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Autor:	Brand, Itzhak
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«Precepts between Man and *Hamakom*» – «Concern only the Individual Himself»?

Following the Guide of the Perplexed

Itzhak Brand

Introduction

Maimonides describes the commandments between Man and *Hamakom* as those that «concern [only] the individual himself and his becoming more perfect.» This definition raises a number of problems and runs counter to the prevalent and traditional notion, to which Maimonides himself subscribes elsewhere in his writings, that the precepts between Man and *Hamakom* are those that pertain to ritual matters and the relations between human beings and their Creator (see § A).

Two main ways have been proposed to resolve this contradiction:

The «conservative» solution (below, start of § B) holds that the human aspect of the precepts between man and *Hamakom* is only an intermediate objective, whereas the ultimate intention is to lead human beings to be close to the deity. This idea fits well with the traditional notion, but is problematic as an interpretation of Maimonides' text, inasmuch as in this passage he does not refer to closeness to God.

The philological solution (see end of § B) works in the other direction. Here the ethical objective of the precepts between man and *Hamakom* (human perfection) lies on the human plane. This solution corresponds to what Maimonides writes and is also supported by the lexicon incorporated into the *Guide*. On the other hand, it is very far from the traditional notion of these precepts.

The present article proposes an integrated solution that fits with Maimonides' text but is also compatible with the notion that the precepts between man and *Hamakom* do relate to the deity. This solution draws on Maimonides' concept of the goals of the Torah and of human perfection (§ C). He maintains that Torah law is divine and that its purpose is to achieve perfection of faith or perfection of the soul, which in turn lead human beings to the «ultimate perfection.» This last is knowledge of the truth, especially in matters related to God, and relates exclusively to the individual: «a perfection that belongs to him alone [...] no one

else being associated in it with you in any way.» The precepts between man and *Hamakom* are those that lead to this perfection. As such they relate to God, on the one hand, but also to human beings, on the other hand (§ D). In this way, «between man and *Hamakom*» designates the intimate space in which a person stands alone, with himself – and before his God (§ E).

A. The Problem

A long and detailed series of chapters in the third part of the *Guide of the Perplexed* (25–49) addresses the precepts and the reasons for them. As the basis for the discussion, Maimonides proposes a model that divides all the precepts into fourteen categories.¹ At the end of this introduction he writes as follows:

It is known that all the *commandments* are divided into two groups: *transgressions between man and his fellow man and transgressions between man and God* [lit. between man and *ha-makom*, «the Place»].² Among the classes we have differentiated and enumerated, the fifth {«concerned with prohibiting wrongdoing and aggression [...] in the *Book of Torts* [*Sepher Neziqin*]»}, sixth {«concerned with punishments [...] – in fact most of the matters we have enumerated in the *Book of Judges* [*Sepher Shophetim*]»}, seventh {«the laws of property concerned with the mutual transactions of people»}, and a portion of the third {«concerned with improvement of the moral qualities [...] in *Laws concerning Opinions* [*Hilkhoth De'oth*]»}, belong to the group devoted to the relation *between man and his fellow man*, while all the other classes deal with the relation *between man and God*. For every *commandment*, whether it be a prescription or a prohibition, whose purpose it is to bring about the achievement of a certain moral quality or of an opinion or the rightness of actions, which only concerns the individual himself³ and his becoming more perfect, is called by them [a commandment dealing with the relation] *between man and God* [*bein adam la-makom*] even though in reality it sometimes may affect relations *between man and his fellow man*. But this happens

¹ These categories do not coincide with the fourteen books of the *Mishneh Torah*. See Strauss 1952: 62f; Twersky (1980: 300f) views this as a philosophical classification rather than a thematic classification; Berman (1979: 60–63) sees Maimonides as a philosopher in contrast with Maimonides as a theologian. For the contrary view of Berman, see Hadad (2011: 297–303), who tends to minimize the differences between the *Guide* and the *Mishneh Torah* with regard to their structure and classifications of the precepts.

² In Ibn Tibbon's translation, «*precepts* between man and his fellow man and *precepts* between man and God.» See Kapach 1976/1977: 355, nn. 33, 34. For greater detail, see Hadad 2011: 283f n. 1.

³ A better rendering of the Hebrew terminology used by Ibn Tibbon and Kapach here is «which are particular to the individual in himself.» Al-Harizi's Hebrew might be rendered, «which are appropriate to the individual in himself.»

only after many intermediate steps and through comprehensive considerations, and it does not lead from the beginning to harming a fellow man. Understand this. (*Guide* III 35, trans. Pines 538; interpolations in braces from 535–536)⁴

The classification of the precepts into those between man and God and those between an individual and his fellows originates in the rabbinic literature;⁵ Maimonides employs it in many of his writings (as we shall see below). This classification seems to be based on the counterparty of the action enjoined by a precept. Those that apply between a man and his fellow man are directed at the *Other Humans*, whereas those between man and God – *bein adam la-Makom*, lit. between man and The Place (a frequent term for the deity in the early rabbinic literature; and sometimes rendered by modern translations as «the Omnipresent») – are directed at *God*.⁶ In the passage just cited from the *Guide*, however, the precepts «between man and God» are presented as «a prescription or a prohibition [...] which only concerns the individual himself and his becoming more perfect» [emphasis added]. If so, the «counterparty» is the individual who performs them, rather than God.

But this idea is problematic, and for two reasons. First, it states that every precept consists of prescriptions or prohibitions that are directed either at the human Other or back at the individual himself. If that is true, God has been excluded from the system of precepts and has no part in them. This conclusion is problematic from a theological perspective.⁷ It also raises difficulties from an exegetical perspective, because it is inconsistent with the common interpretation

4 Page references to Maimonides, *The Guide of the Perplexed* (1963) are embedded in the text without further specification.

5 See Brand, forthcoming.

6 See below, nn. 42, 43.

7 Maimonides believes that the precepts play a key role in shaping the relationship between human beings and the deity: «[...] all the practices of the worship [...] have only the end of training you to occupy yourself with His commandments, may He be exalted, rather than with matters pertaining to this world; you should act as if you were occupied with Him, may He be exalted, and not with that which is other than He» (*Guide* III 51, p. 622). Or, expressed somewhat differently, «the end of the actions prescribed by the whole Law is [...] the fear of Him, may He be exalted, and the awe before His command» (III 52, p. 630).

According to another reading, though, Maimonides believes that the precepts have an ethical or political purpose. For various ideas about the ethical purpose, see Kellner 1990: 8ff, 27. With regard to the political end, see, e.g., the introduction to Leo Strauss (1952: 9ff). More generally, the latter reading is that of those who adopt the «naturalistic approach.» See Hyman 1988: 24.

of *bein adam la-Makom* in the rabbinic literature, as well as what Maimonides writes elsewhere, that these are precepts whose counterparty is God.⁸ It also seems to make no sense linguistically: how can *ha-Makom* denote «the individual himself»?

B. Solutions and Difficulties

Various solutions have been proposed for these problems, starting with the medieval commentators on Maimonides and continuing down to contemporary scholars. Shem Tov ben Shem Tov and Moses Narboni believe that the ultimate objective of the precepts *bein adam la-Makom* is not human perfection *per se*; rather, human perfection is a means to achieving closeness to God.⁹ According to this interpretation, the primary counterparty of the precepts *bein adam la-Makom* is indeed God. This seems to resolve both the theological and the interpretive problem cited above. Unfortunately, it does not really accord with what Maimonides writes: if human perfection is merely a means, we would expect him to go on to describe the goal it seeks – closeness to God – a procedure he generally follows, especially in contexts related to this question.¹⁰ Maimonides' failure to state the primary purpose of the precepts *bein adam la-Makom* is especially noticeable in light of his reference in our passage to the byproduct of their observance: «It sometimes may affect relations *between man and his fellow man*. But this happens only after many intermediate steps and through comprehensive considerations.»

We are left, then, with the idea that for Maimonides *ha-Makom* somehow refers to the individual himself. This revives the problems mentioned above and requires some other resolution of them. Hannah Kasher responds to the challenge

⁸ See below, nn. 17 and 18.

⁹ Shem Tov (1866: 62b): «The practical precepts, whose benefit accrues to the individual himself, were called precepts *bein adam la-makom*, because, in accordance with the individual's perfection and knowledge and stature in opinions and virtues, he clings to the Lord, may He be exalted.» Narboni (1852: 62b): «Because the rank and portion of existence and communion with Him, may He be blessed, is according to the perfection.» What lies behind these commentaries is the Maimonidean identification of individual perfection with attachment to God. See Kellner 1990: 31, 41 (achievement of closeness or resemblance by means of intellectual perfection, in one manner, or by means of moral perfection, in the other manner).

¹⁰ In more than one place where he writes about the goals of the Torah and human perfection, Maimonides distinguishes the «first intention» from the «second intention» or «later intention.» See, e.g., *Guide* III 27 (below, C), and III 32–34. For this distinction and its meaning, see Hadad 2011: 118–121, 211–214.

with an approach that combines the theological and philological aspects.¹¹ In her view, from a *theological* perspective these precepts are not directed at God. They do not fulfill any divine need, because God has no need for them. On the other hand, the arbitrary idea that the precepts respond to God's absolute will must also be rejected. The inevitable conclusion is that there are no precepts between man and God.

This conception of the precepts can be supported by what Maimonides' writes.¹² However, even if we accept that, from God's perspective, the precepts do not satisfy any divine need or desire, some of them can still be seen as a way for individuals to relate to God, even if only to satisfy human needs or comply with human values.¹³ It is in this sense that they are *bein adam la-Makom*. This also works from a linguistic perspective, because *bein* does not mean «for» or «on behalf of,» but in fact defines a relationship or connection between two parties.¹⁴

Kasher's also offers philological support of her proposal. She asserts that Maimonides assigns many different meanings to the word *makom*. Its primary sense is the physical space in which an object or person is located: «Originally this term was given the meaning of particular and general place» (I 8, p. 33). The second meaning is derived from the first:

Subsequently, language extended its meaning and made it a term denoting an individual's rank and situation; I mean to say with reference to his perfection in some matter, so that it is said: *A certain man has a certain place* with regard to a certain matter. You know how often the people of our language use this meaning when they say: *Occupying*

11 Kasher 1984: 23–28.

12 Kasher 1984: 24; esp. nn. 7, 8. On this point she was anticipated by Kapach (1976–1977: 355, n. 35), who cited *Guide* III 13: «Even if the final end of man is ... to worship God, a question remains to be asked regarding the final end of his worship. For He, may He be exalted, would not acquire greater perfection if He were worshipped by all that He has created and were truly apprehended by them. ... [T]his is not with a view to His perfection, but to our perfection» (451). See further Kapach 1976–1977: 300, n. 31*.

13 This could be proposed as a solution to an additional conceptual and theological problem that is connected to the possibility of a relationship between human beings and their God. Maimonides rejects that possibility, so it is not clear what *bein adam la-Makom* could be. See Maimonides, *Guide* I 52: «It is clear at the first glance that there is no correlation between Him and the things created by Him. ... There accordingly can be no correlation between them» (116). As we have said, the issue here does not relate directly to our topic. *Bein adam la-Makom* does not refer to an objective relationship in the sense of «correlation,» but to a subjective relationship or reference by human beings.

14 Ben Yehuda 1948: s.v. בֵּין זֶה וְזֶה = ייחד, זה עם זה: בְּתוּךְ = «in the middle of» (p. 524).

the place of his ancestors; He occupied the place of his ancestors in wisdom or piety [...].
(ibid.)

The second meaning, that given it by the Sages («the people of our language»),¹⁵ does not refer to physical location but rather to an inner spiritual position. A person's virtues – his rank, status, and perfection – are «the place» he occupies in the human sphere. In this context, one who *occupies another's place* is someone who has attained his fellow's status and rank.¹⁶ From this second meaning is derived the third meaning, which refers to God, «according to His rank and the greatness of His portion in existence.»

The standard interpretation of *bein adam la-Makom* adduces this third meaning of *makom* in Maimonides' lexicon and holds that *bein adam la-makom* denotes precepts that mediate between the individual and God. According to Kasher, though, Maimonides himself prefers the second sense of *makom*; hence the precepts *bein adam la-makom* are those that apply between a person and himself and are meant to elevate his status and greatness, «meaning his perfection» – with regard to his character traits, beliefs, opinions, and deeds.

Kasher's proposal is linguistically plausible. On the one hand, it coincides with the sense of *bein adam la-makom* as these precepts are interpreted in the *Guide* (those «which only concern the individual himself and his becoming more perfect»). On the other hand, it is also compatible with the usage of *makom* in rabbinic language and in Maimonides' definition of the term («denoting an individual's rank and situation [...] or] his perfection in some matter»). The problem, however, is that Maimonides himself elsewhere in his oeuvre,¹⁷ as well as the

¹⁵ Sometimes this term designates philologists or lexicographers, or the talmudic sages when they serve in this role. See Kasher 1984: 24 = «*בעלי חכמה*» (those possessed of wisdom); cf. Maimonides, *Commentary on the Mishnah, Sanhedrin* 3:1). It is possible, however, that here the term simply means «Hebrew-speakers.» See Schwarz 2002: 42 n. 2. In various parallel passages either sense seems possible. See *Guide* I 19 and 41. See also Maimonides, *Commentary on the Mishnah, Terumot* 1:1, where *בעלי הלשון* are contrasted with *בעלי הכלשנים החדשנים* (the modern philologists).

¹⁶ This is the sense of *מקום אבותיו* = *ממלא מקום* (roughly) «one who fills his ancestors' shoes.» See Breuer 2003: 250–254. Similarly, after an important person dies we say that he has left a great void behind him.

¹⁷ See Maimonides, *Laws of Repentance* 2:5. «It is highly praiseworthy in a penitent to make public confession.» On the other hand, «sins committed against God, the penitent need not publish. [...] But he should repent of them before the Almighty, blessed be He, declaring in detail his sins before Him». See also *Hilkhot De'ot* 6:8: «At first, a person who admonishes a colleague [in regard to matters between one man and another] should not speak to

Sages, generally explains the precepts *bein adam la-Makom* as those that link the individual to God (if we accept that *ha-makom* refers to God).¹⁸ This difficulty comes on top of the implausibility of Kasher's theological assertion, noted above.¹⁹

C. The Goals Intended by the Torah and Human Perfection

In light of the above, we need a new interpretation of Maimonides' identification of *bein adam la-makom* as between an individual and himself. The proposal below is based on integration of various passages in the *Guide* that discuss two interrelated issues – the goals intended by the Torah (as a legal system) and human perfection.

In Part II of the *Guide*, Maimonides enumerates the hallmarks of prophetic leadership and of divine legislation, in the context of the contrast between those two and human leadership and legislation.²⁰ Such signs are needed when we face «the regimens» with regard to which the claim is made that they are prophetic: some of them are truly prophetic – I mean divine – while others are *nomoi*, and others again are plagiarisms.

The aim of human legislation (Pines's *nomoi*) it to institute and preserve public and social order: «the ordering of the city and of its circumstances» or «the arrangement [...] of the circumstances of people in their relations with one another».

him harshly until he becomes embarrassed. [...] However, in regard to spiritual matters, if [a transgressor] does not repent [after being admonished] in private, he may be put to shame in public and his sin may be publicized [...] until he repents.» And see the *Commentary on the Mishnah*, *Pe'ah* 1:1 (below, n. 32). Kasher (1984: 23 n. 1) is aware of this difficulty. She suggests resolving it by drawing a distinction between Maimonides' halakhic writings, where he «remains faithful to the traditional sense of the term,» and the *Guide*, where he proposes a different understanding of it. To which two rebuttals can be made. First, even if such a distinction is valid, it is doubtful whether it can be applied to the chapter of the *Guide* that deals with the categorization of halakhah and needs to be consistent with Maimonides' legal writings (see above, n. 1). Second, it is in any case preferable to adopt a solution that applies to both the halakhic works and the *Guide*.

¹⁸ This is already evident in the earliest uses of the term in the tannaitic literature. In the homily by R. Eleazar b. Azariah (*Sifra*, *Aḥarei Mot* 5 and 8; *m Yoma* 8:9), transgressions between human beings and *Hamakom* are «your transgressions before the Lord.» Similarly, according to a *baraita* in the Babylonian Talmud (*Rosh Hashanah* 17b–18a), R. Jose the priest considers such an offence to be an affront to the king (who says, «the wrong done to me I excuse you»). See Brand, forthcoming, n. 5.

¹⁹ See between note 11 and note 13.

²⁰ These hallmarks are part of the criteria for heavenly law. See Kasher 1980: 39f.

Such legislation pursues «the soundness of the circumstances pertaining to the body» and «a certain something deemed to be happiness.» Human legislation is not interested in «speculative matters,» nor does it care whether «opinions [are] correct or faulty.» On the other hand, divine law does not concern itself exclusively with the soundness of the body. It mainly addresses «the soundness of belief,» through study and knowledge of «the whole of that which exists in its true form,» while focusing on «correct opinions with regard to God [...] and with regard to the angels» (*ibid.*).²¹

Maimonides makes a similar distinction between Torah law and other legal systems at the start of his discussion of the purpose and rationales of the precepts (in Part III of the *Guide*):²²

The Law as a whole aims at two things: the welfare of the soul and the welfare of the body. As for the welfare of the soul, it consists in the multitude's acquiring correct opinions corresponding to their respective capacity. [...] As for the welfare of the body, it comes about by the improvement of their ways of living one with another. This is achieved through two things. One of them is the abolition of their wronging each other. [...] being forced to do that which is useful to the whole. The second thing consists in the acquisition by every human individual of moral qualities that are useful for life in society so that the affairs of the city may be ordered. [...] For the first aim can only be achieved after achieving this second one. For it has already been demonstrated that man has two perfections: a first perfection, which is the perfection of the body, and an ultimate perfection, which is the perfection of the soul. The first perfection consists in being healthy and in the very best bodily state [...] His ultimate perfection is to become rational in *actu*, I mean to have an intellect in *actu*; this would consist in his knowing everything concerning all the beings that it is within the capacity of man to know in accordance with his ultimate perfection. [...] which is indubitably more noble and is the only cause of permanent preservation.

The true Law then [...] namely, the Law of *Moses our Master* – has come to bring us both perfections, I mean the welfare of the states of people in their relations with one another through the abolition of reciprocal wrongdoing and through the acquisition of a noble and excellent character. In this way the preservation of the population of the country and their permanent existence in the same order become possible, so that every one of them achieves his first perfection; I mean also the soundness of the beliefs and the giving of correct opinions through which ultimate perfection is achieved. (III

²¹ Maimonides, *Guide II* 40, pp. 383f. For a discussion of the characteristics of the divine law (in contrast to human law) see: Rosenthal 1966: 215–230; Kellner 1991: 70; Hadad 2011: 103f.

²² For the similarity between *Guide II* 40 and *III* 27, see, e.g., Harvey 1980: 198, 203; Kreisel 1992: 126f.

27, pp. 510–511).

Here too the focus of the discussion is the law's «intent» or aim. «The intent» of «the Law of Moses our Master» (in Part III) is described in similar terms to that of the «divine Law» (in Part II): «the welfare of the body» (parallel to «the soundness of the circumstances pertaining to the body») and «the soundness of the beliefs» (parallel to «the soundness of belief»). Analogous terms, some of them are identical, are used to describe these two overarching goals in detail:

PART II

«The soundness of the circumstances pertaining to the body»

«the ordering of the city and of its circumstances and the abolition in it of injustice and oppression;» «the arrangement [...] of the circumstances of people in their relations with one another»

«The soundness of belief»

«heed [...] to the perfecting of the rational faculty»

«regard [...] to opinions being correct or faulty»

«all of whose ordinances are due to attention being paid [...] and that desires to make man wise, to give him understanding, and to awaken his attention, so that he should know the whole of that which exists in its true form»

PART III

«The welfare of the body»

«the abolition of their wronging each other [...] the acquisition by every human individual of moral qualities that are useful for life in society so that the affairs of the city may be ordered.»

«The welfare of the soul»; «The soundness of the beliefs»

«His ultimate perfection is to become rational in actu»

«the multitude's acquiring correct opinions»

«his knowing everything concerning all the beings that it is within the capacity of man to know»

The main innovation in Part III (as compared to the parallel discussion in Part II) is that the goal of divine law is identified with the attainment of the twin human perfections:²³

For the first aim can only be achieved after achieving this second one. For it has already been demonstrated that man has two perfections: a first perfection, which is the perfection of the body, and an ultimate perfection, which is the perfection of the soul. [...]

The true Law then [...] namely, the Law of *Moses our Master* – has come to bring us both perfections. (III 27, pp. 510–11)

Thus a parallel is created between the discussion of the goals of the law and the main discussion of human perfections in the last chapter of the *Guide* (III 54).²⁴ There Maimonides lists the four main objectives that motivate human actions, ranked from «the most defective» through «the true human perfection.» «The perfection of possessions» is the lowest objective. The connection between a person and his possessions is external and has no relation to his human essence: «Between this perfection and the individual himself there is no union whatever; [...] And even if these possessions should remain with him permanently during the whole of his life, he would by no means thereby achieve perfection in his self.» What is more, «if he considers his own individual self, he will find that all this is outside his self.» The relationship between the individual and his possessions is virtual; hence «the endeavor and the efforts directed by man toward this kind of perfection are nothing but an effort with a view to something purely imaginary, to a thing that has no permanence» (III 54, p. 634).²⁵

Higher on this scale of objectives is bodily health. People take an interest in their attractive appearance and physical fitness and strength. However, «Neither should this species of perfection be taken as an end, for it is a corporeal perfection and does not belong to man qua man, but qua animal. [...] Utility for the soul is absent from this species of perfection» (ibid.).

²³ Hadad 2011: 79. We should perhaps distinguish the soundness of body and soul from their perfection. See: Kaplan 1990: 154–159, n. 20; Goldman 1996: 125 and n. 4; Sasson 1960: 274ff.

²⁴ On this parallel, see: Kreisel 1992: 124; Kellner 1990: 27. On the surface such a parallel is problematic, because the perfection in question is individual, but law is a political instrument. According to Maimonides, though, individual perfection is indeed a political matter – «self-government» (*Treatise on Logic*, chap. 14]. On the other hand, the law of the state must promote individuals' perfection and true success; but only the divine law can truly meet this challenge. See Harvey 1980: 199.

²⁵ See, in greater detail, Altmann 1972: 17f.

In contrast with the previous perfection, this perfection does pertain to the individual – but not to his soul; bodily perfection pertains to individuals as an animal and is irrelevant to them as human beings.

The third objective is «the perfection of the moral virtues. It consists in the individual's moral habits having attained their ultimate excellence.» Because it pertains to the individual *qua* human being, it «is a perfection that to a greater extent than the second species subsists in the individual's self.» On the other hand, sound moral conduct generally pertains to relations between the individual and others, but is irrelevant to the individual when he is alone: «For if you suppose a human individual is alone, acting on no one, you will find that all his moral virtues are in vain and without employment and unneeded, and that they do not perfect the individual in anything» (*ibid.*, p. 635).²⁶

At the top of the scale of objectives is knowledge of truth in general, especially of divine matters. This is «the true human perfection» and «the ultimate end.» In contrast with the three previous perfections, whose connection to the individual is flimsy («they pertain to others than you, not to you» [*ibid.*]), the ultimate perfection, «a perfection belonging to him alone; and [which] gives him permanent perdurance; through it man is man. [...] no one else being associated in it with you in any way[.]» (*ibid.*)²⁷

As mentioned, Maimonides asserts that the end pursued by the divine law – the Torah – is human perfection. Combining this discussion of the four types of perfection with that about the goals of law yields the conclusion that the Torah is special in that its objectives address every type of perfection. The first demand of the Mosaic Law is that a person achieve bodily perfection. This includes protecting his individual's property (the elimination of violence and theft) and care for his bodily health («the soundness of the circumstances pertaining to the body»). Mainly, though, it demands that the individual achieve moral perfection

²⁶ Maimonides scholars are divided as to whether moral perfection is indeed only a social desideratum, or whether it is also a necessary condition for the perfection of human beings themselves. See Kreisel 1992: 130f; Stern 2013: 308f. For a survey of the debate, see Kellner 1990: 8ff, 47–53. Either case can be made from Maimonides' text, and it is possible that in some places he addresses one set of readers, and elsewhere another (the masses vs. the elite). Or they may provide different perspectives on the issue of individual perfection (practice vs. theory). See Kreisel 1992: 134ff, 138f. See also Glicker 1959–1960: 177–191.

²⁷ The scale of perfections is based on their link to the individual himself (the principle of selfhood). This principle is specific to Maimonides (unlike the types and categories of the perfections, which derive from Aristotle and Plato). See Goldman 1996: 67.

in pursuit of the public and social order («moral qualities that are useful for life in society»). The Divine Law is unique in that it seeks more than bodily health. It also demands that the individual aspire to «ultimate perfection» («the ultimate end») – soundness of the soul and soundness of beliefs. In this context, the individual is required to gain knowledge of the «true opinions» (ibid.). These lead the individual towards knowledge of the truth about all that exists, especially in divine matters («correct opinions with regard to God, may He be exalted, and with regard to the angels»). This ultimate perfection is what endows an individual with «permanent perdurance».²⁸

The summary of the goals of the Divine Law can also serve as a summary of the human perfections:

The letter of the *Torah* speaks of both perfections and informs us that the end of this Law in its entirety is the achievement of these two perfections. For He, may He be exalted, says: *And the Lord commanded us to do all these statutes [huqqim], to fear the Lord our God, for our good always, that He might preserve us alive, as it is at this day* (Deut. 6:24). [...] Similarly the intention of His dictum here, *For our good always*, is this same notion: I mean the attainment of *a world in which everything is well and [the whole of which is] long*. And this is perpetual preservation. On the other hand, His dictum, *That He might preserve us alive, as it is at this day*, refers to the first and corporeal preservation, which lasts for a certain duration and which can only be well ordered through political association, as we have explained. (III 27, pp. 511–512)

One of the two human perfections enumerated here relates to preservation of the body (the second item in the list of four perfections), which can be achieved

28 This amalgamation of the discussion of human perfection (III 54) and that about the goals of the law (II 40, III 27) is justified in two respects. First, both passages present a hierarchy in which bodily perfection is inferior to spiritual and intellectual perfection. Second, the Torah and precepts are a means to attain these perfections. Nevertheless, as stated above (n. 24), the analogy goes only so far and there are substantial differences between the two discussions. The former deals with human perfection (Ar. *kamal*; Heb. *shelemut*), with reference to individuals and their perfection. The latter, by contrast, focuses on the rectification of society (Ar. *salah*; Heb. *tiqqun*), in which humans are part of a social structure. Consequently, the concept of perfection is not the same. In the former, bodily perfection is achieved by maintaining one's health, and spiritual/intellectual perfection by the philosophical pursuit of «divine matters.» In the latter, bodily perfection relates to public order and social welfare, while rectification of the soul aspires to attain the «correct ideas held by the masses (near and in nn. 21, 22). Moral perfection, too, is measured differently in the two discussions. In the former the standard is that of individual virtues and appropriate qualities. In the latter, it is a question of «the qualities that lead to a life of coexistence so that the state will be harmonious.» For an extensive consideration of these differences, see Galston 1978: 35–39.

through an appropriate political association (the third in the list of four perfections). Its focus is this-worldly. By contrast, the other human perfection is focused on the World to Come. It aims at attaining perpetual preservation, by attaining knowledge of the correct opinions and divine matters (the last in the list of four perfections).

D. The Precepts Bein Adam La-Makom and Human Perfection

In the last section we saw how three chapters of the *Guide* are intertwined: the Divine Law is distinguished from human law in that, in addition to addressing the soundness of the body, it also addresses the soundness of belief. It makes religious demands on the individual that transcend social and moral directives and is concerned with the World to Come and eternal life, in addition to its concern for the temporary physical existence in this world. We shall now see that the differences between the goals of the two legal systems and the distinction among the human perfections relate to the distinction between the precepts *bein adam la-makom* and those *bein adam le-havero*.²⁹

In his discussion of moral perfection (the third in the scale of the four objectives that motivate human action), Maimonides explains as follows:

Most of the *commandments* serve no other end than the attainment of this species of perfection. But this species of perfection is likewise a preparation for something else and not an end in itself. For all moral habits are concerned with what occurs between a human individual and someone else. This perfection regarding moral habits is, as it were, only the disposition to be useful to people; consequently it is an instrument for someone else. (III 54, p. 635)

Thus the precepts that govern relations between an individual and his fellow are aimed at achieving «the soundness of the body,» according to Maimonides' definition in his exposition of the goals of the legal systems. They include «the *commandments* concerned with prohibiting wrongdoing and aggression» (p. 536), «the laws of property concerned with the mutual transactions of people» (ibid.), and «the *commandments* concerned with improvement of the moral qualities» (p. 535).³⁰ So safeguarding private property and promoting moral behavior are the key

²⁹ For the combination of the distinction among the types of precepts in the discussions of the goals of law and human perfection, see Kreisel 1992: 126f.

³⁰ According to Maimonides, these categories of precepts define the framework of those between a man and his fellows (III 35, p. 538).

elements of the objectives linked to the first and third of the four human perfections. Soundness of the body promotes the second of the four perfections.

It follows that soundness of the soul is achieved primarily by observance of the other precepts, those *bein adam la-makom*.³¹ From Maimonides' detailed accounts of the Divine Law and the perfection of the soul, one can conclude that the precepts *bein adam la-makom* are those that are unique to the Mosaic Law. These precepts deal with divine matter and their objective is «perpetual preservation,» meaning the World to Come.³² In this respect, they are precepts that obtain the individual and God, in the sense that they are directed at God, «the place.»

From another angle, the precepts *bein adam la-makom* can be explained in terms borrowed from the discussion of the perfections. As we saw above, there is a match between the ultimate perfection (the fourth in the list of four) and soundness of the soul. The objective of the precepts *bein adam la-makom* is, accordingly the acquisition of «correct opinions,» or «the conception of intelligibles, which teach true opinions concerning the divine things» (p. 635), so that the individual can achieve perpetual preservation. As noted, the fundamental characteristic of the ultimate perfection is its deep connection to the individual as a person: it is «a perfection belonging to him alone; [...] through it man is man, [...] no one else being associated in it with you in any way.» The fruits of this perfection are not external to the individual, nor do they pertain to the individual's relations with others. They pertain to the individual himself, as he truly is.³³

The description of the precepts *bein adam la-makom* proposed above is produced indirectly, through the discussion of issues pertaining to the character of Divine Law, the goals of the law, and the human perfections. Hence we should take a new look at Maimonides' explicit definition of the precepts *bein adam la-makom*:

³¹ «All the other classes deal with the relation between man and God (*ha-makom*)» (III 35, p. 538).

³² See Maimonides, *Commentary on the Mishnah, Pe'ah* 1:1, p. 55: «If a person observes the precepts that are specific to himself as regards what pertains between himself and his Creator, he will be rewarded for this by the Lord in the World to Come.»

³³ The double perspective on the precepts *bein adam la-makom* entails a distinction among the several purposes of the law (Goldman 1996: n. 27): human perfection versus the improvement of society. The precepts *bein adam la-makom* are a key element of religious law and accordingly serve a double purpose: for individuals, to lead them to spiritual/intellectual perfection; for society, to mold «correct ideas» and «true views» in the public domain.

For every *commandment*, whether it be a prescription or a prohibition, whose purpose it is to bring about the achievement of a certain moral quality or of an opinion or the rightness of actions, which only concerns the individual himself and his becoming more perfect, is called by them [a commandment dealing with the relation] *between man and God [bein adam la-makom]*. (III 35, p. 538)

This definition combines the precepts *bein adam la-makom* with Maimonides' «ultimate perfection» and poses common objectives for both: the acquisition of the ideas, opinions, appropriate actions, and virtues that lead the individual to perfection.³⁴ In this context, the reference to ideas and opinions «which only [concern] the individual himself» («which are particular to the individual alone»³⁵), can correspond to the description of the ultimate perfection: it is «a perfection belonging to him alone; [...] through it man is man, [...] no one else being associated in it with you in any way.» Alternatively, and moving in the opposite direction: when Maimonides describes the human perfections he links moral perfection (the third of the four perfections) to the precepts *bein adam le-havero* (between the individual and his fellow). This places it in opposition to the ultimate perfection. Moral perfection is related to society; in the absence of society it is «unneeded»; in other words, the precepts *bein adam le-havero* «pertain to others than you, not to you» (III 54, p. 635). In keeping with their designation, they are contingent on the presence of another person. By contrast, the precepts *bein adam la-makom* pertain to the individual himself and are particular to him.

So we need a new definition of the precepts *bein adam la-makom* as Maimonides employs the term. We propose a two-part definition: with regard to their content and objective, they are addressed to God. They are meant to achieve «true opinions concerning the divine things» (ibid.) and perpetual preservation. With regard to the sphere of human existence, they are not directed at the other but

34 This definition is broader than that described in the last perfection (in the discussion of the goals of law and human perfection). The last perfection relates to «correct opinions,» whereas here the precepts between man and ha-makom include character traits («virtues») and actions, which are the objective of moral perfection (the third perfection). This is because moral perfection relates ab initio to the individual himself and indirectly projects chiefly on the relations between an individual and those around him: «Even though in reality it sometimes may affect relations *between man and his fellow man*. But this happens only after many intermediate steps and through comprehensive considerations» III 35, p. 538). See Hadad 2011: 162 and p. 111 n. 14. See also Goodman 2010: 215f. For another explanation of the role of the commandments vis-à-vis the individual and society, see Stern 2013: 330–333.

35 This is Kapach's translation. See above, n. 2.

pertain to individual himself – that is, they are between him and his God, meaning between himself and himself.³⁶

The integration of these two aspects is already evident in Maimonides' commentary on the Mishnah:

The first division of all of the precepts is into two categories: some are *precepts that are particular to the individual alone*,³⁷ *between a person and God*, such as *tzitzit*, phylacteries, the Sabbath, and [the prohibition of] idolatry; and some are *precepts that regulate human relations*, such as the prohibitions of theft, fraud, hatred, and bearing grudges, the injunction to love one another, and not to cheat one another and not to stand by when another is suffering damage, and to honor parents and scholars – who are the fathers of everyone.

If a person observed the precepts particular to him alone, between himself and his Creator, God will reward him for this in the World to Come...

And if a person observed the *precepts that regulate human relations*, he will receive a *reward in the World to Come* for fulfilling the precept, and obtain *benefit in this world* for proper conduct with others, because if he follows this path and the other follows it too, he too will enjoy the same benefit. And all the precepts between an individual and his fellow are included in the general precept of lovingkindness.³⁸

The precepts between an individual and his fellow are those that «regulate human relations.» On the other hand, the precepts *bein adam la-makom* are those «*that are particular to the individual alone, between a person and God*»; or, similarly, «*the precepts particular to him alone, between himself and his Creator*.» The latter definition has two elements. On the one hand, these precepts pertain between the

³⁶ Instead, one may follow here another model. According to this model, the individual, in «itself», is not unified, because of the special role of the intellect. One transcends «oneself» as an «individual», and partakes, to some extent, in some form of being in relation with the divine, or as put Maimonides in GP III:51 (see above, n. 7). In this regard, when the individual performs these mitzvot that has to do with the «individual alone», is necessary according to Maimonides for entering the processes of intellectual apprehension. See Harvey 2013: 82–105. See also Ivry 1984: 143–159 (the individual as an entity «open to the divine» by its intellect).

³⁷ In the Commentary, the version is «*takhuss al-insān fī nafsihi fī mā bainihi wa-baina al-lah*», and the *Guide* reads «*צלאח אעמאָל חכֵץ אלשכֵץ פִי נְפָשָׁה וְחַכְמַלָּה*». It is possible that the *Guide* passage is an off-hand summary of the definition provided in the earlier Commentary.

³⁸ Maimonides, *Commentary on the Mishnah, Pe'ah* 1:1, p. 55.

individual and his Creator. On the other hand, they are particular to the individual, because they are not relevant to interpersonal relations.

[E] Bein Adam La-Makom: Precept that Pertain to the Individual Himself

1. The Linguistic Aspect –«Between Himself and Himself»

The primary sense of *bein adam la-makom* is, indeed, «between an individual and his Creator.» As such, the term refers to the objective sought by the precepts that deal with «the divine things.» We can say, however, that it also includes the other sense of *bein adam la-makom*: the intimate space in which these precepts are performed, as opposed to the public and social space in which the precepts between an individual and his fellow are performed.³⁹ That is, here the construction «between *a* and *b*» does not define a relationship between two parties,⁴⁰ but rather their location in space, and more precisely their presence in a space to the exclusion of any other party.⁴¹

So too, the use of *ha-makom* («the place») to refer to God expresses the deity's personal and intimate relationship with Man. *Hamakom* is the most common

39 The opposition between an individual «for his own sake» and an individual «for others,» «the many,» or the «public,» is frequent in the rabbinic literature. See, e.g., *m Bikkurim* 1:4: «And when [a proselyte] prays in private he should say, «O God of the fathers of Israel'; and when he is in the synagogue he should say, «O God of your fathers» (trans. Danby); *t Berakhot* 3:4 (ed. Lieberman, p. 12) [cf. *b Berakhot* 31a]: «When R. Akiva prayed with the congregation he used to cut short [his prayers] before all of them; but when he prayed by himself, a man would leave him in one corner and find him later in another [on account of his many genuflexions and prostrations]»; *Mekhilta de-Rabbi Shimon bar Yohai*: «[if one does not have a son, he should explain it] to himself (בֵּין לְבִין עַצְמוֹ) or to someone else (בֵּינוֹ בֵּין לְבִין אֶחָדִים)» (trans. Nelson, XVIII:II 1D., p. 66). See Ben Yehuda 1948: s.v. בֵּינוֹ: בֵּין לְבִין עַצְמוֹ=alone; that there is no one else in the same place (p. 524)

40 See text above, around n. 14.

41 «Between *a* and *b*» can refer to a physical location between two places (Ben Yehuda 1948: 524). But when the reference is to *between* an individual and his fellows, it connotes an intimate relationship in which the two persons are imagined to construct a close space between them, in which they and they alone are present. See Ben Yehuda 1948: 524f («only in the presence of two»). This is the sense of the Hebrew locution «between him and her.» See, e.g., *t Ketubbot* 7:6 (ed. Lieberman, p. 80): «If she tells any person matters that are between him and her»; *t Avodah Zarah* 3:3 (ed. Zuckerman, p. 463): «A gentile woman may serve as midwife to a Jewish woman if others are standing by her; but if they are alone (בֵּינה לְבִינה) it is forbidden because they are suspected of murder»; *Avot de-Rabbi Nathan*, Recension B, ch. 19: «After he entered he locked the door on himself and the woman (בֵּינוֹ לְבִינָךְ)». The locution «בֵּינוֹ וּבֵינֶךְ» «between myself and you» is similar. See *m Nedarim* 11:12:

term for God in the early rabbinic literature.⁴² By contrast, the later rabbinic literature prefers other terms, such as «the Holy,» «the Holy One,» or «the Holy One, Blessed be He.»⁴³ A common view in the scholarly literature is that whereas the later cognomens express transcendence and the distance that separates God from the world and humankind, *ha-makom* reflects His immanence and intimate relationship with the world and humankind.⁴⁴

*2. Maimonides (Mishneh Torah): Bein Adam La-Makom –
Between the Individual and Himself*

Maimonides expresses the intimate character of «before the Lord» and «*bein adam la-makom*» in the halakhic context.⁴⁵ In the Laws of Repentance he distinguishes between the requisite public character of repentance for sins against

«Heaven [knows what befalls] between me and you» (בֵּין לְבִין) (Maimonides explains that the reference is to the wife's making assertions about what only the Lord can know); *Pesiqta de-Rav Kahana*: «You are shaming me in public and appeasing me when we are alone (בֵּין וּבֵין).» This is also the sense of «*bein lebin utzmo*» «between him and himself.» See above, n. 39.

⁴² The deity is never called *ha-makom* in Scripture. See Buber 1964: 334ff; Zapor 2011: 59–66. Nevertheless, the early rabbinic literature projects the use of *ha-makom* for the deity back into the biblical period. See Heinemann, *Darkhei ha-aggadah*, 116; Raviv 1999: 268, 313f.

⁴³ See also: Spanier 1922: 309–314; Marmorstein 1927–1937: 92f, 112, 114; Urbach 1979: 710ff (nn. p. 1055), 716ff; Efrati 1976: 107–124.

⁴⁴ The identification of the deity's place with man himself is prominent in ancient religious concepts. It transfers the religious center of gravity from the deity and the holy place to human beings. The individual or the religious community replaces the Temple, and the individual himself is the place where the divine presence resides. This notion can already be found in the Hellenistic world, and subsequently among the Stoics and Philo of Alexandria. See: Zittell Smith 1978: 181ff, 187f (for the Hellenistic world); Schüssler Fiorenza 1976: 161, nn. 7–8 (the Stoics and Philo) and in Qumran and the New Testament (Qumran, pp. 159–168; the New Testament, pp. 168–177); Kister 2009: 641. For this idea in the rabbinic literature, see, e.g., *Midrash Tehillim* 90:10, ed. Buber, p. 391; *Pirke de-Rabbi Eliezer*, ch. 35, trans. Gerald Friedlander (London: Kegan Paul, Trench, Trubner & Co., 1916), p. 264: «Why is the name of the Holy One, blessed be He, called Makom? - Because in every place where the righteous are He is found with them.» And see further Margolin 2011: 239f; Bokser 1985: 287–299 (on halakhic manifestations). The identification of *ha-makom* with «the individual himself» also has an anthropological side. The natives' conception identifies the individual's place as a «world.» «The place» becomes a basic center of identity; accordingly, holds Mircea Eliade, human beings can sanctify a place. See Gurevitch/Aranne 2007: 23ff.

⁴⁵ The following is based on the assumption that despite the differences between the goals of the two works – the *Guide* and the *Mishneh Torah* – Maimonides' various works offer a coherent position. See, for example, Harvey 2001: 11–28.

one's fellow and the intimacy of repentance for sins between an individual and *ha-makom*:

It is highly praiseworthy in a penitent to make public confession, openly avow his transgressions and discover to others his sins against his fellow-men; he should say to them: «Truly, I have sinned against so and so, and did thus and thus to him; and lo, this day, I repent and feel remorse.» [...] This only applies to transgressions in matters between man and man. But sins committed against God [*bein adam la-makom*], the penitent need not publish. Indeed, it is a mark of effrontery on his part if he does so, but he should repent of them before the Almighty, blessed be He, declaring in detail his sins before Him, [...] and it is well for him that his iniquity has not become known, [...]⁴⁶

This distinction has its roots in the discovery and resolution by Rav (or by Mar Zutra bar Tobiah) of a seeming contradiction between two verses.⁴⁷ Maimonides presents it in a different way, however. In the Talmud, the emphasis is on the negative and passive aspect of not publicizing a sin between an individual and *ha-makom*.⁴⁸ Maimonides mentions not only this aspect («need not publish») but also the positive aspect: «he should repent of them before the Almighty, blessed be He, declaring in detail his sins before Him.»⁴⁹ In order to do repentance for

46 Maimonides, *Mishneh Torah*, Laws of Repentance 2:5.

47 *b Yoma* 86b (MS Munich 6): R. Judah said: «Rav pointed out the following contradictions. It is written: *Happy is he whose transgression is forgiven, whose sin is covered over* (Ps. 32:1); but it is also written: *He who covers his transgressions will not prosper, but he who confesses and forsakes them will obtain mercy* (Prov. 28:13). ... R. Zutra b. Tobiah [said] Rav said: Here, sins committed by a man against his fellow; there, sins committed by man against the Omnipresent.

48 Rav is referring to Ps. 31:1, «Happy is he whose transgression is forgiven, whose sin is covered over.» Elsewhere in the rabbinic literature, including other contexts, this verse is expounded in a similar passive or negative vein: One should not publicize transgressions. See, e.g., *Sifre Numbers*, 137 (p. 183), according to MS Vatican 132: «David said, «may my guilt not be recorded, as it says, «Happy is he whose transgression is forgiven, whose sin is covered over»»; or *b Berakhot* 34b: «R. A[bba]: I consider a man impudent who openly recounts his sins, since it is said, «Happy is he whose transgression is forgiven, whose sin is covered.»

49 The term «repenting before the Lord» appears in the preamble of Maimonides' Laws of Repentance: «The sinner should repent his sin before the Lord and confess.» This leads to «when he repents and returns from his sin, he must confess before God, blessed be He» (1:1) and «Among the paths of repentance is for the penitent to constantly call out before God» (2:4). This is the language of closeness and intimacy. In the words of Rabbi Joseph B. Soloveitchik (2000: 81, 83): «before God and not before people» (p. 81); and again, «The whole essence of the precept of repentance is longing, yearning, pining to return again to being «before You».

transgressions between man and *ha-makom*, one must stand before the Lord – alone.⁵⁰ The style and method of repentance are dictated by the character of the sin: sins that affect one's fellows corrupt the social sphere and must be rectified there, whereas sins between man and *ha-makom* pertain to the individual alone. Such sins corrupt the intimate space in which only the sinner and his God are present; hence this intimate space is the appropriate location for repenting such sins.

Epilogue: Between Man and Hamakom and «Negative Theology»

This article has focused on the essence and purpose of the precepts between Man and *Hamakom*. The tension presented between the idea that they are oriented towards human beings themselves and the idea that refers them solely to the deity is inherently linked to the relationship between «negative theology» and the meaning of the precepts in general.

«Negative theology» holds that God is unknowable and hence cannot be grasped by means of positive attributes or descriptions. The deity can be known only via negatives – what cannot be said of Him.⁵¹ Although negative theology applies mainly to religious knowledge, it can have implications for various theological issues, such as the meaning and role of the precepts.⁵² Three main approaches are possible here.

The first is that, inasmuch as it is impossible to refer to God in positive terms, the precepts, too, are not oriented towards the deity but towards human beings. That is, human beings employ the precepts in order to emulate God's path of «mercy, justice, and righteousness.»⁵³

The second approach inverts this totally. It holds that negative theology makes the deity transcendent and consequently denies any human dimension to the precepts. Hence they are not intended to benefit human beings and are not rational.

⁵⁰ See *Pesikta de-Rav Kahana* 24, *Shuva*, ed. Mandelbaum, p. 370. On the link between the *Pesikta* and Maimonides' formulation, see *Or Same'ah*, Laws of Repentance 2:5; *Avodat Hamelekh*, Laws of Repentance, 2:5; *Meshekh Hokhmah*, *Deuteronomy* (haftarah for Vayelekh) (Jerusalem, 2002), p. 418. See also David Kimhi on Ps. 51:6.

⁵¹ Pines 1979: 82–109.

⁵² Shlomo Pines (1963) in his «Translator's Introduction» to Maimonides, *The Guide of the Perplexed*; Statman 2005: 58–71.

⁵³ See, following Pines, Stern 2018: 213. See also Halbertal 2013: 301–310.

The precepts serve only to make human beings obedient to God (acceptance of the yoke of the commandments).⁵⁴

Both of these approaches posit that negative theology has implications for the essence of the precepts – whether they are directed towards human beings or totally towards the deity. The third approach distinguishes negative theology from the idea of the precepts. Here again there are two different versions.

Statman believes that the precepts are not essentially a theological matter, but elements of a social and political constitution. As such they are rational and some are even designed to facilitate knowledge of the deity (even though such knowledge is problematic for negative theology).⁵⁵

Goodman, following Ravitzky (oral communication), asserts that we must distinguish the goal sought by the precepts from the motive for observing them.⁵⁶ The appropriate motive is obedience to God (as in the second approach). By contrast, their purpose places human beings at the center; hence the precepts are intended to perfect the body and perfect the soul (as in the first approach).

In the body of this article we expressed reservations on various grounds about the idea that the precepts between man and *Hamakom* are directed towards the former. On the other hand, it is hard to accept the idea that these precepts are oriented exclusively towards the deity. Hence we offered a middle position that corresponds with the third attitude advanced just now; namely, that the precepts between man and *Hamakom* are oriented towards God and lead to a knowledge of divine matters. At the same time, these precepts are relevant to human beings as such – exclusively to them and not to any other.

54 Thus Yeshayahu Leibowitz in various contexts. See the references to him in Statman 2005: 71 nn. 9–15.

55 Statman 2005: 60.

56 Goodman 2010: 224f, 230.

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Abstracts

Im *Wegweiser für die Verwirrten* stellt Maimonides die Gebote zwischen Mensch und Gott als «ein Gebot oder ein Verbot [...], das nur den Einzelnen selbst betrifft...» dar. Dies scheint zu bedeuten, dass die Gegenpartei dieser Gebote das Individuum selbst ist und nicht die Gottheit. Diese Lesart ist jedoch sowohl in exegetischer als auch in theologischer Hinsicht problematisch.

Es sind verschiedene Lösungen für diese Schwierigkeit angeboten worden; aber auch sie sind problematisch und passen nicht wirklich zu dem, was Maimonides geschrieben hat. Sie sind auch nicht mit den Darstellungen der Gebote *bein adam la-makom* in der rabbinischen Literatur und in Maimonides' anderen Werken vereinbar.

Der Artikel schlägt eine neue Lösung vor: Die Gebote *bein adam la-makom* zielen auf die endgültige Vervollkommnung des Individuums ab, «eine Vervollkommnung, die ihm allein gehört». Auf diese Weise verweist «zwischen Mensch und Gott» auf den intimen Raum, in dem die Gebote «nur den Einzelnen selbst» und «ihm allein» betreffen.

In the *Guide of the Perplexed*, Maimonides presents the precepts *between man and God* as «a prescription or a prohibition [...] which only concerns the individual himself...». This seems to mean that the counterparty of these precepts is the individual himself, and not the deity. But this reading is problematic, as a matter of both exegesis and theology.

Various solutions of this difficulty have been offered; but they too are problematic and do not really suit what Maimonides wrote. Nor are they compatible with the accounts of the precepts *bein adam la-makom* in the rabbinic literature and Maimonides' other works.

The article suggests a new solution: the precepts *bein adam la-makom* aim at the ultimate perfection of the individual, «a perfection belonging to him alone». In this way, «between man and God» refers to the intimate space in which the precepts that «concern only the individual himself», and «him alone.»

Itzhak Brand, Bar-Ilan University