YESHIVAT HAR ETZION

ISRAEL KOSCHITZKY VIRTUAL BEIT MIDRASH (VBM)

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**PRINCIPLES OF FAITH**

**By Rav Joshua Amaru**

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Shiur #18: The Eternity of Torah, part I

# The Unchanging Nature of Torah

The ninth principle addresses the future rather than the history of Torah:

The ninth foundation is the [denial of the] abrogation [of the Torah]; to wit, that this Torah of Moses, our teacher, shall not be abrogated or transmuted; nor shall any other law come from God. It may not be added to or subtracted from – not from its text nor from its explanation – as it is said, "You shall not add to it, nor subtract from it" (*Devarim* 13:1). We have already explained that which it is necessary to explain concerning this foundation in the introduction to this book.[[1]](#footnote-1)

The reference at the end is presumably to the introduction to the *Commentary on the Mishna*, in which the Rambam elaborates his understanding of the nature of the Torah and its transmission, which I have discussed these last few weeks. The Rambam insists that the content of the original revelation – the Written Torah and the *mitzvot* with their explanations – has been preserved immaculately throughout the generations. Last week I discussed how difficult it is to justify this claim and described the Ramban's alternative. In the ninth principle, the idea that the Torah is perfect and unchanging is extended into the future: the Torah's laws (presumably he refers here to the same kernel) will never be changed or adjusted. This is a striking assertion given several statements of the Sages that seem to indicate otherwise. Perhaps the most notable example is Rav Yosef's conclusion from the fact that one can make burial shrouds out of *sha'atnez* (a forbidden mixture of wool and linen) that "*mitzvot* will be cancelled in the future."[[2]](#footnote-2) Presumably, Rav Yosef's argument hinges on the assumption that the dead will rise wearing their burial shrouds and we would not want them to transgress the prohibition of wearing *sha'atnez*. Since we can dress the dead in *sha'atnez*, it must be that by the time the dead are resurrected, the prohibition of *sha'atnez* (and by implication other *mitzvot* as well) will no longer be in force.

 Whatever we make of this statement, it is clear that Rav Yosef, at least, is not daunted by the prospect of *mitzvot* being cancelled.[[3]](#footnote-3) There are other such rabbinic statements, but it is clear that, for the Rambam, they are not normative. The question of the nature of the Torah and of *mitzvot* during a time of redemption, both with respect to specific *mitzvot* (e.g., animal sacrifice[[4]](#footnote-4)) and with respect to *mitzvot* generally (as in Rav Yosef's statement above),[[5]](#footnote-5) has preoccupied many.

I want to take a different approach and instead of speculating about the end of days, to try and look at the history of Torah and see the role played by the claim that the Torah has never changed in terms of our conceptions of actual developments in the history of the Torah.[[6]](#footnote-6) In the following, I want to argue that the rejection of change is best understood as part of a methodological approach to the interpretation of Torah that correctly preserves the balance between dynamism and traditionalism. The rhetoric, so often heard in traditionalist circles, of "the eternal, unchanging nature of the Torah" is only a part of the beautiful and elaborate way that the word of God is continuously relevant to succeeding generations.

# The Nature of Meaning and Change

 The assertion of change, the claim that something is a divergence from the way things were before, always involves, at least implicitly, the assertion of how they were before. With regard to the meaning of a text (in our case the text is the Torah, in the broadest sense including the Written and Oral Torahs) the assertion of change can come in two flavors. One can claim that some assertion about the text's meaning is false, that the text does not mean that and to claim that it does is to change the text's meaning. Alternatively, one can claim that all that has been changed is our *understanding* of the meaning of the text and the new idea involves a new insight, perhaps one that was never seen before but that is in fact part of what the text means.

 If we can never call a claim to meaning false, if anything goes and everything counts as a legitimate interpretation, then the text has no meaning at all. However, the alternative is not that there is a single, exclusive meaning; meaning can be multifaceted and non-exhaustive, particularly considering that the text we are interpreting is (at least at root) divinely revealed. Such a conception of meaning is not merely a theoretical possibility but a major rabbinic theme. The tradition has a very broad understanding of the content of the Torah that can include both opposing opinions[[7]](#footnote-7) and new developments. The resistance to change that the Rambam emphasizes has not, historically, resulted in a lack of dynamism in the tradition.[[8]](#footnote-8) The tension between there being a meaning (not everything goes) on the one hand and the possibility of new insight on the other has been preserved by the insistence that new developments be valid interpretations of the tradition rather than calls for change. What counts as a valid interpretation and what counts as change is not *a priori*: it is a function of the judgment of "the judge who will be in those days," i.e., of the accepted interpreters of the tradition in any particular generation.[[9]](#footnote-9)

# *Chiddushim*

From the outside, certain interpretations will feel like changes, others will appear to be conservative attempts at preservation. From inside the hermeneutic processes of the Torah, however, we will usually not find a new interpretation described as a change, as that would undermine its connection to the revelation at Sinai. Rather, new interpretations will often be described as novellae, as *chiddushim*, and as such are an accepted part of the system. In fact, from the *tanna’im* on, such change is not just accepted but expected:

It happened that Rabbi Yochanan the son of Beroka and Rabbi Elazar (the son of) Chisma went to meet Rabbi Yehoshua in Peki’in. He {R. Yehoshua} said to them: “What novelty (*chiddush*) was there in the study hall today?” They responded: “We are your students and we have come to learn from you {lit. we drink from your water}. He said: It is impossible that there could be a study hall without a new teaching...”[[10]](#footnote-10)

The acceptance of halakhic and interpretive innovation is not limited to the Talmudic period. From the Middle Ages until the present, there exists a whole literature of commentary which is known as ‘novellae’ or *chidushim*, in which scholars up to the present day have presented their original interpretations of canonized texts.[[11]](#footnote-11) In this genre, originality and creativity are not just acceptable; they are encouraged. Such endeavors are not viewed as threatening to the tradition, or changes in the Torah. They do not undermine the completeness of the revelation at Sinai because, even when they are bold or radical, ‘*chiddushim’* are construed as interpretations of the Torah. *Chiddushim* are not changes at all but simply elaborations and insights into the meaning of the Torah.

# The Great Voice

One can say that the completeness of the revelation of Sinai is not an obstacle to new interpretations but rather is what makes them possible. In my opinion, this notion appears in the *midrash*: The (Written) Torah, in its description of the Sinaitic revelation in the book of *Devarim* includes the following verse (this is the verse immediately following the ten commandments):

These matters spoke the Lord unto all your assembly on the mountain out of the midst of the fire, the cloud and the mist; a great voice and *added no more* [in Hebrew: *ve-lo yasaf*]; He wrote them on two tablets of stone and gave them to me.[[12]](#footnote-12)

The words “*ve-lo yasaf*” can be read in two ways. One can translate it as we did above, as coming from the root y.s.f. and meaning to add on.[[13]](#footnote-13) Alternatively, the root could be s.w.f. whereby the expression "a great voice *ve-lo yasaf*" will mean “a great voice that does not cease.”[[14]](#footnote-14)

The semantic issue is not of interest to us, but the differing interpretations can be taken to reflect differing perspectives as to the nature of the Sinaitic revelation. The voice “added no more," implies that the Revelation at Sinai was complete, encompassing the whole of the message that God desired to give to the Jewish people. On the other hand, if the voice “did not cease” one could be inclined to view the revelation as ongoing - God began to reveal His will to the Jewish people on Mount Sinai but continues to do so throughout the generations to this day. Interestingly, the Midrash interprets the verse in a third way:

“The Lord spoke all of these matters saying...” Rabbi Yitzchak said: that which the prophets would prophesy in every future generation, they received at Sinai; as Moshe said to Israel “for he that stands with us today and he who is not with us today” it [the verse] does not say he who does not *stand* here today but rather is not here today: These are the souls that will be created in the future and who have no matter (for it does not say that they stood). Even though they were not at that time each one received his own [prophecy at Sinai] and so it is written (*Malakhi* 1) “The words of the Lord to Israel in the hand of Malakhi”; it does not say “in the days of Malakhi” but rather “in the hand of Malakhi”: the prophecy was already in his hands from Sinai and until that time he did not have permission to prophesy...

 Not only did the prophets receive their prophecy from Sinai, also the scholars who arise in every generation, each one received that which is his from Sinai as it is written: (*Devarim* 5) “These matters spoke the Lord unto all your assembly on the mountain out of the midst of the fire, the cloud and the mist; a great voice and added no more.”[[15]](#footnote-15)

According to this *midrash*, the words "*ve-lo yasaf*" mean that the revelation at Sinai was closed and complete - there can be no subsequent revelation at all, let alone one that supersedes or adjusts the original. All of the prophecies subsequent to Sinai originated at Sinai and are fundamentally expressions of the same voice. The author of the *midrash* extends this property also to the work of the scholars of every generation - their statements are legitimate only because they too originated at Sinai. Thus the *midrash* resolves the potential tension between the original revelation and later revelations (including that which is given to the scholars of every generation!) by collapsing the chronological dimension - that which came after, and will come, to the end of time, was already heard at Sinai. In one way, this sounds like the stance taken by the Rambam, who likewise insists on the completeness and perfection of the original revelation. The Rambam, however, insists that the content of that revelation is also finite and well defined. The *midrash*, in contrast, takes the content of the revelation to be infinite and undefined.

In emphasizing that all revelation comes from Sinai, the *midrash* expresses a commitment to the completeness and integrity of that revelation. God did not need to reveal any more to the Jewish people than He revealed at Sinai - “a great voice that added no more.” All subsequent ‘revelations’, though they may appear to be changes and additions, are actually expressions of that same voice. The Torah, as given at Sinai, was complete for all the future and yet this completeness does not imply that the Torah is frozen in a particular historical situation. Completeness does not imply that the meaning of the Torah is determined for all future generations – rather, that the scholars and prophets of every generation, when they interpret the Torah for their time, are explicating the revelation that *they*, so to speak, received at Sinai. The *midrash* deliberately collapses the chronological element of the tradition in order to emphasize that the Torah is relevant for all times. This relevance is ensured not by further revelation but by the work of the scholars of every generation, who can and do uncover more of the original revelation. What they uncover, however, is regarded as always having ‘been there’ - new ideas are neither invented nor revealed but discovered. According to this reading of the *midrash*, the completeness of the Torah given at Sinai is not an obstacle to the relevance of the Torah to later generations but rather the founding principle of that relevance.

#  Conclusion and What's Next

So far I have only addressed in very general terms how the appropriate tension between tradition and dynamism is preserved. The preservation of this tension is essential to the notion that a revealed Torah can be relevant to every generation. When we emphasize the eternity of Torah, the crucial value is not that the Torah is some sort of unchanging metaphysical abstraction. Rather, the crucial value is that the Torah is relevant to us; God has something to teach us today, despite the vast differences between our lives and the lives of people who lived thousands of years ago. In the next *shiur* I will give an interesting example of how this relevance is preserved and discuss some of the questions that arise in its context.

1. Translation from Kellner (1986) Dogma in Medieval Jewish Thought (Oxford: The Littman Library, Oxford University Press) p. 15. [↑](#footnote-ref-1)
2. *Nidda* 61b. [↑](#footnote-ref-2)
3. I do not think that Rav Yosef's argument should be taken literally. Rav Yosef knew as well as we do that shrouds deteriorate very rapidly. It is possible that he is making a statement about how one should behave in terms of anticipating redemption, or a theological statement about the nature of the redeemed state. It is very hard to know given how little context we have for the statement. [↑](#footnote-ref-3)
4. Perhaps the most famous claim that stands in opposition to the Rambam on this point is Rav Kook's speculation (which appears in *Olat Ra'aya* at the end of the *amida*) that when the Temple is rebuilt there will only be *menachot*, offerings from grain (and oil and wine). [↑](#footnote-ref-4)
5. See, for example Rav Yosef Albo, *Sefer Ha-ikkarim*, book III, chap. 13-20. [↑](#footnote-ref-5)
6. With regard to the End of Days, I identify with the author of the *Maggid Mishneh* (Rav Vidal Toulousa, 1283-1360) who cites the controversy about this question and comments (in rough translation) "the truth will come out in the end." I think we are better off thinking about this issue in terms of our attitude to the here and now rather than in terms of eschatological speculation. [↑](#footnote-ref-6)
7. Any student of rabbinic literature is familiar with the acceptability of disagreement, *machloket*, as an essential part of the canon. The *locus classicus* of this subject is the statement of the Talmud*, Eiruvin* 13b, “these and these are the words of the Living God.” This is obviously a subject in its own right and will not be dealt with here. [↑](#footnote-ref-7)
8. Though by the Rambam's lights, all dynamism must be understood to take place at the *divrei sofrim* level, while the revealed Torah is unchanging. I have already pointed out how difficult it is to find any support for this in sources. Furthermore, the conception of meaning that the Rambam commits himself to in this claim is very difficult for me to defend. Instead of meaning being dialogical, involving a relationship between a speaker and a listener (or their counterparts, a writer and a reader) and as such affected by who *both* of them are and what they know and understand, the Rambam is committed to viewing meaning as an abstraction that exists independently of either. [↑](#footnote-ref-8)
9. *Rosh Hashana* 25b [↑](#footnote-ref-9)
10. *Chagiga* 3a. See also *Tosefta Sota* (Lieberman edition) 7:9. The acceptance of *chiddush* is not limited to Rabbi Yehoshua. Rabbi Eliezer, who was famed for never having taught anything that he had not heard from his masters, also inquires after *chiddush*, if only to show how it is really no innovation at all. See *Mishna Yadayim* 4:3. [↑](#footnote-ref-10)
11. This is not to say that all of the material presented under the heading ‘*chiddushim*’ is new or advocates a change. Most of the commentary on the Talmud is entitled ‘*chiddushim*’ even in those cases where the author is merely recording the accepted interpretation. The fact remains that there is much that is innovative in this literature and a particularly convincing ‘*chiddush’* has the ability to change the accepted consensus as to the meaning of a law. The history of Halakha is overflowing with examples whereby an influential interpretation changed the halakhic consensus. Can one imagine Talmudic interpretation without the *chiddushim* of Rabbeinu Tam or Ramban? [↑](#footnote-ref-11)
12. *Devarim* 5:18. My translation. [↑](#footnote-ref-12)
13. See *Rashbam, Ibn Ezra* on the above verse. [↑](#footnote-ref-13)
14. See *Targum Onkelos*, op cit. See Rashi who quotes both interpretations. [↑](#footnote-ref-14)
15. *Shemot Rabba* (Vilna) *Parasha* 28. My translation. [↑](#footnote-ref-15)