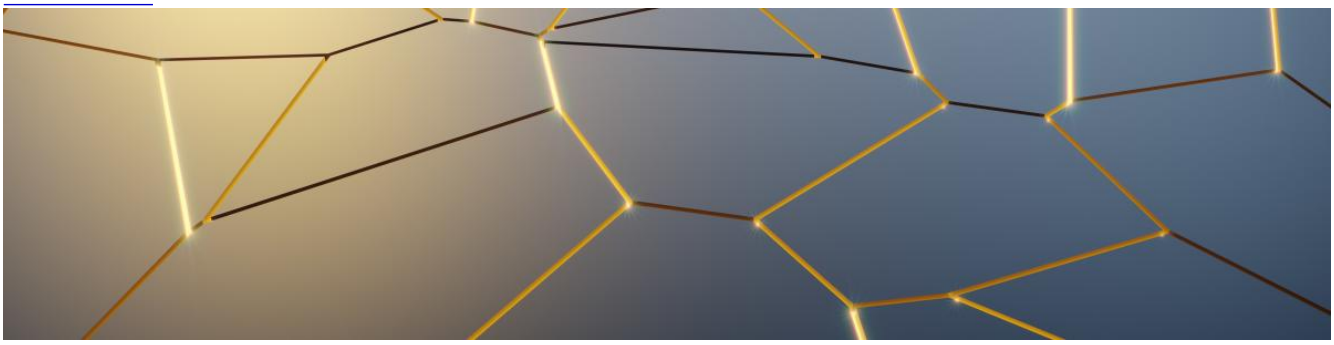
Ideal and Evolutionary Morality in the Torah:Traditional Commentary in an Age of Humanism

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Introduction

One of the overarching goals of the Torah is to refine people's moral character. Many laws and narratives overtly focus on morality, and many others inveigh against the immorality and amorality of paganism. The biblical prophets place consistency between observance of God's ritual and moral laws at the very heart of their message.

Rabbi Saadyah Gaon insists that God chooses only good things to command. He rejects the position of the medieval Islamic school of *Ash'ariyya*, which maintained that whatever God commands is by definition good.[1]

Similarly, Rambam asserts that every commandment teaches justice and noble qualities, or corrects philosophical errors (*Guide* 3:27). Rambam cites God's desire to have all the nations of the world perceive the moral superiority of the Torah:

> Observe them faithfully, for that will be proof of your wisdom and discernment to other peoples, who on hearing of all these laws will say, “Surely, that great nation is a wise and discerning people.” For what great nation is there that has a god so close at hand as is the Lord our God whenever we call upon Him? Or what great nation has laws and rules as perfect as all this Teaching that I set before you this day? (Deuteronomy 4:6–8)

Many other Jewish thinkers likewise adopt the position that the Torah promotes the highest moral values.

In recent generations, this position has been augmented with the discovery of many ancient Near Eastern laws and narratives. Leading scholars of the twentieth century demonstrated how the Torah promotes moral values vastly superior to those of the prevailing cultures of that day.[2] Contemporary writers also have demonstrated the extent to which the Torah’s values have exerted a decisive influence on contemporary Western morality.[3]

Contemporary readers, though, confront a troubling question. Does the Torah promote the highest morality? Several commandments appear to conflict with modern moral sentiments. Although there might not be unanimity on what contemporary moral sentiments are or should be, we can point to several areas that have attracted serious attention among traditional thinkers.

For example, the Torah permits slavery and polygamy. It permits the blood relatives of one who is killed accidentally to kill the manslayer without trial if he or she fails to reach, or subsequently leaves, a City of Refuge. The Torah commands the total eradication of the Canaanites and Amalekites. Granting that both societies were depraved and evil, and that these laws are not applicable today, God’s stark commandment to kill men, women, and children remains in the Torah. There is a clash between the Torah’s severe prohibition of homosexual relations and the sentiments of many people today. While the sacrificial order of the Temple raises different issues, it also is difficult for many in the modern era to fathom.

Over the past two centuries, Jewish thinkers have engaged in a thoughtful conversation about these and related issues. Some of these discussions have roots in ancient and medieval thought, but these questions have received far more attention in the modern era, driven at least in part by humanistic values.

Rabbi Yaakov Medan, one of the Roshei Yeshiva at Yeshivat Har Etzion, rejects the dangerous fundamentalist approach that we must blindly draw our morality from Tanakh without further inquiry. He also rejects the position of Professor Yeshayahu Leibowitz (1903–1994), who insisted that there is

no connection between God and morality, and that Jews simply must obey God's laws. Rabbi Medan states that there are two basic approaches for those who believe that the divinely revealed Torah is moral: (1) Apologetics, reconciling what we see in the text with our moral sentiments. This approach is dishonest, as it imposes the will of the reader onto the text. (2) Attempting to understand God's word on its own terms, while simultaneously retaining our own moral sense. God is beyond our comprehension, but we never stop struggling with these complex moral issues.[4]

> In this essay, I adopt the latter view of Rabbi Medan. Although it is impossible to be objective, it appears that the evidence supports the notion of an evolutionary morality regarding certain tolerated practices. At the same time, the Torah's mandatory commandments may reflect realities of its ancient setting, but remain eternally binding as God's word. In the latter case, there is room for evolving interpretations of the law.

Ancient and Medieval Precedents

Talmud

The Torah gives laws pertaining to a "beautiful captive" (yefat to'ar) taken in battle (Deuteronomy 21:10–14). Commentators debate the plain meaning of the biblical text. Some maintain that an Israelite soldier may have one-time sexual relations with her immediately at wartime (Rambam, Hilkhot Melakhim 8:2–7, Abarbanel), while others insist that the soldier first must wait 30 days and then decide if he still wants to marry her (Ibn Ezra, Ramban). The Talmud supports the former view, and therefore the one-time sexual union with the captive is permissible in halakhah. Why would God allow this act, instead of prohibiting it outright? The Talmud answers:

> With respect to the first intercourse there is universal agreement that it is permitted, since the Torah only provided for man's evil passions. (*Kiddushin* 21b)

In this approach, God would have outlawed this sexual union, but knew that many ancient soldiers would violate the prohibition. Therefore, God chose the lesser of the two evils and permitted but discouraged the act by focusing on the humanity and humiliation of the captive. God thus legislated for a flawed human reality, provided a realistic law and circumscribed it, and simultaneously taught the ideal value and mode of conduct, that no soldier ever should perform this act.

Rambam

Rambam maintains that God revealed many laws to wean the Israelites away from pagan culture to the service of God (*Guide* 3:29). Having spent so long in pagan Egypt, the Israelites had a strong predilection to offer animal sacrifices. God recognized this propensity and therefore instituted animal sacrifices. God further prescribed specific boundaries for this form of worship by insisting that animals could be sacrificed only in authorized shrines such as the Tabernacle or later the Temple. Prayer and contemplation, which are higher forms of serving God, thereby were encouraged as substitutes for animal sacrifices (*Guide* 3:32).

Ramban (on Leviticus 1:9) attacks Rambam on this assertion: "Behold, these words are worthless; they make a big breach, raise big questions, and pollute the table of God." He maintains that the Temple, sacrifices, and related laws are ideal means of communing with God, and not concessions to the ancient Israelites' historical setting. [5]

In addition, Rambam's view raised the fundamental question: Now that we have become more sophisticated, what would be the relevance of these ritual commandments in our times? Living in the nineteenth century, Rabbi Samson Raphael Hirsch lamented the terrible misapplication of Rambam's thought among assimilating German Jews. Many were using Rambam's logic in the *Guide* as precedent for abandoning other ritual commandments as well.[6] Rambam himself was concerned with the possibility of the masses' losing respect for many commandments if their reasons were

revealed (*Guide* 3:26).[7]

Elsewhere in his writings, Rambam stresses the value of animal sacrifices, considering them among the commandments that we cannot fully understand (Hebrew *hukkim*, *Hilkhot Me'ilah* 8:8). He maintains that in the messianic future, sacrifices will be restored with the rebuilding of the Temple (*Hilkhot Melakhim* 11:1). More broadly, Rambam maintains that all of the Torah's commandments are eternal, including into the messianic era (ninth principle of faith; cf. Guide 2:39; 3:34).[8] Rambam's placing sacrifices in their historical setting, then, never renders them obsolete as laws.

To summarize, the Talmud discusses an instance where the Torah tolerates behavior as a concession to human weakness. Instead of outlawing the undesirable behavior, it circumscribes the action and makes it clear that one ideally should not do it at all. In Rambam's explanation of the rationale behind the Temple and sacrifices, the eternal observance of the commandments is absolute regardless of the time-bound aspect of the Torah responding to its ancient pagan setting. God developed an evolutionary educational program to teach Israel certain religious ideals over time.

Regarding conventions that the Torah permits, one may pit the Torah's ideal values against ancient social reality and explain that the Torah created an evolutionary program with the goal of eliminating certain practices that were too difficult to abolish at the time of God's revelation of the Torah to Moses. With mandatory commandments, we may change our interpretations, but not the commandments themselves.

We now turn to a few examples where modern thinkers interpret certain tolerated practices of the Torah as parts of the Torah's evolutionary educational program for Israel and for humanity.

Less-than-Ideal Actions Tolerated by the Torah

Polygamy

The Torah permits polygamy; yet one may argue that this permission was a concession to ancient reality and is distant from the Torah's ideal of monogamous relationships.

The Torah introduces the concept of a loving monogamous marriage at the very beginning of human existence:

And the Lord God fashioned the rib that He had taken from the man into a woman; and He brought her to the man. Then the man said, "This one at last is bone of my bones and flesh of my flesh. This one shall be called Woman, for from man was she taken." Hence a man leaves his father and mother and clings to his wife, so that they become one flesh. (Genesis 2:22–24)

Biblical narratives that involve polygamy such as Abraham-Sarah-Hagar, Jacob-Rachel-Leah, and Elkanah-Hannah-Peninah invariably yield tension in the household. Tellingly, the biblical word for wife-in-law is tzarah, tormentor (I Samuel 1:6; Leviticus 18:18).

Given the Torah's ideal portrayal of a monogamous marriage in Eden, its negative portrayal of polygamy, and the fact that there is no mandatory commandment for a man to marry more than one wife, we may consider polygamy an institution that the Torah tolerated as a concession to ancient reality. A monogamous society is the Torah's ideal from its inception. The Torah set out its ideal values so that one day, they could be realized and polygamy would be abolished.

Blood Vengeance

The Torah permits a close relative to kill an accidental manslayer without trial. The manslayer must escape to the City of Refuge and remain inside that city

for safety (Numbers 35:9–34; Deuteronomy 19:1–13).

The nineteenth-century commentator, Rabbi Samuel David Luzzatto (Shadal on Numbers 35:12) asks: Why does the Torah not simply outlaw vigilante justice and leave the matter to the courts? He suggests that the Torah presents a weaning process. In the ancient world, people would have felt like they did not love their deceased relative if they would refrain from killing the accidental manslayer. Many therefore would violate the Torah and kill the manslayer anyway. Acknowledging that reality, the Torah circumscribes blood vengeance by protecting the accidental manslayer and emphasizing his or her innocent blood. Ideally, the relatives should not engage in blood vengeance.

Professor Nehama Leibowitz (1905–1997) agrees with Shadal, and adds that the Torah succeeded in its evolutionary educational program. The talmudic Sages refer to going to the Cities of Refuge as "exile" (Mishnah *Makkot* 2:1), replacing the Torah's usage of the term "to flee" (Exodus 21:13; Numbers 35:15; Deuteronomy 19:5). Professor Leibowitz suggests that this change in terminology stems from the fact that the Torah eradicated the urge for blood vengeance. No longer did accidental manslayers "flee" the blood relatives out of fear being killed, but instead went into "exile" as a consequence of the Torah's legislation.[9]

Slavery

The Torah's legislation regarding slavery is vastly more humane than any other form of slavery in the ancient world.[10] And yet, why does the Torah permit slavery at all? Several contemporary rabbinic thinkers, including Rabbis Norman Lamm and Nahum Rabinovitch, discuss this phenomenon and reach similar conclusions.[11] The following is a brief amalgam of their views.

The ultimate goal of the Torah is for humanity to realize that slavery is wrong, and should be abolished. From Creation, the Torah teaches that all people are equal. All people derive from the same ancestry, and are created in God's image. However, humanity went astray. Men subjugated one another and distinguished between slaves and masters. When God revealed the Torah to Moses, the world economy depended on slavery, so the Torah could not realistically outlaw slavery. Rather, it taught society to advance step by step, until the goal of the elimination of slavery could be fully achieved.

Many laws remind Israel to care for the downtrodden of society, since the Israelites were slaves in Egypt. Shabbat gives a taste of the ideal world, where slaves rest also. While tolerating slavery, the Torah revolutionized the institution. It set a floor that prevented descent to the vile abuses practiced by other nations. Its ultimate goal is that over time, people should question why we have slaves at all. The abolition of slavery in most of the world today is a realization of the ideals taught by the Torah.

To summarize, God responded to a flawed human reality by revealing laws that outlawed many ancient practices immediately, while tolerating and modifying/restricting other undesirable practices with the goal of eliminating them over time. In an ideal world, God would not have permitted soldiers to take beautiful captives, polygamy, blood vengeance, or slavery. God tolerated these practices as concessions to ancient reality, and simultaneously taught ideal morality so that Israel and humanity could evolve and abolish these practices over time. The fact that many people today consider these practices morally unacceptable is a tribute to the success of the Torah's long term educational vision of ideal divine law.

Conflicts between Mandatory Commandments and Contemporary Moral Sentiments

Sacrifices and Other Temple Rituals

As discussed above, Rambam viewed the Temple and its sacrifices as a necessary aspect of God's evolutionary approach to reaching the ideal society. Ancient Israelites were unable to receive a religious system devoid of a Temple and its sacrificial rites. Yet, Rambam also wrote that the Temple will be rebuilt and sacrifices restored in the messianic era (*Hilkhot Melakhim* 11:1). This position is no different from Rambam's suggestion that the prohibition of cooking a kid in its mother's milk also served to wean Israel away from pagan practices (*Guide* 3:48), yet those laws are fully applicable for all time.

Beyond Rambam's general view on the eternality of the Torah's commandments, Professor Menachem Kellner offers additional reasons why the restoration of sacrifices is critical for Rambam's position on the messianic era. Rambam's messianism is non-supernatural, and idolatry is an ever-present threat even in the messianic era. Therefore, sacrifices are necessary to continue to wean humanity away from the immorality and foolishness of paganism. Additionally, the messianic era is restorative, returning all institutions from the time of David and Solomon to their former glory. The reinstitution of the Temple, sacrifices, and the Sabbatical and Jubilee years are central to that vision.[12]

Professor Micah Goodman adds that Rambam maintains that Abraham's religion without commandments failed to preserve his philosophical monotheism for the long term among his descendants (*Hilkhot Avodat Kokhavim* 1:1–3). Absent rituals, God's ideal religious values cannot endure in society. Rituals that uphold group identity and reinforce its core principles are required for long-term survival and religious flourishing (cf. *Guide* 2:31).[13]

Despite what appears to be Rambam's position, some extend Rambam's approach and conclude that there will not be sacrifice in the messianic future. One contemporary thinker who has expressed his struggle from different perspectives is Rabbi Nathan Lopes Cardozo. In one article, he concludes that were God to reveal the Torah today, it would not include laws of slavery or sacrifices:

> [N]ot only would the laws concerning sacrifices and slavery be totally abolished once the people outgrew the need for them, but they would actually not have appeared in the biblical text had it been revealed at a much later stage in Jewish history.[14]

Rabbi Cardozo makes no distinction between the Torah's toleration of slavery, which is not commanded; and sacrifices, which are mandatory commandments. He does not address Rambam's other writings that insist on the eternality of all of the Torah's commandments or that the sacrificial order will be restored in the messianic era. Rabbi Cardozo's leap from tolerated practices to mandatory commandments appears to go beyond the evidence in the Torah and in Rambam's writings.

In a different essay,[15] Rabbi Cardozo restates his position that the Torah contains concessions to human weakness, and sets out an evolutionary road toward higher forms of worship. What of Rambam's ruling that the sacrifices will be restored in the messianic era? Rabbi Cardozo submits, "I believe he thus expresses his doubt that the ought-to-be of Judaism will ever become a reality in this world."[16] This position resonates with the view of Professor Kellner stated above, that Rambam maintains that the idolatrous urge will remain even in the messianic era so sacrifices will be necessary to counter that urge.

To summarize, Rambam maintains that the laws of the Torah are eternal, and that the Temple and sacrifices will be restored in the messianic future. The law remains unchanged, but the religious meaning one ascribes to the commandments can change. When the messianic era arrives, we will be in a better position to judge what actually will happen.[17]

Homosexuality

A similar approach can apply to the Torah's unequivocal prohibition against male homosexual relations. The prohibition is unchangeable, but there has been a meaningful evolution within rabbinic responses in certain sectors of the contemporary Orthodox community. While there remains a wide range of opinion and approach within the Orthodox rabbinate and community, it is encouraging to see these more inclusive positions.[18]

War Against Canaan

Granting that the Canaanites and Amalekites were depraved and evil, the Torah's command to exterminate their populations, men, women, and children, remains stark. A full discussion of this issue goes beyond the parameters of this essay. It is noteworthy that of our medieval commentators, only Rabbenu Bahya (14th century) raised the moral question of the Torah's command to kill even the children. His answers likely would not satisfy modern sentiments: It was a divine decree; once God decrees their doom they are considered as dead; they no doubt will grow up to be like their parents. Like amputating a limb to save the body, the elimination of Canaanites and Amalekites was good for humanity.[19]

It is not until the 20th century that rabbinic thinkers began to address this moral question more systematically.[20] Rabbi Abraham Isaac Kook (1865–1935) maintains that this commandment was restricted to the biblical period, and reflects ancient conventions of warfare. If Israel did not eliminate the Canaanites and Amalekites, they would regroup and attack Israel. The only way to stop enemies in an immoral world is to subdue them completely. As the moral expectations of the world regarding war improve, Israel must follow the highest moral standards and not apply the rules of the war against Canaanites and Amalekites (Iggerot HaRei'ah 1:89).

Rabbi Kook thus understands the parameters of the Torah's commandment as God's concession to the moral limitations and reality of the ancient world. The Oral Law enables later generations to improve moral standards, rather than remaining fixated on the ancient standards of war and applying them in later periods.[21]

Rambam vs. Abarbanel on Monarchy

We have discussed the distinction between less-than-ideal non-mandatory practices that the Torah tolerated versus commandments where interpretations change while the law is eternal. One debate that proves this rule is the disagreement between Rambam and Abarbanel regarding monarchy (Deuteronomy 17:14–20).

Rambam considers monarchy to be a positive commandment (*Hilkhot Melakhim* 1:1–2). Abarbanel rejects Rambam's view based on several textual considerations and maintains that although monarchy is permitted if requested, it is viewed negatively by the Torah. Abarbanel likens monarchy to the laws of the "beautiful captive" (Deuteronomy 21:10–14) where the Torah tolerates certain less-than-ideal actions to forestall worse eventualities. He invokes the talmudic principle discussed earlier in this essay, "the Torah states this in consideration of the evil inclination" (*Kiddushin* 21b).[22]

Monarchy reflected the prevalent form of government in Israel's ancient setting. The Torah and the people in Samuel's time explicitly state that Israel wanted a king "as do all the nations" (Deuteronomy 17:14; I Samuel 8:5). For Rambam, however, the Torah commands this form of government so it transcends that ancient setting and is mandatory whenever it is politically feasible. For Abarbanel, monarchy is a tolerated negative practice until such time as people develop alternative forms of government.[23]

Conclusion

The prophets and ancient and medieval rabbinic thinkers recognized the centrality of ethics in the Torah's vision and law. In the modern era, many traditional thinkers perceived a growing gap between the morality of some of the Torah's laws and the ideal morals of Western humanism.

The talmudic analysis of the beautiful captive (*Kiddushin* 21b) provides the precedent for later thinkers to conclude that certain elements in the Torah tolerate a less-than-ideal reality as a concession to ancient mores. Rambam's discussion of the Temple and sacrifices provides the precedent for later thinkers to distinguish between practices that the Torah tolerates as a concession, while simultaneously providing its ideal vision so that over time the Jewish people and all humanity can move closer to the ideal morality of the Torah.

For matters that the Torah tolerates but does not command, such as polygamy, blood vengeance, and slavery, one may ascertain a gap between the Torah's tolerance and its ideal to abolish these practices. For mandatory commandments, such as a Temple and sacrifices and the prohibition against male homosexual relations, the laws are eternal but there remains room for different interpretations of these commandments so that our attitudes and religious-moral experience can evolve with time.

This essay outlines several areas that have drawn the attention of modern thinkers. These discussions are a healthy and vital aspect of our relationship with God and our desire to live in accordance with the Torah's ideal moral values.

The world has a long way to go to realize the messianic ideal. We pray for a growing embodiment of the Torah's ideals: A loving faithful marriage as the central bond for raising a family and transmitting religious values; a universal commitment to law and justice; a realization that all human beings are created in God's image, with no racism, sexism, or other forms of discrimination; a universal desire to connect to God through living a life of holiness; and a world where all evil is eliminated, and humanity serves God and lives ideal moral lives.

Notes

[1] Howard Kreisel, *Prophecy: The History of an Idea in Medieval Jewish Philosophy* (Dordrecht, Boston: Kluwer Academic Publishers, 2001), p. 38. See also Rabbi Aharon Lichtenstein, "Does Jewish Tradition Recognize an Ethics Independent of Halakha?" in *Contemporary Jewish Ethics*, ed. Menachem Kellner (New York: Sanhedrin Press, 1978), pp. 102–123.

[2] See Moshe Greenberg, "Some Postulates of Biblical Criminal Law," and "The Biblical Concept of ?Asylum," in Moshe Greenberg, *Studies in the Bible and Jewish Thought* (Philadelphia: Jewish Publication Society, 1995), pp. 25–50; Nahum M. Sarna, *Exploring Exodus: The Origins of Biblical Israel* (New York: Schocken, 1996), pp. 158–189. For a summary of the current state of scholarship and a discussion of religious implications pertaining to the comparison of the Torah to ancient Near Eastern literature, see Amnon Bazak, *Ad HaYom HaZeh: She'elot Yesod BeLimud Tanakh*, ed. Yoshi Farajun (Hebrew) (Tel-Aviv: Yediot Aharonot-Hemed, 2013), pp. 317–346.

[3] See, for example, Joshua Berman, *Created Equal: How the Bible Broke with Ancient Political Thought* (Oxford: Oxford University Press, 2008); Jeremiah Unterman, *Justice for All: How the Bible Revolutionized Ethics* (Philadelphia: Jewish Publication Society, 2017).

[4] Yaakov Medan, *HaMikraot HaMithaddeshim* (Hebrew) (Alon Shevut: Tevunot, 2015), pp. 255-349, especially pp. 255–265. For a more expansive discussion, see Eugene Korn, "Moralization in Jewish Law: Genocide, Divine Commands, and Rabbinic Reasoning," *Edah Journal* 5:2 (2006), at http://www.edah.org/backend/JournalArticle/KORN_5_2.pdf. Accessed June 19, 2018.

[5] For analysis of the debate between Rambam and Ramban, and of the apparent contradictions within Rambam's writings on the subject of animal sacrifice, see Russell Jay Hendel, "Maimonides' Attitude Towards Sacrifices," *Tradition* 13:4–14:1 (Spring-Summer, 1973), pp. 163–179; David Henshke, "On the Question of Unity in Rambam's Thought" (Hebrew), *Da'at* 37 (1996), pp. 37–51.

[6] See the eighteenth of Rabbi Hirsch's *Nineteen Letters*. Russel Jay Hendel observes: "Rabbi Hirsch praises the Rambam for preserving medieval Judaism but also severely criticizes him for the effect the *Moreh*'s views were having at Rabbi Hirsch's time. There is a difference in tone between the Ramban and Rabbi Hirsch. Ramban although using quite strong language, nevertheless is basically criticizing the *view* of the Rambam. Rabbi Hirsch however criticizes the *methodology* of the Rambam" ("Maimonides' Attitude Towards Sacrifices," p. 179, n. 48).
[7] See Isadore Twersky, *Introduction to the Code of Maimonides (Mishneh Torah)* (New Haven: Yale University Press, 1980), pp. 374–484; David Henshke, "On the Question of Unity in Rambam's Thought."
[8] While this is Rambam's view, it is not the only traditional rabbinic opinion. See survey and discussion in Marc B. Shapiro, *The Limits of Orthodox Theology: Maimonides' Thirteen Principles Reappraised* (Oxford: The Littman Library of Jewish Civilization, 204), pp. 122–131.
[9] Nehama Leibowitz, *Studies in Devarim-Deuteronomy* (Jerusalem: Eliner Library), pp. 187–194.
[10] For detailed analysis, see Elhanan Samet, *Iyyunim BeParashot HaShavua* (second series) vol. 1 (Hebrew) ed. Ayal Fishler (Ma'aleh Adumim: Ma'aliyot Press, 2004), pp. 377–397.
[11] Norman Lamm, "Amalek and the Seven Nations: A Case of Law vs. Morality," in *War and Peace in the Jewish Tradition*, ed. Lawrence Schiffman and Joel B. Wolowelsky (New York: Yeshiva University Press, 2007), pp. 201–238. Nahum Rabinovitch, "The Way of Torah," *Edah Journal* 3:1 (Tevet 5763), at http://www.edah.org/backend/coldfusion/search/document.cfm?title=The%20Way%20of%20Torah&hyperlink=r . Accessed June 19, 2018.
[12] Menachem Kellner, "'And the Crooked Shall be Made Straight': Twisted Messianic Visions, and a Maimonidean Corrective," in *Rethinking the Messianic Idea in Judaism*, ed. Michael L. Morgan and Steven Weitzman (Bloomington: Indiana University Press, 2015), pp. 108-140 (I thank Professor Kellner for this reference). See also Moshe Halbertal, *Maimonides: Life and Thought*, trans. Joel Linsider (Princeton: Princeton University Press, 2014), pp. 223-228, 341-353; Aviezer Ravitsky, "'To the Utmost of Human Capacity': Maimonides on the Days of the Messiah," in *Perspectives on Maimonides: Philosophical and Historical Studies*, ed. Joel L. Kraemer (Oxford: Littman Library of Jewish Civilization, 1996), pp. 221–256; Netanel Wiederblank, *Illuminating Jewish Thought: Explorations of Free Will, the Afterlife, and the Messianic Era* (Jerusalem: Maggid, 2018), pp. 547–556.
[13] Micah Goodman, *Maimonides and the Book that Changed Judaism: Secrets of the Guide for the Perplexed* (Philadelphia: Jewish Publication Society, 2015), pp. 113–137.
[14] Nathan Lopes Cardozo, "The Deliberately Flawed Divine Torah," at http://thetorah.com/the-deliberately-flawed-divine-torah/, accessed June 21, 2018.
[15] Nathan Lopes Cardozo, *Jewish Law as Rebellion: A Plea for Religious Authenticity and Halachic Courage* (Jerusalem: Urim, 2018), pp. 219–223.
[16] See Rabbi Cardozo's further exploration of this idea in his book, *Between Silence and Speech: Essays on Jewish Thought* (Northvale, NJ: Jason Aronson, 1995), pp. 1–12.
[17] In his commentary on the prayer book, Rabbi Abraham Isaac Kook suggests that in the messianic future, there will be only flour sacrifices, and no more animal sacrifice (*Olat Re'iyah*, 292; cf. Rabbi Kook's *LeNevukhei HaDor*, chapter 10, where he suggests that if righteous people in the messianic era are unwilling to bring animal sacrifice, it is within the right of the Sanhedrin then to reinterpret the Torah so that only flour sacrifices will be offered). However, Rabbi Kook's view is more complex based on his other writings. See Netanel Wiederblank, *Illuminating Jewish Thought*, pp. 557–572. See also Rabbi Haim David Halevy, *Asei Lekha Rav* 9:36, who espoused a similar position to that of Rabbi Kook in *Olat Re'iyah*. However, Rabbi Halevy elsewhere also insisted that the full sacrificial order will be restored in the messianic future. For analysis of Rabbi Halevy's position, see Marc D. Angel and Hayyim Angel, *Rabbi Haim David Halevy: Gentle Scholar and Courageous Thinker* (Jerusalem: Urim, 2006), pp. 85–87. For a few other recent rabbis who suggested that there will not be animal sacrifices in the messianic future, see Marc B. Shapiro, *The Limits of Orthodox Theology*, pp. 128–130.
[18] For an excellent formulation of the inclusive position, see the Statement of Principles on the Place of Jews with a Homosexual Orientation in Our Community, at

http://statementofprinciplesnya.blogspot.com/, accessed June 21, 2018. More broadly, see Chaim Rapoport, *Judaism and Homosexuality: An Authentic Orthodox View* (London: Vallentine Mitchell, 2004).

[19] See Menachem Kellner, "And Yet, the Texts Remain," in *The Gift of the Land and the Fate of the Canaanites in Jewish Thought* (New York: Oxford University Press, 2014), pp. 153–179.

[20] See Hayyim Angel, "War Against Canaan: Divine and Human Perspectives," in Angel, *Creating Space between Peshat and Derash: A Collection of Studies on Tanakh* (Jersey City, NJ: Ktav-Sephardic Publication Foundation, 2011), pp. 74-83; reprinted in Angel, *Vision from the Prophet and Counsel from the Elders: A Survey of Nevi'im and Ketuvim* (New York: OU Press, 2013), pp. 41–48; Yoel Bin-Nun, "*HaMikra BeMabat Histori VehaHitnahlut HaYisraelit BeEretz Cena'an*" (Hebrew), in *HaPulmus al HaEmet HaHistorit BaMikra*, ed. Yisrael L. Levin and Amihai Mazar (Yad Yitzhak Ben Zvi, Merkaz Dinur: 2002), pp. 3–16; Yoel Bin-Nun, "*Sefer Yehoshua—Peshat VeDivrei Hazal*" (Hebrew), in *Musar Milhamah VeKibush* (Alon Shevut: Tevunot, 1994), pp. 31–40; Shalom Carmy, "The Origin of Nations and the Shadow of Violence: Theological Perspectives on Canaan and Amalek," in *War and Peace in the Jewish Tradition*, pp. 163–199; Yaakov Medan, *HaMikraot HaMithaddeshim*, pp. 255–349.

[21] See further discussion in Amnon Bazak, *Ad HaYom HaZeh*, pp. 404-417. It is noteworthy that only in the 19th century did Malbim raise the moral question of the mutilation (rather than quick execution) of Adoni-Bezek. Earlier generations of classical commentators did not.

[22] For further discussion, see Hayyim Angel, "Abarbanel: Commentator and Teacher: Celebrating 500 Years of his Influence on Tanakh Study," *Tradition* 42:3 (Fall 2009), pp. 9–26; reprinted in Angel, *Creating Space between Peshat and Derash: A Collection of Studies on Tanakh* (Jersey City, NJ: Ktav-Sephardic Publication Foundation, 2011), pp. 1–24; *Peshat Isn't So Simple: Essays on Developing a Religious Methodology to Bible Study* (New York: Kodesh Press, 2014), pp. 80–104.

[23] Consistent with his position, Rambam maintained that monarchy will return to Israel in the messianic era (*Hilkhot Melakhim* 11:1). Scholars debate whether Abarbanel believed that there will be a monarchy in the messianic era. Yitzhak Baer and Leo Strauss maintained that Abarbanel believed that the messianic leader would function as a king for the nations but not for the Jews, a situation resembling the biblical period of the Judges. However, Eric Lawee observes that Abarbanel is explaining the position of Rabbi Hillel in the Talmud, rather than explicitly expressing his own personal view. It therefore is possible that Abarbanel himself expected some form of limited monarchy in the messianic era. For discussion and references, see Eric Lawee, *Isaac Abarbanel's Stance Toward Tradition: Defense, Dissent, and Dialogue* (New York: SUNY Press, 2001), pp. 137–141 and pp. 266–267, notes 62, 70. I thank Professor Lawee for this reference.