

For centuries, Taamei Hamitzvot, the reasons for the divine commandments of the Pentateuch, has been a hotly debated topic. While briefly addressed in the Talmud, the topic received a more complete treatment in the early medieval period by the great Jewish rationalists. As the Maimonidean controversy raged, the issue took on added importance. Perhaps fueled by the controversy, the dawn of Kabbalah brought with it a new system that became the norm. The debate calmed down for several centuries before reaching its fiercest intensity during the nineteenth century, with the rise of Reform Judaism and its antinomian attitudes. Rav Hirsch emerged from the fray as the preeminent modern traditional commentator on Taamei Hamitzvot, although reformers like Spinoza achieved a level of acclaim as well.

Accordingly, it is useful to divide the discourse on Taamei Hamitzvot into four broad epochs. The first is the Talmudic period, where very little is said on the issue at all, although silence is itself a statement of their attitude towards the topic.¹ Second is the period of the rationalists, beginning with Rav Saadiah Gaon's *Emunot v'De'ot* and climaxing with Rambam's *Moreh Nevuchim*². Next came the period of the Kabbalists. The Ramban is an early figure, but the system is further developed in the *Zohar*, by Rabbi Yitzchak Luria and eventually by Chasidism. The fourth period began with the enlightenment, perhaps with Baruch Spinoza, and continues on to the present day.³ It is incredibly important to note that each major shift in the history of this debate was motivated by an antinomian crisis. Rav Saadiah was battling the Karaites⁴. The Kabbalah emerged as an alternative during the Maimonidean Crisis, and of course Reform Judaism was nothing if not a move away from nomism.

The goal of this essay is to present Rav Hirsch as a synthesis of both traditions before him, that of the Kabbalists and Rationalists, and argue that this synthesis led to a system most in line with that of the Talmudic period. To speak in broad historic terms⁵ the conflict with the Karaites (and perhaps later with Islamic philosophy) led towards the development of an innovative philosophical approach. Later, out of a fear that this approach had gone too far, a mystical system course-corrected the trends of rationalism, but eventually went too far in the opposite direction. During the enlightenment, both of these systems were called into question leading to the synthesis of Rav Hirsch and the return to an approach taking both ways of thinking into account.

To make this argument, we will begin by tracing this debate throughout the above mentioned epochs, taking note of seminal figures and their contributions, before examining Rav Hirsch's approach. While chronologically first, we will consider the Talmud after first examining post

¹ Philo of Alexandria is the notable exception. This pre-talmudic philosopher however is by and large considered outside of Chazal, and while it is interesting to note what he had to say, his views, at least from my perspective, seem to have had little influence on Jewish thought throughout the ages.

² Other great works Post Rambam include the Ralbag's *Milchamot Hashem* and Rav Yosef Albo's *Sefer Halkkaram*.

³ One could make an argument that we are in a post-modern period, since the skepticism towards mysticism so typical of the enlightenment is no longer the prevailing attitude.

⁴ Categorizing the Karaites as Antinomian is slightly misleading, as they did not reject the commandments per se, but the rabbinic understanding of them. A more correct formulation is that they were antinomian relative to Rabbinic Judaism in as much as they mocked its laws.

⁵ Such generalizations are by their nature prone to error. It goes without saying that I intend to make a point which is useful and generally accurate, not to categorically make this claim about all thinkers throughout history.

Talmudic authors, since without this perspective it may be hard to deduce what exactly the Talmud's silence implies.

Rav Saadiah Gaon, building off of the Talmud's analysis of the red Heifer, divided the commandments into two categories⁶, termed Sichliot and Shamu'ot.⁷ The former were those knowable via human reason, the latter only through divine revelation. While he does not refrain entirely from attempting to give reasons to the revelatory commandments⁸, he acknowledges that some ideas are simply beyond human ken.

Rabbi Bachya Ibn Pakuda began to move beyond this towards a pure rationalism, where every commandment has a reason perceptible to humanity. He thus writes in Chovot Halevavot 3:3:

The Torah includes matters, the obligation of which reason cannot explain, namely, the received commandments and the general principles, of the roots of rational precepts. This is because the people to whom the Torah was given were at that period in such a condition that animal lusts dominated them and they were too weak in their knowledge and perceptive faculties to understand many of the rational precepts. The Torah, therefore, used one method only for both the rational precepts and the received commandments. The people were stimulated in the same way in regard to both classes of duties. An individual whose understanding and perception are strong, will exert himself and undertake the obligation of fulfilling them on both grounds that they are rational and received. And one whose intellect is too weak to perceive their rational ground will accept them because the Torah exhorts him, and will treat them as received precepts. Thus all classes will be benefited, as it is said, "Its ways are ways of pleasantness, and all its paths are peace" (Mishlei 3:17).

Rambam takes this to its extreme conclusion in Moreh Nevuchim 3:26:

Consequently there is a cause for every commandment: every positive or negative precept serves a useful object; in some cases the usefulness is evident, e.g., the prohibition of murder and theft; in others the usefulness is not so evident, e.g., the prohibition of enjoying the fruit of a tree in the first three years (Lev. 19:73), or of a vineyard in which other seeds have been growing (Deut. 22:9). Those commandments, whose object is generally evident, are called "judgments" (mishpatim); those whose object is not generally clear are called "ordinances" (hukkim). Thus they say [in reference to the words of Moses]: Ki lo dabar rek hu mi-kem (lit. "for it is not a vain thing for you, "Deut. 32:74); "It is not in vain, and if it is in vain, it is only so through you." That is to say, the giving of these commandments is not a vain thing and without any useful object; and if it appears so to you in any commandment, it is owing to the deficiency in your comprehension.

⁶ Most interestingly, Aaron b. Elijah, a Karaite, made the same distinction in his 14th Century work Etz HaChayyim.

⁷ In my personal experience, this distinction has so dominated Jewish thought that people today are often surprised to hear that thinkers like Rav Hirsch and the Ramam rejected this dichotomy entirely.

⁸ See Emunot v'De'ot 3:5 1-3.

Rambam's view contained many innovations worthy of mention. As outlined in the third chelek of the Guide, he views the commandments in their near eastern context. Prominent examples include Korbanot as a means of weaning the Jews from, and Basar B'chalav as restricting, a pagan practice. Other commandments, if not given a historical reason, are given a very utilitarian purpose. For example, incense is offered to counteract the foul odor of the Korbanot, and pig is prohibited because they produce a filthy environment

Rambam also developed general rules when approaching the meaning of a commandment. The rule of the majority stated that a precept must be beneficial as a whole for most people at most times, but may at some times be harmful for the individual. Also important was the arbitrary of details. According to this approach, some aspects of commandments are simply arbitrary. Often it is the case that some detail was required, but any number of such details would have sufficed equally. For example, the location on an animal's neck to be slaughtered could have been anywhere, but had to be in a single specific place.⁹¹⁰

However, several aspects of his system were very concerning to some of his contemporaries. The notion of some commandments having a historical purpose no longer applicable, and the mundane reasons he gave for some commandments, as well as the outright dismissal of details carrying meaning prompted a revolution of sorts, which Moshe Idel argues¹¹ served in part as a catalyst for the disemancipation of Kabbalah that began in his wake¹².

⁹ Kuzari rejects this with his famous Doctor Parable.

¹⁰ Rambam's prescient perspective, while only an attempt to solve the issue of reason, has served to solve many other theological problems. These include:

- 1) Evolutionary morality. While Chazal opened the door for this with Eshet Yifat Toar, Rambam really explores this idea, giving rise to a similar attitude of later scholars towards slavery, religious war, polygomy, and others.
- 2) Torah as reactionary. A central idea is that some mitzvos were legislated in response to earlier near eastern ideas. Sometimes the laws incorporate these ideas, other times it rejects them. Ramban notes that this seems to be the case with Yibum, as seen with the Yehuda and Tamar narrative, but once again Rambam fully fleshes out the idea. This important notion gives a valuable approach in how ancient near eastern texts, both legal and narrative, can help understand the Torah and in no way undermine it
- 3) Evolution as a central concept. One example is the hebrew language, which he views, in contrast to Sefer Yetzirah, as a man made language that God chose (see the prayer ata bichartanu). The holy status of the language was an evolutionary process. Indeed, this approach allows for modern philological ideas to be part of the torah. Further, the very notion of human history as a divinely guided evolution lays excellent theological grounds for the theory of evolution, giving it a natural place in Rambam's conception of the Torah's historical perspective. The general notion of history and the mesorah as divinely guided and evolutionary is very important.
- 4) Context as essential. He argues that having an original contextual meaning does not contradict the notion of the Torah as an eternally meaningful binding divine document.

¹¹ Moshe Idel, "Maimonides and Kabbalah," in Studies in Maimonides, ed. Isadore Twersky, 30-54

¹² Of course, these ideas have earlier sources. Rav Yehuda Halevi in Kuzari has a very balanced approach somewhat reminiscent of Rav Hirsch's. Another major thinker from this era we have left out is

The classic presentation of the Kabbalistic worldview as contrasted with Rambam is the commentary of the Ramban to Devarim 22:6. The verse in question deals with the Mitzvah of Shiluach Hakein, the one location where the Talmud discusses Taamim, an ideal location for the Ramban to develop his own worldview. There, he disputes the notion that any aspect of a commandment can be arbitrary. More significantly, however, is the fact that he gives two reasons, one rational, and the other theurgical¹³. Far from contradictory, he clearly views pshat and sod as complementary.¹⁴ This balance, so delicate and elusive, began to unravel in the works of later writers.

By the time the Zohar came around, the focus had shifted decisively in favor of theurgy. The Zoharic view rejects that Mitzvos can be fully understood. Each commandment fulfills a divine metaphysical purpose, having massive ripple effects in the heavenly realm, in a mechanical fashion. Very specific intents are often required for the performance to have the greatest effect. Each and every specific minute detail is infinitely significant and meaningful. Rabbi Luria eventually fit this into his broad system of Tikkun.¹⁵ As Gershon Scholem put it “By interpreting every religious act as a mystery¹⁶, even when its meaning was clear for all to see or was expressly mentioned in the Written or Oral Law, a strong link was forged between Kabbalah and Halacha, which appears to me to have been in large part responsible for the influence of Kabbalistic thought over the minds and hearts of successive generations.¹⁷”

It is important to note that these two approaches have opposite shortcomings. Rambam’s view tends to undermine performance while emphasizing morality, while the Kabbalah emphasizes performance, but underplays the moral aspect. It is precisely for this reason that early Kabbalists like Ramban emphasized a balance. Leaning too far in either direction is dangerous.

Having examined both sides of this debate, we now have some perspective on what the Talmudic position might be. While aside from the Shiluach Hakein sugya¹⁸ the Talmud is silent on this issue, a sure indication that the topic did not have the same central importance it later took on in more antinomian periods.. However, it would be wrong to conclude that because this tenant was not conclusively addressed that the Talmud does not have an opinion on the matter at all. Nothing could be further from the truth. Underlying assumptions regarding the nature of Mitzvah performance permeate the Talmud. The absence of explicit formulations of these

Ibn Ezra and Yosef Albo added to this school of thought later, but the Rambam is the major figure who dominated the rationalist landscape and against which every later development must be explored.

¹³ The exact reasons are somewhat beyond the scope of this paper. When giving Kabbalistic ideas, Ramban is always quite cryptic and hard to decipher.

¹⁴ In my research for this paper, I found a YU honor’s thesis on this topic! See Nahmanides’ Approach to Esther Rothman, Ta’amei Ha-Mitzvot: Peshat and Kabbalah. Available at: <http://repository.yu.edu/handle/20.500.12202/4504>

¹⁵ Encyclopedia Judaica, Reasons for Commandments. <https://www.jewishvirtuallibrary.org/reasons-for-commandments>

¹⁶ Earlier he uses the term ‘magic mechanism.’

¹⁷ G. Scholem, Major Trends in Jewish Mysticism, pg. 29-30.

¹⁸ Berachos 33B.

principles speaks to their ubiquity and obviousness in the Talmudic period, not to their lack of existence.

Two attitudes towards Mitzvot are assumed in the Talmud. On the one hand, the Talmud emphasizes general morality¹⁹ as an end goal in and of itself. However, any cursory reading of a halachic passage demonstrates an obsession with detail and ritual is, and indeed morality without rite is not highly valued at all. This dualism is the hallmark of Judaism. It is undoubtedly true that the unique perspective of Judaism is the dual, often paradoxical, requirement of ritual and meaning. However, this poses a problem. When examined closely, these two ideas seem to be in conflict. If morality is the end goal, ritual without it is meaningless, moreover morality without ritual is equally meaningful as morality with it. But if the rites and rituals are meaningful in their own right, then clearly the purpose of the commandments is not a moral end but a metaphysical one.

Of course, both the rationalist and Kabbalist schools were aware of this dualism in the Talmud. Accordingly, each devised a way of explaining both the absolute necessity of rite, and the imperative of moral meaning. For the Kabbalists, the emphasis is placed on practice. The ritual aspect, affecting upper worlds by performing specific rituals, is the essence. Moral intent and meaning is just another such ritual, whose lack makes the performance less effective.

For rationalists, all that matters fundamentally is that the mitzvot lead towards moral behaviour. Without specific rites and rituals to reinforce this behaviour constantly at a societal level, the continued practice of morality is jeopardized. Thus, rituals are required. For an exemplary moral individual, it may be the case that he could achieve the same goal without the ritual, but the rituals are required for the majority. Thus, based on the principle that there must be a single divine law, such an individual, even in his innermost chambers, must perform the ritual and is accountable if he does not. In similar vein, even if the ritual no longer seems effective in asserting a moral principle, one remains similarly bound by dint of its eternal legislation.

Both approaches are highly problematic. Aside from the fact that morality seems a central goal in Tanach, the theurgic-centric position makes all moral acts as fundamentally selfish, which is quite troubling. One is nice to his friend because doing so will bring him closer to God and affect supernal worlds in his favor, not because it is simply the right thing to do. The rationalist utilitarian model is no better, as it fails to compellingly explain why an upstanding individual must abide by ritual in his private, or why seemingly archaic Mitzvot remain relevant.

It seems that a more objective approach to understanding the Talmud's dual focus on rite and morality is that the mitzvot serve a dual purpose. The ritual accomplishes the metaphysical part, whereas the morality it fosters accomplishes its own goal. Thus both are essential.²⁰ This points towards a synthesis where commandments are performed for both a rational reason and a divine one.

¹⁹ This idea is everywhere. For example, see the Talmudic formulation of *Imitatio Dei* in Shabbat 133B.

²⁰ Essentially exactly as the Ramban presented it.

With the dawn of Reform Judaism, the value of many mitzvot was called into question, and Rav Hirsch stepped up as their skilled defender. Drawing from those who came before him, he attempted to restore faith in the commandments by setting the record straight. Hirsch was critical of the Rambam in his Nineteen letters, accusing him of developing Judaism from without when he should have done so from within. Yet his criticism was not reserved for the Rambam. He writes in letter eighteen:

A discipline arose, on which I as an uninitiate cannot venture to pass judgement, but which, if I comprehend rightly what I believe I understand of it, is an invaluable repository of the spirit of Tanach and Shas, which has unfortunately been misunderstood. What represented eternal progressive evolution has been conceived as static mechanism, and what is an internal phenomenon and conception has been taken as an external dream world. This discipline came into existence and the mind turned either to external development of the Talmud, worked out with great acumen, or to this other learning, which engaged the emotions as well. Had Kabbalah been properly grasped, practical Judaism might perhaps have been pervaded by its spirit. Since it was misunderstood, however, it became thereby a magic mechanism, an operation or rejection of theosophic worlds and anti-worlds.²¹

While his criticism of rationalism was one of method and Kabbalah one of application, this balanced approach set out in this earlier published work would become his hallmark in Horeb. Indeed, as Dayan Grunfeld ironically notes²² Hirsch was roundly criticized as both being too much of a mystic and not a mystic enough²³, a true indication of balance if there ever was one. Hirsch approached the Kabbalah from the perspective that “there is no contradiction whatsoever between the Halacha and Mysticism.²⁴” While he primarily concerned himself with the moral elements and not with the Sod, this was because he felt only the former was subject to reason. not that the latter didn’t exist.

While Grunfeld makes the compelling case that Hirsch reformulated Kabbalah as complementary towards moralism, this essay argues a step further that this served to bring the narrative of Taamei Hamitzvot full circle. For much of post Talmudic history, thinkers have chosen between two incompatible systems²⁵, and Hirsch succeeded in reuniting them. Today, this attitude is ubiquitous, but in truth that speaks more of Hirsch’s success than anything else; that his approach was novel is evident in all the sources explored above that advocated otherwise.²⁶ That Rav Hirsch arrived at a position closer to the Talmud is no surprise: it is a direct consequence of his attitude of approaching Judaism with no a priori assumptions²⁷ and developing the text internally. This remains his enduring legacy, and accounts for much of the success he philosophy has achieved.

²¹ Translation by Dayan Grunfeld.

²² Horeb, pg. CXXI

²³ See G. Scholem, Major Trends in Jewish Mysticism, pg.30.

²⁴ Horeb, pg. CXXII

²⁵ Rabbi Yehuda Halevi and Ramban being notable exceptions.

²⁶ Indeed, this idea was so novel that Scholem accused him of being a failed Kabbalist!

²⁷ Of course this attitude is aspirational.