed to help frame contemporary applications in our own lives, using my own experience as an example.

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<sup>2</sup> *Mishkan T'filah: A Reform Siddur*, ed. Elyse Frishman (New York: Central Conference of American Rabbis, 2007), 74 and 469.

<sup>3</sup> *Mishkan T'filah*, 279 and 330.

## II. On Sacrificing: A Conceptual Analysis

### Introduction

“If we have a true understanding of the Jewish religion, then not one iota of religious practice has ever been abandoned. The sacrifices have ceased but the *idea* of sacrifices has never ceased.”<sup>4</sup> This wise observation, attributed to the Spanish exegete Isaac ben Moses Arama in the 15<sup>th</sup> century, speak to the primary challenge that one faces when submitting “sacrifice” to conceptual analysis. When Arama refers to the “idea of sacrifices,” what is he talking about? Does he mean the ideational structure of *the* sacrifices, the *korbanot* that were offered by the people Israel in antiquity? Or does he mean the idea of sacrifice more broadly, the largely secular, ethical concept that has been abstracted from its cultic origins?

Much has been written about the transition from one conception of sacrifice to the other. Guy Stroumsa writes, for instance, about the process of “internalization,” the “inward turn” from priestly cultic worship to rabbinic study culture. As religious attention shifts from the altar to the book, the bloody sacrifices are intellectualized, revealing their underlying ethical content.<sup>5</sup> Moshe Halbertal’s theory is similar, recognizing the undeniable role that the destruction of the Second Temple in 70 CE played in transforming Jewish religion. His understanding, however, focuses more specifically on the Jewish martyrological tradition, arguing the ancient Israelite offerings prefigured the giving of life for the sake the Jewish community and the preservation of their covenant with God. Construed as an offering, the Jewish martyr’s death served as a

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<sup>4</sup> Hayyim Herman Kieval, *The High Holy Days: A Commentary on the Prayerbook of Rosh Hashanah and Yom Kippur*, ed. David Golinkin and Monique Suskind Goldberg (Jerusalem: The Schechter Institute of Jewish Studies, 2004), 95.

<sup>5</sup> See Guy Stroumsa, *The End of Sacrifice: Religious Transformations in Late Antiquity*, trans. Susan Emanuel, (Chicago: The University of Chicago Press, 2009).

transition from ritual sacrifices made *to* God, to ethical sacrifices made *for* God, country, or some other higher purpose.<sup>6</sup>

Unlike Stroumsa and Halbertal, it is not my intention to elucidate the transformation of the idea of sacrifice over the course of history. However, in order to analyze sacrifice as a concept, I will need to account for the fact that the meaning of the term has changed over time. A contemporary, Jewish definition must account for both the sacrifices offered by our ancestors in antiquity as they understood them and the behaviors or actions that we call “sacrifices” that we speak of making, and continue to make in the years since the destruction of the Temple.

I am choosing my words carefully, as the distinction between ancient sacrifice and post-Temple sacrifice is not as cut and dry as it might seem. It might seem appropriate to distinguish ancient blood sacrifice as “ritual sacrifice” and modern sacrifice in the sense of “giving up for another” as “ethical sacrifice.” But this would be inappropriate. This would be to deny the ethical character of the Israelite sacrificial cult, an affront to the words of the Psalmist: “He who sacrifices a thank offering honors Me, and to him who improves his way, I will show the salvation of God.”<sup>7</sup> Even if one, on rational or religious grounds, denies the ethical necessity of making sacrificial offerings to God, this verse and others insist that there is an ethical dimension (in this case, the improvement of one’s “way”) to the offering of blood sacrifices. This problematic distinction would also suggest that one could not ritualize a sacrificial act that is performed outside of the cultic system detailed in the Torah. Of course, this is not so. One needn’t look further than the annual preparation and payment of one’s taxes. Surely citizens make a sacrifice when they send off this sum to state and federal agencies. Insofar as the approach of “tax day” is a seasonal, collective experience in which people interact with state

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<sup>6</sup> Moshe Halbertal, *On Sacrifice* (Princeton: Princeton University Press, 2012), 54-62.

<sup>7</sup> Psalms 51:23, Jewish Publication Society translation (1999).



symbols by going through a uniform series of steps and procedures, I would argue that the filing of one's taxes is a highly ritualized, albeit non-cultic, sacrificial act. Thus, the ritual/ethical distinction confuses more than it clarifies.

It would also be inappropriate to rely upon a theological/political distinction to differentiate one category of sacrifice from the other. Yes, the biblical sacrifices served as the cultic centerpiece for ancient Israelite religion as prescribed and described in Tanakh. However, modern scholars<sup>8</sup> have understood the offering of sacrifices as a "social process" that served, at least in part, to sustain Jerusalem's political institutions: the Temple, the monarchy and the priesthood.<sup>9</sup> The political dimension of biblical sacrifice is further exemplified by the number of sacrifices that require communal consumption,<sup>10</sup> that mark the resolution of intertribal conflict,<sup>11</sup> that rally troops in and after battle,<sup>12</sup> that accompany the completion of public building projects,<sup>13</sup> or that are involved in the election of political leaders.<sup>14</sup> Of course, each of these events is imbued with an air of sanctity, invoking the name of God or taking place on the holy altar. In the case of a theocracy like ancient Israel, it is difficult to identify political institutions that are not, in some way, theological. However, to say that the distinctive feature of ancient Israelite sacrifice is that they were theologically motivated and derived, that they served solely

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<sup>8</sup> See, for instance, Jacob Neusner, "Map without Territory: Mishnah's System of Sacrifice and Sanctuary," in *History of Religions*, Vol. 19, No. 2 (Nov., 1979), The University of Chicago Press, pp. 103-127.

<sup>9</sup> The political role of the *kohanim* is underscored throughout the biblical text. For one particularly telling example, see the parallel drawn between the Davidic monarchical line and the Levitical priestly line in Jeremiah 34:17-18.

<sup>10</sup> E.g., the *zevach shlemim* ("sacrifice of well-being"), which forges and reinforces social bonds among those who partake in its consumption.

<sup>11</sup> E.g., the *brit* of Jacob and Laban is punctuated by the offering of a *zevach* sacrifice, which is then consumed by both parties and their kinsmen (Genesis 31:54).

<sup>12</sup> E.g., the burnt offering and well-being sacrifices that Joshua and his men offer after their victory over Ai (Joshua 8:30-32), or the sacrifices offered by Samuel to boost the morale of the downtrodden Israelite army during their battle against the Philistines (1 Samuel 7:9-11).

<sup>13</sup> E.g., before the consecration of Solomon's temple, "the whole community of Israel [...] were sacrificing sheep and oxen in such abundance that they could not be numbered or counted." Afterward, "22,000 oxen and 120,000 sheep were offered as sacrifices of well-being" (1 Kings 8:62-63).

<sup>14</sup> E.g., the many offerings involved in the consecration of priests (as outlined in Leviticus 8-9), the "sacrificial feast" that precedes the anointing of King David by the prophet Samuel in 1 Samuel 16:1-13, etc.

(or even primarily) as an obligatory gift-offering to a supernatural deity, is to ignore the ample, scriptural evidence of the social and political motivation behind the sacrifices.

To characterize post-Destruction sacrifice as strictly political would be similarly misleading. People continue to make political sacrifices for the sake of their conception of God. Take the following example: A Jew does not travel to a protest on Shabbat. This Jew sacrifices their chance to demonstrate on behalf of a political cause because of their *halakhic* commitment and/or sense of Jewish communal obligation. If, for this person, to keep Shabbat is to do God's will, then there is a theological dimension to their political sacrifice. The same would be true of a Jew who chooses to travel to said protest on Shabbat. This Jew sacrifices traditional expressions of piety and communal solidarity in order to voice their support for a political cause. If, for this person, to demonstrate on behalf of just causes is to engage in the work of *tikkun olam*, and that such work is the divinely ordained mission of the Jewish people, then this sacrifice, too, has a theological dimension. When the Temple stood, the theocratic political structure of ancient Israel precluded the clear division between theology and politics. In the centuries since, this division has been challenged by varying beliefs about the nature of God and God's will for us. And so, as was the case with the ritual/ethical distinction, the theological/political distinction does not serve as an appropriate means of differentiating the sacrifices made in antiquity from the sacrifices made since.

Instead, I will rely on the categories of sacrifice set forth by Halbertal in *On Sacrifice*. These are "sacrificing to" and "sacrificing for." According to Halbertal, the distinguishing characteristic of the sacrifices of ancient Israel is that they are understood as an offering *to* God. Although these sacrifices have ethical and political dimensions, they involve mainly "the religious sphere." The sense of sacrifice that predominates contemporary usage, on the other

hand, is “sacrificing for.” These sacrifices involve primarily the political and moral spheres, encompassing the many sacrifices that we make for “another individual, value, or collective.”<sup>15</sup> As we have established, one could make a sacrifice of this type that is religious insofar as it is *for* God or God’s sake. The offeror in this instance would not understand God as the recipient of the sacrifice, but rather as the higher value that is motivating the act of sacrifice to begin with.

Not only does this prepositional distinction successfully differentiate one concept of sacrifice from the other, it helps us to refocus our analysis on what they have in common: the very *act of sacrificing*. As we have seen, the object and objective of sacrifice have varied greatly over time. These objects and objectives do not become sacrificial, however, until they become involved in the act of sacrificing. I will now propose a definition of sacrifice that hinges upon the necessary and sufficient conditions for an act to be regarded as sacrificing. I will then address each component of the definition, and substantiate my claims using classical Jewish examples of “sacrificing to” and contemporary examples of “sacrificing for.”

**By sacrifice, I mean:**

- a) The giving up**
- b) of something of subjective value to an individual or collectivity,**
- c) by that individual or collectivity, with the expectation of effecting good in the world.**

A. “The giving up...”

There are many acts that have been associated with sacrifice. Ancient sacrifice involved slaughter, immolation, donation and more. What these acts have in common, and what unites

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<sup>15</sup> Moshe Halbertal, *On Sacrifice*, 3-5.

them with sacrifice as it is commonly understood today, is the act of giving up. One cannot retain possession of a goat while slaughtering it. The goat is so thoroughly transformed by its slaughter that it, as a living thing, ceases to belong to anyone. In so far as it was a source of milk or a member of one's flock, it has been relinquished in irreversible fashion.

This fact is exaggerated in the case of the *korbanot*, the ancient Israelite sacrificial system. With the Levitical depiction of the *olah* ("burnt offering"), for instance, we read that laypeople are responsible for selecting a bull, sheep or goat, slaughtering the animal, flaying its body and cutting it into sections, and washing its entrails and legs.<sup>16</sup> After selecting the animal, the individual is instructed to lay their hands upon the animal's head.<sup>17</sup> The text goes on to assign a motivation for the laying of hands: "that it may be acceptable on [the offeror's] behalf, in expiation for [the offeror]". We will return to the question of expiation in section D. In the meantime, however, I would like to highlight the fact that the individual who is sacrificing the animal begins by taking it into their hands. Setting aside the theory of piacular substitution, in which the offeror transfers guilt onto the animal so that it may suffer capital punishment on the offeror's behalf, this moment of contact has, at the very least, the effect of demonstrating that the animal is in the possession of the one who is preparing to make the sacrifice.

Once the animal is selected and the offeror's hands have been laid on its head, the animal is let go. In fact, the animal is handed over multiple times throughout the sacrificial rite. As a living animal, it is "let go" during slaughter. Once dead, however, its remains are handed over to the priests in stages. After it is slaughtered, the priests are given its blood to dash against the altar.<sup>18</sup> After it is flayed and cut up into sections, these are given to the priests to lay upon the

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<sup>16</sup> *Leviticus* 1:5-9, 11-13.

<sup>17</sup> *Leviticus* 1:4.

<sup>18</sup> *Leviticus* 1:5, 11.

wood that they have set ablaze on the altar.<sup>19</sup> Finally, after the entrails and legs are washed, they are given to the priests to turn into smoke on the altar.<sup>20</sup>

Distracted by the blood and gore of animal sacrifice, we often overlook that the *olah* sacrifice is a cooperative effort between two individuals, the lay offeror and the Levite priest. Although their roles are different, they both give up something that they have selected or received. As I have just demonstrated, the animal and its remains are given up multiple times throughout the sacrificial rite. The altar is the priest's domain, while the Outer Court of the Tabernacle (and then, later, Temple) is where the laity would slaughter, flay and wash the animal sacrifice. The burnt offering is passed from person to person, from domain to domain, before being consumed by fire on the altar. Through multiple steps and processes, the sacrifice is given up by all parties involved.

“Giving up” accounts for both ancient religious and contemporary secular conceptions of sacrifice. Modern theorists have tended to focus on the physicality of ancient sacrificial rites, arriving at generalizations that are exclusive of contemporary understandings of sacrifice. For instance, in their seminal work *Sacrifice: Its Nature and Functions*, Henri Hubert and Marcel Mauss identify destruction as the defining element of the sacrificial act: “we must designate as sacrifice any oblation, even of vegetable matter, whenever the offering or part of it is destroyed.”<sup>21</sup> While destruction was central to many of the sacrificial rites that Hubert and Mauss studied, their insistence on the applicability of their theory to “vegetable matter” is revealing. While it is clear that animal life is destroyed when it is slaughtered, it is difficult to imagine that the bread that was brought to the altar as a *mincha* sacrifice or the wine that was spilled as a

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<sup>19</sup> *Leviticus* 1:8, 12.

<sup>20</sup> *Leviticus* 1:9, 13.

<sup>21</sup> Henri Hubert and Marcel Mauss, *Sacrifice: Its Nature and Functions*, trans. W.D. Halls (Chicago: University of Chicago Press, 1964), 12.

*nesech* offering are instances of “destruction.” Granted, the production of these materials requires the threshing of grain and the crushing of grapes, respectively, but these processes take place long before either is brought as a sacrifice. What’s more, this view excludes many examples of contemporary “sacrificing for.” When, for instance, one sacrifices earning an income in order to continue their education, they are not destroying the unearned income, nor are they destroying the opportunity to earn an income, as this is something that they will likely be able to do after completing whatever degree that they decided to pursue. What they did do, however, was *give up* the opportunity to earn an income while pursuing said degree, letting go of certain job prospects that are only available to non-students. Opportunity cost is only one example of sacrifice without destruction. Although the act of sacrificing may include destruction, this is only because destroying is a way to give something up.

The centrality of giving up to the Israelite sacrificial system (and to sacrifice more generally) is reinforced by verbal roots that correspond to many of the biblical signifiers for “sacrifice” or “offering.” The first biblical mention of the sacrificial act is made in Genesis 4,<sup>22</sup> the story of first generation born outside of the Garden, Cain and Abel. In it, both brothers offer a sacrifice to God. Cain, a “tiller of the land,” makes an offering from the “fruit of the soil,” while Abel, a “keeper of sheep,” makes an offering of “the choicest firstlings of his flock.”<sup>23</sup> There is more to say about the association between sacrifice and identity, but for now, let it suffice to say that both parties are offering sacrifices from that which is in their possession.

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<sup>22</sup> There is a prominent rabbinic tradition of regarding Adam as the first to offer sacrifices (e.g., *Pirkei d’Rabbi Eliezer* 31, *Bavli Chullin* 60a, *Mishneh Torah Hilchot Beit Ha-B’chirah* 2:2, etc.). There is, however, no account of this in the biblical text. Through midrash, the rabbis establish cultic continuity between their earliest and most recent ancestors.

<sup>23</sup> *Genesis* 4:2-4.

The word for offering in this chapter, *mincha*, comes from the Hebrew root מנח and is related to its *hifil* construction להניח, meaning to place, to set down, to cause to rest or lie. *Mincha*, then, can be understood as that which is set down or placed before the offeror. In this way, the act of relinquishing inherent in the act of sacrifice.

Given that one cannot relinquish that which is not within their grasp, the offeror needs to establish possession of the object of sacrifice prior to the sacrificial act. Possession is a key differentiator between Abel's acceptable sacrifice and Cain's spurned offering.<sup>24</sup> While Cain merely works the land, Abel is the earthly possessor of his flock. He guides them, cares for them, even delivers their young. Hence, his ability to offer the "choicest firstlings" to God. The Hebrew for "choicest firstlings" (*bechorot tzono u'mechel'veihen*) contains two possessive suffixes, indicating two-fold possession: the choicest of the firstlings belong to the flock and the flock belongs to Abel, its shepherd. It is unclear whether Cain, on the other hand, possesses anything at all. Cain's offering (*p'ri ha-adamah* or "fruits of the soil") is free of any linguistic markers of possession by or specific pertinence to Cain. In the end, Abel's sacrifice, in which the object of sacrifice is clearly identified as his possession, is the felicitous one.

To be clear, by "possession" I mean something that is within the grasp or under the control of the sacrificer<sup>25</sup> at the time that the act of sacrifice is performed. I do not mean possession in the sense of personal property. In the case of religious sacrifice, personal property

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<sup>24</sup> Of course, there are many ways to understand God's preference for Abel's sacrifice, including *how* Abel sacrificed and *what* he sacrificed. According to Rabbi David Kimchi's comment to Genesis 4:4, Abel's sacrifices were brought *derech kavod* ("in the way of honor and generosity"), seeing as the offering was from the firstlings, which suggests that Abel offered the animals before enjoying the fruits of his labor, enjoying their milk or wool, etc. Furthermore, the fact that Abel brought an offering "from among the choicest or fattest" means that not all the firstlings were of the same quality and that Abel reserved only the highest quality animals for his offering. This commentary implicitly juxtaposes Abel's sacrifice to Cain's sacrifice, which does not, according to the account in Genesis, consist of the first fruits of the soil or even of superior quality or particularly precious produce.

<sup>25</sup> I will address the term in Section C. For now, let it suffice to say that the sacrificer is "the one who does the sacrificing."

is not a salient category. Among the ancients, there is a sense that the sacrificer is returning the object of sacrifice to its rightful owner, the deity. Halbertal writes:

Every offering is thus a return. The giver is permitted to use the rest of his property only after making the sacrificial gesture, which implies his gratitude and recognition that his goods a gift of God. Hence, the bringing of the first fruit to the temple allows the giver to consume the rest of the field for his purposes. He is just returning what he received, in the guise of giving.<sup>26</sup>

Within a worldview where all things belong to God,<sup>27</sup> our modern conception of property does not quite apply.<sup>28</sup> This matter becomes even more complex in the case of ancient religious sacrifice, given that the Israelite cult requires the ritual consecration of the object of sacrifice as part of the sacrificial act, causing it to pass from the hand of the offeror to the priest and his altar, from the private realm of the offeror and his family or tribe to the public (and sacred) realm of the Temple courtyard. Although the offeror initiates sacrificing having clearly established possession over the object of sacrifice, the question of whose property the sacrifice is a murky one indeed.<sup>29</sup>

The rabbis of the Talmud and of the medieval halakhic codes do ultimately rule that stolen animals cannot be offered as *korbanot*.<sup>30</sup> They derive this requirement from first verses of

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<sup>26</sup> Halbertal, *On Sacrifice*, 15.

<sup>27</sup> In the Torah, this is expressed through Melchizedek's blessing, in which God is referred to as *El Elyon, Koneh shamayim va'aretz*—"God Most High, Creator/Possessor of heaven and earth" (*Genesis* 14:19). The verbal root *כ-נ-ן* connotes creation as well as purchase and possession, while "heaven and earth" function as a merism to convey the sense that *all* of creation rightfully belongs to God.

<sup>28</sup> A nuanced discussion of the differences between modern and ancient conceptions of private property, though relevant, is beyond the scope of this project.

<sup>29</sup> For instance, the case of the votive sacrifice—when something is identified as a sacrificial animal, it is consecrated to the altar and must be brought at a later date. If it dies, however, it needn't be replaced. Why not? One answer: because when that specific animal was marked for sacrifice, it became consecrated to God. It's eventual sacrifice was not the repaying of debt, but of completing the transaction, giving to God what had already become God's property at the time the vow was uttered. See *Mishneh Torah, Hilchot Nedarim* 1:2—"harei zo..." and no personal obligation to give *of his property* if the consecrated animal dies. See also *Mishnah Yoma* 6:1 re what happens if the goat "for God" dies before the lots are drawn vs. after

<sup>30</sup> *Mishneh Torah, Hilchot Issurei Ha-Mizbeach* 5:7.



the book of Leviticus: *adam*<sup>31</sup> *ki-yakriv mikem*—“when any one sacrifices from among you,”<sup>32</sup> and *im olah korbano min ha-bakar*—“If his sacrifice is a burnt offering from the herd.”<sup>33</sup> From the somewhat redundant use of the prepositional phrase *mikem* (which I have translated as “from among you”) and from the addition of the possessive suffix *-o* to the word *korban*, the rabbis of the Tosefta and the Talmud determine that the object of sacrifice must not be stolen.<sup>34</sup> This ruling begs the question: if possession, not ownership, is what matters when making a sacrifice, then why are stolen animals forbidden? The answer, as we will see, is twofold. The first is ontological, that a stolen object becomes ethically/religiously tainted by virtue of it having been stolen. The second is for the sake of the moral edification of the people Israel, discouraging theft by excluding the fitness of a stolen good for sacrifice.

Multiple passages from the Talmud indicate that that the stolen offering is not prohibited because it doesn’t count as a sacrifice, but because of its effect on the moral character of the people Israel and their Temple. The issue of the stolen offering is often explained in terms of its potentially corrupting effect on the ethics of the Israelite populace and on their perception of the moral purity of the altar, not in terms of its rejection by the deity or its disqualification from being consecrated to God.

Rabbi Yohanan said in the name of Rabbi Shimon ben Yohai: What is the meaning of that which is written: “For I the Lord love justice, I hate robbery with a burnt-offering” (Isaiah 61:8)? The Gemara cites a parable of a flesh-and-blood king who was passing by a customs house. He said to his servants: Pay the levy to the taxmen. They said to him: Doesn’t all the tax in its entirety belong to you? If the taxes will ultimately reach the royal treasury, what is the point of paying the levy? He said to them: From my conduct, all travelers will learn and will not

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<sup>31</sup> In Leviticus Rabbah 2:7, the rabbis argue that the the word *adam* is employed here in order to refer back to *adam ha’rishon*, the first human who, by virtue of living in the Garden, could not have offered stolen sacrifices since he was permitted to take freely of all that was there. They argue that, in sacrificing, we should be like *adam ha’rishon*, and not sacrifice anything “acquired by way of robbery.”

<sup>32</sup> *Leviticus* 1:2.

<sup>33</sup> *Leviticus* 1:3.

<sup>34</sup> *Bavli, Bava Kamma* 66b.

evade payment of the tax. So too, the Holy One, Blessed be He, said: “I the Lord... hate robbery in a burnt-offering.” Although the whole world is His and the acquisitions of man have no impact upon Him, God says: From My conduct, My children will learn and distance themselves from robbery, even from robbery unrelated to the needs of offerings.<sup>35</sup>

The stolen sacrifice is deemed a *mitzvah ha-ba'ah ba'aveirah*—a mitzvah that comes to be fulfilled through transgression. This legal principle could be applied to any transgression committed by the sacrificer as they approach the altar. I understand this to mean that the problem with the stolen sacrifice is that it acquires the moral stain of the sacrificer's actions, not that its being offered doesn't count as an act of sacrificing.

In fact, God's rebuke of the Israelites in Isaiah 61 suggests that the sacrificial cult, though functioning, was in need of a moral overhaul. Prophetic admonishment for a given practice can often be taken as an indication of that it was, at one point, prevalent. We can imagine that stolen sacrifices were brought to the Temple in Jerusalem, and that the altar fire consumed stolen burnt offerings just as it consumed ones that were acquired in a more ethical fashion. Given the biblical association between the rising smoke of the burnt offering, *ishe reiach-nichoach la'Adonai*—“a fire offering of pleasing odor to the Eternal,”<sup>36</sup> one can imagine why the prophet was so compelled to speak out against this practice, clarifying God's love of justice and God's hatred of theft, and indicating the necessary precondition of ethical conduct and sincere intention when approaching God's with sacrifices. Although the offering is successfully consumed by fire, although it rises to the heavens in the way that it does when the biblical authors imagine it wafting into the divine realm and delighting God's senses, the transgression that was committed

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<sup>35</sup> *Bavli Sukkah* 30a, trans. Rabbi Adin Steinsaltz.

<sup>36</sup> *Leviticus* 23:18 and elsewhere (with syntactical variations, e.g. *ishe La'Adonai reiach-nichoach* in *Leviticus* 23:13).

on the way to the altar<sup>37</sup> renders the sacrifice reprehensible in the eyes of the deity whom the sacrificer intends to serve.

However, the rabbinic interpretation of this verse indicates that God's feelings on the matter of ownership of the sacrifice are quite beside the point. The parable cited in this *sugya* suggests that God is less concerned with the provenance of the sacrifices than God is with inculcating moral behavior in the people Israel. The parable appeals to the theological principle cited above: that, at bottom, all things in this world belong to God. If so, why should it matter whence the sacrifices come? They belong to God more than they ever could belong an earthly owner, thief or otherwise. The king pays himself taxes to set a good example, despite the fact that money isn't actually changing hands. Despite the fact that, according to biblical and rabbinic theology, the sacrifices are being returned to their rightful owner, they are not permitted to be stolen so that they will "distance themselves from robbery" in situations both sacred *and* profane.

This interpretation of the prohibition of the stolen sacrifice is echoed in tractate *Gittin*:

But even in the case of a sin-offering, where only the fat and the blood go up to be consumed on the altar and the rest is consumed by the priests, even so they issued a decree and said that the stolen sin-offering does not effect atonement, so that people should not say that the altar consumes stolen property.<sup>38</sup>

In this case, the rabbis are concerned with the public perception of the altar. They argue that the stolen sacrifice is prohibited because it would denigrate the moral character of the Temple itself.

This runs counter to the function of sacrifice as Jacob Milgrom understands it—a cleansing ritual

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<sup>37</sup> Notice that the verse from Isaiah reads *gazel b'olah*—"robbery *with* a burnt offering." This formulation offers further support for my contention that the stolen sacrifice still counts as a sacrifice (in this case, a burnt offering), with the theft operating as a distinct, moral contaminate that taints the sacrificial act, but that doesn't invalidate the object of sacrifice as an object of sacrifice.

<sup>38</sup> *Bavli, Gittin* 55b.

in which the blood of the sacrifices acts as a type of “ethical detergent,”<sup>39</sup> purifying the altar and protecting it from the incursion of the profane. It is for the sake of public perception that the rabbis conclude that prohibition of stolen sacrifices should extend to all types of *korbanot*, not only the burnt offering. “The people should not *say* that the altar consumes stolen property,” even though it surely does.

The notion that the offering of a stolen object still qualifies as a sacrifice is evident in examples of contemporary, secular sacrifice. Take the case of the burglar who breaks into a home during the middle of the day and steals a precious family heirloom. She sits in the car outside of the house and, realizing the pain that it will cause the family to lose it, the guilt that she will carry for having committed the theft, the potential for being incarcerated and thus separated from her family and friends, decides to put the item back in the jewelry box where she found it. In giving up the stolen heirloom, the thief is surely sacrificing. She has not acquired ownership of the heirloom. The rightful owners haven’t even realized that it was taken from them, and yet, the thief sacrifices the family heirloom, giving it up for the aforementioned reasons. The object of sacrifice does not need to belong to the sacrificer; it only needs to be in their possession to the extent that it is *under their control*.

The importance of controlling the sacrificial object to the act of sacrificing is established in the opening initial verses of Leviticus and their corresponding rabbinic commentary. According to these texts, domestication is a major criteria for determining the fitness of an animal sacrifice within the Israelite sacrificial system. In the Babylonian Talmud, tractate *Zevachim*, Rava interprets the word *behema* in Leviticus 1:2 to mean “domesticated animal,” despite the fact that *behema* means simply “beast” and is employed in other verses<sup>40</sup> to indicate

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<sup>39</sup> Jacob Milgrom, *Leviticus: A Book of Ritual and Ethics* (Minneapolis: Fortress Press, 2004), 8-16.

<sup>40</sup> See, for instance, *Deuteronomy* 14:4-5

species of wild animals as well. Rava points to the redundancy of later verses in the chapter, arguing that they reiterate “from the herd”<sup>41</sup> and “from the flock”<sup>42</sup> in order to indicate that God says not only to bring an animal from the herd or flock, but also *not* to bring a *chaya*, or “undomesticated animal.” Rava’s argument becomes particularly interesting when he brings a parable:

To what is [the bringing of undomesticated animals] comparable? To a student whose teacher told him: Bring me only wheat, and the student brought him wheat and barley. It is not as though the student is adding to the statement of the teacher; rather, it is as though he is disobeying his statement, since his teacher instructed him to bring only wheat.<sup>43</sup>

If the parable indicates that there is no room for elaboration when it comes to animal sacrifices on the Temple altar, then why focus on the abstract principle of domestication? In other words, if the teacher requests wheat and rejects barley simply because he never explicitly requested barley, then why the need to establish general rules or categories? Wouldn’t the wheat simply represent all of the animal species that are explicitly mentioned in the Levitical laws of sacrifice, and the barley all of the ones who are not explicitly mentioned? Why associate the wheat with domesticated animals and the barley with undomesticated ones? It would seem that this conceptual distinction is an important one with regards to sacrifice, or else the rabbis<sup>44</sup> wouldn’t see the need to articulate this underlying principle of the sacrificial system.

While I can’t say for sure why these ancient and medieval thinkers felt it so important to differentiate between the domesticated and the undomesticated when it came to animal objects of

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<sup>41</sup> *Leviticus* 1:3.

<sup>42</sup> *Leviticus* 1:10.

<sup>43</sup> *Bavli, Zevachim* 34a-b.

<sup>44</sup> Rava isn’t the only one to interpret *Leviticus* 1:2 in terms of the sacrificial permissibility of domesticated animals and the impermissibility of undomesticated ones. In his commentary on this verse, Ibn Ezra understands the phrase *min ha’behema* to establish a *klal* (a general category or principle) that dictates that Israelite animal sacrifices must be from domestic stock.

sacrifice, I do believe that it speaks to the importance of the offeror's control over the object of sacrifice to the act of sacrificing. Jonathan Z Smith argues that domesticity is one of the defining characteristics of the object of the sacrifice. This comes in response to Rene Girard's contention that victimhood is the defining characteristic of the object of sacrifice, with sacrifice facilitating the "generative scapegoating"<sup>45</sup> that is necessary to maintain the social order. Without sacrifice, he argues, human society would never have been able to exit the cycle of murder and vendetta, ever perpetuating the vicious cycle of violence and retribution. Smith's theory is also a response to the work of Walter Burkert, who theorized that animal sacrifice stemmed from a ritualization of the hunt.<sup>46</sup> For him, it was essential that the object of animal sacrifice be prey. While all three theories present the object of sacrifice as an entity who is, in one way or another, controlled by the sacrificer, Smith's is most attuned to the civility of sacrifice. It is less an expression of the human endeavor to conquer their passions or the wilderness, and more an expression of humanity's control over civilized society. Looking across cultures, Smith concludes that "animal sacrifice appears to be, universally, the ritual killing of a domesticated animal by agrarian or pastoralist societies,"<sup>47</sup> arguing that sacrifice in the ancient world was, in part, a "meditation on domestication."<sup>48</sup> Smith highlights the fact that the domesticated object of animal sacrifice is under human control throughout its entire life. From conception to slaughter, it is subject to constant human intervention and manipulation.

This fact is underscored by the centrality of *smicha* ("the laying [of one's hands upon the sacrificial animal]") to the Israelite sacrificial cult. The priestly literature prescribes that every

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<sup>45</sup> See Rene Girard, *Violence and the Sacred*, trans. Patrick Gregory (Baltimore: The Johns Hopkins University Press, 1979).

<sup>46</sup> See Walter Burkert, *Homo Necans: The Anthropology of Ancient Greek Sacrificial Ritual and Myth*, trans. Peter Bing (Berkeley: University of California Press, 1983).

<sup>47</sup> Jonathan Z. Smith, "The Domestication of Sacrifice" in *Violent Origins: Walter Burkert, Rene Girard, and Jonathan Z. Smith on Ritual Killing and Cultural Formation* (Stanford: Stanford University Press, 1987), 197.

<sup>48</sup> *Ibid.*, 199.

animal sacrifice begins with *smicha*, the laying of one's hand(s) upon the sacrificial animal. As an initiatory gesture it is, among other things,<sup>49</sup> a physical expression of the control that the sacrificer has over the object of their sacrifice. *Smicha* requires the offeror to lay their hands specifically on the animal's head. This is an act that requires mastery over the animal, demonstrating to all those present in the Temple courtyard that the offeror has the offering under his control. What's more, the person performing *smicha* is required to lay his hands upon the head "with all of his strength."<sup>50</sup> *Smicha* is a ritualized show of force, demonstrating that sacrificing requires the sacrificer establishing control over the object of sacrifice.

Of course, in most contemporary acts of sacrifice, the thing that is given up is unlikely to be taken from the flock or the herd. In fact, the object of sacrifice may not even be a physical thing at all. However, the object of sacrifice must still be under the control of the sacrificer.

For example, one cannot sacrifice a job opportunity is out of reach. A former college football player who went unselected in the NFL draft and ends up working at an accounting firm cannot claim to have sacrificed their professional football career for the sake of long-term, stable employment as a CPA. They never possessed an NFL career. Their future in football was out of their control, and thus impossible to give up. They could, however, rightly say that they sacrificed the *pursuit* of a career in the NFL in order to pursue more stable employment, because

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<sup>49</sup> *Smicha* has largely been associated with the sin offering, particularly the festal sin offering of Yom Kippur. In the Mishnah, we read that the high priest would lay his hands upon the *sa'ir mishtaleach*, the scapegoat that was sent off into the wilderness as part of the day's expiatory ritual, and confess the sins of the community (*Mishnah Yoma* 6:2). The confluence of *smicha* and *vidui* in this scene, combined with the fact that the first mention of *semicha* in the book of Leviticus indicates that it has an expiatory function, gives the impression that the ritual laying of hands has to do with the symbolic transference of sin from the offeror to the sacrificial victim. There are, however, many cases in which *smicha* precedes a non-expiatory sacrifice. In Leviticus 3, for instance, we learn that *smicha* must precede the slaughter of the *zevach shlemim* (the "wellbeing sacrifice"). In his *Mishneh Torah*, Maimonides comes to the following conclusion about this instance of *smicha*: *v'year'eh li sh'eino mitvadeh al hashlamim aval omer divrei shevach*—"It seems to me that one does not confess over the wellbeing sacrifice. Rather one says words of praise" (*Mishneh Torah, Ma'aseh Ha-korbanot* 3:15). This halakha suggests that the verbal accompaniment to the laying of the hands is not intrinsically expiatory, but, rather, is way to express the intention behind the ensuing sacrificial act.

<sup>50</sup> *Mishneh Torah, Ma'aseh Ha-korbanot*, 3:13.

continuing to pursue their dream of football stardom is well within their control as a young, talented, able-bodied football player. Identifying exactly what one is sacrificing requires careful consideration of what is within the control of the sacrificer.

“Giving up” is a particularly appropriate way to describe the act of sacrificing (as opposed to, say, “relinquishing”) because it evokes the directionality of two of the main biblical terms for sacrifice: *olah* and *korban*. After the *mincha* sacrifices of Cain and Abel, the next mention of sacrifice in the Torah is Noah’s *olah* (“burnt offering”) in Genesis 8. This is the first biblical sacrifice offered on an altar, consumed by flames. *Olah* comes from the Hebrew root  $\text{ע-ל}$ , which means to go up or rise. In the case of the *olah* sacrifice, one is figuratively and literally giving up at the same time. The upward trajectory of the sacrifice, etherealized through smoke, is highlighted by God’s recognition of the *reiach nichoach*, the pleasing or comforting odor that wafts upward and, according to the story, delights the divine nostrils. Interestingly, the word *nichoach* shares a Hebrew root with the word *minchah* ( $\text{נ-ח-ן}$ ), recalling the literally “giving up” that characterizes the first examples of sacrifice in Genesis. In any case, the *olah* makes the directionality of sacrifice tangible, its smoke serving as a symbolic trail from the physical realm to the metaphysical realm, from the earth to the heavens.

The upward trajectory of the *olah* sacrifice manifests itself in the conventions of the priestly sacrificial system as well. *Korban*, the catch-all term for sacrifice in Leviticus and later rabbinic texts, is derived from the Hebrew root  $\text{ק-ר-ב}$ , which in its *hitpael* construct ( $\text{להתקרב}$ ) means to bring or draw near. The verb is also used to signify the offering of sacrifices. However, the Levitical sacrificial system and the topography of the Tabernacle or Temple<sup>51</sup> demonstrate

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<sup>51</sup> The first Temple in Jerusalem was erected by Solomon *on top* of the threshing floor of Araunah that was purchased in II Samuel 24. The Temple Mount (the same mount—Mount Moriah—as where Abraham’s sacrifice was offered, according to rabbinic legend) is a centralized high place that is designed to replace the local high places.



that bringing an offering near to God involves passing it up the social hierarchy to the *kohanim* and placing the offering upon the raised altar.<sup>52</sup> In times when the Israelite sacrificial cult was not centralized around the Tabernacle or Temple, it took place on regional *bamot*, “high places” where local altars were set up.<sup>53</sup> There were large, communal *bamot* and small, individual *bamot*.<sup>54</sup> Both offered an elevated surface upon which to “give up” the sacrificial offering.

The directionality of the *korbanot* is twofold. According to the theology of the biblical text, the Israelite is *brought near* to God through the giving up of sacrifices, God’ is *drawn near* to the Israelites through the descending divine presence, or *shechinah*. Even for the sacrifices that do not relate linguistically to “giving up” (or “upwards”) this is still core to their function as sacrifice. For instance, the *zevach* sacrifice. The *zevach* sacrifice is derived from the Hebrew root ז-ב-ח which refers, according to the Brown-Driver-Briggs Hebrew and English lexicon, simply to ritual slaughter. What qualifies a *zevach* as a sacrifice, however, is not the slaughter of the sacrificial victim, but the act of giving it up. Within the sacrificial system set forth in the book of Leviticus, the *zevach* or *zevach shlemim* is considered part of a complex of sacrificial rites. While many of these require the killing of a sacrificial victim, many do not. The *mincha* sacrifice requires only the milling of grain and the baking of dough. The *nesech* sacrifice requires only the smashing of grapes and the fermentation of their juice. No one or nothing dies in the process of making these sacrificial offerings, and these are only two examples of the blood-less sacrifices that are offered in Tanakh. This isn’t to say that nothing is destroyed in the case of these sacrifices. As we have said, destruction is frequently, but not necessarily part of the sacrificial act. However, the destruction of a human or animal life is not necessary for an act to be deemed

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<sup>52</sup> The fact that the altar was constructed upon a raised platform is evident in the prohibition against hewn stone in the construction of the steps to the altar (*Exodus* 20:25) as well as other places.

<sup>53</sup> See *Mishnah Megillah* 1 for a timeline of when, according to Rabbinic tradition, the *bamot* were in use.

<sup>54</sup> *Mishnah Megillah* 1:10.

“sacrifice,” even in the biblical context. Although *zevach* is a biblical sacrifice and *zevach* necessarily involves the slaughter and consumption of an animal, it is the giving up, the act of letting go of some of what you have and passing it off into a higher realm, be it communal or divine, that makes it an act of sacrifice.

B. ...of something of subjective value to an individual or collectivity...

Sacrificing requires a direct object; *something* must be given up. What’s more, this something, the “object of sacrifice” as Hubert and Mauss call it, that it must be something of value in the eyes of the of the sacrificer. Over the course of this section, I will offer examples of objects of sacrifice that are physical (e.g. material goods or currency), temporal (e.g., time or opportunity) and psychological (e.g., an orienting belief or self-concept). While this is not an exhaustive list, it is indicative of the fact that the object of sacrifice may be material or immaterial, so long as it is of value to the sacrificer.

The importance of the subjective value of the object of sacrifice is evident in God’s words to Abraham in the opening verse of the Binding of Isaac: “And God said, “Take your son, your favored one, Isaac, whom you love, and go to the land of Moriah, and offer him there as a burnt offering...”<sup>55</sup> Abraham’s test of faith takes the form of an *olah* sacrifice, a burnt offering that is to consist of his son, Isaac. The object of sacrifice is described in a particular and telling manner that is not captured by the diction or syntax of the Jewish Publication Society translation that I have cited above. The Hebrew *kach-na et-bincha et-yechidcha asher-ahavta et-Yitzchak* reads as a litany of descriptors for the object of sacrifice, culminating in the explicit request for Abraham’s son Isaac to be offered on the mountain in Moriah.

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<sup>55</sup> *Genesis* 22:2.

First, Abraham is commanded: *kach*. The imperative form of the verbal root ק-ח-ק indicates that the Abraham is to seize or take hold of the object of sacrifice, establishing possession of and control over it in accordance with the requirement established in the previous section. Then, God sets forth a seemingly redundant series of clauses in order to indicate the desired object of sacrifice. Some commentators have understood this series (*et-bincha, et-yechidcha, asher ahavta, et Yitchak*) as a way to distinguish between Abraham’s two sons, Yitzchak and Ishmael. In *Genesis Rabbah*, there is a midrash that imagines that each of these clauses constitutes God’s side of a dialogue between the deity and Abraham. God says, “take your son” and Abraham responds, “I have two sons—which one?” God clarifies, “your one and only<sup>56</sup> son,” to which Abraham replies, “Isaac is the one and only of his mother, and Ishmael is the one and only of his mother.” So, God clarifies further, saying, “whom you love.” To this, Abraham replies, “is not the seat of love and compassion boundless?” Finally, God comes out and names Isaac the object of sacrifice.<sup>57</sup> Abraham’s responses indicate that either son could have served as an object of sacrifice, given their dearness to him. Isaac is named because he is the beloved son over whom Abraham has not relinquished control, the one whom he still possesses.

So why, then, doesn’t God simply name Isaac from the outset? Rashi’s commentary on this verse (which cites this midrash from *Genesis Rabbah*) posits that God delays in saying “Isaac” so as not to confuse or bewilder Abraham, impeding his ability to fulfill the commandment with love and intention. This interpretation is compelling in its suggestion that

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<sup>56</sup> I have chosen to translate *yechid* with the colloquialism “one and only” because it captures the literal meaning of the word (single or sole), while also appealing to the somewhat midrashic translation employed in the *JPS Tanakh*, which resolves the issue of Isaac not being Abraham’s only son by recalling that Abraham favored Isaac over Ishmael. “One and only” captures the Hebrew’s plain meaning, while also speaking to the sentimental attachment that Abraham had to his chosen (and, effectively, only remaining) son.

<sup>57</sup> *Genesis Rabbah* 55:7.

God empathizes with Abraham even while asking the unthinkable of him, refraining from mentioning Isaac's name so as to not disturb him too greatly at the outset of his trial. I am not convinced, however, that it would be any more disorienting to Abraham to be commanded to sacrifice specifically Isaac than to be commanded to sacrifice an unnamed son. Thus, I do not understand this verse as evidence of God easing Abraham into the "monstrous paradox"<sup>58</sup> that he is commanded to confront. From the word "son," Abraham is being asked to defy human nature. God's supposed restraint does nothing to lessen the terrifying absurdity of the task at hand.

In fact, the midrash from Genesis Rabbah suggests that the piecemeal nature of God's instruction results in *more* confusion and bewilderment rather than less. It is unlikely that such extensive dialogue result from God simply commanding Abraham: "take Isaac." At most, "take your son, Isaac" would have been sufficient for Abraham to understand what he was meant to do, eliminating the unlikely possibility that God was instructing Abraham to sacrifice some *other* Isaac. Thus, I am inclined to understand the syntax of this verse according to the explanation offered by the midrash itself: *lo gilah lo miyad k'dei l'chab'vo b'evinav*—" [God] didn't reveal [the explicit instruction to sacrifice Isaac] immediately in order to make him feel how dear [Isaac] was to him."<sup>59</sup> After all, the superfluous phrases in the verse are *et-yechidcha* and *asher-ahavta*—"your one and only, whom you love." From a practical and emotional perspective, these emphasize the value of Isaac (the object of sacrifice) to Abraham (the sacrificer). As his father's one and only son, Isaac is solely responsible for perpetuating the family line and maintaining the terms of his father's covenant in the next generation. Not only does he serve this unique and

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<sup>58</sup> Soren Kierkegaard, *Fear and Trembling*, trans. Alastair Hannay (London: Penguin, 1985), 81.

<sup>59</sup> Although the phrase *l'chab'vo b'evinav* leaves it up to the reader to determine who is made more dear (and to whom), I have decided to interpret this to rever to Abraham's love for Isaac (as opposed to Abraham's love for God or God's love for Abraham, both of which are feasible readings). I made this decision based on context and on the fact that the previous verb in the sentence (*gilah*) refers to the revelation of Isaac's name to Abraham. "Isaac" is, then, the direct object of *gilah* and "to Abraham" is the indirect object. Thus, it seems reasonable and likely to believe that he is the recipient of the verb *l'chabev* ("to make dear").

crucial role in the early development of the Jewish people, but he is also deeply loved. In the eyes of a father, there couldn't be anything in the world more precious than a son, let alone an only son. In God's piecemeal articulation of what Abraham is charged with giving up, we learn a crucial criterion for identifying the object of sacrifice: it must be of subjective value *to the sacrificer*.

I specify that the object of sacrifice must be of subjective value to the sacrificer to dispel the notion that it would be sufficient, in the case of a "sacrifice to," for the object to be of subjective value to the divine recipient of the offering. First of all, a rational reader of the Pentateuch will reject the notion that God values one charred plant or animal over another, or that God desires material things whatsoever. This is an idea that has been contested since the days of the prophets, who argued that God's only desire with respect to sacrifice was that the sacrificer meet the ethical preconditions for approaching the altar.<sup>60</sup> However, even if one adopts the ancient, mystical belief that the objects of sacrifice are, in themselves, valuable in the eyes of the Creator, this valuation has only to do with how the offering is received, not with whether or not it may be considered an act of sacrifice. From the first example of sacrifice in the Tanakh,<sup>61</sup> we see that sacrificing is possible even before a wholly uninterested God. As noted in the previous section, Cain and Abel offer objects of sacrifice that correspond to their respective occupations. Cain, a tiller of the soil, brings an offering of produce while Abel, a keeper of sheep, offers "the choicest of the firstlings of his flock." Each selects an object of sacrifice upon which they rely for subsistence, and with which they share the inevitable, emotional connection that develops between a caretaker and the things in her charge. Even though God pays special

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<sup>60</sup> See, for instance, *Hosea* 6:6 and *Isaiah* 66:3-4.

<sup>61</sup> I am speaking, of course, in terms of the canonical organization of the biblical text, not in terms of the chronology of its composition, which is a matter of ongoing scholarly debate.

attention to Abel's ovine offering, both brothers are sacrificing insofar as they are giving up a possession of significant, subjective value to them.

This point is underscored by the redemptive conclusion of the story of the binding of Isaac, when God permits Abraham to substitute the sacrifice of a ram for the sacrifice of his son. We read that this ram was "caught in the thicket by its horns,"<sup>62</sup> and that all Abraham had to do in order to offer it as an *olah* was to simply take it and set it upon the altar. There is no mention of the ram's binding or slaughter. Provided that this wasn't a ram magically placed in the thicket by God or God's messenger, or a mystical ram that was predestined for this purpose from the days of Creation,<sup>63</sup> and was just a normal ram, then this animal was likely malnourished or perhaps even seriously wounded. It may have even qualified as *t'reifah*, the category of mortally wounded or defective animal that is prohibited from the sacrificial altar.<sup>64</sup> And yet, it was deemed a suitable object of sacrifice for Abraham's burnt offering. Despite the fact that Abraham happened across the animal, that he had no prior relationship with (and thus no emotional attachment to the animal), and that the animal was likely blemished in a way that diminishes its value to the point of precluding it from qualifying as an object of sacrifice in accordance with the Priestly legislation,<sup>65</sup> the ram quickly acquired value *to Abraham* because of its appearance at a time when Abraham saw no alternative to offering up his child as an *olah*. Although this ram would be unlikely to be of sufficient value to anyone else to qualify as a sacrifice just moments after discovering it, to Abraham, the animal acquires immense value as a substitute for his son, and, thus, is an acceptable object of sacrifice.<sup>66</sup>

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<sup>62</sup> *Genesis* 22:13.

<sup>63</sup> See *Midrash Tanchuma*, *Vayera* 23.

<sup>64</sup> *Mishneh Torah*, *Hilchot Issurei Ha-Mizbeach* 3:11.

<sup>65</sup> We read in *Leviticus* 22 that the sacrificial livestock must be without blemish, without defect, not blind, injured, maimed, sick, or mutilated.

<sup>66</sup> To be clear, neither God nor God's messenger ever explicitly indicate that the ram is to serve as a sacrificial substitution for Isaac, assigning absolute, salvific value to it. Abraham is the one who perceives and assigns value to

Now, one could make the argument that religious objects of sacrifice are of absolute value insofar as they are prescribed explicitly by God. This is the challenge posed by Leviticus, which lays out hyper specific directives for what, when and how the ancient Israelites should sacrifice. Setting aside the modern, liberal conviction that the Levitical laws were implemented by priestly legislators as a means of establishing social and political control, even if the Israelite sacrificial cult *was* divinely ordained, I would argue that the laws of sacrifice support my contention that the object of sacrifice must be of subjective value to the sacrificer.

In Leviticus 5, for instance, the commandments regarding the sacrificing of *asham* (“guilt”) offerings prescribe different object of sacrifices depending on one’s resources. The standard offering is “a female from the flock” (either a sheep or a goat), but “if one’s means do not suffice for a sheep, that person shall bring [...] two turtledoves or two pigeons—one for a sin offering and the other for a burnt offering.”<sup>67</sup> The ensuing verses make clear that two birds are required not because two birds are of equal value to an offering of livestock, but rather so that there is sufficient organic matter on the altar to perform the necessary blood and fire rituals. Birds, though less valuable in the economy of ancient Israel than a sheep or goat, give poor people the opportunity to participate in the Temple cult, dignifying them with the ability to go through the same sacrificial procedure as their wealthier counterparts. They may serve as sin offerings, burnt offerings, or guilt offerings, provided that they are of value to the sacrificer, relative to their means.

The laws of sacrifice are so committed to the inclusion of the poor, that even an *ephah* of flour can serve as a sin offering, provided that “one’s means do not suffice for two turtledoves or

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the ram, seeing in it a way to complete the devotional task at hand and to express gratitude to the God who spared his beloved child.

<sup>67</sup> *Leviticus* 5:6-7.

two pigeons.”<sup>68</sup> If, however, the object of sacrifice was objectively valuable based upon the fact that it was named in the holy scripture as an acceptable offering, then why wouldn’t an ephah of flour or a pair of birds suffice as an offering for Israelites from across the socioeconomic spectrum? The requirement that the wealthy sacrifice something more substantial suggests that the object of sacrifice must be of subjective value to the sacrificer.

The later, prophetic critique of the sacrificial cult makes exactly this point. It exposes the folly of those who think that the value of the sacrifices is based upon the will of God, that the sacrificial commandments are divine requests expressing the tastes and desires of the deity. The Psalmist writes:

[God] summoned the heavens above,  
and the earth, for the trial of His people [...]  
“I am God, your God.  
I censure you not for your sacrifices,  
And your burnt offerings, made to Me daily;  
I claim no bull from your estate,  
no he-goats from your pens.  
For Mine is every animal of the forest,  
the beasts on a thousand mountains.  
I know every bird of the mountains,  
the creatures of the field are subject to Me.  
Were I hungry, I would not tell you,  
for Mine is the world and all it holds.  
Do I eat the flesh of bulls,  
or drink the blood of he-goats?”<sup>69</sup>

These verses have been cited in many Jewish and Christian polemics<sup>70</sup> against the sacrificial system. They have, however, been cited selectively. The very next verse says to go ahead and “sacrifice a thank offering to God, and pay your vows to the Most High,” while the psalm’s

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<sup>68</sup> *Leviticus* 5:11.

<sup>69</sup> *Psalms* 50:7-13.

<sup>70</sup> See, for instance, *Epistle to the Hebrews* 10.



concluding verse says, “He who sacrifices a thank offering honors Me.”<sup>71</sup> So, these verses are not against blood sacrifices as such, but instead about a particular misapprehension of what it is to sacrifice. God, being incorporeal, has no want or need for flesh. Furthermore, as owner of “the world and all it holds,” no material value can be taken away from or added to God. So, the value of the object of sacrifice is not determined by God, or even by God’s will as expressed by the laws of sacrifice, but instead by their value to the one (or ones) who give it up.

Of course, some may be wary of my placing such emphasis on the subjective judgment of the sacrificer. If subjective value were the sole criterion for the acceptability of an object of sacrifice, then one should have been able to bring whatever happened to be dear to them and offer it up at the Temple in Jerusalem. To offer an extreme example, an individual who perceived great value in their own excrement could then smear in on the altar and set it ablaze, and rightly call such an act a sacrifice. Though shocking, I would agree with this likely deranged individual. If he truly saw his feces as precious, then why wouldn’t his giving it up constitute sacrificing? I would argue that the offering is disallowed not because it lacks objective value, but because the *korbanot* are offered in cooperation with the priests. As I will discuss in the next section, Temple sacrifices are made almost exclusively by a collective of sacrificers. The fact that the priestly legislation offers an exhaustive list of the materials that can be offered upon the Temple altar—comprising, primarily, things that the priests like to eat—ensures that all individuals involved in the sacrifice value the object that they are giving up.

The importance of the subjective value of the object of sacrifice is also evident in cases of contemporary “sacrificing for.” If a multi-millionaire were to give \$100 to tzedakah, it could hardly be considered a sacrifice in the way that it would be for a person of lesser means to give

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<sup>71</sup> *Psalms* 50:14, 23.

up this amount. The exception to this might be if they had grown up dirt poor, and had internalized the value of a dollar to the extent that they continue to regard \$100 as a meaningful sum, irrespective of its insignificance relative to their net worth. Or, to consider a more extreme example, imagine a soldier who has become massively depressed. They are actively suicidal, consumed by the overwhelming desire to die. If they take a bullet on the battlefield, have they sacrificed their life for their country? This would certainly be so for the deceased soldier who had the continued will to live, who valued his life as the vast majority of us do. However, even in the case of giving up something that we value as much as a human life, if it is not valuable to the one who does the giving up, then we are hard-pressed to deem theirs a sacrificial death.

The above examples of the object of sacrifice are material (specifically, monetary and corporal). It should be noted that, in cases of contemporary “sacrifices for,” objects of sacrifice can also be immaterial. Giving up one’s time is an act of sacrifice so long as one regards their time as valuable. If one has nothing but free time, no appointments or obligations, it is difficult to imagine regarding their spending an hour at a local soup kitchen as an act of sacrifice. When one is busy, however, dedicating one’s time to this or that endeavor becomes a significant act of sacrifice. The same is true of sacrificing a particular habit or behavior. An occasional smoker, disgusted by the taste, is not sacrificing when they give up cigarettes. Only the addict, or, at least, the aficionado, would be sacrificing in this case. This is a telling example in that cigarette smoking is widely (and rightly) regarded as a detriment to the smoking individual and their community. As smoking is increasingly taxed, stigmatized, and banned from public spaces, it is clear that, from a societal perspective, there is only negative value to it. To the smoker, however, there is tremendous value: avoiding withdrawal, experiencing pleasure, maintaining one’s identity, etc. So, for the one who sees value in smoking, and who breaks their habit by their own

volition (not because their sale was banned or they could no longer afford them), giving up smoking is an act of sacrifice.

There are immaterial sacrifices made in the biblical context, too, but they tend to be overshadowed by the material sacrifices that accompany them. For instance, when traveling to the Temple for the three pilgrimage festivals, our ancestors gave up not only the animal that they had designated for sacrifice upon the altar, but also the time spent on the road to Jerusalem. When approaching the altar with *asham* offerings, having realized that they had unwittingly defied one of the Torah's negative commandments,<sup>72</sup> our ancestors gave up the assumption of their own moral purity, recognizing the need for expiation. And when making the Nazirite vow, in addition to the many material sacrifices that they bring as part of their ritual consecration, our ancestors gave up drinking wine, eating fresh grapes, or consuming anything derived from the grapevine.<sup>73</sup> Although material sacrifices took center stage upon the Temple altar, they were supported by sacrifices of time, self-concept, habit, and other immaterial things given up along the way.

C. ...by that individual or collectivity, with the expectation of effecting good in the world."

Throughout this conceptual analysis, I have used the term "sacrifier" to refer to the one who does the sacrificing. I will now unpack the word further. It was coined by W.D. Halls, the translator of Hubert and Mauss' *Sacrifice: Its Nature and Functions*. Halls' neologism addressed the problem of how to render the French word *sacrifiant*, for which there is no adequate English translation. "Sacrifier" is preferable to "sacrificer" because there is often more than one person involved in the act of sacrifice. In the Temple cult, sacrifices were always offered in cooperation

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<sup>72</sup> *Leviticus* 5:17-19.

<sup>73</sup> *Numbers* 6:1-21.

between the laity and the priests. Both the layperson and the priest are involved in the act of sacrificing, but their actions are drastically different. In order to arrive at a sound definition of biblical sacrifice, to avoid the question of whether the killer or the immolator was the true sacrificer, Hubert and Mauss needed to come up with a term that could encompass the activities of both parties, unifying them under one designation: sacrificer. They write:

...in sacrifice, the consecration extends beyond the thing consecrated; among other objects, it touches the moral person who bears the expenses of the ceremony. The devotee who provides the victim which is the object of the consecration is not, at the completion of the operation, the same as he was at the beginning. He has acquired a religious character which he did not have before. [...] He has raised himself to a state of grace or has emerged from a state of sin. In either case, he has been religiously transformed. We give the name 'sacrificer' to the subject to whom the benefits of sacrifice thus accrue, or who undergoes its effects.<sup>74</sup>

Here, Hubert and Mauss identify a fundamental characteristic of the act of sacrifice: it affects the offeror in addition to the offering. From the previous section, we know that the offeror will necessarily "bear the expenses of the ceremony," because if a supposed sacrificial act came at no expense, then it would not, according to my definition, constitute an act of sacrificing. Now, however, we turn our attention to the "moral person" (or persons) who are "touched" by the sacrifice. Having sacrificed, they are changed. By virtue of having been changed by the act of sacrificing, they are given the name "sacrificer." This applies to the bringer and slaughterer of an animal victim just as it does to the priest who sprinkles its blood and burns its entrails upon the altar. The benefits of sacrificing, whether they be expiation or communion, accrue to all involved in the giving up of the object of sacrifice.

The utility of this phrase is evident in contemporary acts of sacrificing, as well. Imagine a company who, for years, has hosted a lavish holiday party. Meanwhile, the company fails to pay

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<sup>74</sup> Hubert and Mauss, *Sacrifice: Its Nature and Functions*, 9-10.

a living wage to its entry-level employees. At a recent company-wide meeting, a motion is made to give up the holiday party in order to give raises to the employees who need it most. There is overwhelming support for the motion, with many saying that they will not attend even if the party is held. The executive team decides to make the change. Although the ultimate giving up of this party would require adjustments to the budget that can only be made by higher-ups, all supporters of the motion participated in the giving up something of value in an effort to realize an ethical ideal. While the executives may be the sacrificers (the ones who strike the party from the budget), any individual at the company who opted to forgo the party that had, for so many years, been theirs, may be considered a sacrificer: a moral entity transformed by sacrifice.

Hubert and Mauss, who focused their analysis on ancient Israelite and Vedic “sacrifices to,” characterize this change as a religious transformation. In the case of “sacrifices for,” this change may be understood as effecting good in the world. When an individual or collective makes a sacrifice, they are putting themselves in a position to change for the better. By giving up something of value, they are acknowledging the potential for improvement. If one did not have the sense that such a change was possible, they would hoard goods, fixate on themselves and work only to satisfy their immediate wants and needs. Torah describes this as a loss of faith. In Isaiah 43, God condemns the Israelites for not bringing *korbanot*.<sup>75</sup> Within ten verses, the chastisement transitions to the subject of idolatry, asking “who would fashion a god or cast a statue that can do no good?”<sup>76</sup> God goes on to accuse the idolatrous Israelites of being like ironworkers, futilely worshipping their own meager tinkering. Consumed by their own designs and their frantic search for sustenance, “they have no wit or judgment: their eyes are besmeared, and they see not; their minds—they cannot think. [They] pursue ashes! A deluded mind has led

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<sup>75</sup> *Isaiah* 43:23-24.

<sup>76</sup> *Isaiah* 44:10.

[them] astray.”<sup>77</sup> Without the sense that there is a force for good in the world, the Israelites do not sacrifice. They lose sight of God and of one another. Sacrificing requires the expectation of effecting good for oneself and/or one’s community. These verse from Isaiah indicate this is true of religious sacrifices and secular sacrifices alike.

Absent the expectation of effecting good in the world, the giving up something of value is simply a loss. I frame this as an *expectation* because it would be inappropriate to disqualify acts of sacrifice that don’t successfully effect positive change from being considered acts of sacrifice. For example, how, in 2022, are we to understand the service of American soldiers in Afghanistan? These men and women gave up life and limb with the expectation of bringing freedom and democracy to this beleaguered state. At the very least, they expected to improve the quality of life of the Afghani people, and to promote American interests abroad. With the Taliban back in control, with million of Afghans on the verge of starvation,<sup>78</sup> and with Russian and Chinese foreign ministers using the chaotic exit as evidence of America’s declining influence over the global balance of power,<sup>79</sup> one cannot help but think that those who waged this war did little to effect positive change. So, then, did these men and women not sacrifice? Perhaps their gains were short-lived, and maybe, in the end, they did more harm than good, but the fact that they gave up so much with the *expectation* of improving life for themselves and for others, means that theirs was an act of sacrifice.

Whether individual or collective, felicitous or infelicitous, the expectation of effecting good is key. The rabbis of the Talmud opine that a meager offering has equal merit as a more

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<sup>77</sup> *Isaiah* 44:18-20.

<sup>78</sup> Christina Goldbaum, “Facing Economic Collapse, Afghanistan is Gripped by Starvation,” *New York Times*, Dec. 4, 2021.

<sup>79</sup> Yaroslav Trofimov and Jeremy Page, “In Leaving Afghanistan, U.S. Reshuffles Global Power Relations,” *Wall Street Journal*, Sept. 1, 2021.

substantial offering, provided that the sacrificer “directs their heart toward heaven.”<sup>80</sup> For the rabbis, “heaven” symbolizes the good. A *machloket l’shem shamayim* (“an argument for the sake of heaven”) is a worthwhile argument, an argument that brings people closer to apprehending religious meaning, benefiting the community for generations to come.<sup>81</sup> As the metaphorical seat of God, the heavens are regarded as the source of blessing and divine goodness. When the sacrificer directs their heart toward heaven, they are not only acknowledging the celestial recipient of their offering, but calling to mind the expectation that their sacrifice will improve their state and the state of the world around them. In a commentary on Leviticus 19:5, the rabbis rule that one must sacrifice with willingness and with intentionality. In a bold exegetical move, they imagine God elaborating on the sacrificial commandments, saying *lo lirtzoni atem zov’chim, ela lirtzonchem atem zov’chim*—“You are not sacrificing in accordance with My will, but you are, in fact, sacrificing to fulfill your own will.”<sup>82</sup> Sacrifice without the expectation of (and, thus, desire for) effecting positive change is insufficient. Sacrificing requires not only action, but intention. It requires the willingness to change oneself and the world one inhabits, and faith that these changes will be for the good.

## Conclusion

In the foregoing conceptual analysis, I have proposed a definition of “sacrificing” that applies to ancient “sacrifices to” and contemporary “sacrifices for,” alike. It is: “the giving up of something of subjective value to an individual or collectivity, by that individual or collectivity, with the expectation of effecting good in the world.” By bringing examples of sacrificing from

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<sup>80</sup> *Bavli Menachot* 110a.

<sup>81</sup> *Mishnah Avot* 5:17.

<sup>82</sup> *Bavli Menachot* 110a.

classical Jewish texts and from 21<sup>st</sup> century, American life, I have demonstrated that there is, as Arama asserted in the 15<sup>th</sup> century, an “idea of sacrifices [that] has never ceased.”

In order to articulate a Reform theology of sacrifice, however, we must ground this general concept in Jewish particularity. Many ancient cultures offered sacrifices to their gods, examples of which would have worked just as well to flesh out our definition of “sacrificing.” In the next chapter, I will identify two main streams of thought pertaining to the unique, religious meaning of the Israelite sacrificial system, spanning from the medieval period to modernity. I will contextualize the early Reformers’ attitudes toward the *korbanot* (as expressed by their theological and liturgical writings) within this ongoing exegetical debate, and make a recommendation for the role the *korbanot* (or the memory thereof) ought to play in contemporary Reform Judaism.



### **III. *Ta'amei Ha-Korbanot*: Finding Contemporary, Jewish Meaning in the Israelite Sacrificial System**

#### Introduction

In this chapter, I will analyze Maimonides and Nachmanides' respective rabbinic interpretations of the biblical *korbanot*, juxtaposing Maimonides' rational-anthropological approach with Nachmanides' mystical-symbolist approach. By "rational-anthropological approach," I mean a hermeneutic that considers the historical and cultural context in which this cultic practice arose, as well as its influence on the beliefs of the people who participated in it. A "mystical-symbolist approach," by contrast, explains the sacrificial cult in terms of the enduring meaning of what its constituent parts represented to the worshipper, and in terms of its combined spiritual and theurgic effect. Having elucidated the differences between these two theories, I will go on to argue that the early Reformers (represented by Abraham Geiger and Samuel Holdheim) regarded sacrifice in an overwhelmingly Maimonidean way, while the founder of modern Orthodoxy (Samson Raphael Hirsch) followed the interpretive path set forth by Nachmanides. I will substantiate these claims by citing theological and liturgical writing from these thinkers. Finally, I will then turn my analysis to the "radical Reform" of David Einhorn, including an in-depth study of Einhorn's siddur *Olat Tamid*. I will argue that Einhorn's theology of sacrifice constitutes a unique fusion of the anthropological and symbolist approaches of Maimonides and Nachmanides, and is one that contemporary, Reform Jews would do well to adopt.

#### Maimonides' Rational-Anthropological *Ta'amei Ha-Korbanot*

To understand Maimonides' theory of sacrifice, it is helpful to situate it within the broader, rabbinic project of *ta'amei ha-mitzvot* ("reasons for the commandments"). This attempt to arrive at a philosophical understanding of religious commandments—with a particular focus on perplexing, biblical commandments—has been underway since Philo of Alexandria in the first century, CE. Saadiah Gaon famously took the reigns in his *Emunot v'Deot* ("*Book of Beliefs and Opinions*"), compiled in the first half of the 10<sup>th</sup> century.<sup>83</sup> As a follower of the *Mu'tazilite* school of theological rationalism, Saadiah espoused the reason for many, but not all of the mitzvot. There were some, he held, that were not "intended toward any end at all,"<sup>84</sup> that, in some cases, the divine Law was arbitrary, constituting nothing more than a test of faithful obedience.

When Maimonides takes on the task of elucidating the *ta'amei ha-mitzvot* at the end of the 12<sup>th</sup> century (most explicitly in his *Guide of the Perplexed*, but also implicitly in his *Mishneh Torah*), he rejects Saadiah's position, arguing that it is a "universally agreed upon principle...that one should seek in all the Laws an end that is useful in regard to being."<sup>85</sup> Maimonides asserts that there is a rationale behind each and every commandment, whether it is readily apparent to the average reader or not, and that the reason is somehow in service of the two overall aims of the Law: to promote "the welfare of the soul and the welfare of the body."<sup>86</sup> In short, the reason for divine legislation, no matter how arbitrary or irrelevant a given commandment may seem, was to perfect humanity through the inculcation of correct opinions and useful opinions, behaviors, and beliefs.

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<sup>83</sup> Josef Stern, *Problems and Parables in the Law: Maimonides and Nachmanides on Reasons for the Commandments (Ta'amei Ha-Mitzvot)* (Albany: State University of New York Press, 1998), 1.

<sup>84</sup> Moses Maimonides, *Guide of the Perplexed*, trans. Shlomo Pines (Chicago: University of Chicago Press, 1963), III:26.

<sup>85</sup> Ibid.

<sup>86</sup> *Guide* III:27.

This radical, rationalist stance refutes the position of Saadiah Gaon, as well as the rabbis of the Talmud. Take, for example, the following interpretation of Leviticus 19:19 (“You shall keep my statutes. You shall not let your cattle mate with a different kind; you shall not sow your field with two different kinds of seed; you shall not put on cloth from a mixture of two kinds of material.”), found in tractate *Yoma* of the Babylonian Talmud. Here we see Saadiah defend the unintelligibility of *ta’amei ha-mitzvot*:

“And you shall keep my statutes (*chukkotai*)” refers to matters that Satan would challenge [due to their being prescribed without any clear and apparent reason behind them]. They are eating pork, wearing garments made from diverse materials (*shatnez*), the performance of *chalitza*, the purification of the *metzora*, and the sending off of the Yom Kippur scapegoat. Lest you say these are meaningless acts, the biblical verse states: “I am the Eternal,” indicating, I am God, I decreed these [statutes] and you have no right to think about [*l’harher*] them.<sup>87</sup>

In exegetical defiance of his predecessors, Maimonides contemplates the *chukkim* extensively, eventually developing a conceptual understanding of the role of the *chukkim* in the rational mission of the Law writ large. Maimonides maintains that “any particular commandment or prohibition has a useful end;”<sup>88</sup> the *chukkim* differ only insofar as their utility is not always “clear to the multitude.” For him, the *chukkim* are designed to insulate the Jewish people from the idolatrous errors of neighboring peoples, turning their minds away from pagan theological misapprehensions, and towards correct opinions about Creation and Creator alike. They have a unified goal: to deny astrology, decrying the radical falsity of the practices of the neighboring Sabeans and their core religious text, the *Nabatean Agriculture*.<sup>89</sup> Maimonides rails against the Sabeans throughout volume III of the *Guide*, suggesting that the primary job of the *chukkim* is to

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<sup>87</sup> *Bavli Yoma* 67b.

<sup>88</sup> *Guide* III:26.

<sup>89</sup> Stern, *Problems and Parables in the Law*, 136.

polemize against their astrological beliefs and polytheistic cultic practices. Although *amcha* is likely to believe that the *korbanot* change God somehow, that, by virtue of pleasing God's senses, the offer carries favor with Him, this is folly that God (and the philosophical elite who properly understand the *chukkim*) are willing to suffer in order to slow the spread of even more damaging theological misunderstandings among the ancient Israelite community.

If we turn from the *Guide* to Maimonides' halachic code, *the Mishneh Torah*, we will see that he expands the category of the *chukkim* dramatically. According to *Hilchot Me'ilah*, "all the sacrifices are in the category of the *chukkim*."<sup>90</sup> Maimonides takes the specific examples of *chukkim* set forth in the Talmud and extrapolates. If the offering of the Yom Kippur scapegoat, a *korban* in its own right, is considered a *chok*, then the offering of any of the various *korbanot* that are commanded by the Torah must fall under this category as well. Setting aside the work of scholars who question the sincerity of Maimonides' positions as set forth in the *Guide* and *Mishneh Torah*, and believing that the works were authored with an eye toward religious and philosophical consistency, then we can draw the conclusion that Maimonides regarded the biblical sacrificial system as being undergirded by opaque, problematic commandments, and functioning as a tool to combat the corrosive effects of idol worship and astrology. In short, the Temple sacrifices, properly understood, were not a means by which the Israelite served God, but by which they served themselves, helping one another to abandon idolatry and, instead, cultivate habits of excellence that would strengthen their community as a whole.

This position is made all the more apparent in chapter 32 of the third volume of the *Guide*. In it, Maimonides sets forth a thoroughly anthropological understanding of *ta'amei ha-korbanot*. He begins by describing the "deity's wily graciousness and wisdom" in creating living

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<sup>90</sup> *Mishneh Torah, Me'ilah* 8:8.

beings in such a way that they develop along a gradation from soft to solid. He offers the example of human physiology, in which neurological impulses originate in the softness of the brain, travel through the semi-soft network of nerves, and ultimately give rise to actions executed by the solidity of tendon and limb. He further exemplifies this point by pointing to how the human being begins life by drinking milk, and only comes to eat solid food over time.

Accordingly, Maimonides sets forth the following principle: “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.”<sup>91</sup>

For Maimonides, this applies to the body politic just as it does to the body of the human individual, and this is how he understands the sacrificial *chukkim*: together, they constitute a “gracious ruse” that allows for the people Israel to move *gradually* from the modes of worship to which they (and, according to Maimonides, all the world’s peoples) had grown accustomed. He writes, that “at that time<sup>92</sup> 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.”<sup>93</sup> Maimonides goes on to explain the ancient Israelite sacrificial cult as a vestige of the primitive, idolatrous worship that was so central to the religious life of the other peoples of the world. Despite the fact meditative contemplation of the divine as it is expressed in rational truths is the ideal form of worship, God understood that animal sacrifice, altar worship and incense burning were religious practices that would not die easily, and that it

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<sup>91</sup> *Guide* III:32

<sup>92</sup> Maimonides quotes a variety of passages (*Exodus* 19:6, *Deuteronomy* 4:35, 39, and others) prior to this line that suggest the time that he is referring to is the time of the giving of the Torah, when the people Israel was first assembled as a political entity governed by a unique set of laws and charged with the transitioning to rationally-sound, monotheistic worship.

<sup>93</sup> *Guide* III:32.

would be better to channel these modes of worship toward a more appropriate recipient than to vainly attempt to abolish them altogether.

Citing the opening verses of *parashat Beshallah*, “God led them not by the way of the land of the Philistines, although it was near...but God led the people on the roundabout path, by the way of the wilderness of the Red Sea,”<sup>94</sup> Maimonides presents the Temple cult as but one stop on the roundabout path from living in a land of physical and, more importantly, mental enslavement, to a place of freedom and courage, internalizing the “the existence and oneness of the deity” and pursuing Him in love. In summary, he writes: “Those laws concerning sacrifices and repairing the temple were given only for the sake of the realization of this fundamental principle.”<sup>95</sup> It is for the sake of that principle that I transferred these modes of worship to My name, so that the trace of idolatry be effaced and the fundamental principle of My unity be established.”

Maimonides takes a rational-anthropological approach to the role of sacrifice in the religious life of the Jewish people. He understands it as a particular legislative response to a particular problem at a particular time, helping to guide the Israelites away from idolatry and toward a belief in the oneness of God. By classifying all of the commandments regarding sacrifices as *chukkim*, as opaque injunctions designed to help the Israelites steer clear of star worship and mitigate against the deleterious effects of their Sabeian environment, Maimonides suggests that the sacrificial system must be understood with respect to the familiar (albeit faulty) cultic practices and theological premises out of which they arose.

#### Nachmanides’ Mystical-Symbolic *Ta’amei Ha-Korbanot*

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<sup>94</sup> *Exodus* 13:17-18.

<sup>95</sup> The apprehension and sole worship of God.

In contrast to Maimonides' rational-anthropological understanding of the sacrifices, Nachmanides proposed a mystical-symbolist approach. His 13<sup>th</sup> century Torah commentaries and philosophical elucidations of *ta'amei ha-mitzvot* reveal a rabbi who straddled the line between Maimonidean rationalism and Kabbalistic mysticism. Indeed, he is not altogether opposed to rational explanations of biblical commandments; Nachmanides does appeal, albeit infrequently, to historical context in order to explain particularly perplexing *mitzvot*. However, he is not willing to subordinate explicit, divinely revealed, scriptural explanations of the mitzvot to retrospective, historical explanations.<sup>96</sup>

Nachmanides believes that one should look to the Torah to explain itself *prior* to turning to extra-scriptural sources. He begins his interpretation of the Israelite sacrificial cult by pushing past Rashi's interpretation of the word *nichoach* ("pleasing") in Leviticus 1:9 ("...and the priest shall turn all of this into smoke on the altar as a burnt offering, an offering by fire of pleasing (*nichoach*) odor to the Eternal."). In Rashi's explanation of this "pleasing odor" and its theurgic effect, he brings the Talmudic argument that God derives satisfaction from the knowing that "he spoke and his will was done."<sup>97</sup> For Nachmanides, it is insufficient to explain sacrificing as a mere demonstration of pious obedience.

As he continues his commentary on this verse, we find that he is also opposed to Maimonides' rational-anthropological explanation. He expresses this opposition in explicit and vehement terms:

Now in this verse there is the reason for the sacrifices: that they are "an offering made by fire, of a sweet savor to the Lord." And the Rabbi [Maimonides] said in the Guide of the Perplexed<sup>98</sup> that the reason for the sacrifices is that the Egyptians and Chaldeans, in whose lands Israel were strangers and sojourners, always worshipped cattle and sheep,

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<sup>96</sup> Stern, 134-36.

<sup>97</sup> Rashi on *Leviticus* 1:9, *Bavli Zevachim* 46b.

<sup>98</sup> *Guide* III:46.

for the Egyptians worship the sheep and the Chaldeans worship the demons which appear to them in the shape of goats. And the people of India to this day will never slaughter cattle. For this reason [Scripture] commanded that they slaughter these three species to the Revered Name so that it be made known that the thing that [the Egyptians and Chaldeans] thought was the greatest transgression is what should be offered to the Creator, and through it sins will be atoned. In this way evil beliefs that are the sickness of the soul are cured because sickness and illness are cured only by their opposites. These are [Maimonides'] words, and he elaborated on them at length. Now, they are nonsense; they cure a great hurt and major difficulty superficially. They make the table of God despised, for its purpose is not only to remove [evil beliefs] from the hearts of the wicked and the fools of the world [i.e., the Egyptians and Chaldeans].<sup>99</sup>

Nachmanides' vehement opposition to Maimonides' rational-anthropological explanation of the sacrifices, does not, as we have said, reject the relevancy of historical context outright. He acknowledges that the beliefs and rituals of neighboring ancient civilizations are relevant to our understanding of the Temple cult as legislated in the Torah. He takes issue, however, with the connection that Maimonides draws between his understanding of Sabeian<sup>100</sup> idolatry to the supposed Israelite polemic against it. He critiques Maimonides' argument that God commanded the sacrifice of sheep, goats, and cattle as a way to combat idolatrous folly among the peoples who worshipped these very animals, calling it "nonsense" and a superficial (not to mention ineffective) response to idolatry.

Nachmanides argues that Maimonides' explanation considers the Sabeian cultural and historical context for the laws of sacrifice to the seeming exclusion of their biblical context. He continues:

And Scripture states that [sacrifices] are "provision, an offering made by fire, of a sweet savor to the Lord." And, furthermore, the sickness of the Egyptians, according to their nonsense, will not be cured by this; rather the disease will be increased. For the intention of the aforementioned evil ones was to worship the constellation Aries [lamb] and the constellation Taurus [bull] which they think have power over them. Therefore, they will not eat [sheep and bulls] out of honor to their power and their strength. But if they

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<sup>99</sup> Nachmanides on *Leviticus* 1:9.

<sup>100</sup> Nachmanides uses the word "Chaldean" instead of "Sabeian." They refer to the same group.



sacrifice them to the Revered Name, that is a way of honoring and respecting them, and they themselves so act; as it is said: "And they shall no more offer their sacrifices to the satyrs,"<sup>101</sup> and those who made the [Golden] Calf sacrificed to it. And the Rabbi [Maimonides] mentions that they used to sacrifice to the moon on the days of the new moon and to the sun in its ascent in the constellations known to them in their books. But the sickness would be better cured if we were to eat of them to our satisfaction, which is forbidden to them and despised in their eyes and something they would never do.<sup>102</sup>

Nachmanides urges his reader to consider that the ritual sacrifice of an animal or idol does not necessarily counteract its worship, and that it may actually serves as an expression of religious devotion to the pagan deity. To explain, he brings the verse from Leviticus that prohibits the offering of a well-being sacrifice to *se'irim*. *Se'irim* is commonly translated as "satyrs" or "goat-demons" in English, but literally means "goats." Seeing as well-being sacrifices can comprise cattle, sheep or goats,<sup>103</sup> we can infer that the cultic practice of sacrificing to the *se'irim* may well have included the offering of goats as a way to worship the goat. Similarly, Nachmanides reminds us that burnt offerings and sacrifices of well-being were brought as part of the worship of the golden calf in Exodus 32. Seeing as this day was declared a "festival of the Lord,"<sup>104</sup> these sacrifices surely includes the choicest livestock in the Israelites' possession. Thus, the Torah's prime example of idol worship includes the offering of animals (in this case, cattle) as a means of worshipping the animal itself (or a figural representation of it, to be precise).

Nachmanides insists that one must look more deeply at the biblical text itself before they adopt Maimonides' historicist explanation of the Israelite sacrificial cult. Not only does it show that the Temple sacrifices would be ineffective as a polemic against the idol worship of surrounding peoples (and may, potentially, even strengthen their faith in pagan gods), but it

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<sup>101</sup> *Leviticus* 17:7.

<sup>102</sup> Nachmanides on *Leviticus* 1:9.

<sup>103</sup> See *Leviticus* 13:1-17.

<sup>104</sup> *Exodus* 32:4.

demonstrates that the monotheistic polemic is not a viable explanation for the centrality of sacrifice to biblical religion:

Now, when Noah went out of the ark with his three sons, there were no Chaldeans or Egyptians in the world, and yet he offered a sacrifice and it found favor in the eyes of the Lord. And [Scripture] says concerning that: "And God smelled the sweet savor" and, as a result, "He said in his heart: I will not again curse the ground any more for man's sake."<sup>105</sup> "And Abel also brought of the firstlings of his flock and the fat parts thereof. And the Lord had respect for Abel and his offering"<sup>106</sup>—and there was not yet a trace of idolatry in the world. And Balaam said: "I have prepared the seven altars, and I have offered upon every altar a bullock and a ram."<sup>107</sup> And his intention then was not to deny [his] evil beliefs and he was not commanded concerning that; but he did so in order to approach God so that the [divine] speech would reach him.<sup>108</sup>

Noah, Abel and Balaam's respective sacrifices, if viewed as historical fact, support Nachmanides contention that the reason for the sacrifices is not primarily to combat the corrosive effect of the idolatry of neighboring peoples on *Am Yisrael*. Indeed, no such effect existed in the time of Noah and Abel, for the world was young and religious cults had yet to take shape. Furthermore, we can hardly contend that Balaam's sacrifices to God constituted a rejection of Moabite religion. His purpose for offering the sacrifices is simply to attract God's attention, while the means by which he offered them (upon seven separate altars) points convincingly to his continued belief in a pagan panoply.

It must be said, however, that Nachmanides' arguments are based upon an extremely narrow reading of Maimonides' explanation of the sacrifices. Of course, Maimonides understood that there were "no Chaldeans or Egyptians in the world" in the antediluvian period. The suggestion that he was unclear on this point is indication of Nachmanides' selective reading (or,

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<sup>105</sup> *Genesis* 8:21.

<sup>106</sup> *Genesis* 4:4-5.

<sup>107</sup> *Numbers* 23:4.

<sup>108</sup> Nachmanides on *Leviticus* 1:9.

at least, selective citation) of Maimonides. Nachmanides cites chapter 48 of the third volume of the *Guide* extensively in this commentary, but refers not at all to the *Guide*'s foundational chapter on this subject: volume III, chapter 32. If he had, he would not be troubled by the specificity of Maimonides' condemnation of Sabeian polytheism. He would understand that Maimonides holds that the offering of sacrifices is meant not only to counteract the practices of other religious groups, but to wean the Israelites off of the paganism that had been predominant since time immemorial. Nachmanides, however, cannot tolerate the implication that the institution of the Temple cult amounted to little more than a noble lie on the part of a "wily Creator."<sup>109</sup>

As his interpretation of Leviticus 1:9 develops, it becomes clear that although Nachmanides is willing to engage with Maimonides on questions of historical context, he is unwilling to accept theory of *ta'amei ha-korbanot* that does not ascribe enduring, theological significance to them. He rejects the notion that sacrifice is a mode of worship like any other, or that it constitutes a stage in the religious development (or, to put it in more explicitly Maimonidean terms, intellectual perfection) of the Jewish people. Instead, he proposes a mystical, symbolic explanation for the sacrifices, that exposes his belief in the broader theological significance of the act:

It is more fitting to accept the reason given for [sacrifices] that because the deeds of people are fulfilled through thought, speech, and action, God commanded that when one sins and brings a sacrifice; he should lay his hands on it corresponding to the [sinful] action; confess with his mouth corresponding to the [sinful] speech; burn in fire the intestine and kidneys, which are the instruments of thought and desire, and the lower parts of the thighs, corresponding to the hands and legs of people that do their work; and sprinkle blood on the altar corresponding to the blood in their soul. Thus the person will think when he performs all of these that he has sinned against his God with his body and soul and that it is fitting for him to pour his own blood and consume in fire his own body were it not for the lovingkindness of the Creator who took a substitute [from him]. And

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<sup>109</sup> *Guide* III:32

this sacrifice will atone [for him]; its blood in place of his blood, soul for soul, the major limbs of the sacrifice in place of his major limbs, and the portions [given as gifts to the priests] to provide for the teachers of the Law in order that they will pray on his behalf.<sup>110</sup>

Nachmanides comments that the sacrificer is meant to understand his sacrifice as a symbolic representation of his self as a moral agent. He proposes that since human activity is fulfilled through speech, thought and action, God commanded the bringer of a sin offering to lay his hands on the head of the animal and confess his sin, to set the intestine and kidneys (understood to be “the instruments of thought and desire”) upon the altar, and to burn them along with the animal’s legs. The head, the guts and the limbs of the sacrificial victim represent the speech, thought and action of the sacrificer, constituting an act of symbolic substitution. Any discord between these three, interdependent components of human activity is resolved symbolically through the act of sacrifice, engendering a sense of unity. As the smoke rises, they are symbolically drawn nearer to the *sefirotic* realm, where God, too, is being unified. In keeping with the mystical tradition of explaining commandments in terms of their theurgic effect, he argues that the offerings “please” God because they draw the *sefirot* closer together. Moshe Halbertal explains that “in Nachmanides’s view, the theurgic effect of performing the commandments reverses the drift of *Shekhinah* away from *Tif’eret*. Nachmanides defines the relationship between the two as a potential but not actual unity, and the purpose of a not insignificant number of the commandments is to bring about their unity *in actu*. As such, he explains that the Hebrew word for the most meaningful and fundamental ritual, the sacrifice, is *korban*, because it derives from the Hebrew root (ק-רב-ב) that indicates closeness: ‘Every sacrifice (*korban*) is from the language of closeness (*k’reivah*) and unity.’”<sup>111</sup>

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<sup>110</sup> Ibid.

<sup>111</sup> Moshe Halbertal, *Nachmanides: Law and Mysticism*, trans. Daniel Tabak (New Haven: Yale University Press, 2020), 246-47.

In stark theological opposition to Maimonides, Nachmanides believes that sacrificing, if done in accordance with the laws set forth in the Torah, has an effect on God. The sacrificial altar is the site of the symbolic unification of man and God alike. Just as speech, thought and action are gathered together as one, so too are the *sefirot*. In so doing, the individual draws closer to God. This is the true purpose of the altar: to facilitate the symbolic, mystical union of the worshipper and the deity.<sup>112</sup> To ascribe a strictly rational or anthropological purpose it is to “make the table of God despised.”<sup>113</sup>

### Samuel Holdheim, Abraham Geiger and the Legacy of Maimonides’ Rational-Anthropological Approach

Nachmanides’ refutation of Maimonides’ interpretation of the *korbanot* did not go unchallenged. The rational-anthropological position came roaring back in the 19<sup>th</sup> century, with the rise of Reform Judaism in Europe. Of course, early Reform was not a monolithic enterprise—the development of a liberal religion for recently emancipated, upwardly-mobile Jewry was no small endeavor, and the nascent movement comprised radical and moderate voices, alike. A closer look at the writings of two of the early Reformers, Samuel Holdheim and Abraham Geiger, demonstrate that the movement was steadfast on at least one point: its Maimonidean, rational-anthropological understanding of the sacrifices.

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<sup>112</sup> In Nachmanides’ kabbalistic worldview, the unification of God and Creation is what brings about the “flow of blessing” in the world. He ascribes to the Rabbinic view that sacrifices were offered even in the garden of Eden, and that this was the source of the teeming abundance that was enjoyed therein. See, for example, his commentary on Genesis 2:8 (“...plants and all living beings are in need of primary forces from which they derive the power of growth and that through the sacrifices there is an extension of the blessing to the higher powers. From them it flows to the plants of the garden of Eden, and from them it comes and exists in the world in the form of ‘rain of goodwill and blessing’...” ) and 3:22 (“In *Bereshit Rabbah* the Rabbis say: ‘Another interpretation of *Le’ovdah uleshomrah* is that these words refer to the sacrifices...’ By this Midrash, the Rabbis hinted that the sacrifices will cause growth and expansion in the tree of life and the tree of knowledge and all other trees in the garden of Eden. It is this which constitutes their cultivation and care...”).

<sup>113</sup> Nachmanides on *Leviticus* 1:9.

Samuel Holdheim, who led the extreme faction of the Reform movement, railed against the “dead creed” of Talmudism, advocating to upend rabbinic rulings that conflicted with the social reality of emancipated German Jews: that they no longer constituted a nation unto themselves, but were now citizens who were subject primarily to the laws of the modern state. In 1841, he came to the defense of the Hamburg Temple, whose *Seder Ha-Avodah* (popularly known as *The Hamburg Temple Prayerbook*) had come under fire from local rabbinic authorities. Chief among them was Isaac Bernays, the so-called *Chacham* of Hamburg. Bernays decreed that any Jew who used this prayerbook did not meet his obligation to pray, nullifying the religious validity of what historian Michael Meyer regards as “the first comprehensive Reform liturgy.”<sup>114</sup> The Hamburg prayerbook modified the traditional liturgy to reflect the Reform movement’s liberal, nationalistic spirit, promoting Jewish citizenship, interreligious tolerance and acculturation.<sup>115</sup> We see, for instance, the removal of the phrase *or chadash al Tzion ta’ir* (“may a new light shine over Zion”) in the first blessing before the recitation of the *Shema*.<sup>116</sup> This was a controversial omission, and the phrase was reintroduced in the second edition of the prayerbook. However, as Jakob Petuchowski notes, “it is a half-hearted appearance: the words are in small print and enclosed in parentheses, and they are left untranslated.”<sup>117</sup> This change, and others like it, were meant to underscore the Reform position that German nationalism and Judaism were in no way at odds. *Yotzer Or*, the first blessing before the *Shema*, addresses universalistic religious themes: the divine creation of earthly and terrestrial realms, the sublimity of the natural world, the enlightenment (literally) of all humanity. The fly in the ointment is the

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<sup>114</sup> Michael Meyer, *Response to Modernity: A History of the Reform Movement in Judaism* (Detroit: Wayne State University Press, 1995), 56.

<sup>115</sup> Jakob Petuchowski, *Prayerbook Reform in Europe: The Liturgy of European Liberal and Reform Judaism* (New York: The World Union for Progressive Judaism, 1968), 53.

<sup>116</sup> *Hamburg Temple Prayerbook*, ed. Seckel Isaac Frankel and Meyer Israel Bresselau (Hamburg, 1819), 35.

<sup>117</sup> Petuchowski, *Prayerbook Reform in Europe*, 55.

blessing's culminating call for a "new light over Zion," expressing a particularistic vision for the redemption of the world and an explicit longing for a return to Zion. By omitting (or, at least, obscuring) this phrase from the prayerbook or, at least, obscuring its meaning, the Reformers crafted a liturgy that reflected their ideological and theological commitments.

Another controversial modification to the liturgy reflected the early Reformers' theology of sacrifice. They omitted prayers for the restoration of the Temple sacrifices in multiple places and, most notably, overhauled *Kedushat Hayom* in the *Mussaf Amidah* so that it would cohere with their ideology. The traditional text reads:

You instituted the Shabbat; You favored its offerings. You commanded its specific laws along with the order of its libations. Those who delight in it inherit eternal glory, those who relish it merit life, and those who love its teachings have chosen greatness. Even before Sinai they were commanded about it. Then You, Lord our God, commanded us to offer on it the additional offering of the Sabbath in the proper way. May it be Your will, Lord our God and God of our ancestors, to lead us back in joy to our land and to plant us within our borders. There we will prepare for You our obligatory offerings: the regular daily offerings in their order, and the additional offerings according to their laws. And the additional offering of this Sabbath day we will prepare and offer before You in love, in accord with Your will's commandment, as You wrote for us in Your Torah, through your servant Moses, by Your own word, as it is said: "On the Sabbath day, make an offering of two lambs a year old, without blemish, together with two-tenths of an ephah of fine flour mixed with oil as a meal-offering, and its appropriate libation. This is the burnt-offering for every Sabbath, in addition to the regular daily burnt-offering and its libation."<sup>118 119</sup>

The Hamburg Temple Prayerbook, however, replaces this passage with the following text:

To Moses on Mount Sinai You commanded that Shabbat be remembered and kept, and on it You commanded us, our God, the Eternal One, to sacrifice an additional offering on Shabbat in the proper way. And so, may it be your will, our God, the Eternal One, God of our ancestors, that you willingly and mercifully receive the utterances of our lips<sup>120</sup>

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<sup>118</sup> *Numbers* 28:8-10.

<sup>119</sup> *The Koren Siddur: Nusach Ashkenaz*, trans. Rabbi Lord Jonathan Sacks (Jerusalem: Koren Publishers, 2006), 542-44.

<sup>120</sup> I have translated שפתינו in this way because I don't think that the specificity of "request of our lips" (this is how ארשת is meant in its sole appearance in Tanakh—Psalms 21:3) reflects the type of substitution that the Hamburg reformers are proposing. Plus, they are referring to the Shabbat *Amidah* which distinguishes itself from the weekday *Amidah* by eliminating the intermediate petitionary prayers.

instead of the obligatory sacrifices: the daily offerings in their order and the additional offerings as dictated by Jewish law. And the additional offering of this Sabbath day, in accordance with Your will's command, as You wrote for us in your Torah, through your servant Moses. "Those who keep the Sabbath and call it a delight shall rejoice in Your sovereignty..."<sup>121</sup>

These changes suggest that the commandment to offer the additional Shabbat sacrifice was an event that unfolded at a particular moment in history. The Hamburg version names Moses as God's main interlocutor on Mount Sinai, positioning "us" (the Jewish people) as second-order recipients of the divine legislation. It acknowledges that the Torah is specific about the requirement to offer sacrifices, but omits the lines that express a contemporary desire for the return to Zion or the reinstitution of the Temple cult. Instead, it proposes a linguistic substitution for the sacrifices: *areshet s'fateinu* ("the utterances of our lips"). These supplant the obligatory sacrifices, exemplified by the daily *tamid* offerings and the festal *mussaf* offerings. Finally, in a liturgical move made only by Maimonides before them,<sup>122</sup> the *Hamburg Temple Prayerbook* omits the traditional citation of Numbers 28:8-10.<sup>123</sup>

In 1841, the same year that Bernays expressed his staunch opposition to the liturgical innovations of the Hamburg Temple, Samuel Holdheim attended services there. He was so moved by the experience that he declared: "the [Hamburg] temple is undeniably the most important incident in the history of culture in Judaism,' [...] that it stood for the purely religious idea as opposed to the nationalistic, and that its great service consisted in giving practical

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<sup>121</sup> *Hamburg Temple Prayerbook*, 62. (translation my own).

<sup>122</sup> Ismar Elbogen, *Jewish Liturgy: A Comprehensive History* (Philadelphia: The Jewish Publication Society, 1993), 98-99.

<sup>123</sup> "...The other lamb you shall offer at twilight, preparing the same meal offering and libation as in the morning—an offering by fire of pleasing odor to the Eternal. On the Sabbath day: two yearling lambs without blemish, together with two-tenths of a measure of choice flour with oil mixed in as a meal offering, and with the proper libation—a burnt offering for every Sabbath, in addition to the regular burnt offering and its libation."



demonstration of the fact that Judaism is capable of progress and development.”<sup>124</sup> Holdheim’s praise is revealing of his overall theological stance: that Judaism changes according to changing historical and cultural circumstances. By naming the Hamburg Temple as “the most important incident in the history of culture in Judaism,” (and not, say, the construction of Solomon’s or Herod’s Temple in Jerusalem), he privileges the enlightened, nationalistic present over what he regards as the primitive, tribal past.

Holdheim defends the Hamburg Prayerbook’s treatment of the *Mussaf Amidah* in a 1841 responsum. In it, he is explicit about his adoption of Maimonides’ explanation of the sacrifices. He writes:

In Maimonides’ well-known view that the sacrifices were merely an accommodation of the divine wisdom to the then low level of culture among the Israelites, and a temporary dictate of necessity regarding the sacrificial rite, as it was common then on the entire earth, the prayer book finds strong support. This is because this necessity cannot exist any longer in the future, particularly in the Messianic time, when the pagan cult of sacrifices will have disappeared from the earth, and with it all justification for the [Biblical] rite of the sacrifices.<sup>125</sup>

Holdheim and his colleagues at the Hamburg Temple take Maimonides’ argument in chapter 32 of the third part of the *Guide* and bring it to its logical conclusion: that the reinstitution of the sacrifices, a “temporary dictate of necessity” established out of the legislator’s awareness of and sensitivity to the cultural norms of antiquity, is an unreasonable object of modern, rational religious longing. For the Reformers, as for Maimonides before them, the messianic age will be characterized by political stability and the widespread acceptance of the transcendent oneness of God. “There will be no famine or war, no jealousy or competition. The Good will flow

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<sup>124</sup> David Philipson, “The Reform Movement in Judaism. III,” in *The Jewish Quarterly Review*, vol. 16, No. 3 (Apr., 1904), pp. 485-524, University of Pennsylvania Press, 485.

<sup>125</sup> George Kohler, *Reading Maimonides’ Philosophy in 19th Century Germany: The Guide to Religious Reform* (Dordrecht: Springer Netherlands, 2012), 196.

abundantly. ... And all the world will engage solely in knowing God.”<sup>126</sup> The arrival of the messianic age will not include a supernatural upheaval of the natural order of things; “the world will continue according to its customary way.”<sup>127</sup> Thus, it is unreasonable to expect that, upon reaching the telos of their religious and philosophical development, the people Israel would regress to the point of needing to have their primitive impulses met anew. The way that Maimonides and the early Reformers understand it, there is hardly any room for bloody or pagan elements in a world perfected.

Of course, some readers of Maimonides on this subject will point out that Maimonides’ description of the messianic age in his *Mishneh Torah* begins with the following: “The King Messiah will rise and reinstate the Kingdom of David, the first government as in the days of old. And he will build the Temple and gather the dispersed of Israel. And he will restore the statutes [*mishpatim*] as they once were. Sacrifices will be offered, the Sabbatical and Jubilee years will be observed, as commanded in the Torah.”<sup>128</sup> I will not attempt to address the discrepancy between Maimonides’ treatment of the sacrifices in the *Guide* and this passage from the *Mishneh Torah* at any great length, but will note the following: Maimonides lists the offering of sacrifices and the observance of Sabbatical and Jubilee years as examples of the *mishpatim* that will be reinstated. He says nothing about *chukkot*, the problematic category of commandments that, according to both the *Guide* and in the *Mishneh Torah*, includes the sacrifices. This might suggest that, in messianic times, the sacrifices will be properly understood according to a rational purpose that can only be revealed once “the deep, sealed matters”<sup>129</sup> of the Law are understood according to the wisdom that will, in those days, prevail. If this explanation proves

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<sup>126</sup> *Mishneh Torah, Melachim u’Milchamot* 12:5.

<sup>127</sup> *Ibid.*, 12:1.

<sup>128</sup> *Ibid.*, 11:1.

<sup>129</sup> *Ibid.*, 12:5.

insufficient to resolve the tension between the two works, I would point to the Straussian understanding of the difference between the two works: one (the *Guide of the Perplexed*) is an esoteric text while the other (the *Mishneh Torah*) is an exoteric text. According to Strauss's *Persecution and the Art of Writing*, Maimonides veils his true beliefs by writing two texts: the Guide, which is only to be understood by the learned, philosophical elite and the *Mishneh Torah*, which, despite containing philosophical elements (and, perhaps, an underlying philosophical and political agenda), is meant to appeal to the popular beliefs and practices of the average Jew.

Whether or not these two texts cohere on this point, it seems that there is sufficient evidence to argue that a Maimonidean, rational-anthropological theory of sacrifice posits that even if the necessary preconditions for biblical sacrifice one day re-emerge, be it through a return to Zion or even the reconstruction of the Temple in Jerusalem, there is no reasonable justification for the resumption of the sacrificial cult. In an 1842 response to Naphtali Frankfurter's traditionalist critique of his defense of the Hamburg Temple Prayerbook, Samuel Holdheim makes this point abundantly clear: "...the sacrifices will never return, unless the coming of the Messiah will bring universal darkness instead of enlightenment; instead of the fulfillment of the prophecy that all peoples will worship the One God in refined language, polytheism will rule so that the sacrifices can uproot it."<sup>130</sup> For Holdheim, the sacrifices constitute little more than ancient, Israelitish ephemera. Their memory lives on in canonical Jewish literature, but, as a form of religious observance, they have no place in an enlightened society. "Worship [of] the One God in refined language" takes its place.

Ethical and aesthetic refinement is of the utmost importance to the early Reformers. Like his radical counterpart, the more moderate Abraham Geiger seeks what he calls "the world-

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<sup>130</sup> Kohler, *Reading Maimonides' Philosophy in 19<sup>th</sup> Century Germany*, 196.

forming and world-moving Idea of Judaism,” a philosophical essence that fully coheres with enlightened, liberal modernity. In order to discover this essence, to separate the husk from the seed (to borrow a favored metaphor of his), he advocates for the academic study of Judaism through its literature and its history: the *Wissenschaft des Judentums*. By employing these methods, he seeks to establish Judaism as a “world-historic phenomenon,”<sup>131</sup> an enduring idea that develops according to historical circumstances while, at the same time, shaping them. In so doing, he simultaneously rejects the superstitious traditionalism and religious fundamentalism of the non-Reform rabbinic establishment, as well as the antisemitic, supersessionist critiques levied by academics and theologians in his day. He argues that Judaism is a religion that, if properly understood, “embraces higher truths.”<sup>132</sup> It is, in its purified form, an enlightened religion.

Taking up the Maimonidean historicist argument (but, in keeping with the *Wissenschaft* methodology, setting aside the divine origin of Torah and, thus, the sacrificial commandments), he writes that Judaism has, over history, “established itself as a religion that adores God as the holy One, as the ideal of moral purity, by the fact that it invariably emphasizes moral worth also in its human relations, that it does not recognize the mightier ones as possessing exclusive rights, but grants them power only so far as they are justly entitled thereto.”<sup>133</sup> A Judaism perfected looks a lot like Enlightenment liberalism, with rights accorded to each individual and authority granted willingly, not through coercion. This contrasts starkly with Geiger’s vision of the ancient past, wherein God was approached by trembling men, who overlooked their ethical obligations to one another in order to “court His favor” or “ward off His displeasure.” This is, Geiger argues,

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<sup>131</sup> Ibid., 14.

<sup>132</sup> Abraham Geiger, *Judaism and Its History*, trans. Charles Newburgh (New York: Bloch Publishing, 1911), 68.

<sup>133</sup> Ibid., 62.

due to the influence of “low cultures,” whose difference is “eminently manifest in their divine worship.” He refers here to “the nations that now and then ruled over Israel and were at all times in such close contact with Israel:”<sup>134</sup> Maimonides’ star worshipping Sabeans and Nachmanides’ pagan Chaldeans. He decries these barbaric peoples, stoking the fire of his condemnation with a long discussion of the prevalence of human sacrifice. He goes on, however, to clarify that the primary object of his critique is not the horror of child-killing, but of the “low religious sentiment” of sacrifice:

But animal sacrifices is no less the expression of a low religious sentiment. Animal sacrifice, too, has for its object the winning of favor by giving up some property without tending to moral reform and furthering moral ennoblement. Nor did animal sacrifice spring from the soil of Judaism, it was tolerated, and only tolerated; it was continually inveighed against by Israel’s best and noblest men, the prophets, who point out its low degree in the most emphatic terms.<sup>135</sup>

Quoting the Psalmist,<sup>136</sup> and the prophets Micah<sup>137</sup> and Jeremiah,<sup>138</sup> Geiger argues that sacrifice was not indigenous to Judaism—that it was tolerated for a time, in accordance with the cultural and political conditions of the moment, but that its eventual, prophetic rejection constituted a return to a purer Judaism. Geiger goes on to describe this Romantic notion in terms of the triumph of the spirit of Judaism. Sacrifice is an old form that could not be preserved. With or without the destruction of the Temple, transformation was necessary to restore Judaism to its fundamental character. He argues that “if the sacrificial idea had been a necessary element in

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<sup>134</sup> *Ibid.*, 63.

<sup>135</sup> *Ibid.*, 64.

<sup>136</sup> *Psalms* 50:8-13. It should be noted that Geiger takes considerable liberties in his translation of these verses, omitting verse 14 of the psalm, which states: “Sacrifice a thank offering to God, and pay your vows to the Most High.” Geiger concludes instead with an original, emphatic summary of his point: “Away with sacrifice!”

<sup>137</sup> *Micah* 6:6-8.

<sup>138</sup> *Jeremiah* 7:22-24. This citation coheres with his historicist reading of the sacrifices, in that it polemicizes sacrifice (or, at least, sacrifice without having met the necessary ethical preconditions for sacrifice) and refers to those who offer sacrifices as having regressed somehow: “They have gone backward, not forward.”

Judaism, sacrificial service would certainly have outlived the destruction of the Temple [...] But the very idea had become completely exhausted. Sacrifice had lost its hold upon the hearts and minds of the people; it was an inherited custom, an institution upon which so many political offices were based, upon which the authority of so many leaders and their employees rested, and which, therefore, could not have been overthrown all at once.”<sup>139</sup> Sacrifice was imbricated with political realities as well as cultural ones. It only maintained its sway over the people because of the elite’s desire to retain power and influence. In a thoroughly liberal reading of the history of the Temple cult, he understands its disappearance in terms of the people no longer viewing it as religiously significant or authoritative. The “sacrificial idea” lost its grip on the people Israel and was rendered unnecessary.

Thus, Geiger reforms the liturgy to root out the sacrificial element. In many ways, his is a more moderate effort than that of the authors of the *Hamburg Temple Prayerbook*. For instance, he retains the *Or chadash* passage in the first blessing before the *Shema*, tolerating the phrase’s overt Zionism for the sake of communal solidarity and respect for Jewish history and literature. Before the 1954 publication edition of his *Israelitische Gebetbuch*, he wrote:

...the cure of the ills [of the traditional *siddur*] must not be sought in a complete recreation. The power of the religious expression of life does not lie in the individual sentiment alone, but primarily in the living relationship of the individual to a community standing on the same basis; in the firm grasp of a great past, rich in memories; and in the joy through which one is led from such a past into a new future. Every single Jewish congregation is a link of the totality of Jewry. In its institutions, it must represent the whole.<sup>140</sup>

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<sup>139</sup> Geiger, *Judaism and Its History*, 65.

<sup>140</sup> Jakob Peuchowski, *New Perspectives on Abraham Geiger: an HUC-JIR Symposium* (New York: Ktav Publishing, 1975), 49.

Geiger was prepared to make some concessions to traditionalism for the sake of maintaining and promoting communal solidarity and the study of Jewish history and cannon. In one respect, however, he was not willing to make any such concession: the mention of or expression of desire for sacrifice. Despite his moderate approach to religious Reform, his treatment of the *Mussaf Amidah* is even more extreme than that of the Hamburg Temple Prayerbook. Like Holdheim, Geiger takes issue with multiple components of the traditional liturgy: the centrality of Zion, the gathering of the exiles in the messianic age, and, of course, the sacrifices. However, in his preface to the *Gebetbuch*, Geiger offers some dispensation for the first two, acknowledging the importance of Jerusalem and Zion as “a spiritual idea,” and messianism a “hopeful look into the future.”<sup>141</sup> Meanwhile, he observed no such silver lining for sacrifice in the liturgy. In fact, other than his reiterating its problematic place in the traditional *siddur*, he doesn’t mention the subject again.

And so, in the first printing of his *Gebetbuch* in 1854, he does away with all mention of the association between the *Mussaf* service and the additional sacrifices that were offered in the Temple on Shabbat. He even eliminates the “*areshet s’fateinu*” modification, rejecting the idea there is any appropriate substitution (no matter how abstract) for the sacrifices in modernity. By the 1870 printing of his *Gebetbuch*, the entire passage in question is omitted, skipping over this material straight to *Yism’chu*. A reader of his theological writings will not be surprised:

Every establishment of religion on the basis of sacrificial worship, of a sacrifice that was offered once upon a time, be it animal, human, or even divine, every longing, retrospective glance at the ancient sacrifices as being manifestation of a fuller and loftier life, every assertion that sacrificial service had vanished for the present and must therefore be represented by a certain prayer—every such acknowledgement attributing spirituality to sacrifice is a relapse into heathenism.<sup>142</sup>

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<sup>141</sup> “Preface to Geiger’s Prayerbook,” in *Prayerbook Reform in Europe*, 150-51.

<sup>142</sup> Geiger, *Judaism and Its History*, 67.

“Once upon a time,” but no longer does sacrifice have anything to do with the high aspirations of Geiger’s purified Judaism. The carnal rituals of the past have given way to a contemplative, high-minded spirituality. In his view, the continued influence of sacrifice over the Jewish religious worldview is the result of a misapprehension that demands correction. Even symbolic or linguistic substitution for these ancient practices is a step backwards, an unnecessary and damaging move away from the enlightened religion that Judaism, freed from the bondage of superstition and idolatry, is.

#### Samson Raphael Hirsch’s Modern, Orthodox Elaboration on the Nachmanidean Mystical-Symbolic Approach

Just as Nachmanides rebutted Maimonides’ theory of sacrifice in the 13<sup>th</sup> century, Samson Raphael Hirsch rebutted the Reform position in the 19<sup>th</sup>. Widely regarded as the founder of modern Orthodoxy, Hirsch adopts Nachmanides’ mystical-symbolist understanding of the sacrifices, as well as his frank (and somewhat antagonistic) style of argumentation. He writes:

As for the fall of Zion and the destruction of the Temple—to the assimilationist this meant liberation from bloody sacrifices. He hails that tragedy as a religious gain [...] With a conceit engendered by stupidity and a perfidy born from hatred they point to God’s Temple and the Divine Service in Zion as the unholy center of the “bloody cult of sacrifices.” Consequently, they make certain to eliminate any reference to the restoration of the Temple service from our prayers. [...] “Bloody cult of sacrifices!” To the assimilationist this very expression characterizes the atrocious level of cannibalistic and inhumane practices which reflect on the moral depravity of an Abraham and Jacob, a Moses and Aaron, a Hannah and David, a Solomon and Isaiah. The “cultured, refined” sons and daughters of our time must turn away with utter disgust from their ‘pre-historic, crude’ ancestors who worship their god with bloody sacrifices. [...] Really? It took all the centuries to arrive at this exalted state of sudden awareness of the true role of God and humanity? Our assimilationists discovered its meaning of true godliness and humaneness? What of our ancestors!<sup>143</sup>

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<sup>143</sup> Samson Raphael Hirsch, *The Collected Writings*, trans. Paul Forcheimer (Jerusalem: Feldheim, 1984), I:385-87.



Hirsch takes aim at the early Reformers' fixation on culture. Never mind the distinction between high and "low religious sentiment," Hirsch chides these Jewish "assimilationists" for their attempt to separate Jewish essence from form. Orthodoxy does not allow for a distinction to be drawn between the "idea of Judaism" and the religious culture that has risen up around it. Between the Written Torah and the Oral Torah, revelation is all-encompassing and boundlessly meaningful. The "bloody cult of sacrifices," though sanguine, is made holy due through the participation of the holy priests, contact with the consecrated altar, and the direct mandate of God.

To Hirsch, as to Nachmanides, these things are eternal sources of meaning. To the Reformers, they are temporal and context-dependent. By invoking the heroes of Tanakh, Hirsch undermines the Maimonidean (and Reform) narrative that the arc of Jewish history has bent always toward progress, that the Jewish people have been led through stages of religious development since time immemorial, culminating in the present. He denounces their hubris, thinking that they have achieved a "sudden awareness of the true role of God and humanity," while our ancestors lived in a backwards, primitive state of wrongheaded religious devotion.

Following in Nachmanides' footsteps, he asserts that the real meaning of the sacrifices, the veritable *taam ha-korbanot*, is symbolic. In fact, he expands upon Nachmanides' argument, expanding his theory to apply not only to the expiatory sacrifices, but also to the thanksgiving sacrifices. He writes that "true sacrifice represents man's most profound elation and devotion," listing various public causes (the redemption from Egyptian slavery, the giving of the Torah, the dedication of the Temple, the celebration of the Festivals, etc.) and private causes (the birth of a child, recovery from illness, etc.) for the offering of thanksgiving sacrifices. At both a national and individual level, sacrifice is the way that Jews experience "moments of gratitude and

joyfulness before God, [as well as] moments of contrition and regret. The noble purpose of the Jewish sacrifice is the gift of Divine proximity.”<sup>144</sup>

Like Nachmanides before him, Hirsch homes in on the “nearness” inherent in the verbal root ק-ר-ב. Offering *korbanot* draws one closer to God, flying in the face of Maimonides’ rationalist theology of absolute transcendence. His vision of the drawing together of the sacrificer and the deity is reminiscent of Nachmanides’ understanding of the Temple altar as a unifying agent, albeit with a somewhat humanistic bent. Along with drawing the sacrificer and the deity closer together, the Temple serves as a cultic meeting place for the people Israel, uniting the community around a shared spiritual center and engendering a sense of binding, “common concern.” Hirsch writes that “to arise as a united whole, with joint devotion, would result in an instant fulfillment of all that is holy and good, true and great in the Divine law.” He acknowledges that the Torah has political aims, such as inculcating a sense of unalterable civic responsibility and inspiring a “spirit of communal dedication.”<sup>145</sup> And yet, he is not willing to accept the Maimonidean contention that the sacrifices were adopted to serve a particular political purpose in response to specific historical circumstances. For Hirsch, the personal and communal unification that were always at the core of the sacrificial cult remain accessible to us through a symbolic reading of sacrifice:

The Jewish sacrifice expresses the highest ideal of man’s and the nation’s moral challenge. Blood and kidney, head and limbs symbolize our service to God with every drop of blood, every emotion, every particle of our being. By performing the act of sacrifice at the place chosen by God as the site of His Law, we proclaim our determination to fulfill our lofty moral and ethical tasks to enable God to bless the site of the national vow with the presence of his glory and with the fullness of this love and grace.<sup>146</sup>

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<sup>144</sup> Ibid., I:388-89.

<sup>145</sup> Ibid., II:340.

<sup>146</sup> Ibid., I:389.

Elaborating upon Nachmanides' tripartite symbolic breakdown of the burnt offering (head, viscera and limbs), Hirsch underscores that Jewish sacrifice is a symbolic representation of "all of one's being." Like his medieval antecedent, he emphasizes the importance of the sacrificial altar (the "place chosen by God") in the ethical improvement of the individual and in the formation of a united body politic.

David Ellenson notes that the power of symbolism is key to Hirsch's theory of education. For him, an enlightened, Jewish *Bildung* did not require disavowing the perceived barbarity of Judaism's ancient past, but mining them for enduring, symbolic meaning. In his *Nineteen Letters*, Hirsch writes that "the mere acknowledgement of the essential principles of life does not suffice for the building up of a life [...] There is need, in addition, of symbolic words and acts which shall stamp them indelibly upon your soul, and thus preserve them for you and others."<sup>147</sup> For Hirsch, this is the power of both the sacrifices and the prayers that came to replace them: they help Jews to build stronger relationships with God, with the Jewish community and with themselves. By viewing themselves in light of their symbolic representation in Jewish sacrificial texts and rituals, and understanding these texts and rituals as being authored by God, they draw nearer to God Godself.

This chapter (Num. 28:1-9) contains the order of the *tamid*, the daily offerings. Through them, morning and night, Israel comes as a *keves*, as a "lamb," before God, the "Shepherd" of its existence, both as a group of individuals and as a nation. Through the act of Sacrifice, Israel expresses the dedication of its personality (symbolized by blood) to the quest for the lofty pinnacle of its destiny (symbolized by the act of sprinkling the blood over the altar), and, by inference, the consecration of all of its organs of perception, will-power and achievement (symbolized by the entrails) as nourishment for the

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<sup>147</sup> Samson Raphael Hirsch, *The Nineteen Letters on Judaism*, trans. Bernard Drachman (New York: Feldheim, 1960), Letter 13, in David Ellenson, *Between Tradition and Culture: The Dialectics of Modern Jewish Religion and Identity* (Atlanta: Scholars Press, 1994), 28.

purifying, illuminating and life-giving fire of the Divine Law to find favor in His eyes (symbolized by the pleasing odor rising to the heavens).<sup>148</sup>

In this commentary on Numbers 28,<sup>149</sup> Hirsch reimagines the offering of sacrifices as a symbolic act of self-realization. He does not depict a trembling devotee, going through the prescribed motions in a perfunctory way, seeking divine favor through the initiation of a desperate and crude gift-cycle. Instead, he imagines sacrifice as an act of dedication and aspiration. One can only offer themselves to God if they know who they are, if they systematically examine their faculties of perception, will and action. Finding favor in God's eyes is to see oneself represented symbolically in Torah, engaging in a mutually life-giving relationship with Jewish scripture and ritual.<sup>150</sup>

#### David Einhorn: The Radical Reformer Taking a Moderate Approach to the *Korbanot*

Having thoroughly illustrated the theological divide between Maimonides and Nachmanides on the question of *ta'amei ha-korbanot*, and demonstrated the ways in which this debate endured to the time of Holdheim, Geiger, and Hirsch, I will now turn my attention to David Einhorn. I will argue that his is an approach to sacrifice that synthesizes the Maimonidean and Nachmanidean approaches in a way that highlights their respective strengths, all while staying true to the three core tenets of Reform Judaism. These are: the primacy of reason, the moral autonomy of the individual, and the pursuit of universal aims through particularistic

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<sup>148</sup> Samson Raphael Hirsch, *The Hirsch Siddur: Order of Prayers for the Whole Year* (Jerusalem: Feldheim Publishers, 1969), 22.

<sup>149</sup> In accordance with the rabbinic opinion that, during this period between the destruction of the Second Temple and the messianic rebuilding of the Third, studying texts about the sacrifices is a fitting replacement for the offering of sacrifices, this passage from *Numbers* 28 is featured in traditional *siddurim*.

<sup>150</sup> For Hirsch's elucidation of the symbolic connection between the Temple sacrifices, the nineteen benedictions of the *Amidah*, and the body of the worshipper, see his *Collected Writings*, vol. III, 235-256.

means.<sup>151</sup> By putting his siddur, *Olat Tamid*, into conversation with his theological writings (found in *Das Prinzip des Mosaismus* and elsewhere), I will present his as a moderate theory of sacrifice, that is at once authentically Reform *and* attuned to the spiritual needs of the modern worshipper.

Like his Reform contemporaries, Einhorn embraced the Maimonidean approach to sacrifice. He was a vehement opponent of prayers for the restoration of the sacrifices,<sup>152</sup> regarding this priestly institution as part of the “outer kernel” of ancient Israelite religion. Einhorn wrote extensively about the need to access the essence of Judaism, wiping away the detritus of history to recover its underlying, vital concepts. He spoke to this matter even in his inaugural sermon as rabbi of Har Sinai Congregation of Baltimore, a testament to its importance to his rabbinate:

Our pious fathers identified, nay, confounded, the form [of divine law] with the essence, applying the standard of legalism even to the laws of morality. Praying and hoping for a restoration of the long antiquated sacrificial cult, they clung to lifeless customs which dulled their religious and moral sense. We have come to a turning point. Our entire religious and moral life is imperiled. Mere outward forms which render the service more attractive are of no avail. They merely hide the inner decay. Judaism must be reformed from within.<sup>153</sup>

For Einhorn, as it was for Geiger and Holdheim, the “long antiquated sacrificial cult” serves as the example *par excellence* of the type of theological chaff that must be separated and discarded to reveal a purified Judaism. Like the pagan worship that, in Maimonides’ rational-anthropological view, the sacrificial cult sought to stamp out, the commemoration of the very

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<sup>151</sup> These are well articulated in Dr. Andrew Rehfeld’s introduction to *Scriptions: Jewish Thoughts and Responses to Covid-19*, 2020, [www.scriptions.huc.edu](http://www.scriptions.huc.edu).

<sup>152</sup> See Eric L. Friedland, “*Were Our Mouths Filled with Song:*” *Studies in Liberal Jewish Liturgy* (Cincinnati: HUC, 1997), 17.

<sup>153</sup> David Einhorn, “Inaugural Sermon at Har Sinai Congregation of Baltimore (September 27, 1855),” quoted in Kaufmann Kohler, “A Biographical Essay,” in *David Einhorn Memorial Volume*, ed. Kaufmann Kohler (New York: Bloch, 1911), 436.

same sacrificial cult has become a form of idolatry. Einhorn speaks with urgency about the need to overcome Orthodoxy's irrational attachment to this "outward form" of a bygone moment in Jewish history. Religious aesthetics are the products of a particular cultural moment. The enduring religious and moral value is found within. To fixate upon the preservation of the exterior leads, in Einhorn's view, to the decay of the interior. Focusing on the rational, inner meaning of religion allows its outward forms to evolve in accordance with the cultural conditions of the moment, while allowing the light of its essential concepts to shine through.

Einhorn contrasted the Reform Jew with what he called "the Talmudic Jew," an irrationally obedient traditionalist for whom "the Messianic hope is inseparable from the whole ceremonial law, the full observance of which his salvation depends."<sup>154</sup> This Jew hopes for the restoration of the sacrifices and other priestly institutions, while the Reform Jew "no longer believes in the atoning power of sacrifice and priesthood connected with the holy land. [Instead, he stands] upon the ground of prophetic Judaism which aims at a universal worship of God by righteousness. [... He] hopes for a spiritual rebirth and the uniting of all men in faith and in love by the agencies of Israel."<sup>155</sup> Einhorn's commitment to rationalism, moral autonomy and universal ethics leads him to rail against the religious longing for the reinstitution of sacrifices, eliminating any insinuation of this hope from his siddur. This is exemplified by his radical reformulation of the *Avodah* blessing of the *Amidah*, removing any mention of the sacrificial cult, and replacing the traditional *chatimah* (*Baruch atah Adonai ha-machazir shechinato l'Tzion*—"Blessed are You, Adonai, who restores His Presence to Zion.") with *Baruch atah Adonai sheot'cha levad'cha b'yirah na'avod*—"Blessed are You, Adonai, Whom alone we

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<sup>154</sup> Kauffman Kohler, "David Einhorn's Guiding Principles" in *Gates of Understanding: A companion volume to Shaarei Tefillah: Gates of Prayer*, ed. Lawrence Hoffman (New York: Central Conference of American Rabbis, 1977), 24.

<sup>155</sup> *Ibid.*, 25.

worship in awe.”<sup>156</sup> This formulation, which is said in Palestinian Talmud to have been recited by the priests upon completion of the Yom Kippur ritual,<sup>157</sup> expresses the Maimonidean understanding of the function of the sacrifices: to channel the worshipper’s religious fervor into an expression of monotheistic belief.

As for the passages of the *Mussaf Amidah* that Holdheim and Geiger so boldly amended in their siddurim, Einhorn does away with them altogether. In fact, he eliminates the entire *Mussaf* service, a move which will influence the Shabbat observance of Reform Jews for the 20<sup>th</sup> century and beyond. This does not mean, however, that *Olat Tamid* does away with sacrifice as such. In fact, due to Einhorn’s embrace of the vernacular and disregard for the traditional order of prayers, *Olat Tamid* engages deeply with the concept of sacrifice. In a flowing, literary rendering of *Kedushat Ha-Yom* for *Tisha B’Av*, Einhorn offers the following:

... The one temple in Jerusalem sank into the dust, in order that countless temples might arise to thy honor and glory all over the wide surface of the globe. The old priest-dignity and the old sacrificial worship were swept away, in order that the whole congregation, as its original destination required it, might become a priest and offer up those sacrifices which are more agreeable to thee than the blood of animals, than thousands of streams of oil—sacrifices of active love of God and man; sacrifices of a pure, holy life, which neither distress nor death is able to turn from the path of truth; sacrifices of that unexampled fidelity to God the greatness of which a hundred ages proclaim...<sup>158</sup>

Here, Einhorn at once highlights the impermanence of the priestly sacrificial cult *and* the enduring religious significance of the act of sacrificing. In keeping with the centrality of moral autonomy to Reform ideology, he identifies each member of the congregation<sup>159</sup> as a potential

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<sup>156</sup> *Olat Tamid: Book of Prayers for Israelitish Congregations*, English/Hebrew Edition (New York: Rev. Dr. David Einhorn, 1872), 8. Note: Einhorn’s translation is: “Be praised, O God, whom alone we adore and worship.”

<sup>157</sup> Ismar Elbogen, *Jewish Liturgy: A Comprehensive History*, 24.

<sup>158</sup> Einhorn, *Olat Tamid*, 331-332.

<sup>159</sup> Note, as well, the ambiguity of the term “congregation.” He does not specify whether this is an “Israelitish congregation” or, perhaps, a more universal religious organization.

priest, able to make a sacrifice of their own choosing. The sacrifices of ancient Israel are not replaced by prayers, as famously argued by the rabbis in the Babylonian Talmud,<sup>160</sup> but by sacrifices that are made in pursuit of living an ethical,<sup>161</sup> rational,<sup>162</sup> and faithful<sup>163</sup> existence.

The notion that the sacrifices offered *to* God on the altar in Jerusalem were replaced by religiously significant sacrifices made *for* ethical and intellectual improvement of the offeror and the world they inhabit, is reinforced by Einhorn's "Prayer for the Sabbath of *Parshat Shekalim*:"

...with pride and exultation we think of the pious willingness with which Israel at all times fulfilled this duty. Not during that time alone when thy temple stood were new offerings, for the religious benefit of the community, contributed every year, [...] but even during the long, long centuries of our dispersion over all the parts of the world thy commandment never ceased to meet with a powerful echo in our midst. And the offering during the numberless years of crushing oppression was not a half-a-shekel; it consisted in the unwearied endurance of the most cruel blasting of life, in willingly sacrificing fortune and blood for the maintenance of thy law. May that sublime self-sacrificing spirit of our ancestors be a guiding example and solemn admonition to us, the children of a happier age. Grant that every member of our community, in gratitude for thy loving kindness, which has allowed us to see so much better days, may joyfully offer the incomparably lighter tribute now demanded for the promotion of the religious interest of Israel...<sup>164</sup>

Here, Einhorn liberates Jewish sacrifice from the Temple cult with which it has become so closely associated, arguing for the persistence of "new offerings, for the religious benefit of the community" throughout history. The half-shekel offering, an annual tithe levied by the priests in antiquity, transforms over the centuries, adapting to the conditions of exile and dispersion. In a striking evocation of the Jewish martyrs of the Middle Ages, he suggests that the sacrificial cult has been replaced by acts of sacrifice that embody the spirit of sacrifice ever more deeply. In

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<sup>160</sup> *Bavli Berachot* 26b.

<sup>161</sup> "...sacrifices of active love of God and man..."

<sup>162</sup> "...sacrifices of a pure, holy life, which neither distress nor death is able to turn from the path of truth..."

<sup>163</sup> "...sacrifices of that unexampled fidelity to God the greatness of which a hundred ages proclaim..."

<sup>164</sup> *Olat Tamid*, 24-25.



other words, the destruction of the Second Temple did not bring about the end of sacrifice, but rather a ramping up of sacrifice. The fact that Einhorn's pre-Shoah, American Jewish community did not need to give up life and limb for their continued survival was simply a matter of good fortune. Sacrifice, however, continues to be a necessary facet of religious life. As he puts it, a "tribute [is] now demanded for the promotion of the religious interest of Israel." According to Einhorn's theological and liturgical writing, the essence of sacrifice reveals itself over the course of Jewish history. Although the rational and autonomous Reform Jew cannot abide bloody sacrifices mandated by a supernatural or priestly legislator, *willing sacrifice* for the sake of the individual and communal good persists as a vital and meaningful theological concept.<sup>165</sup>

In addition to understanding the sacrifices in terms of their historical and conceptual development, Einhorn appeals interprets them symbolically. Unbound by obedience to Talmudic dicta and unmoved by the mystical allure of Kabbalah, Einhorn develops a rational Nachmanidean approach to sacrifice. He is, in fact, explicit about the inadequacy of Maimonides' approach to sacrifice, deriding it as a "superficial theory of accommodation." He rejects, as he have seen, the notion that sacrifice was only religiously significant insofar as it responded to the challenge of pagan religion, arguing for the enduring religious significance of the act of sacrificing. Additionally, he rejects that something as intricate, and as central to biblical religion, as the sacrificial system could be devoid of enduring meaning. And so, like

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<sup>165</sup> The *Union Prayer Book* (which was edited by Einhorn's son-in-law, Kauffman Kohler, and was heavily influenced by *Olat Tamid*) elaborates on this concept in its literary rendering of the intermediate blessings of the Shabbat Evening Amidah: "How much we owe to the labors of our brothers! Day by day they dig far away from the sun that we may be warm, enlist in outposts of peril that we may be secure and brave the terrors of the unknown for truths that shed light on our way. Numberless gifts and blessings have been laid in our cradles as our birthright. Let us then, O Lord, be just and great-hearted in our dealings with our fellowmen, sharing with the fruit of our common labor, acknowledging before Thee that we are but stewards of whatever we possess. Help us to be among those that are willing sacrifice that others may not hunger, who dare to be bearers of light in the dark loneliness of stricken lives, who struggle and even bleed for the triumph of righteousness among men. So may we be co-workers with Thee in the building of Thy kingdom which has been our vision and goal through the ages."

Nachmanides and Samson Raphael Hirsch before him, he proposes a symbolic reading of the sacrifices that will reveal the “eternal truths” comprised by what he dubbed “Mosaic theology.”<sup>166</sup>

By treating the sacrifices as symbols, Einhorn asserts that “a ritual act possesses a religious-moral idea which can be drawn out through understanding or use of the symbol.”<sup>167</sup> Eschewing the mysticism of Nachmanides’ notion of theurgic *kreivah*, in which the divine *sfirot* are drawn closer together in response to the act of ritual sacrifice, Einhorn focuses on the effect that the sacrifice has on the sacrificer. In *Das Prinzip*, he writes that “the symbol of a religious idea is by its nature worthless in itself, and establishes holiness only by means of the idea which dwells within it.” As Dr. Philip Cohen puts it, the symbolic ritual is “purely anthropocentric,” and is incapable of “changing worldly conditions” apart from the psychic change catalyzed within the worshipper.<sup>168</sup>

For Einhorn, the ideational structure of the *korbanot* requires symbolic interpretation. Each sacrifice is undergirded by an idea, and this idea is still accessible to us today. Cohen explains that “as symbols of large ideas, the sacrificial system serves the contemporary world purely as a heuristic device. Its existence as an institution, irrespective of its actually being carried out, is the reminder of those ideas. In Einhorn’s rationalist schema, bringing a sacrifice is only a step in the process of unfolding whatever idea that specific sacrifice was intended to symbolize.”<sup>169</sup>

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<sup>166</sup> Friedland, *Were Our Mouths Filled with Song*, 19.

<sup>167</sup> Philip Cohen, “David Einhorn: Biblical Theology as Response and Reform,” PhD diss. (Brandeis University, 1993), 282.

<sup>168</sup> *Ibid.*, 283.

<sup>169</sup> *Ibid.*, 311.

Without the ability to read *Das Prinzip*s in its original German, it is difficult to say how Einhorn made sense of the ideational structure of the sacrificial system in its totality. Relying on the translations provided by Dr. Cohen, however, I am able to offer a rough sketch of how Einhorn symbolically interpreted the major *korbanot*. In his view, the *chattat* (“sin offering”) symbolizes the human capacity for moral reflection, the *asham* (“guilt offering”) symbolizes the liberation experienced by the repentant individual, and the *shlemim* (“well-being offering”) symbolizes the mutually sustaining relationship between man and God.<sup>170</sup> To offer these sacrifices in antiquity, or to invoke their names in modernity, is to be brought into transformative contact with these fundamental ideas.

Despite the fact that Einhorn’s siddur obliterates the traditional relationship between liturgy and sacrifice (either as a substitute for it or as a petition for its reinstitution), and that it reformulates sacrifice as an ethical act that takes shape depending on the demands of one’s cultural or historical context, *Olat Tamid* makes frequent mention of the biblical sacrifices, mining these ancient signifiers for their symbolic meaning. The most obvious example of this is in the title of the siddur: *Olat Tamid*—“Continual Burnt Offering.” This biblical allusion is made explicit on the siddur’s title page, which quotes the biblical verse whence it came: “A continual burnt offering, as ordained on Mount Sinai for a sweet savor, a sacrifice by fire to the Lord.”<sup>171</sup> According to Eric Friedland, the titular *korban* symbolizes perfectibility and progress to Einhorn. It is for this reason that it is a fitting name for a prayerbook that has been rid of the superstitions and falsehoods of Talmudism, and that reflects the ever-deepening intellect of the modern Jew.<sup>172</sup>

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<sup>170</sup> Ibid., 301-305.

<sup>171</sup> *Numbers* 28:6.

<sup>172</sup> Friedland, *Were Out Mouths Filled with Song*, 20-21.

The *olah* sacrifice is invoked within the pages of the siddur as well. In a fascinating liturgical move, Einhorn refers to the biblical burnt offering in his “Consecration Prayer (For a new-born Child, on occasion of its Mother’s revisiting the Synagogue for the first time.):”

Thine, O God, is all we are or have; thou givest us life and adornest it with manifold gifts. And among the precious of thy gifts are—children, the tender sprouts which fill the parental heart with delight and hope. And thus, on this day, a mother, who worships among us in this house, has re-entered it for the first time at the side of her husband, to offer up to thee the *olah* of gratitude<sup>173</sup> for so priceless a gift; but chiefly have they come to give thee what is thine, O God of Israel, and consecrate to thy holy service, to the exalted mission of Israel...<sup>174</sup>

By associating the consecration of the newborn with the offering up of the *olah* sacrifice, Einhorn taps into the difficult task of the mother: letting go. After so many months of gestation, the mother and child must part. To consecrate the child is to affirm that he or she is an individual, and that they belong not only to the mother, but to the people Israel, and to God Godself. By invoking the burnt offering during this ceremony, he calls upon the ancient symbol of surrender to God. Although the mother is not literally offering a sacrifice, Einhorn calls her attention the offering that symbolically reminds us of the fact that all life, no matter how new or dependent, belongs to the Creator.

In conclusion, David Einhorn’s theory of sacrifice combines Maimonidean rationalism and Nachmanidean symbolism to arrive at a compelling, Reform theology. He argues, as Maimonides does, that the sacrificial cult was a product of its time, and concurs with Holdheim and Geiger on the intolerable irrationality of traditional petitions for the reinstitution of the sacrifices. In fact, he takes these arguments a step further, arguing that sacrifice did not end with

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<sup>173</sup> Cf. *Leviticus* 12:2-6, in which the mother of a newborn offers a burnt offering *and* a sin offering as part of a postpartum purification ritual.

<sup>174</sup> *Olat Tamid*, 42-43.

the destruction of the Second Temple, but rather transformed in response to historical and cultural circumstances.

Einhorn's argument for the enduring religious significance of sacrifice has to do with the progressive revelation of the spirit or essence of sacrifice, as well as with the symbolic value of the sacrificial system. Like Nachmanides and Hirsch, he offers symbolic interpretations of each of the *korbanot*, attempting to locate the underlying ideational structure of the system. Unlike these men, he does not tie his symbolic understanding of the sacrifices to any mystical effect on God. The effect, instead, is on the sacrificer, who is transformed by his communion with the "eternal truth" symbolized by the sacrifice at hand. Einhorn's willingness to depart radically from the traditional order of prayer and to offer innovative, creative liturgies in the vernacular allows him to incorporate his unique, synthetic approach to sacrifice into the worship service. The result is a theology that reformulates sacrifice as a religiously significant act within a Reform milieu, and that recasts the sacrificial system as a symbolic representation of some of Judaism's most fundamental and sacred concepts.

## Conclusion

In this chapter, I have outlined Maimonides' and Nachmanides' respective understandings of the *korbanot*, and have demonstrated their influence on 19<sup>th</sup> century Reform and Orthodox thought. Adopting Maimonides' rational-anthropological approach, Samuel Holdheim and Abraham Geiger disregard the *korbanot* as an outmoded, bloody vestige of our people's primitive past. Out of their desire to access and promote the rational, enlightened concepts of Judaism, they distanced themselves from one of its most fundamental institutions. Samson Raphael Hirsch, meanwhile, kept the *korbanot* close, maintaining the traditional hope

for the reinstitution of the Temple sacrifices, and elaborating upon Nachmanides' symbolic interpretation of them. Hirsch's view is less mystical than Nachmanides', locating *kreivah* not in the *s'firot*, but in the closeness felt by those gathered around the sacrificial altar, recognizing their common concern. Elaborating on Nachmanides' symbolic interpretation of the *korbanot* themselves, he describes a unifying effect on the sacrificer, drawing them nearer to themselves, to their communities, and to God.

I have concluded by turning to David Einhorn, who, in my view, synthesizes these two streams of thought into a compelling, Reform approach to sacrifice. Like Maimonides and his fellow Reformers, he understands the sacrificial cult in its historical context, eschewing the notion that it should be reinstituted in the future. The sacrifices, he argues, needn't be revived, because they live on through the "new offerings," made willingly throughout Jewish history, "for the religious benefit of the community." Meanwhile, like Nachmanides and Hirsch, he believes in the symbolic power of the ancient *korbanot*. Unlike Nachmanides and Hirsch, however, Einhorn's view is that the *korbanot* are "purely anthropocentric." Through them, Jews come into transformative contact with their underlying "religio-moral ideas." Einhorn's theory of sacrifice grounds the general, ethical act of sacrifice in particular ideational structure of the Israelite sacrificial system.

In the next chapter, I will share about my personal experience as an alcoholic giving up drinking. Relying on the definition that I propose in the second chapter of this project, I will demonstrate that this was, and continues to be, a sacrificial act. I will then, in keeping with David Einhorn's theology, ground my sacrifice in Jewish particularity by relating it to the *korbanot*, symbolically understood. Finally, I will present a liturgy that will serve as a model for how we

can place the “new offerings” of contemporary, Reform Jews into the context of the Jewish sacrificial tradition.

## **IV. Renewing Sacrifice: A Personal Reflection on Giving Up**

### Introduction

In this, the final section of this project, I will demonstrate how the insights of chapters II and III can be developed to help frame contemporary applications in our lives, offering my experience in recovery from alcoholism as an example. Taking Einhorn's approach, I will contend that sacrifice still functions as a vital, Jewish concept, and demonstrate how religious significance can be attributed to freely chosen, ethical sacrifices. By relating the sacrifices that we make today to those of our ancestors, rationally and symbolically understood, I will suggest that individuals' personal experience of sacrificing can serve as a way to connect more deeply to Judaism and to the Jewish people.

### Personal Experience

Sometime around my Bar Mitzvah, I had my first drink. A friend had syphoned off some of his parents' vodka into a plastic water bottle. From the first sip, I was captivated. Without any knowledge of how much alcohol it would take to feel drunk, I immediately became concerned that there was not enough to go around. I absconded with the bottle and finished it. I don't remember what happened next.

The fear that I did not and would not have enough alcohol is one that haunted me for over a decade. In high school, I chose to spend most of my free time with peers who drank. When it came time to decide where I would pursue my undergraduate degree, I chose a Canadian university in a city where I could drink legally. Then, when I dropped out of college, I chose to work with people who drank like me, to date women who drank like me, and to play in bands



with musicians who drank like me. Eventually, I found it more difficult to find people who met this description, and chose to spend as much time by myself as possible, largely withdrawing from the world and its people.

After a while, all of these “choices” stopped feeling very much like choices at all. Or, if they were choices, they were made from an extremely limited, ever-shrinking set of possibilities. Out of devotion to alcohol, I lost meaningful relationships, opportunities for growth, precious brain cells, hard earned dollars, and nearly every ounce of respect I once had for myself. It wasn’t until I gave up drinking, however, that I developed the capacity for sacrifice.

I say that I “lost” these things because I can’t recall giving them up. Things would simply fall by the wayside, joining the mounting pile of wreckage that I left in my wake. Relationships would dissolve messily, bands would implode, and money would essentially vanish. Things that I thought I had total control over, I really didn’t. Things that I thought I didn’t have any control over whatsoever, I actually did. And even if, in a fleeting moment of proportional, sane thinking, I could correctly identify what was in my control and what was not, these were but flashes of apprehension that were gone (and forgotten) in an instant. This was, in part, the utility of learning and reciting Reinhold Niebuhr’s “Serenity Prayer” early in my recovery:

God, grant me the serenity to accept the things I cannot change,  
courage to change the things I can,  
and wisdom to know the difference.

This prayer caused to me to reflect upon what was, and what was not, within my sphere of influence. It provided an occasion to think about the things that I did possess, and the things that they do have control over, putting me in the position to choose what I was determined to hold on to, and what I was willing to give up.

By the end of my drinking, my life had become small, sad, and utterly predictable. Although alcohol was the focal point of my beleaguered existence, it rarely crossed my mind to give it up. It was too precious to me. It was my companion when I was lonely, my sedative when I was frightened, my consolation when I was hurt, my guide when I was lost. Contrary to the opinion of any of my concerned friends and family, I felt that alcohol was the most valuable thing I had ever come to possess.

When I first became willing to give up drinking, it was because I feared for my life. I was getting so sick, that I worried that I was going to do irreparable damage to my body and mind. I had friends who were dying from drunken car accidents, suicides, and drug overdoses. I overdid it one night and was petrified. I understood that alcohol was, for people like me, poison, that I couldn't go on this way. I stopped, but not for long.

After a few days, the urge to drink returned with a vengeance. Willpower alone was not enough to change my attitude toward alcohol. Though it was clear that it had damaged my mind, body and spirit, its value had not diminished in my view. During those days, I missed alcohol in the way that one misses a dear friend. I was sure that I would drink again. Luckily, however, I had the instinct to call someone I knew who had gotten sober some years earlier, wondering how they managed to give it up for as long as they had. Upon hearing of what my life had become, he recommended that I attend a meeting of Alcoholics Anonymous. In a state of utter demoralization and desperation, I took his suggestion and slinked into a church basement one Friday afternoon. There, I heard the stories of people whose drinking reminded me of my own, people who had suffered losses like mine and worse, and who had, by the grace of God, given up alcohol for years, even decades, at a time. They appeared as "happy, joyous and free" as they claimed to be. What's more, they were improving their lives and the lives of others in ways that

seemed totally miraculous to me. They kept talking about the gratitude that they felt, the sense of purpose they enjoyed. All they had done to get there was to put down the drink and leave it there, one day at a time.

At first, I gave up drinking because I knew that I couldn't keep doing what I was doing, that my life was only going to keep getting worse. After joining Alcoholics Anonymous, however, I developed the sense that, by giving up drinking, I could expect to effect good in the world. I came to believe that by giving up the thing that I valued most in the world, I would discover a freedom, happiness and usefulness unlike any I had known before. Through AA and the 12 Steps, I learned how to stop losing, and start sacrificing.

In order to achieve long-term sobriety, one gives up drinking on a daily basis. Putting down the last drink is a necessary start, but the ongoing *admission of powerlessness over alcohol* is a verbal recognition that one has given up something of subjective value that which they previously possessed. They no longer control, or seek to control, our drinking—they have given it up altogether. It's not that drinking is worthless. If nothing else, for an active alcoholic, it fends off withdrawals and offers relief from the terrifying prospect of facing the world sober. And yet, through the testimony of others with whom this individual can identify, they develop the expectation that giving up this precious thing will effect good in the world. Other alcoholics' stories of recovery words bespeak the promise that, through this sacrificial act,

we will know a new freedom and a new happiness. We will not regret the past nor wish to shut the door on it. We will comprehend the word serenity and we will know peace. No matter how far down the scale we have gone, we will see how our experience can benefit others. That feeling of uselessness and self-pity will disappear. We will lose interest in selfish things and gain interest in our fellows. Self-seeking will slip away. Our whole attitude and outlook upon life will change.<sup>175</sup>

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<sup>175</sup> *Alcoholics Anonymous*, 83-84.

While, at first, the benefits of giving up drinking accrue to the recovering alcoholic, they soon spread to others. By sacrificing, they become of service to their fellows. By giving up, they, and those around them, gain.

The passage cited above concludes with the following: “We will intuitively know how to handle situations which used to baffle us. We will suddenly realize that God is doing for us what we could not do for ourselves.”<sup>176</sup> Unlike the ancient Israelites, who sacrificed to a preconceived God upon the sacred Temple altar, I discovered God by giving up something of subjective value for a higher moral purpose, what I now see as the constituent features of Jewish sacrifice. By the giving up something so precious to me, with the hopeful expectation that doing so would effect good in the world, I became open to the possibility that there was, somewhere beyond my sight, a higher ground of value yet. By giving up drinking, I gave up near-perpetual self-preoccupation. Absent the thing in my life that I thought I could never have enough of, I became appreciative of all that remained in my possession. I became aware of other people and their needs, and of the gifts that I had to offer them. By giving up that which I thought that I could not live without, I became a part of life at last. I perceived immense goodness in the people, places and things around me, and the infinite potential for it to spread. I understood that there was a source of this goodness, which I came to call God.

With this new-found God-consciousness, I became interested in the Judaism of my youth. I returned to synagogue, travelled to Israel, and even embarked on a program of rabbinical study at the Hebrew Union College-Jewish Institute of Religion. It was unclear to me, however, how my spiritual experience in recovery squared with the Reform, Jewish life that I was learning to lead. This is why I have embarked on this project, and why I am suggesting the development of

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<sup>176</sup> Ibid., 84.

an Einhornian theology of sacrifice, in which contemporary acts of sacrifice are given the religious significance that was once attributed to the *korbanot*, and in which the *korbanot* are re-interpreted symbolically in order to make them relevant to the sacrifices that we make today. The result is a religiously progressive approach to Jewish practice that sanctifies the transformative, sacrificial experiences that have led so many Jews to conceive of a power greater than themselves, and that offers a Torah context for these experiences in a way that engenders a thick sense of belonging to the Jewish people, past and present.

Considered in light of the *korbanot*, interpreted symbolically, my recovery has comprised multiple sacrificial acts. Like the sacrificer of the *chattat* or *asham* sacrifice, I have given up precious secrets, confessing to the things that I had held so close for so long, believing that doing so would insulate me from censure or punishment. I did this with the nascent expectation that giving these up would allow me to matters straight with those I have harmed and to inspire others to garner the courage to give up their secrets, too. Like the sacrificer of the *shlemim* sacrifice, I have given up the illusion of self-reliance, which I had treasured for the sense of control that it gave me. I did this with the expectation that it would allow me to forge more meaningful bonds with my community, permitting me to share my experience, strength, and hope with the alcoholic who still suffers. Finally, like the *olah* sacrifice, which is burned completely upon the altar, leaving nothing left of its prior value, I have given up drinking, something that I once relied upon as a solution for all ills, entirely. I did this with the meager expectation that it would improve my physical and mental health, but the result has been something so much deeper than that. I have developed an openness, renewed daily, to the existence of a power greater than myself that is a source of good in the world, and to whose

presence all can become attuned, provided that they are willing to give up the worship of other things.

By situating my sacrifice within the ideational structure of the sacrificial system, I feel that I am participating in an enduring, spiritual tradition, in which Jews give up things that are precious to them for the sake of effecting good in the world. Regardless of whether I believe, as our ancestors are purported to have believed, that God desires or is otherwise moved by sacrifice, it is an action that I can take to redirect my attention from own interests to the wellbeing of others, and to help me cultivate hope that I can play a role in effecting good in the world. What's more, it is an action that, when made (or, at least, testified to) publicly, can inspire others to do the same. Like the Mishnaic saying, *mitzvah goreret mitzvah*,<sup>177</sup> it has been my experience in Alcoholics Anonymous that *korban gorert korban*: sacrifice begets sacrifice.

What follows is a liturgy that sanctifies sobriety as a religiously significant act of sacrifice. It imbricates the giving up of drinking with the *korbanot*, symbolically understood. Like the creative “Prayers for Special Cases” penned by David Einhorn and featured in *Olat Tamid's* Shabbat Morning Service, it is written in the vernacular, and is meant to convey this reformulation of sacrifice with the contemporary, Reform Jew.

Gratitude Prayer, For a recovering alcoholic, on the occasion of their celebrating one year of continuous sobriety.

God, one year ago today, I became willing to give up the thing that I thought I never could. Before then, I had clung to the bottle like an idolater clinging to a golden figurine, expecting to find wisdom, happiness, and freedom. And though my expectations were never met,

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<sup>177</sup> *Mishnah Avot* 4:2.

though I found only frustration, resentment, and ever-worsening fear, I tightened my grip, taking one disastrous step away from You after another.

In those days, I worshipped at the wrong altar. On that altar, things are never given up; they are only ever lost. In my frantic search for more, I never took stock of what I had. I amassed more and more goods, only to hear them crashing to the floor. There was never enough space, enough time, enough money, enough love, enough booze.

From the pit of despair, I called out to you. And, by some miracle, you answered in the voice of a recovering alcoholic in some damp, church basement. He said that there was a better life in store for people like us, one in which we were a part of things, one in which we could be happy, joyous, useful, and free. All I had to do was *give up*.

That day, and every day since then, I have brought before You the alcoholic *olat tamid*, the daily admission of powerlessness over alcohol. I have brought before You the *chattat*, admitting my wrongs and becoming willing to make amends for them. I have brought you the *asham*, recognizing that mine is but a daily reprieve, and that I must remain humble and willing to grow. And I have given over all of these things with the ever-deepening expectation that taking these steps would be for the greater good, clearing the wreckage of my past in a small effort to mend your broken world.

Today, however, I bring before you the *shlemim*, the offering of gratitude for all that I have, with the sincere hope of being able to share it, for the betterment of this religious community. May my willing sacrifice inspire others to make sacrifices of their own, to give up that which caused them to turn from their fellow human, which caused them to distance themselves from you. May the spirit of sacrifice live in me for the rest of my days, allowing me to draw even nearer to You and to Your people. Amen.

## Conclusion

In this chapter, I have offered an example of one way to reformulate sacrifice so that it is relevant to contemporary, Reform Jews. Drawing upon my experience in recovery, I have shown that there are actions that we take that may be considered sacrifice: *the giving up of something of value to an individual or collectivity, by an individual or collectivity, with the expectation of effecting good in the world*. Despite not being sacrifices offered *to* a particular deity, the act of sacrificing is often transformative for the sacrificer, and can be one of profound spiritual significance. By grounding the general concept of sacrifice in the Jewish particularity of the *korbanot*, we offer a way for people to relate their experience with that of our ancestors, to discover spiritual depth in their own act of sacrifice that they may not have otherwise noticed, and to forge a deeper connection to Judaism and the Jewish people.

Of course, mine is but one example of contemporary sacrifice, and liturgy is but one way of placing a contemporary sacrifice in the context of the Jewish sacrificial tradition. My hope is that this project inspires others to identify the sacrifices that they have made, and to discover, through them, a sense of Jewish communal belonging and personal religious meaning.



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