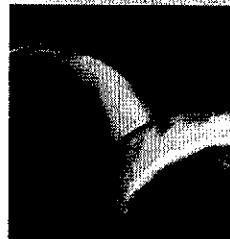
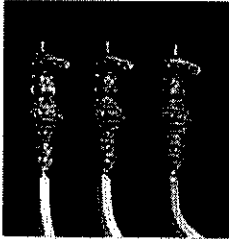




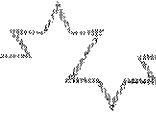
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An Introduction to the Philosophy of Judaism

Mitzvos and Their Reasons

Rabbi Tzvi H. Weinreb

November 12th, 2012



THIS COURSE IS DEDICATED IN MEMORY OF:

אסתר חיה ז"ל בת צבי ופרומה עלקא פייגא בת מאיר ופשא לאה ז"ל נח בן אברהם ופייגא ז"ל
תהא נשמתם צרורות בצרור החיים

MAY THEIR SOULS BE BOUND IN THE EVERLASTING BOND OF LIFE

Introduction to the Philosophy of Judaism

Mitzvos & Their Reasons
 Rabbi Dr. Tzvi H. Weinreb
 Institute for Jewish Continuity
 www.gojc.org
 11/12/12

1. רמב"ם הלכות מעילה פרק ה הלכה ח

המקדיש את היער מועלין בכולו בין באילנות בין בכל קץ שבראש האילנות או שביניהן.

2. דברים פרק כב פסוק ו

כי יקרא קץ צפור לפניך בדרך בכל עץ או על הארץ אפרחים או ביצים והאם רבצת על האפרחים או על הביצים לא תקח האם על הבנים:

3. רמב"ן דברים פרק כב פסוק ו

א. (ו) כי יקרא קץ צפור לפניך – גם זו מצוה מבוארת מן אותו ואת בנו לא תשחטו ביום אחד (ויקרא כב כח). כי הטעם בשניהם לבלתי היות לנו לב אכזרי ולא נרחם, או שלא יתיר הכתוב לעשות השחתה לעקור המין אף על פי שהתיר השחיטה במין ההוא, והנה ההורג האם והבנים ביום אחד או לוקח אותם בהיות להם דרור לעוף כאלו יכרית המין ההוא:

ב. וכתב הרב במורה הנבוכים (ג מח) כי טעם שלוח הקן וטעם אותו ואת בנו לא תשחטו ביום אחד, כדי להזהיר שלא ישחוט הבן בעיני האם כי יש לבהמות דאגה גדולה בזה, ואין הפרש בין דאגת האדם לדאגת הבהמות על בניהם, כי אהבת האם וחנותה לבני בטנה איננו נמשך אחרי השכל והדבור אבל הוא מפעולת כח המחשבה המצויה בבהמות כאשר היא מצויה באדם. ואם כן, אין עיקר האיסור באותו ואת בנו רק בכנו ואותו, אבל הכל הרחקה. ויותר נכון, בעבור שלא נתאכזר. ואמר הרב ואל תשיב עלי ממאמר החכמים (ברכות לג ב) האומר על קץ צפור יגיעו רחמין, כי זו אחת משתי סברות, סברת מי שיראה כי אין טעם למצות אלא חפץ הבורא, ואנחנו מחזיקים בסברה השניה שיהיה בכל המצות טעם. והוקשה עליו עוד מה שמצא בב"ר (מד א) וכי מה איכפת לו להקב"ה בין שוחט מן הצואר לשוחט מן העורף, הא לא נתנו המצות אלא לצרף בהם את הבריות שנאמר (משלי ל ה) כל אמרת אלוה צרופה:

ג. וזה הענין שגזר הרב במצות שיש להם טעם, מבואר הוא מאד כי בכל אחד טעם ותועלת ותקון לאדם, מלבד שכרן מאת המצוה בהן יתברך. וכבר ארז"ל (סנהדרין כא ב) מפני מה לא נתגלו טעמי תורה וכו', ודרשו (פסחים קיט א) ולמכסה עתיק, זה המגלה דברים שכסה עתיק יומין ומאי ניהו טעמי תורה. וכבר דרשו בפרה אדומה (במדב"ר יט ג ד), שאמר שלמה על הכל עמדתי, ופרשה של פרה אדומה חקרתי ושאלתי ופשפשתי, אמרתי אחכמה והיא רחוקה ממני (קהלת ז כג), ואמר ר' יוסי בר' חנינא אמר לו הקדוש ברוך הוא למשה לך אני מגלה טעם פרה אדומה אבל לאחרים חקה, דכתיב (זכריה יד ו) והיה ביום ההוא לא יהיה אור יקרות וקפאון, יקפאון כתיב, דברים המכוסים מכם בעולם הזה עתידין להיות צפויים לעולם הבא, כהדין סמיא דצפי, דכתיב (ישעיה מב טז) והולכתי עורים בדרך לא ידעו, וכתיב (שם) אלה הדברים עשיתים ולא עזבתים, שכבר עשיתים לר' עקיבא. הנה בארו שאין מניעות טעמי תורה ממנו אלא עורון בשכלנו, ושכבר נתגלה טעם החמורה שבהם לחכמי ישראל, וכאלה רבות בדבריהם, ובתורה ובמקרא דברים רבים מודיעין כן, והרב הזכיר מהן:

4. The Nineteen Letters: The World of Rabbi S.R. Hirsch

Mayan, vol. V, no. 4, 1965, pp. 50-51), Rabbi S. R. Hirsch's insistence that the slaughtering of sacrifices was not the main point of the sacrificial act is explained by the *Zohar's* statement that the *kohanim* should not do the slaughtering. Rabbi Elie Munk ("*Rabbiner Hirsch als Rationalist der Kabbalah*," NZ, III, 1933, pp. 54ff., quoted by Dayan Grunfeld in his discussion of Rabbi S. R. Hirsch and Kabbalah, IH, pp. cxx-cxxix) notes that Rabbi S. R. Hirsch's explanation of the symbolic significance of the numbers 6, 7 and 8 follows the interpretation of the *Zohar*. In fact, it is said that Rabbi S. R. Hirsch's personal *siddur* contained marginal notes of a kabbalistic nature. There is, therefore, no basis at all for the assertion that he rejected the basic approach of Kabbalah, i.e., its emphasis on the effect of religious actions upon supra-mundane spheres and their mystical significance in eliciting Divine responses.

Why, then, did Rabbi S. R. Hirsch put so little stress on kabbalistic teachings, and why was he so circumspect when he was drawing upon them? His claim in Letter Eighteen that he was uninitiated and therefore could not comment upon the teachings of Kabbalah reflects his humility rather than his actual limitations, for he was certainly familiar with the basic approach of Kabbalah; in fact, when still in his youth, he received the *Zohar* as a present from his grandfather who had great influence on him (*Shemesh Marpeh*, p. 276). Dayan Grunfeld suggests that Rabbi S. R. Hirsch side-stepped kabbalistic interpretations in favor of his ethical and symbolic approach because he felt that this would have greater appeal to his audience at large and would produce more clarity about the meaning of the *mitzvos*.

A more likely reason for his attitude was his strong concern (expressed later in this letter and in Letter Eighteen) about the misuse of kabbalistic ideas, which was prevalent then as now. There was always the danger of flight from rationality as well as of misunderstanding kabbalistic ideas. Kabbalah necessarily uses ordinary language, expressions and concepts to describe profound and otherworldly ideas and processes. All too many people exposed to a smattering of kabbalistic ideas understand this language in its literal sense, fail to grasp the deeper meaning and profound perceptions hidden behind it, and are left with simplistic and crude materialistic and anthropomorphic ideas about matters that are purely spiritual. Prayers and practices designed to lift the individual to great heights become mere incantations and mechanical efforts to manipulate God's universe. It was these concerns that caused Torah leaders to prohibit the study of Kabbalah before a man had

reached a mature age.

Rabbi S. R. Hirsch's avoidance of mystical and otherworldly speculation does not, however, indicate a denial of kabbalistic ideas. His ethical interpretations of the *mitzvos* and of Judaism in general merely represented emphasis on a different aspect of the Torah's teachings which complements the kabbalistic approach, rather than contradicting it. Both Rabbi S. R. Hirsch's approach to *mitzvos* (which follows in the path of many earlier Torah thinkers) and the kabbalistic approach stress that all human action produces effects. They differ only in that the kabbalistic approach emphasizes the effects on the whole universe, whereas the other approach underlines the effect on the doer and his world (see n5 below). (For a fuller treatment of this subject, see Dayan Grunfeld, IH, pp. cxx ff.; and Jakob Rosenheim, pp. 63ff.)

4. Basic outlines In this work, Rabbi S. R. Hirsch provides only the very briefest outline of his classification of the *mitzvos* according to their deeper significance. At the time that he wrote the *Nineteen Letters*, the *Horeb* was already completed, and it offers a detailed presentation of the six groups into which the author divides the *mitzvos* (omitting, however, a discussion of those *mitzvos* that do not apply nowadays, in exile). In his Foreword to the *Horeb*, the author stated that he would reexamine his interpretation of the spirit of the *mitzvos*; and in a new edition of the *Horeb*, prepared shortly before his death, he added, in a footnote, that the results of the reexamination could be found in his commentary on the *Chumash*. (For a summary of various previous efforts to classify *mitzvos* and a detailed description of Rabbi S. R. Hirsch's six categories, see Dayan Grunfeld, IH, pp. lii-lxx.)

The purpose of Rabbi S. R. Hirsch's classification is to highlight the general ideas that the various groups of *mitzvos* convey to us and to provide a basis for understanding the individual *mitzvos* in each group, and thereby to capture the spirit of the Law and help us appreciate its profundities, lest it become "a duty of men that has become a habit" (הַחֲבִיבִים עוֹמְקֵי חַיִּיב [Yeshiyah 29:13]). The author, even while stressing the great importance of studying the reasons for the *mitzvos*, seeks neither to provide a defense of the *mitzvos* nor to justify their observance. As explained in note 1 above, they have to be observed, whether we find meaning in them or not, because they are God's Will. "God has enacted these laws, whose Divine origin is sufficient reason for observing them" (*Horeb*, §441; see also the Foreword to the *Horeb*, pp. cly-

clvi). In fact, even if a *mitzvah* makes perfect sense to us, that should not be the reason we observe it, for that would be tantamount to doing the bidding of our own intelligence, rather than submitting to God's Will (see L5n4, and n1 to this letter). On the other hand, if our mind finds fault with a *mitzvah*, or any detail about it, we do not have the right to change the law, for that would mean sitting in judgement on the Will of God, the Infinite Mind and Absolute Being (see IH, p. x; and *Horob*, the end of §454).

Indeed, there has been strong opposition to any inquiry into the reasons for *mitzvos*. In *Sanhedrin* 21b the Talmud warns that it may influence our observance of *mitzvos*; and the Tur declared that we should "not seek reasons for the *mitzvos*, for they are ordinances of the King for us, even if we know no reason for them" (YD 181). We should be ready unconditionally to do God's Will, for our primary duty is acceptance of the yoke of God's rulership (*kabbalas ol malchus Shamayim*). Some of this unquestioning obedience may be lost if we speculate about the purpose of the *mitzvos* as we do them, even if this does not affect the manner in which we fulfill them or the respect that we have for them. Moreover, even though there is a general consensus that God's commandments all have profound meaning and purpose, not only are we unable to fathom the depth of God's thought but we may, in fact, arrive at misinterpretations and wrong ideas.

Yet the Talmud as well as later Rabbinic authorities provide support for inquiry into the spirit of the *mitzvos* (see *Pesachim* 119a; and see Rabbi S. R. Hirsch's first note to Letter Eighteen, as well as CD 24:17). As the Rambam states, the laws of the Torah "are but counsel from afar, from the Great Counselor, to correct the thoughts and set straight the actions" (*Hilchos Temurah* 4:13). To obey the law is crucial. At the same time, however, as we meditate on it, we seek to understand and rethink God's thoughts as expressed and symbolized in the *mitzvos*: "Just because the Laws of the Torah are to the faithful Jew the laws of God, he strives...to trace in their underlying ideas the thoughts of the Divine Lawgiver, even as the devout Jewish scientist or historian tries to discern in the events and miracles of nature and history a revelation of God's wisdom and omnipotence" (Dayan Grunfeld, IH, p. lxxxvii; see also CT 119:155).

Rabbi S. R. Hirsch, it should be noted, followed in the footsteps of his great teacher, Rabbi Ya'akov Ettlinger, the author of *Aruch la-Ner*, who wrote that what is demanded of the Jew is *belief* in Torah and *mitzvos*, the *will* to observe them, and *action* in carrying them out, "and

after he has done so, it is man's duty to study and inquire, as far as his reason reaches, to understand the reasons for the Torah" (*Minchas Ori on Vayetze*; see also other statements by Rabbi Ettlinger, quoted by Yonah Emanuel in MVS, p. 179).

The Jew must remember at all times that his inquiries into *ta'amei ha-mitzvos* (the reasons, or purposes, of the *mitzvos*) represent *his own* speculations, necessarily tentative and uncertain in nature. However, precisely because our observance of the precepts must be totally independent of our speculation about them (see *Aruch ha-Shulchan*, YD 292:4), we have the fullest freedom to meditate and arrive at our own conclusions about the message that the *mitzvos* aim to convey to us. At the same time, of course, there are some important considerations to be kept in mind, so that our speculations should not have the undesirable effects mentioned earlier.

First, we have to remember that we are dealing with God's Word. "A man should meditate on the judgments of the Holy Torah and understand their deepest meaning as far as he can. And something for which he does not find a reason...should not be unimportant in his eyes...and he should not think about it as he would think about other, profane things," but should cling to it in full faith, even if his *yetzer* and his environment belittle it (Rambam, *Hilchos Me'illah* 8:8). Torah has to be approached with the greatest humility. We are not able to penetrate to ultimate and complete understanding of God's Word, but only as far as our spiritual level permits (see *Sefer ha-Chinuch*, the end of *B'chukkosay*); and we cannot be sure at all that the explanations that we put forward are indeed reasons for the *mitzvos* involved. To make this clear, the study of *ta'amei ha-mitzvos* should probably be called a search for the *lessons* found in the *mitzvos* (rather than for their reasons). In fact, a popular chasidic explanation of the term is based on the meaning of *ta'am* as taste: we should taste, or sample, what we can gain from the *mitzvah*.

It appears reasonable to say that our investigation of the *mitzvos* must be based on the halachic framework of each *mitzvah* in order for it to produce valid results; otherwise, the conclusions about the nature of the *mitzvah* might not be correct. Rabbi S. R. Hirsch actually insists that the explanation of a *mitzvah* must be guided by the fine halachic details of the *mitzvah*, and these will enable us to test the validity of our speculations. The Rambam declares that "those who trouble themselves to find the cause for any of these detailed rules [of a *mitzvah*] are in my eyes void of sense....The repeated assertions of our Sages that there are

reasons for all commandments...refer to their general purpose, and not to the objective of every detail" (*Moreh Nevuchim*, III, 26). (This view is followed by *Sefer ha-Chinnuch* and by the Me'iri on *Avos* 3:14.) Rabbi S. R. Hirsch raises the question why, then, there should be punishment for transgression of these details. An answer can be found in the Rambam's view that these details are meant to test the Jew's loyalty to God's Will. However, this does not satisfy Rabbi S. R. Hirsch, since he sees the *mitzvos*, in all their details, as tools for molding the world. We must therefore pay attention to the details, as they point to the exact purpose of these tools, which otherwise would not be grasped by our reason. Yonah Emanuel (MVS, pp. 176-77) points out that Rabbi Yeschayah Berlin (on *Berachos* 5:3) appears also to have held the view that explanations of *mitzvos* must accord with the halachic details of the *mitzvos*.

It should be noted in this context that Rabbi S. R. Hirsch mentions various ways of grouping *mitzvos*, but he never makes a distinction between *sichiyos* and *shimiyos*, rational and revealed laws. One reason is that this kind of division inspired the labeling of the latter group as purely ceremonial rituals (see L17n3); but another reason is that even the *mitzvos* in the former group have some halachic provisions that could not have been deduced by human reason alone, so that the entire division is ultimately untenable once we take the details of *mitzvos* into account. This point is made repeatedly by the Netziv (e.g., on *Shemos* 20:12) and also by Rabbi Ya'akov Kamenetzky (*Emes l'Ya'akov*, *Avos* 3:14). (For a fuller discussion of the inquiry into *ta'amei ha-mitzvos*, see Dayan Grunfeld, IH, pp. xcvi ff., and his work *The Jewish Dietary Laws* [London: Soncino, 1972], vol. 1, pp. 3-25.)

5. Symbolic act One way of understanding the significance of the *mitzvos* is to explore their impact on the universe and how they trigger a Divine response to our earthly actions. This is essentially the approach of Kabbalah and of those who have drawn from it, notably in the chasidic world, but also outside it (see *Nefesh ha-Chayim* of Rabbi Chayim of Volozhin). On the other hand—and without negating the validity of the kabbalistic approach that has been described—others have stressed the impact of the *mitzvos* on the individual himself and on his earthly environment. This, as we have pointed out, is the approach of Rabbi S. R. Hirsch (see n3 above). The impact can be achieved in various ways: the lesson can be taught by the precept itself (e.g., not mistreating the widow or the orphan); it can be spelled

out in the precept (e.g., the obligation to remember the Exodus from Egypt); or it can be conveyed through a symbolic action (e.g., slaking the *halav*).

In Letter Thirteen, Rabbi S. R. Hirsch explains the way in which this last group of commandments exercises a profound effect upon us. Yet these *mitzvos* in particular have come under attack from the opponents of Torah observance. While these opponents may countenance ethical or philosophical precepts, they label all the others "ceremonial laws"—a formalistic "outer shell which...could be discarded at will as long as the inward frame of mind and the right 'Gesinnung' [spirit] was kept intact" (Dayan Grunfeld, IH, p. lxii). This view is, of course, based on a denial of the Divine origin of the *mitzvos*.

In contrast, Rabbi S. R. Hirsch emphasized that these precepts are essential, original and eternal, and it is "through these symbolic actions ordained in the Torah that the Divine thought is first implanted in man" (JE, I, 93; see also JE, II, 88ff., 245ff.; CW, I, 183ff., 265ff.; and also the author's condemnation of the label "ceremonial laws," in GS, I, 160ff.). In connection with these "symbolic actions," Rabbi S. R. Hirsch stresses in the Foreword to the *Horav* that "meditation about the Divine precepts is particularly required in the case of those commandments...the object of which is in part to awaken in us certain trains of thought....In performing such commands we shall feel ourselves called upon to look for the relation in which the outward action prescribed for us stands to the thought which is to be expressed, and equally to consider and ponder on this thought in all its scope and consequences" (p. clvii). Rabbi S. R. Hirsch notes the powerful educational impact of the symbolic commandments, especially the *Edos* (see IH, pp. cvii-cxx), and asserts that these commandments, far from being empty rituals, have as their particular aim the sanctification of the individual and the nation. This educational impact exists even if the one fulfilling the commandment is not consciously aware of its message. However, it is, of course, much more effective if a person does dwell on it.

Obviously, the interpretation of the "symbolic actions" must under no circumstances be arbitrary. As we pointed out in the previous note, it must carefully consider all aspects of the *mitzva*. During the years 1856-58, Rabbi S. R. Hirsch published in his monthly periodical *Jeschurun* a major work entitled "A Basic Outline of Jewish Symbolism," now available in English as volume three of Hirsch's *Collected Writings*. In the first part of this work, the author carefully defined the basic principles of symbolic interpretation, and in the second part he

המעשיות המרבה בתורה — רבוי התורה והמצוות — באה מתוך אותה השכינה הגדולה של לשדיות החיים הפנימיים, של מקוריות השאיפה העדינה, של המרומים האלהיים המקיפים את כל וממלאים את כל אשר לאור התורה ולנשמת ישראל. אותו המלוי השוטף, טעון הוא בלים רבים לקבל את שפעו, ומתוך כך המעין חוזר ושוטף, חוזר ונוכע.

המינות לא הבינה את זאת, היא חשבה שהמעשים באו מתוך העני, מתוך אי-היכלת לעלות עליה רוחנית — אכל זו היא טעות יסודית ביחש לכללות האמה ושטף נשמתה. ואף לפרטים הנחשלים בארחות החיים וכשרון הקדש, משמשים המעשים החיצוניים למדרגות לעלות על ידם אל התכן הפנימי, ובהם יתאגרו גם אלה גם אלה אל הכלל בלו, המלא רונה גדולה, עד שהשטף מכרח לצאת בצנורות רבים.

ב

אין ענג ושמחה לאדם בעשותו מעשים, כי אם אחרי שמציר בלבו היטב מכליתם, וכפי ידיעתו הטובה הצומחת ממעשיו, פן תרבה שמחתו בהם, ומאשר השמחה ננחת הרוח שנמצאת בלב על ידי המעשים, היא הסבה העקרית להתמדה עליהם, כי האדם כוסף לאור וצהלה מטבע נפשו השכלית, ובורח מתוגה וקדרות, על פן "אינהו חכם הרואה את הנולד", כי כל מה שיתברר לו יותר הטוב הנולד ממעשיו, פן יגדיל ויאדיר את השלמתם. על פן נצטוינו לעשות את מעשה המצוות בשמחה, כמו שאמר הכתוב "תחת אשר לא עבדת את ד' אלהיך בשמחה ובטוב לבב" (דברים כח, מז). ומאד נדע כי כל מה שתצונו התורה על דבר המלוי בלב, אין פונתה שנקנה אותו הדבר בעצמו על ידי השקפתנו עליו, כי זה אינו בכלל הבחירה, וכמו שהמצוה לאהבה את ד' וליראה ממנו, איננה מתפרשת כי אם שנועסך בן רכים שבטבעם להקנות לנו היראה והאהבה, דהיינו למוד התורה וחלקיה וידיעת דרכי השם ותברך ומדות טובו, שעל ידי הידיעה הברורה באלה תבוא היראה והאהבה בטבע, פן הצווי לעבד את ה' בשמחה, גם פן הפננה על ההשתדלות בידיעת התועלת הנמשכת מהתורה והמצוות, ואז נחניץ לשמח בהם, ולא יהיו עלינו כמשא כבד, כי אם לעטרת תפארת.