

Israel's Inheritance: Olam Haba

By: ASHER BENZION BUCHMAN

שכל ישראל יש להם חלק לעולם הבא שנ' "ועמך כולם צדיקים לעולם
יירשו ארץ", ארץ זו משל, כלומר ארץ החיים, והיא העולם הבא (הל'
תשובה ג:ה).

A Righteous Nation

In discussing the laws of conversion (*Hilchos Issurei Biyah* 14:4), Rambam writes that a convert is told that the “World to Come” (*olam haba*) is for “the *Tzaddikim* (righteous), and they are Israel.”^{1 2} In *Hilchos Teshuva* (3:13) he explains further that, “All of Israel has a portion in the World to Come, even if they have sinned, for it says ‘your nation is all righteous, they will always inherit the land’—this

¹ כיצד מקבלין גירי הצדק... ומודיעין אותו עיקרי הדת שהוא ייחוד השם ואיסור עכו"ם. ומאריכין בדבר הזה ומודיעין אותו מקצת מצות קלות ומקצת מצות חמורות ואין מאריכין בדבר זה, ומודיעין אותו עון לקט שכחה ופיאה ומעשר שני, ומודיעין אותו עונשן של מצות, כיצד אומרים לו הוי יודע שעד שלא באת לדת זו אם אכלת חלב אי אתה ענוש כרת, אם חללת שבת אי אתה ענוש סקילה, ועכשיו אחר שתתגייר אם אכלת חלב אתה ענוש כרת, אם חללת שבת אתה ענוש סקילה... וכשם שמודיעין אותו עונשן של מצוות, כך מודיעין אותו שכרן של מצוות; ומודיעין אותו שבעשיית מצוות אלו, יזכה לחיי העולם הבא, ושאיין שם צדיק גמור אלא בעל חכמה שעושה מצוות אלו, ויודען. [ד] ואומרים לו, הוי יודע שהעולם הבא אינו צפון אלא לצדיקים. והם ישראל; וזה שתראה ישראל בצער בעולם הזה, טובה צפונה היא להם, שאינן יכולין לקבל רוב טובה בעולם הזה, כאומות--שמה ירום ליבם ויתעו ויפסידו שכר העולם הבא. ובמ"מ (שם) כיצד מקבלין גירי הצדק וכו'. ברייתא בהחולץ (דף מ"ז) והכל מפורש שם חוץ ממ"ש "ומאריכין בדבר זה" בייחוד השם ובאיסור ע"א שאינו מבואר שם שיארכו עמו בזה אבל הדבר פשוט שכיון שאלו הם עיקרי הדת והאמונה צריך להאמינם בברור ולהודיעם ולהאריך עמם בזה שהוא עיקר היהדות והדת והגירות.

² I include sources in footnotes either in their original Hebrew or in the best available Hebrew translation. The reader is asked to refer to them and carefully analyze them. Careless and inaccurate readings of the primary sources have caused some academic scholars to mislead their readers on important issues such as these.

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land is a parable, i.e., the land of life, which is the world to come—and so too the *Chassidim* (saintly)³ amongst the nations of the world.”⁴ In *Hilchos Melachim* (8:11) he tells us that these “*Chassidim* amongst the nations” are those who have accepted the seven Noachide laws in a formal act of conversion by a Jewish court:⁵ Thus, Israel is the nation in which **all** have a portion in the world to come. To join this nation of Israel and thus immediately gain *olam haba*, one must do a formal act of conversion.⁶ Although neither the native Jew nor the convert is an outstanding scholar, he is still guaranteed a portion in *olam haba*. Even the righteous amongst the nations who keep their seven *mitzvos* and formally recognize Revelation are also guaranteed a portion in the World to Come, because they become an auxiliary contingent of the nation of Israel.⁷

The Acts that Divide Us

Rambam (*Hilchos Teshuva* 8:1) identifies the loss of *olam haba* with the Divine *halachic* punishment of *kares* (כרת).⁸ Rav Soloveitchik

³ "חסידים אומות העולם".

⁴ הבינוניים--אם היה בכלל מחצה עוונות שלהן שלא הניח תפילין מעולם--דנין אותן כפי חטאיו, ויש לו חלק לעולם הבא; וכן כל הרשעים שעוונותיהם מרובין--דנין אותן כפי חטאותיהם, ויש להן חלק לעולם הבא: שכל ישראל יש להן חלק לעולם הבא, אף על פי שחטאו--שנאמר "ועמך כולם צדיקים, לעולם יירשו ארץ" (ישעיהו ס, כא); ארץ זו משל--כלומר ארץ החיים, והוא העולם הבא. וכן חסידי אומות העולם, יש להן חלק לעולם הבא.

⁵ כל המקבל שבע מצוות, ונזהר לעשותן--הרי זה מחסידי אומות העולם, ויש לו חלק לעולם הבא: והוא שיקבל אותן ויעשה אותן, מפני שציווה בהן הקדוש ברוך הוא בתורה, והודיענו על ידי משה רבנו, שבני נוח מקודם נצטוו בהן. אבל אם עשאו מפני הכרע הדעת--אין זה גר תושב, ואינו מחסידי אומות העולם אלא מחכמיהם.

⁶ Nor should we ignore Rambam's halachic statement about the effects of living or even walking in Eretz Yisrael:

אמרו חכמים, כל השוכן בארץ ישראל, עוונותיו מחולין--שנאמר "ובל יאמר שכן, חליתי; העם היושב בה, נשוא עוון" (ישעיהו לג, כד). אפילו הלך בה ארבע אמות, זוכה לחיי העולם הבא. וכל הקבור בה, נתכפר לו, וכאילו המקום שהוא בו מזבח כפרה, שנאמר "וכיפר אדמתו עמו" (דברים לב, מג). ובפורענות הוא אומר "על אדמה טמאה תמות" (עמוס ז, יז).

This act of coming to Israel is an act of joining the Jewish people.

⁷ We call them "Converts who dwell with us" (גרי תושב)--and they are a type of convert, just as full converts (גרי צדק) are. The term גר refers to a non-native dweller amongst us.

⁸ ופרעון הרשעים--הוא שלא יזכו לחיים אלו, אלא ייכרתו וימותו. וכל מי שאינו זוכה לחיים אלו, הוא המת שאינו חי לעולם, אלא נכרת ברשעו, ואובד כבהמה. וזה הוא הכרת הכתוב

zt”l explains⁹ that the Biblical phrase defining *kares*, ונכרתה הנפש, “that soul will be cut off from its nation,” should be taken literally—meaning that the perpetrator of these severe sins cuts himself off from the Jewish nation.¹⁰ It is being cut off from the Jewish nation that results in the loss of a portion in the World to Come.

This explains why Rambam states both in *Perush HaMishnah*¹¹ and in *Mishneh Torah (Hilchos Teshuva 3:7)* that those who reject the fundamentals of our faith, the *ikkarei emunah*, forfeit their portion in *olam haba* only when they openly state their denial, and hence proclaim themselves as apostates. It is he who “says (האומר) there is no G-d... who says there is a single unique master but that he has a body and a form... [who] is a heretic (מין).”^{12 13}

Generally, even those who have noted that this is explicitly what Rambam states, claim that “says” here really means thinks, because of their assumption that these are all issues of belief. What this overlooks is that the 13 *Ikkarim* are clearly not all matters of belief. The fifth *ikkar* is defined both in the *Perush HaMishnah* and in *Mishneh Torah* as “העובד”—“He who worships” idols. In this case it is absolutely clear that the *ikkar* is defined not by belief of the heart but by concrete action.¹⁴ Likewise for the other *ikkarim*,

בתורה, שנאמר "היכרת תיכרת הנפש ההיא" (במדבר טו, לא); מפי השמועה למדו "היכרת" בעולם הזה, "תיכרת" לחיי העולם הבא: כלומר שאותה הנפש שפרשה מן הגוף בעולם הזה-- אינה זוכה לחיי העולם הבא, אלא גם מן העולם הבא נכרתה.

⁹ *Al HaTeshuva*, 81, Pinchas Peli ed.

¹⁰ This explains *Hilchos Teshuva* 1:3—the כפרה of Yom Kippur does not apply to sins that are punishable by *kares*. The כפרה of Yom Kippur is on the collective nation of Israel.

¹¹ Introduction to *Chelek*.

¹² חמישה הן הנקראין מינים: האומר שאין שם אלוה, ואין לעולם מנהיג; והאומר שיש שם מנהיג, אבל הם שניים או יתר; והאומר שיש שם ריבון אחד, אלא שהוא גוף ובעל תמונה; וכן האומר שאינו לבדו ראשון וצור לכול; וכן העובד אלוה זולתו, כדי להיות מליץ בינו ובין ריבון העולמים. כל אחד מחמישה אלו מין.

¹³ The same language, “he who says,” is used for the other deniers later in the chapter.

¹⁴ In fact, even the practice of idolatry need not be that serious a philosophical failing, for it applies even in those cases where the worshipper believes the idol is an intermediary to G-d, and it is really only a prohibi-

it is not the lack of belief that is the failing but the act of proclaiming to others that one does not believe, by which one cuts himself off from the community of faith that constitutes Israel.

Thus Rambam explains¹⁵ with regard to one who denies any of the 13 *Ikkarei emunah* that he has “left the group,” יצא מן הכלל. Such a person has placed himself outside the community of Israel. In *Hilchos Avodah Zara* (2:2) Rambam makes this very clear, first with regard to idol worship: “A *Yisrael* who worships idols is like a gentile in all ways,”¹⁶ then with regard to heretics (מינים) “And so too the *minim* amongst Israel are not like *Yisrael* in any respect.”^{17 18}

Knowledge and Doubt

Some have been misled to believe that Rambam required absolute certainty, perhaps rising to the level of clear knowledge rather than of mere faith, to acquire *olam haba*. In Menachem Kellner’s *Must a Jew Believe Anything*, he “quotes” Rambam as writing (after listing the 13 *ikkarim*), “anyone who doubts any of these basics has no part in the world to come.” This “quote” is based on an understanding of *Perush HaMishnah* that is obviously inaccurate. In Kappach’s translation¹⁹ the word that Kellner translates as “doubts” is translated as מפקפק and in the most recent Hebrew translation the word is מערער.²⁰ As these words imply, forfeiture of *olam haba* is for ac-

tion designed to ensure that G-d’s nature not become obscured in the minds of the people. See *Hilchos Avodah Zara* chapter 1.

¹⁵ *Perush HaMishnah* after listing the 13 *ikkarim*.

¹⁶ שכל המודה בעבודה זרה--כפר בכל התורה כולה... ישראל שעבד עבודה זרה--הרי הוא כגוי לכל דבר, ואינו כישראל שעבר על עבירה שיש בה סקילה; ומשומד לעבודה זרה, הרי הוא משומד לכל התורה כולה.

¹⁷ וכן המינים מישראל, אינן כישראל לדבר מן הדברים. ואין מקבלין אותן בתשובה, לעולם-- שנאמר "כל באיה, לא ישובו; ולא ישיגו, אורחות חיים" (משלי ב, יט).

¹⁸ The meaning is not that he is not halachically Jewish—in fact we recognize his marriage to another Jew—but rather that he has theologically left the nation of Israel and does not share with them in *olam haba*.

¹⁹ וכאשר יפקפק אדם יסוד מאלה היסודות, הרי יצא מן הכלל וכפר בעיקר, ונקרא צדוקי ואפיקורוס וקוצץ בנטיעות, ומצווה לשונא, ועליו נאמר "הלא משנאך ה' אשנא".

²⁰ See also Mordechai Rabinowitz’s translation in the *Rambam le’Am* edition. Dr. Kellner also misrepresents Rambam’s position on the issue of error and on what qualities are necessary to earn *olam haba*. On page 138

tively arguing against these fundamentals of Judaism and putting oneself outside the boundaries of our religion.²¹

In *Moreh Nevuchim* (1:35), Rambam explains that children must be taught “that G-d is incorporeal, that He cannot be compared with His creatures, that He is not subject to external influence; these are things that must be explained to everyone according to his capacity, and they must be taught by way of tradition to children and women, to the stupid and ignorant, as they are taught that G-d is One, that He is eternal, and that He alone is to be worshipped... When persons have received this doctrine, and have been trained in this belief, and are in consequence at a loss to reconcile it with the writings of the Prophets, the meaning of the latter must be made clear and explained to them by pointing out the homonymity and the figurative application of certain terms discussed in this part of the work so that they may reach perfection in proper knowledge of G-d's Unity and the truth of the prophetic books.” One starts out life with acceptance of the fundamentals of Judaism—faith—and spends a lifetime in pursuit of deeper knowledge. But all of Israel, who have begun this quest with an act of faith, are guaranteed eternal life.

This is consistent with what Rambam explains in *Mishneh Torah*²² with regard to the nature of the first two mitzvos, knowledge

of his book, he does note that “in not a few places Maimonides speaks as if he accepted a traditionalist account of reward and punishment.” But he chooses not to try to resolve the sources he uses with the many sources that show that his interpretations are impossible. He instead explains that Rambam was merely conning us. He justifies this approach with yet another misreading of the *Moreh Nevuchim*, perhaps his most offensive. (When Rambam speaks of “necessary” beliefs, he certainly does not mean that they are not true as Dr. Kellner claims.) See also David Berger's review of Kellner's book in *Tradition* 33/4 (1999) where he takes issue with other elements of the book. Dr. Kellner responds to Dr. Berger in the 2nd edition of his work.

²¹ That no other reading is possible will become obvious as we continue. The original Arabic reads: וַאֲדָא אִכְ'תִּלֵּת לְאֵלֶשְׁכִּיז קַאעֲדָא מִן הַדְּהָ אֶלְקִוְעֵד פִּקֵּד יִצָּא מִן הַכִּלְל וּכְפָר בְּעֵינֵיךָ.

²² As well as in *Sefer HaMitzvos* (*Aseh* 1, 2) where one must use Rav Kapach's translation so as not to be misled by the faulty translation of לְהֵאמִין in place of לִידַע.

of G-d's existence and unity, in that they are fulfilled not via faith but via knowledge. In his explanation of these *mitzvos*, Rambam does not suffice with a few perfunctory phrases, but elaborates on the philosophical ideas that must be mastered and come to be "known."²³ As he explained in the *Moreh*, the fulfillment of this mitzvah comes gradually over a lifetime—and each individual is limited in its fulfillment by the degree of his application and by the depth of his intellect.

As for doubt, which is of course natural, there is a halacha (*Hilchos Avodah Zara* 2:2-3) addressed to it specifically. Let us look at Rambam's presentation of it: "Do not turn toward the gods'... do not inquire after their modes of worship, even though you do not worship, for this [inquiry] will cause you to be turned to follow it and imitate those practices... and if one transgresses this actively he receives lashes."²⁴ The study of idolatry, and contemplation of its efficacy, is specifically prohibited. While only idol worship itself carries the penalty of *kares*, the consideration of the possibility of its efficacy is also prohibited, and if some act is taken to further this

²³ יסוד היסודות ועמוד החכמות, לידע שיש שם מצוי ראשון. והוא ממציא כל הנמצא; וכל הנמצאים מן שמיים וארץ ומה ביניהם, לא נמצאו אלא מאמיתת הימצאו. [ב] ואם יעלה על הדעת שהוא אינו מצוי, אין דבר אחר יכול להימצאות... (ירמיהו י',)--הוא לבדו האמת, ואין לאחר אמת כאמתו. והוא שהתורה אומרת "אין עוד, מלבדו" (דברים ז, לה), כלומר אין שם מצוי אמת מלבדו כמותו. ג. [ה] המצוי הזה--הוא אלוה העולם, אדון כל הארץ...; והוא ברוך הוא המסבב אותו, בלא יד ולא גוף. ד. [ו] וידיעת דבר זה מצות עשה, שנאמר "אנוכי ה' אלוהיך" (שמות כ, ב; דברים ה, ו). ... [ז] אלוה זה אחד הוא--אינו לא שניים ולא יתר על שניים, אלא אחד, שאין כייחודו אחד מן האחדים הנמצאים בעולם: לא אחד כמין שהוא כולל אחדים הרבה, ולא אחד כגוף שהוא נחלק למחלקות ולקצוות; אלא ייחוד שאין ייחוד אחר כמותו בעולם. ו. אילו היו האלוהות הרבה--היו גופין וגווייות, מפני שאין הנמנין השווין במציאתן נפרדין זה מזה אלא במאורעין שיארעו הגופות והגווייות... והואיל ואינו גוף, לא יארעו מאורעות הגופות כדי שיהא נחלק ונפרד מאחר; לפיכך אי אפשר שיהיה אלא אחד. וידיעת דבר זה--מצות עשה, שנאמר "ה' אלוהינו, ה' אחד" (דברים ו, ד.

²⁴ ספרים רבים חיברו עובדי עבודה זרה בעבודתה, היאך עיקר עבודתה ומה משפטה ומעשיה. ציוונו הקדוש ברוך הוא, שלא לקרות באותן הספרים כלל, ולא נהרהר בה, ולא בדבר מדבריה. ואפילו להסתכל בדמות הצורה--אסור, שנאמר "אל תפנו אל האלילים" (ויקרא יט, ד). ובעניין זה נאמר "ופן תדרוש לאלוהיהם לאמור, איכה יעבדו" (דברים יב, ל)--שלא תשאל על דרך עבודתה היאך היא, ואף על פי שאין אתה עובד: שדבר זה גורם לך להיפנות אחריה ולעשות כמו שהן עושין, שנאמר "ואעשה כן, גם אני" (שם). וכל הלאוין הללו בעניין אחד הן, והוא שלא ייפנה אחר עבודה זרה; וכל הנפנה אחריה בדרך שהוא עושה בו מעשה, הרי זה לוקה.

thought, it is punishable with lashes. To create doubt is indeed prohibited:

And not only is it prohibited to consider the efficacy of idolatry but we are forbidden to consider any thought that causes one to uproot one of the *ikkarei baTorah*, nor to contemplate it and let our minds and hearts dwell upon it... for men's minds are limited, and not all minds are capable of reaching the truth clearly, and should each individual follow the thoughts of his heart, he will destroy the world because of his limited mind. How so? At times he will stray after idolatry, and at times will contemplate whether Unity is true, [thinking] about what is above and what is below, and what is beyond and what is behind, and at times about whether prophecy is a true concept, and at times if the Torah is from heaven or not. And he does not know the means by which one can arrive at these truths and thus is driven out to heresy.²⁵

While man is required to delve into philosophical thought in order to attain the highest certainty about G-d's unity and the proper way to worship Him, we are bound by the traditions of our religion and the commitment to the *ikkarei emunah*. They are indeed articles of faith. Moreover, in our approach to them, there is no difference between our relationship to the concepts we are required to come to know—the first five philosophical principles—and the others, such as *Torah MiSinai* whose knowledge is handed down to us by way of tradition. We may not doubt them. We may not consider the possibility that they are not true; we must be prejudiced in our philosophical analysis, not because these things are not provable, but because the average person is not intellectually equipped to come to the truth of this knowledge. This halacha is based on the premise that most intellects are not capable of reaching

²⁵ ולא עבודה זרה בלבד הוא שאסור להיפנות אחריה במחשבה, אלא כל מחשבה שגורמת לו לאדם לעקור עיקר מעיקרי התורה--מוזהרין אנו שלא להעלותה על ליבנו, ולא נסיה דעתנו לכך ונחשוב ונימשך אחר הרהורי הלב: מפני שדעתו של אדם קצרה, ולא כל הדעות יכולות להשיג האמת על בוריי; ואם יימשך כל אדם אחר מחשבות ליבו, נמצא מחריב את העולם לפי קוצר דעתו. כיצד: פעמים יתור אחר עבודה זרה; ופעמים יחשוב בייחוד הבורא, שמא הוא שמא אינו, מה למעלה מה למטה, מה לפניו מה לאחור; ופעמים בנבואה, שמא היא אמת שמא אינה; ופעמים בתורה, שמא היא מן השמיים שמא אינה. ואינו יודע המידות שידון בהן עד שיידע האמת על בוריי, ונמצא יוצא לידי מינות.

these truths. By not allowing the mind to go too far—*mah lifnim mah l'achor*—one preserves his *olam haba*. This *halacha* was given to protect the Jew from coming to heresy (מינות).

“With regard to this the Torah warned, ‘Do not stray after your heart’... and though this prohibition causes one to be dragged from *olam haba*, there are no lashes for it” (ibid.)²⁶ Though Rambam makes clear that, in following one’s own insufficient intellect, one follows a path that eventually arrives at heresy, nevertheless the punishment for this unlimited contemplation and consideration of all types of heresy is not even lashes. Rather, the punishment is inherent in the act in that it “causes man to be dragged from *olam haba*.”

The Road to Hell

Rambam continues, “The heretics (*minim*) are those who foolishly stray after the thoughts of their heart... until they find themselves transgressing over the essentials of the Torah with intent to defy, with hands uplifted in rebellion, saying there is nothing wrong in so doing (ibid.)²⁷ Here Rambam makes clear what we explained above, that one is a heretic only when he has followed his errant mind and willfully committed sins, “and says” there is nothing wrong in so doing.²⁸ Only at the end of the process of the violation of straying

²⁶ ועל עניין זה הזהירה תורה, ונאמר בה "ולא תתורו אחרי לבבכם ואחרי עיניכם אשר אתם זונים אחריהם" (במדבר טו, לט)--כלומר לא יימשך כל אחד מכם אחר דעתו הקצרה, וידמה שמחשבתו משגת האמת. כך אמרו חכמים, "אחרי לבבכם", זו מינות; "ואחרי עיניכם", זו זנות. ולא זו, אף על פי שהוא גורם לאדם לטורדו מן העולם הבא, אין בו מלקות.

²⁷ והמינים, הם התרים אחר מחשבות ליבם בסכלות, בדברים שאמרנו, עד שנמצאו עוברים על גופי תורה להכעיס, בשאט בנפש ביד רמה; ואמרין, שאין בזה עוון. ואסור לספר עימהן ולהשיב עליהן תשובה כלל, שנאמר "אל תקרב, אל פתח ביתה" (משלי ה, ח). ומחשבת מין, לעבודה זרה.

The last phrase that the thoughts of the מין are to idolatry is consistent with the grouping of *avoda zara* with the other four *ikkara'im* that include atheistic thoughts as well—in halachic terms his thinking is that of an idol worshipper. For example should he slaughter for a sacrifice, we would consider his thoughts as directed to idolatry.

²⁸ The acts that he describes are acts that themselves independently cause the sinner to forfeit *olam haba* (*Hil. Teshuvah* 3:6: רמה בפרהסיא). Here Rambam is describing the expected trajectory of a *min*, but

(לא תתורו) does one become a *min*. While doubt diminishes *olam haba* and endangers one's soul, it is only when one removes himself from Israel that all is lost.

Similarly, after Rambam lists the twenty-four people who have no portion in *olam haba*, he tells us (*Hilchos Tesbuva* 3:14) that there are other sins such as “embarrassing a friend in public, taking joy in the humiliation of a friend... denigrating the holidays” that when “habitually done” will cause one to lose his *olam haba*. Each act diminishes the portion, and repetition constitutes a path to total loss.²⁹ So too Rambam writes (*Hilchos Talmud Torah* 3:10), “Anyone who thinks that he can engage in Torah study and not work, and get support from charity, profanes the Name... and causes evil to himself, and removes his life from *olam haba*... The *chachamim* said anyone who benefits from the words of the Torah takes his life from the world” (נטל חייו מן העולם).³⁰ In the words “ונטל חייו מן העולם,” he again describes a path that has at its end the total loss of *olam haba* and that in its practice diminishes that which it seeks to build.

Error

What of a Jew who has accepted a corporeal conception of G-d (הגשמה) via an errant *mesora*? Can he attain a portion in *olam haba*? We have explained that a denial of the 13 *ikkarim* means to cut oneself off from Judaism, thus if one lives in the bosom of Israel but in a community where this is taught as the normative belief, then we should assume that this should not be a source of *kares*. Especially if his belief in corporealism is sophisticated, like that of a personage

in *Hil. Tesbuva*, Rambam lists the unique concepts that can independently cause forfeiture of *olam haba*.

²⁹ ויש עבירות קלות מאלו, ואף על פי כן אמרו חכמים שהרגיל בהן אין לו חלק לעולם הבא, כדי להתרחק מהן ולהיזהר מהן. ואלו הן: המכנה את חברו, והקורא לחברו בכינוי, והמלבין פני חברו ברבים, והמתכבד בקלון חברו, והמבזה תלמידי חכמים, והמבזה רבותיו, והמבזה את המועדות, והמחלל את הקודשים.

³⁰ כל המשים על ליבו שיעסוק בתורה ולא יעשה מלאכה, ויתפרנס מן הצדקה--הרי זה חילל את השם, וביזה את התורה, וכיבה מאור הדת, וגרם רעה לעצמו, ונטל חייו מן העולם הבא: לפי שאסור ליהנות בדברי תורה, בעולם הזה. אמרו חכמים, כל הנהנה מדברי תורה, נטל חייו מן העולם.

The last phrase means he removes himself from this world and the next.

such as Rav Moshe Taku, we should assume that though this errant belief lessens his portion, his portion might still be great. Here is what Rambam says of these people:

Those who are in the country, but have their backs turned toward the king's palace, are those who possess religion, belief, and thought, but happen to hold false doctrines, which they either adopted in consequence of great mistakes made in their own speculations, or received from others who misled them. Because of these doctrines they recede more and more from the royal palace the more they seem to proceed. These are worse than the first class, and under certain circumstances it may become necessary to slay them, and to extirpate their doctrines, in order that others should not be misled. (*Moreh Nevuchim* 3:51)

By *kefira* I mean that one has a belief that is different from reality... The *kofrim*, however, though believing in the existence of the Creator, attack the exclusive prerogative of G-d, namely, the service and worship that was commanded, in order that the belief of the people in His existence should be firmly established... By transferring that prerogative to other beings, they cause the people, who only notice the rites, without comprehending their meaning or the true character of the being that is worshipped, to renounce their belief in the existence of G-d. They were therefore punished with death: 'Thou shalt save alive nothing that breatheth' (Deut. xx. 16). The object of this commandment, as is distinctly stated, is to extirpate that false opinion, in order that other men should not be corrupted by it any more... They are called 'enemies,' 'foes,' 'adversaries'; by worshipping idols they are said to provoke G-d to jealousy, anger, and wrath. How great, then, must be the offense of him who has a wrong opinion of G-d Himself, and believes Him to be different from what He truly is, i.e., assumes that He does not exist, that He consists of two elements, that He is corporeal, that He is subject to external influence, or ascribes to Him any defect whatever. Such a person is undoubtedly worse than he who worships idols in the belief that they, as agents, can do good or evil.

Therefore bear in mind that by the belief in the corporeality or in anything connected with corporeality, you would provoke G-d to jealousy and wrath, kindle His fire and anger, become

His foe, His enemy, and His adversary in a higher degree than by the worship of idols. If you think that there is an excuse for those who believe in the corporeality of G-d on the ground of their training, their ignorance or their defective comprehension, you must make the same concession to the worshippers of idols: their worship is due to ignorance, or to early training; 'they continue in the custom of their fathers' (TB Chullin, 13b). You will perhaps say that the literal interpretation of the Bible causes men to fall into that doubt, but you must know that idolaters were likewise brought to their belief by false imaginations and ideas. There is no excuse whatever for those who, being unable to think for themselves, do not accept [the doctrine of the incorporeality of G-d] from the true philosophers. I do not consider those men as *kofrim* who are unable to prove the incorporeality, but I hold those to be so who do not believe it, especially when they see that Onkelos and Jonathan avoid [in reference to G-d] expressions implying corporeality as much as possible. (*Moreh* 1:36)

Certainly, the impression we get from this is that an errant corporealist has no part in the World to Come. But in fact, Rambam never says it, nor could he mean it. While in fact he does say that such a person may have to be killed, he explains consistently that this is because he misleads others and endangers society.³¹ Rambam is talking about the imperative on other Jews to kill him, but his status with regard to *olam haba* is dependent upon the status his soul has reached. Just as the idol worshipper he speaks of can have a status of "unintentional sinner" (שוגג), as the Torah makes quite clear, the same is true of this person.³² He distances himself from

³¹ In *Mishneh Torah* (*Hil. Avodah Zara* 10:2) he also makes clear that the reason for killing *minim* is because of the harm they cause to society: מצירין לישראל ומסירין את העם מאחריה.

³² Consistent with this, Rambam is quite emphatic in *Hilchos Teshuva* that the *מינים* can do teshuva. Yet he says in *Hilchos Avodah Zara* that "we do not ever accept them in *Teshuva*." He answers the apparent contradiction in a *teshuva* by explaining that while G-d certainly accepts all repentance, the community that he endangers must forever treat him with scorn and skepticism.

the palace but he still has a place in the “country,”³³ the *eretz ha-chayim* surrounding the palace.

The Reward of the Wise Man

All of Israel has a portion in *olam haba*, but it is not necessary to be part of Israel in order to gain *olam haba*.

Let us return to what we learned in *Hichos Melachim*. After explaining how one converts and becomes one of the “*chassidim* amongst the nations,” hence earning a place in *olam haba*, Rambam explains:

אבל אם עשאן מפני הכרע הדעת—אין זה גר תושב, ואינו מחסידי אומות
העולם אלא מחכמיהם.

Should he perform the seven *mitzvos*, due to his intellectual conclusions—he is not a *ger toshav*, nor from the *chassidim* of the nations of the world, but one of their wise men, *chachamim*.³⁴

He who does not accept revelation³⁵ and hence does not qualify as a convert of any sort, is not guaranteed a portion in *olam haba*, but in having come on his own to observe the seven Noachide laws, he is labeled a *Chochom*. In *Moreh Nevuchim*³⁶ Rambam explains that the word “*Chochom*” applies to one who intellectually understands the rationale behind the *mitzvos*—which constitutes true knowledge:

A person that has a true knowledge of the whole Law is called wise in a double sense; he is wise because the Law instructs him in the highest truths, and secondly, because it teaches him good morals. But as the truths contained in the Law are taught by way of tradition, not by a philosophical method, the knowledge of the Law, and the acquisition of true wisdom, are treated in the books of the Prophets and in the words of our Sages as two different things; real wisdom demonstrates by

³³ See *Moreh Nevuchim* 3:51 cited just above.

³⁴ Other texts read "ולא מחכמיהם" but the reliable texts read as quoted.

³⁵ Certainly not formally and in all probability not at all.

³⁶ Especially but elsewhere also.

proof those truths that Scripture teaches us by way of tradition. It is to this kind of wisdom, which proves the truth of the Law, that Scripture refers when it extols wisdom, and speaks of the high value of this perfection, and of the consequent paucity of men capable of acquiring it, in sayings like these: "Not many are wise" (Job xxxii. 9)...When man comes to the trial [to determine if he will enter *olam haba*], he is first asked, 'Hast thou fixed certain seasons for the study of the Law? Hast thou been engaged in the acquisition of wisdom? Hast thou derived from one thing another thing?' This proves that our Sages distinguished between the knowledge of the Law on the one hand, and wisdom on the other, as the means of proving the lessons taught in the Law by correct reasoning. (*Moreh Nevuchim* 3:54)

With this, what Rambam is saying in *Hilchos Melachim* becomes clear. The person who has arrived at the truth via deduction is one of the rare people who are true *chachomim*. This person is certainly eligible for *olam haba*. He will pass the three-question entry exam given on judgement day. In fact, in *Hilchos Deos* (chapter 1) Rambam describes the middle road as the path of the wise, *derech chachamim*, and contrasts it with *derech chassidim* which is inferior to it, for it is *derech chachamim* that is also called "G-d's path" (דרך) ('ה.³⁷ The *chochom* of the nations of the world is greater than the *Chassid* of the nations. Rambam concludes his description of *derech chachamim* with these words: "It is that which *Avraham Avinu* taught his sons... and he who follows this *derech* brings good and blessing to himself."³⁸ The gentile who emulates what Avraham did and finds G-d on his own is a *Chochom* and certainly earns *olam haba*.³⁹

³⁷ כל אדם שדעותיו כולן דעות בינוניות ממוצעות, נקרא חכם; ומי שהוא מדקדק על עצמו ביותר ויתרחק מדעה בינונית מעט לצד זה או לצד זה, נקרא חסיד. כיצד: מי שיתרחק מגובה הלב עד הקצה האחרון, ויהיה שפל רוח ביותר--נקרא חסיד; וזו היא מידת חסידות. ואם נתרחק עד האמצע בלבד, ויהיה עניו--נקרא חכם; וזו היא מידת חכמה. ולפי שהשמות האלו שנקרא בהן היוצר, הן הדרך הבינונית שאנו חייבין ללכת בה, נקראת דרך זו, דרך ה'

³⁸ והיא שלימדה אברהם אבינו לבניו, שנאמר "כי ידעתיו, למען אשר יצווה את בניו ואת ביתו אחריו, ושמרו דרך ה', לעשות צדקה ומשפט" (בראשית יח, ט). וההולך בדרך זו, מביא טובה וברכה לעצמו, שנאמר "למען הביא ה' על אברהם את אשר דיבר עליו" (בראשית יח, ט).

³⁹ Rambam makes this clear again at the end of *Hilchos Shemittah*:

Olam Haba

The most famous Rambam on *Olam Haba* is in *Hilchos Teshuva* (8:2):

The righteous people sit with their crowns on their heads and enjoy the radiance of the Divine Presence... When they said that the righteous people sit they meant it figuratively, i.e., the righteous people are there, without labor or effort. Similarly, when they said that the righteous people have crowns on their heads they were referring to the knowledge because of which they inherited a place in the World to Come. This knowledge is always with them, and is their 'crown'... When they said that they will benefit from the radiance of the Divine Presence they meant that they will know and understand the existence of G-d in a manner that they couldn't while in their gloomy and paltry bodies. Whenever the word 'soul' is mentioned, it does not mean the soul-body combination but the actual soul itself, which is the understanding given by the Creator and which causes other understandings and actions. This is the form that was explained in the fourth chapter of the Laws of The Basic Principles of The Torah.⁴⁰

ולא שבט לוי בלבד, אלא כל איש ואיש **מכל באי העולם** אשר נדבה רוחו אותו והבינו מדעו להיבדל לעמוד לפני ה' לשרתו ולעובדו לדעה את ה', והלך ישר כמו שעשהו האלוהים, ופרק מעל צווארו עול החשבונות הרבים אשר ביקשו בני האדם--הרי זה נתקדש קודש קודשים, ויהיה ה' חלקו ונחלתו לעולם ולעולמי עולמים; ויזכה לו בעולם הזה דבר המספיק לו, כמו שזיכה לכוהנים וללויים. הרי דויד אומר "ה', מנת חלקי וכוסי--אתה, תומיך גורלי" (תהילים טז,ה).

Rambam uses the term **כל באי עולם** to refer to all men, not Jews. This is clear from the halacha preceding the definition of **עולמות העולם** (*Mela-chim* 8:10):

וכן ציווה משה רבנו מפי הגבורה, לכופף את **כל באי העולם** לקבל כל מצוות שנצטווה נוח, וכל מי שלא קיבל, ייהרג. והמקבל אותם--הוא הנקרא גר תושב בכל מקום, וצריך לקבל עליו בפני שלושה חברים.

⁴⁰ אלא צדיקים יושבין ועטרותיהם בראשיהם ונהנין מזיו השכינה... זה שאמרו צדיקים יושבין, על דרך החידה--כלומר נפשות הצדיקים מצויין שם, בלא עמל ולא יגע. וכן זה שאמרו עטרותיהם בראשיהם--כלומר דעה שידעו שבגללה זכו לחיי העולם הבא, מצויה עימם, והיא העטרה שלהן, כעניין שאמר שלמה "בעטרה, שעטרה לו אימו" (שיר השירים ג,יא). והרי הוא אומר "ושמחת עולם על ראשם" (ישעיהו לה,י; ישעיהו נא,יא), ואין השמחה גוף כדי שתנוח על הראש; כך עטרה שאמרו חכמים כאן, היא הדעה. ומה הוא זה שאמרו, ונהנין מזיו השכינה--שיודעין ומשיגין מאמתת הקדוש ברוך הוא, מה שאינן יודעין והן בגוף האפל השפל. כל נפש האמורה בעניין זה, אינה הנשמה שהיא צריכה לגוף, אלא צורת הנפש, שהיא

Based on this statement and other statements in the *Moreh* and *Perush HaMishnah* that equate *Olam haba* with attained knowledge, some claim that Rambam would deprive all but the greatest philosophers of the World to Come. Such a conclusion, however, would render meaningless the principle that all of Israel has a portion in the World to Come. Rambam's meaning is more complex than some philosophers would have us believe.

The Faith and Reward of the *Ger Toshav*

Let us return to the conversion process of the *ger tzedek* (*Hilchos Issurei Biah* 14:4):

We inform him of the *ikkarei hadas* (fundamentals of the religion), which are Unity of the Name and the prohibition of idolatry, and we deal with this at length, and we inform him of some of the easier and more difficult laws ... just as we tell him of the punishment of mitzvos, so too we tell him of the reward of mitzvos, and we tell him that with the performance of these mitzvos, he will merit the world to come.⁴¹

The conversion process of a *Ger Toshav* follows:

Who is a *ger toshav*?... a gentile who accepted not to worship idols, along with the other mitzvos that the sons of Noach were commanded... we accept him and he is one of the *chassidim* of the nations of the world.⁴²

From the halacha we quoted above in *Hilchos Melachim*, we know that this “acceptance” must be based on the fact that these laws are commanded by the Torah. But nowhere is it stipulated that

הדעה שהשיגה הבורא כפי כוחה והשיגה הדעות הנפרדות ושאר המעשים. והיא הצורה שביארנו עניינה בפרק רביעי מהלכות יסודי התורה; היא הנקראת נפש, בעניין זה

⁴¹ ומודיעין אותו עיקרי הדת, שהוא ייחוד השם ואיסור עבודה זרה; ומאריכין, בדבר זה. ומודיעין אותו מקצת מצוות קלות, ומקצת מצוות חמורות; ואין מאריכין, בדבר זה. ומודיעין אותו עוון לקט שכחה ופיאה, ומעשר עני. ומודיעין אותו עונשן של מצוות... וכשם שמודיעין אותו עונשן של מצוות, כך מודיעין אותו שכרן של מצוות; ומודיעין אותו שבעשיית מצוות אלו, יזכה לחיי העולם הבא, ושאיין שם צדיק גמור אלא בעל חכמה שעושה מצוות אלו, ויודען. ואומרים לו, הוי יודע שהעולם הבא אינו צפון אלא לצדיקים, והם ישראל.

⁴² איזה הוא גר תושב: זה גוי שקיבל עליו שלא יעבוד עבודה זרה, עם שאר המצוות שנצטוו בני נוח, ולא מל ולא טבל--הרי זה מקבלין אותו, והרי הוא מחסידי אומות העולם.

this *ger toshav* need accept all the 13 *ikkarim* in order to be accepted. Clearly Rambam does not insist that we explain to him *ikkarei hadas*. The “*Chassidim* of the nations” have appended themselves to Israel by accepting the authority of the Torah, but their acceptance is not contingent upon their understanding the intricacies of G-d’s Unity—certainly they need not commit themselves to the belief in Resurrection (תחיית המתים), and yet all of them are ensured *olam haba*.

There can be no doubt that a portion in the World to Come is not contingent on the philosophical mastery of the 13 *ikkarei emunah*, nor even on an allegiance to them. Factors other than deep philosophical understanding are the determinants. What are they?

Olam Haba and Kares

We can learn a lot about what *olam haba* depends on by examining the Torah punishment of *kares*. As we mentioned earlier, the concept of losing *olam haba* is found in the Torah’s declaration of *kares*:

The punishment of the wicked is that they will not receive this life, but are cut off (נכרתין) and die. Anybody who does not receive this life dies without receiving an eternal afterlife, and is cut off on account of his wickedness and is lost like an animal. This is the cutting-off (כרת) that is mentioned in the Torah, such as when it is written, “...that soul shall be utterly cut off” (היכרת תכרת הנפש ההיא). According to a tradition we learn that the words ‘cut off’ refer to being cut off from this world, and that the word ‘utterly’ comes to include [being cut off from] the World to Come, i.e. that soul which was separated from its body in this world will not merit life in the World to Come, but is cut off from there as well... The ultimate revenge and punishment is the cutting off of the soul so that it won’t enter the World to Come, as it is written, ‘...that soul shall utterly be cut off; his iniquity shall be upon him.’ (*Hilchos Tesbuva* 8:2, 5)⁴³

⁴³ ואלו שאין להן חלק לעולם הבא, אלא נכרתין ואובדין, ונידונין על גודל רשעם וחטאתם, לעולם ולעולמי עולמים שכר הצדיקים--הוא שיזכו לנועם זה, ויהיו בטובה זו (תשובה ג:1); ופרעון הרשעים--הוא שלא יזכו לחיים אלו, אלא ייכרתו וימותו. וכל מי שאינו זוכה לחיים אלו, הוא המת שאינו חויה לעולם, אלא נכרת ברשעו, ואובד כבהמה. וזה הוא הכרת הכתוב

Rambam seems to be saying that all who are subject to the punishment of *kares* lose their portion in *olam haba*.⁴⁴ In the *Sefer Hamitzvos* he is explicit on this point (*Shoresh 14*). There he writes of the punishment of *kares*: "*Kares* means that the transgressor who dies while still standing in his sin (עומד בחטאו) will have no portion in the World to Come, as we explained in chapter *chelek*."^{45 46}

Suddenly we learn that a host of sinners who have given in to their physical desires are also cut off not only from Israel but from *olam haba*. If this is so, what is the uniqueness of the twenty-four

בתורה, שנאמר "היכרת תיכרת הנפש ההיא" (במדבר טו, לא); מפי השמועה למדו "היכרת" בעולם הזה, "תיכרת" לחיי העולם הבא: כלומר שאותה הנפש שפרשה מן הגוף בעולם הזה-- אינה זוכה לחיי העולם הבא, אלא גם מן העולם הבא נכרתה... הנקמה שאין נקמה גדולה ממנה--שתיכרת הנפש ולא תזכה לאותן החיים, שנאמר "היכרת תיכרת הנפש ההיא, עוונה בה" (במדבר טו, לא). וזה האובדן הוא שקוראין אותו הנביאים דרך משל, באר שחת ואבדון ותופת ועלוקה; וכל לשון כליה והשחתה קוראין לו, לפי שהיא הכליה שאין אחריה תקומה (לעולם וההפסד שאינו חוזר לעולם. (תשובה ח:ב,ה).

⁴⁴ This statement alone is not conclusive. This verse is speaking about the *ger* ביד רמה ... מגדף. In the above quote from *Hilchos Avoda Zara* where Rambam explained how unbridled contemplation leads to *מינות*, he follows it with this statement.

כל המודה בעבודה זרה, שהיא אמת--אף על פי שלא עבדה, הרי זה מחרף ומגדף את השם הנכבד והנורא; ואחד העובד עבודה זרה, ואחד המגדף את השם--שנאמר "הנפש אשר תעשה ביד רמה, מן האזרח ומן הגר--את ה', הוא מגדף" (במדבר טו, ל). לפיכך תולין עובד עבודה זרה, כמו שתולין את המגדף; ושניהם, נסקלין. ומפני זה כללתי דין המגדף בהלכות עבודה זרה, ששניהם כופרים בעיקר ה';

It is this double *kares*, in which one cuts himself off from Israel and G-d in one fell swoop in his public blasphemy, that we say the sin of *kares* results in a loss of *olam haba*. However, we would assume that he who performed one of the dozens of acts that are subject to the *kares* stated in the Torah would be cut off only from this world.

⁴⁵ כרת, והוא שלא יהיה לעובר שימות והוא עומד בחטאו חלק לעולם הבא כמו שבארנו בפרק חלק.

⁴⁶ Once we know this equation, we would seem to have another proof that gentiles can earn *olam haba*. As we quoted above, the convert is warned that had he previously eaten חלב he would not be punished, but now he will receive *kares*. Had he no portion in the World to Come previously, what is his loss by being subject to *kares*? One could suggest that this statement is directed only at one who is already a *ger toshav*, but this is unlikely.

people that Rambam lists in the third chapter of *Hilchos Teshuva*?⁴⁷ There in fact he seemingly contradicts himself by saying that an apostate with regard to a single command—משומד לעבירה להכעיס—is affected but not one who sins because he cannot control his desires (להאבון). We have a quandary: if every transgression of a *kares* violation causes a loss of *olam haba*, why did Rambam list only twenty-four such categories in *Hilchos Teshuva*, coupled with a clear implication that all others sins if not done “in spite,” להכעיס, are not to be included? The answer must lie in the words Rambam adds about the *kares* violations: “והוא עומד בחטאו,”⁴⁸ “and he stands in his sin.”⁴⁹ We must explain exactly what Rambam means by this phrase.

The Sinner and Repentance

But first let us examine the Rambam’s list of twenty four:

The following have no share in the World to Come, and instead are cut off, destroyed and excommunicated forever on account of their very great sins and wickedness: an infidel; a heretic; one who denies the Torah; one who denies that there will be a Resurrection; one who denies that there will be a Redemption; one who is an apostate from Judaism; one who causes a lot of people to sin; one who withdraws from communal ways; one who publicly sins in a defiant way as Yehoiakim did; an informer [against Jews]; one who instills fear in the congregation but not in the Name of G-d; murderers; relaters of *loshan ho’rah*; and one who pulls back his foreskin [in order to cover his *bris milah*].⁵⁰

⁴⁷ In fact the *Kesef Mishneh (Hilchos Teshuva 8:2)* raises this problem and turns to Rambam’s reinterpretation of Rambam for an answer.

⁴⁸ מצר עלי ד'נבה The Arabic is

⁴⁹ We might have thought Rambam emphasized that in one of these sins it is only if he did not do *teshuva*, שימות ועומד בחטאו, while the twenty-four are not so. However, Rambam closes his listing by saying בשמת בלא תשובה.

⁵⁰ ואלו שאין להן חלק לעולם הבא, אלא נכרתין ואובדין, ונידונין על גודל רשעם וחטאתם, לעולם ולעולמי עולמים: המינים, והאפיקורוסים, והכופרים בתורה, והכופרים בתחיית המתים, והכופרים בביאת הגואל, והמשומדים, ומחטיאי הרבים, והפורשים מדרכי ציבור, והעושה עבירות ביד רמה בפרהסייה כיהויקים, והמוסרים, ומטילי אימה על הציבור שלא לשם שמיים, ושופכי דמים, ובעלי לשון הרע, והמושך עורלתו... כל אחד ואחד מארבעה ועשרים אנשים אלו שמנינו--אף על פי שהן ישראל, אין להן חלק לעולם הבא.

After speaking of “all of Israel,” כל ישראל, having a portion, Rambam here explains that there is a class of people who are indeed technically *Yisrael* but have placed themselves outside of what we shall call “the sanctity of Israel (קדושת ישראל)—this is not as a result of a sin, but of a way of life. These people are defined by their sins; they are “murderers” (not people who have murdered), “relaters of *lashon hara*”⁵¹ (not people who have spoken evil). This is what Rambam characterizes in his list of twenty-four.⁵²

As he closes, Rambam tells us how these individuals can remove themselves from this list.

People who do any of these things do not have a share in the World to Come if they died without having repented, but if they returned from their wickedness and repented before dying, they will receive a share in the World to Come, for there are no sins for which repentance does not atone. Even if one denied everything throughout his life but in the end repented, he will still get a share in the World to Come... even if one... repented privately and not publicly, one will enter the World to Come and is accepted in repentance.”⁵³

With repentance one has attained a new identity, and has become a penitent (בעל תשובה); no longer is his identity that of one who has lost “the sanctity of Israel.”

Sin and Its Consequences

By contrast, the punishment of *kares* is for individual sins and is activated precisely at the moment of the sin. Whenever we speak of a punishment meted out by G-d—such as *kares*—we mean that G-d has placed this punishment into nature, and in this case it is into the

⁵¹ Literally “masters of *lashon hara*.”

⁵² A Brisker would say there is a “חלות שם על הגברא”.

⁵³ במה דברים אמורים שכל אחד מאלו אין לו חלק לעולם הבא, בשמת בלא תשובה. אבל אם שב מרשעו, ומת והוא בעל תשובה--הרי זה מבני העולם הבא, שאין לך דבר שעומד בפני התשובה: אפילו כפר בעיקר כל ימיו, ובאחרונה שב--יש לו חלק לעולם הבא, שנאמר “שלוש שלום לרחוק ולקרוב, אמר ה'--ורפאתיו” (ישעיהו נז, יט) כל הרשעים והפושעים והמשומדים וכיוצא בהן שחזרו בתשובה, בין בגלוי בין שחזרו במטמונייות--מקבלין אותן, שנאמר “שובו בנים שובבים” (ירמיהו ג, יד; ירמיהו ג, כב): אף על פי שעדיין שובב הוא, שהרי בסתר בלבד חוזר ולא בגלוי--מקבלין אותו בתשובה.

nature of man. The immortal soul is distanced from G-d by sins punishable by *kares*, and in this way the sin is its own punishment. When the state of sin has passed, the punishment of *kares* has passed as well. “And when one believes all these fundamentals... he enters into the community of Israel... even if he did his fill of sins because of his lusts, and because of the ascension of his weaker nature (*yetzer hara*)... he is punished for his sins, but has a portion in the World to Come, and he is one of the sinners of Israel” (*Perush HaMishnah*, Introduction to *Chelek*).⁵⁴ The sinner has had a momentary lapse, and only while in the sway of his sin is he subject to being “cut off” from Israel and G-d. This is similar to what Rambam explains in the famous law in *Hilchos Gersushin* (2:20), that as long as one “wishes to be part of Israel” we attribute his sin to weakness and judge his inner will as desiring to fulfill the mitzvos.⁵⁵ Here too, we say that when the influence of his *yetzer hara* has passed, his soul returns from its state of sin.

If a man committed adultery in a state of passion, the sin is punishable by *kares*—but only if he escapes man’s law. Should he receive the death penalty he is freed from *kares* and thus retains his portion in *olam haba*. Even though the death penalty is administered in conjunction with confession (וידוי), with the intention that the perpetrator hence earn *olam haba*⁵⁶—still it cannot be expected that in the average case the adulterer has become what the Rambam calls a “penitent,” בעל תשובה, who has conquered his desire for this sin.⁵⁷ Nevertheless, any break with the state of sin that accompanied

⁵⁴ וכאשר יאמין האדם אלה היסודות כולם, ונתברר בה אמונתו בה, הוא נכנס בכלל ישראל, ומצווה לאהבו ולרחם עליו, ולנהוג עמו בכל מה שציווה השם יתברך איש לחברו מן האהבה והאהוה. ואפילו עשה מה שיכול מן העבירות מחמת התאוה והתגברות הטבע הגרוע, הוא נענש כפי חטאיו, אבל יש לו חלק לעולם הבא, והוא מפושעי ישראל וכאשר יפקפק אדם יסוד ואפ יקרוס וקוצץ בנטיעות, מאלה היסודות, הרי יצא מן הכלל וכפר בעיקר, ונקרא צדוקי ומצווה לשונאו, ועליו נאמר "הלא משנאך ה' אשנא" (פיה"מ חלק)

⁵⁵ אבל מי שתקפו יצרו הרע לבטל מצוה, או לעשות עבירה, והוכה עד שעשה דבר שחייב לעשותו, או עד שנתרחק מדבר שאסור לעשותו--אין זה אנוס ממנו, אלא הוא אנוס עצמו בדעתו הרעה. לפיכך מי שאינו רוצה לגרש--מאחר שהוא רוצה להיות מישראל, רוצה הוא לעשות כל המצוות ולהתרחק מן העבירות; ויצרו הוא שתקפו. וכיון שהוכה עד שתשש יצרו ואמר, רוצה אני--כבר גירש לרצונו.

⁵⁶ See *Mishnah Sanhedrin* 6:2. כל המומתים מתוודים: שכל המתוודה, יש לו חלק לעולם הבא.

⁵⁷ See chapter 2 of *Hilchos Teshuva*.

the act is enough to free him from *kares*. For this same reason, sins associated with *kares* that do not carry a death penalty receive lashes if the courts become involved. The Torah's intention with corporeal punishment is to break the hold of the sin. Even should one escape the court's punishment, should one's will (רצון) return to that of a Jew who considers himself bound by the Torah laws—even though he is driven sometimes by his desires—he frees himself from the sin's grip and removes the *kares* obligation, חיוב כריתות. Only “one who stands in his sin” (עומד בחטאו) loses his *olam haba*.

Interestingly, there are two *mitzvos* punishable by *kares* that stand out from the rest. While all other *kares* punishments are for the violation of a command, *lo saaseh*, there are two positive commands, *mitzvos aseh*, where the failure to perform does bring *kares*. Discussing the first of these, circumcision (מילה), Rambam comments: “Anyone who annuls the covenant of *Avraham Avinu*, and left his foreskin... even if he has Torah and good deeds, he has no portion in *olam haba*.”⁵⁸ The *kares* in this case is identical with losing *olam haba*, for such a person annuls the covenant of *Avraham Avinu* and has failed to join the people of Israel.

The other *mitzvas aseh* is *korban pesach*. The Midrash tells us that the angels asked G-d why Israel should be spared on the night of the plague of the first born, for after all, “both groups are idol worshippers.” The answer was, “By thy blood you shall live,” בדמיך חיי: the blood of circumcision and Pesach establish the identity of the Jewish people.⁵⁹ These two acts constituted the reaffirmation of the covenant of *Avraham Avinu*. Likewise, a failure to perform these *mitzvos* cuts one off from the inheritance of Avraham—*olam haba*.⁶⁰

⁵⁸ וכל המפר בריתו של אברהם אבינו, והניח עורלתו, או משכה--אף על פי שיש בידו תורה ומעשים טובים הרבה, אין לו חלק לעולם הבא.

⁵⁹ Rambam quotes this in *Iggeres Teman*. Rashi on Chumash quotes Chazal's אמרנא that anyone who converts would immediately bring a *korban pesach*. This supports its identification as a *korban gerus*.

⁶⁰ Actually we can assume that if one fails to perform Pesach one year but does it the next year, the *kares* edict is annulled. With regard to *Milah* see *Hilchos Milah* 1:2 and in the Raavad. Only when the person fails to do *milah* his whole life is the obligation of *kares* in place.

In every case *Olam haba* is lost by the continued state of sin.

Hilchos Deos—Character and Knowledge

We explained above that the gentile *chochom* earns a portion in the World to Come just as the gentile *chassid* does. Yet while the gentile *chassidim* are universally guaranteed a portion in *olam haba*, with a *chochom* there is no such guarantee. The act of conversion, commitment to the G-d of Revelation, is a transformation of the person that is sufficient to earn the *ger toshav* some portion. But those who observe without commitment earn their portion according to their degree of *chochmah*, which Rambam explains is one's understanding of "the highest truths, and... good morals" (*Moreh Nevuchim* 3:54). This status of *chochom* requires perfection of character as well as perfection of knowledge, and in the Introduction to *Perush HaMishnah*⁶¹ he explains that the lack of character, i.e., failure to perform "Walking in G-d's way" (והלכת בדרכיו), is a greater failing than a lack of intellectual sophistication. This *chochom* who has not linked himself to Sinai will not *necessarily* merit the World to Come—his practice must be in harmony with his knowledge—over and above the seven mitzvos, there must be a sterling character in order to acquire a portion of the World to Come.^{62 63} Rambam finds this ob-

⁶¹ P. 23 in the Kapach edition.

⁶² הנה נתברר מכל ההקדמות האלה שהתכלית בעולמינו זה וכל אשר בו הוא איש מלומד בעל מדות טובות, וכאשר נקנו למי שהוא מהמין האנושי המדע והמעשה, רצוני ב"מדע" השגת האמתיות על בורים והשגת כל מה שאפשר לאדם להשיג, וב"מעשה" המצוה והאיזון בענינים הטבעיים ואל ישקע בהם ולא יקח מהם אלא מה שיש בו קיום הגוף, וכן שפור כל המדות, וענין זה לא נודע מפי הנביאים בלבד... ודי לך דברי גדול. אדם שהוא במצב זה הוא המטרה הפילוסופים "מטרת ה' בנו שנהיה נבונים צדיקים" שאם היה האדם חכם ונבון אבל רודף אחרי התאות, אינו חכם באמת, כי ראשית חכמה שלא יקח האדם מהתענוגות הגופניות אלא כדי קיום הגוף, ... וכן אם היה האדם ירא ה' פרוש, מרחיק התענוגות זולתי בכדי קיום הגוף, מתנהג בכל הענינים הטבעיים בדרך הממוצעת, והורגל בכל המדות הטובות אלא שאינו מלומד, גם זה חסר שלמות, אלא שהוא יותר שלם מן הראשון, לפי שמעשיו אלה אינם מתוך ידיעה ברורה והכרה יסודית, ולפיכך אמרו חז"ל אין בור ירא חטא כמו שביארנו. ומי שאומר על עם הארץ שהוא חסיד אינו אלא מכחיש דברי חכמים שהחליטו בזה החלטה גמורה, וגם מכחיש את המושכל. ולכן תמצא המצוה בכל התורה, ולמדתם ואחר כך לעשותם, התלמוד קודם למעשה, כי בתלמוד יבוא לידי מעשה ואין המעשה מביא לידי תלמוד, וזהו אמרם ע"ה שהתלמוד מביא לידי מעשה (הקדמת הרמב"ם למשנה).

⁶³ Chazal said it succinctly: אין עם הארץ חסיד, without intellectual understanding one cannot reach the level of *chassid* embodying proper character

vious and notes that Aristotle thought so as well. "The words of the greatest of philosophers are sufficient for us: 'G-d's purpose for us is that we be righteous and intelligent.'"⁶⁴

Rambam calls the laws of perfecting character "The Laws of *Deos*" (הלכות דעות). This section of laws is built around the *mitzvah* of "Walking in G-d's ways," והלכת בדרכיו, and emulating G-d's traits is called going in "G-d's path," דרך ה', also known as *derech chachamim* and as the "Middle road" (דרך בינוני). In fact a careful reading of the *Moreh Nevuchim* (1:2) reveals the source for Rambam's usage of the term דעות (literally "types of knowledge") for character traits.⁶⁵ Eating from the "The tree of knowledge of good and evil," עץ הדעת טוב ורע, is the source of sin, for man being led by his physical desires falls into a state of imbalance with his "internal will" (רצון), no longer desiring to do what is objectively good, but instead what he finds subjectively pleasing. When the intellect, the "image of G-d," צלם אלקים, regains full control of man's decisions, he returns to "G-d's path." Perfect character is a function of perfect evaluation and understanding. One "understands" that he must be modest and curb his anger and physical wants.

The following halacha demonstrates this idea: "The *Chachamim* said that three sins are punished in this world, and deprive one of *olam haba*: idolatry, promiscuity, and murder, yet *loshon hara* is equal to all of them... the *chachamim* also said that one who speaks *loshon hara* is as if he denied the essential [belief of Judaism]" (*Hilchos Deos*).⁶⁶

We of course understand that *Avodah Zara* is antithetical to *olam haba*. This forfeiture is also the consequence for murder and promiscuity. Murdering is one of the twenty-four categories listed

traits, and אין בור ירא חטא, that if one's character is not developed he does not attain the deep knowledge that creates יראת חטא.

⁶⁴ Those who claim that Rambam values only intellect, claim that this is because of Aristotilean influence. In fact Rambam values character above all and tells us that Aristotle agrees.

⁶⁵ All others use the term מדות.

⁶⁶ אמרו חכמים, על שלוש עבירות נפרעין מן האדם בעולם הזה, ואין לו חלק לעולם הבא-- עבודה זרה, וגילוי עריות, ושפיכות דמים; ולשון הרע, כנגד כולם. ועוד אמרו חכמים, כל המספר בלשון הרע--כאילו כפר בעיקר, שנאמר "אשר אמרו, ללשונו נגביר--שפתינו איתנו: מי אדון, לנו" (תהילים יב,ה).

in *Hilchos Teshuva*, and the reference is to one who has developed the character of a murderer. Although promiscuity (עריות) is not on the list, many of the sins punishable by *kares* are for promiscuity, and what the *chachamim* are speaking of is one who has become infused with this sin and cannot separate from it. For man's soul (צלם אלקים) to become immortal it must reject not only the ignorance of *avoda zara* but also the hatred of murder and the lust for promiscuity. "Relaters of *loshon hora*" is the last of the twenty-four categories in *Hilchos Teshuva*. This corruption of character that the Torah explicitly associates with leprosy, and that Rambam relates to the decay of society and of one's humanity itself,⁶⁷ incorporates all the faults of soul and body associated with the three major sins of Judaism.

Rambam's commentary on "those things of which one eats their fruits in this world while the source remains intact for *olam haba*" (*Perush HaMishnah Peah* 1:1) explains the relationship between the entire spectrum of mitzvos and *olam haba*. On the one hand, the mitzvos between man and G-d perfect the soul—the intellect. But laws between man and his neighbor accomplish even more.⁶⁸ First they are important because they prepare the way for man to create a well-functioning society with the leisure to study and hence earn *olam haba*.⁶⁹ But man is also perfected by performing these

⁶⁷ See the end of *Hilchos Tumas Tzoraas* where Rambam presents the basic understanding of this concept.

⁶⁸ וענין אמרו אוכל מפירותיהן והקרן קיימת לו, הוא מה שאומר לך, כל המצות נחלקות חלוקה ראשונה לשנים, חלק במצות המיוחדות לאדם בעצמו בינו ובין ה' כגון הציצית והתפלים והשבת ועבודה זרה, וחלק במצות התלויות בתקינות יחסי בני אדם זה עם זה כגון האזהרה על הגניבה, והאונאה, והשנאה, והנטירה, והצווי לאהוב זה את זה, ושלא נרמה זה את זה, ושלא יעמוד אחד ממנו על נזק השני, ולכבד ההורים והחכמים שהם אבות הכל, אם קיים האדם המצות המיוחדות לו בעצמו במה שבינו לבין בוראו יש לו על זה שכר יגמלהו ה' על כך לעולם הבא כמו שנבאר בפרק חלק. ואם קיים האדם המצות התלויות בתקינות יחסי בני אדם זה עם זה יש לו על זה שכר לעולם הבא על קיימו המצוה, וישיג תועלת בעולם הזה להתנהגותו התנהגות טובה עם בני אדם, לפי שאם הלך בדרך זו והלך זולתו בה יחנה גם הוא מאותה תועלת. וכל המצות שבין אדם לחברו נכללים בכלל גמילות חסדים, התבונן בהם תמצאם. הלא תראה שהלל הזקן כשאמר לו הגוי למדני תורה על רגל אחת אמר לו דעלך ביש לחברך לא תעביד, וכשתחקור זאת תמצא תלמוד תורה שקול כנגד כולם, כי בתלמוד תורה ידע האדם את כל זה כמו שביארנו בהקדמה שהתלמוד מביא לידי מעשה (פירוש המשנה לרמב"ם מסכת פאה פרק א).

⁶⁹ See also, for example, *Hilchos Teshuva* 9.

mitzvos and hence is brought by them to *olam haba*. Rambam's everpresent message is that in performing acts of kindness (גמילות) whereby one internalizes the thirteen *middos* of G-d's mercy and goodness, one earns *olam haba*. It is difficult to comprehend how this has been missed by some academics.

"The more one chooses and accustoms himself to the pleasures of the flesh, and despises the truth (אמת) and loves falsehood, to that degree he is cut off (נכרת) from above, and remains material that has been cut off (נכרת)" (Introduction to *Chelek*).⁷⁰ In referring to the need to choose "truth," Rambam is referring to man before the fall, who evaluated decisions based on his perception of their "truth" or "falsehood" rather than on his subjective measure of "good" and "bad" (*Moreh* 1:2). Rambam is clear that *olam haba* is a function of reversing the sin of *Adam HaRishon* and overcoming one's physical desires. Indeed, *olam haba* is a function of knowledge, but that knowledge is reaching the level of knowledge of what is "true" and "false" that was lost when man lost himself to his subjective will.⁷¹

Rambam's Last Words

Rambam closes his final work, the *Moreh Nevuchim*, by summing up the purpose of existence. Indeed he explains in this chapter that the mitzvos have the effect of creating the environment where man

⁷⁰ הנה כל מה שבחר והרגיל בתענוגי הגוף, ומאס באמת ואהב השקר, נכרת מאותה מעלה, חומר נכרת. וכבר ביאר הנביא ע"ה שהעולם הבא אינו מושג בחושים הגופניים, וזהו ויישאר שנאמר "עין לא ראתה אלקים זולתך" (הקדמה לפ' חלק)

⁷¹ Mitzvos between man and G-d are also intended to form the proper character traits (דעות):
 לפיכך משבח הנביא ואומר, "אשרי אנוש יעשה זאת, ובן אדם יחזיק בה--שומר שבת מחללו..." (ישעיהו נו,ב). וכל המשמר את השבת כהלכתה, ומכבדה ומענגה כפי כוחו--כבר מפורש בקבלה שכרו בעולם הזה, יתר על השכר הצפון לעולם הבא, שנאמר "אז תענג על ה', והרכבתיך על במותי ארץ; והאכלתיך נחלת יעקוב אביך--כי פי ה' דיבר"
 Shabbos is the testimony to G-d as the Creator. *Olam Haba* is dependent not only on demonstrating our belief in this, but on expressing our joy in it.
 מעלה גדולה היא למי שהוא מתפרנס ממעשה ידיו, ומידת חסידים הראשונים היא; ובוהו זוכה לכל כבוד וטובה שבעולם הזה, ולעולם הבא: שנאמר "יגיע כפיך, כי תאכל; אשריך, וטוב לך" (תהילים קכח,ב)—"אשריך" בעולם הזה, "וטוב לך" לעולם הבא שכולו טוב
 Learning Torah is the path to *Olam Haba*, but it will direct one there only if he sustains himself in the present world.

will be free to pursue knowledge and perfecting of the soul—*shlemus hanefesh*, the highest attainment of man—but then Rambam closes with the explication of a verse in Yirmiyahu.

The prophets have likewise explained unto us these things, and have expressed the same opinion on them as the philosophers. They say distinctly that perfection in property, in health, or in *midos*⁷² is not a perfection worthy to be sought as a cause of pride and glory for us: that the knowledge of G-d, i.e., true wisdom, is the only perfection which we should seek, and in which we should glorify ourselves... “Thus saith the Lord, Let not the wise man glory in his wisdom, neither let the mighty man glory in his might, let not the rich man glory in his riches; but let him that glorieth glory in this, that he understandeth and knoweth me, for I am G-d who does Mercy, Righteousness and Judgment in the earth, for this is My will” (Jer. ix. 22, 23). The object of the above passage is therefore to declare, that the perfection, in which man can truly glory, is attained by him when he has acquired—as far as this is possible for man—the knowledge of G-d, the knowledge of His Providence, and of the manner in which it influences His creatures in their production and continued existence. Having acquired this knowledge he will then be determined always to seek mercy, judgment, and righteousness, and thus to imitate the ways of G-d. We have explained this many times in this treatise.⁷³

⁷² This word מידות is used and is what חכמתו refers to in the *pasuk*, including both intelligence and character – yet even this is not sufficient.

⁷³ כבר ביארו לנו גם הנביאים עניינים אלו עצמם, ופירשום לנו כמו שפירשום הפילוסופים, וביארו לנו שאין שלמות הרכוש ולא שלמות הבריאות ולא שלמות המידות, שלמות שיש להתפאר בה ולא לשאוף לה, ושהשלמות שיש להתפאר בה ולשאוף לה היא ידיעתו יתעלה אשר זה הוא המדע האמיתי... כה אמר ה' אל יתהלל חכם בחכמתו ואל יתהלל הגיבור בגבורתו ואל יתהלל עשיר בעשרו כי אם בזאת יתהלל המתהלל השכל וידע אותי נמצא כי התכלית אשר הזכיר בפסוק זה, היא שהוא ביאר כי שלמות האדם אשר בה יתפאר באמת היא מי שהגיע להשגתו יתעלה כפי יכולתו, וידע השגחתו על ברואיו בהמצאתם והנהגתם היא, והיו הליכות אותו האדם אחר אותה ההשגה מתכוון בהם תמיד חסד צדקה ומשפט, להתדמות במעשיו יתעלה, על הדרך שביארנו כמה פעמים במאמר זה.

I include Kappach's translation. The underlined words are crucial. One is intended to think about these ideals constantly – character and thought are merged together in attaining perfection.

The final perfection that brings *olam haba* transcends the wisdom of the *chacham*. It is the deepest knowledge one can have of G-d, an internalization of Mercy, Righteousness, and Judgment—חסד צדקה ומשפט. The portion one has in *olam haba* is commensurate to the degree in which one possesses these qualities.

Indeed Rambam states that true perfection in these areas requires high intellectual attainment. He tells us that those who consider themselves “spiritual” without true knowledge cannot guarantee that it is G-d they are clinging to rather than some figment of their imagination.⁷⁴ Certainly Rambam considered Christians, who needed not only to envision a corporeal god but to worship him, as lacking in the knowledge necessary to attain true knowledge of G-d. Is it possible as well that one whose kindness dominates his personality will not merit eternal life? The qualities that earn this privilege are Mercy, Righteousness, and Judgment in the proper mixture. Those whose compassion prevents them from fighting evil have no part in the inheritance of Israel. Many a gentile has spoken disparagingly of the fearful G-d of Justice of the Old Testament that their religion has rejected. A simple Jew raised in the knowledge of this fearful G-d will have a portion in the World to Come, and a sophisticated gentile who eschews the G-d of the Old Testament for something better, does not.

Rambam's Last Days

There is a question⁷⁵ to be asked on **the** Rambam, not on **a** Rambam, not on a specific halacha in *Mishneh Torah*, but on the life of Rambam. He explained, in the introduction to *Perush HaMishnah*, that the whole world exists only for the sake of a person who may live once in several generations—the ultimate inhabitant of *olam haba*. Yet Rambam's final days do not find him immersed in study,

⁷⁴ “Those, however, who think of G-d, and frequently mention His name, without any correct notion of Him, but merely following some imagination, or some theory received from another person, are, in my opinion, like those who remain outside the palace and distant from it” (*Moreh Nevuchim* 3:51).

⁷⁵ קשיא.

but rather he describes⁷⁶ a day filled with treating the sick, not only the Sultan and his household, but all the rich and the poor, Jew and gentile alike who are within traveling distance to his home. His day left him in total exhaustion, and when it ended he collapsed in sleep. How could the man who was one in a millennium not choose to spend his precious time immersed in the study of *maaseh bereshis* and *maaseh merkavah*? The explanation to the end of his life is found in the final words of the *Moreh Nevuchim* that we quoted above. His search for understanding brought him to immerse himself in *chessed*, *tzedaka* and *mishpat* during the day, and at night his dreams of G-d's transcendence filled a mind reaching out for prophecy and *olam haba*.⁷⁷ ❧

⁷⁶ See *Iggros HaRambam*, Sheilat ed. 550-551.

⁷⁷ I wish to thank Eliyahu Krakowski for reviewing an earlier draft of this essay and making valuable comments.