

CHAPTER 3, LAW 8(C) - THE TORAH OF THE RABBIS, PART I

by Rabbi Dovid Rosenfeld

There are three [types of] deniers of the Torah.

(1) One who says the Torah is not from G-d. Even if he claims Moses composed a single verse or single word [of the Torah] on his own, he is [considered] a denier of the Torah.

(2) So too one who denies [the Torah's] explanation, namely the Oral Torah, or he rejects its bearers (lit., 'its tellers') as [did] Tzaddok and Bysos.

(3) One who says the Creator exchanged one commandment with another one, and that this Torah has already become annulled -- even though it was [originally] from G-d, such as [believe] the Christians and the 'Hagarites' (i.e., Muslims).

Any one of these three is [considered] a denier of the Torah.

The Rambam this week continues to enumerate the very short list of exceptions to the principle that all Israel is granted a share in the World to Come. Only people who reject Judaism's most basic principles or who are sinful beyond repair are denied a place in the hereafter.

For the most part, this week's topic clearly follows from the previous. Earlier in this law the Rambam required that we accept the concept of prophecy and Moses' prophecy in particular. Now we are told to additionally accept the specific words of the prophets of Israel -- the Torah, its commentary, and its bearers.

Before we go in for a deeper look, a few of the Rambam's references may be unfamiliar to the reader. In example two, one who rejects the Oral Law, the Rambam illustrates with the examples of Tzaddok and Bysos. They lived in the early period of the Mishna. They were errant students of Antigonus of Socho (mentioned in Pirkei Avos [1:3](#)). As a result of a misunderstood teaching, they came to reject the entire Oral Law, only accepting the written Scripture as sacred. (For a lengthier treatment of their heresy and the reason behind it, please see the referenced article above.)

Secondly, the Rambam refers to Muslims in a very roundabout manner -- as "Hagarites". Hagar was Sarah's maidservant. After realizing she was unable to bear children (naturally), Sarah offered her maid Hagar to Abraham as concubine. Together they were granted the son Ishmael, considered the progenitor of the Arab nations (see Genesis 16). Being that the Jews of the Rambam's time and place lived within Muslim societies -- often tenuously so -- in his rejection of their theology the Rambam was forced to make the most oblique reference to them.

The three principles of this week form a very clear procession. We are first told that the entire Torah of Moses is divine. Every word of the Torah is equally sacred and the word of G-d. Moses' role was only in recording it; he took no part or liberties in its authorship. The Rambam elsewhere sees this hinted in Moses' own assertion. Right before the earth swallowed up Korach and his cohorts, Moses proclaimed, "With this [miracle] you will know that G-d sent me to do all these acts, for it was not from my own accord" (Numbers 16:28).

The Rambam continues that we are likewise taught that the entire "Oral Torah" is the word of G-d. The Oral Torah is the collection of explanations to the written Torah. When the Torah was given, a portion of it was recorded in writing. The vast majority of it, however, was taught orally and committed to memory. At a much later period, when the Sages recognized Israel was no longer up to memorizing the entire body of the Oral Law, it was put to writing -- first in the more abbreviated form of the Mishna, then more extensively as the Talmud. Likewise, several other basic works of scholarship, also explaining the Written Law, were authored during this period.

The Rambam adds that one who rejects the Torah's bearers is too included in this category of heretic. We will discuss below the definition of the Torah's "bearers" and some of the ramifications of this principle.

Finally, the Rambam lists those who accept the Torah as Divine in origin, but who claim that G-d later "changed His mind" and replaced one or more commandments with others -- or just dropped them altogether as no longer relevant (or having had successfully run their course or whatever) -- as do the Christians and Muslims. We discussed last week that this too was one of the ramifications of the acceptance of Moses' prophecy. Moses attained the highest level of prophecy achievable -- and the entire nation witnessed it personally. And Moses told us specifically in the name of G-d that the commandments are eternal. Thus, no one could possibly claim at any later time that he knows better than Moses what G-d wants of us. G-d does not change His mind. At best, a person could theoretically equal Moses' level of prophecy. To "know better" than Moses and disagree with his prophecies is theologically impossible.

This week's installment raises two important issues. First of all, the Rambam stated that the Torah was given in two parts, one written and one oral, and that we are obliged to accept both halves as sacred. Why was the Torah broken down into two parts? Why did G-d leave the vast majority of it oral, obligating Israel in the enormous task of memorizing it? (The Torah forbade writing down the oral parts of the law (implied by Exodus 34:27). Only later, when the Sages feared the Torah would be distorted or forgotten altogether did they realize that law would have to be waived -- a case of forgoing the specific in order to preserve the whole (see Psalms 119:126).) Why require Israel to memorize so much of our heritage, leaving G-d's wisdom dependent upon the flawed and biased medium of human memory? Why not just write the entire thing down?

Actually, I won't answer this today because we dealt with it at much greater length in different

classes (see especially Pirkei Avos [3:17](#)). In a nutshell, the principle we discussed is that G-d specifically wanted much of the Torah to be oral because it had to be in a dynamic state. The world is far too complex to write down every possible situation and every possible law which would conceivably be relevant for all future generations. Rather, the Torah would have to be in a state in which man would interpret it and continually apply it to new situations. We would be the bearers of the Torah and would be both responsible for and authorized to explain and interpret it. In doing so, not only would the Torah's wisdom be eternal and applicable to all future generations, but Israel itself would become sanctified in its role as the Torah's custodians and interpreters. We would join with G-d, so to speak, in bringing His Torah down to the world of man.

The second issue which requires clarification is the Rambam's reference to the Torah's bearers. One who rejects them is too considered a scoffer and receives no share in the World to Come. Who exactly are the Torah's "bearers"? Was the Torah entrusted to a certain caste of people above others? Isn't the Torah the possession of all Israel? And even assuming some great rabbis were awarded the position as the Torah's bearers, how could one be considered a **heretic** for disagreeing with them? Aren't they human being who can make mistakes as the rest of us? We can understand that denying Moses' prophecy -- which transmitted the precise word of G-d -- is heretical. But how can I be dubbed a heretic for questioning the decision of Rabbi X? Couldn't it be possible that Rabbi X simply made a mistake and I happen to be right? Presumptuous it may be to argue with rabbis so much greater than me, but how can debating them be tantamount to rejecting the Torah?

G-d willing next week we will attempt to address these issue. Stay tuned!

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