

טעמי המצוות

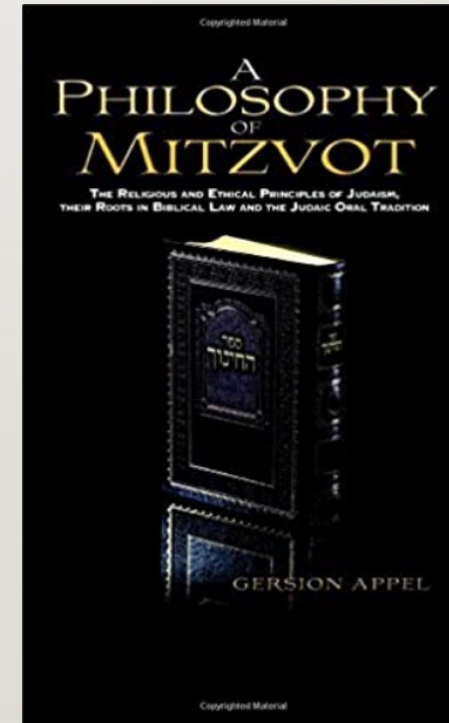
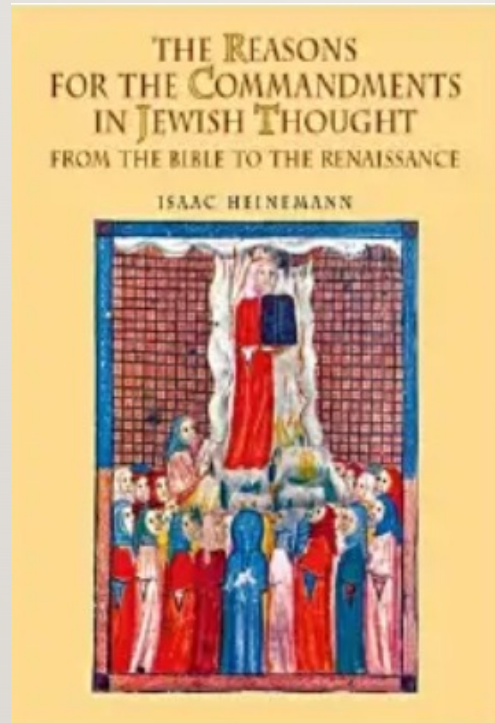
PHILOSOPHIES AND RATIONALES  

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OF MITZVOT

# ISAAC HEINEMANN

# GERSION APPEL



Leonard Levin on Isaac Heinemann: *The Reasons for the Commandments* (Boston, 2008)

Heinemann is at his best in giving as full an inventory as he can of the various reasons given by the medievals for the traditional mitzvot. He categorizes them in different ways in different parts of his book. At the outset, he finds four kinds of reasons: **scientific**, **apologetic**, **theoretical-religious**, and **practical-religious**. In hindsight, he discovers an additional threefold classification: **intellectual**, **practical**, and **emotional**.

Either way, there are different kinds of reasons because there are different kinds of human beings in a religious community. Some are driven by the **desire to understand**, some by **emotional involvement**, some by the joy of **practical participation**. It is the nature of religious observances to be complex and multi-faceted, to satisfy different people in different ways. Thus, all these categories of reason will have some validity in explaining the value of the religious observance for different kinds of people.



**Gersion Appel: *A Philosophy of Mitzvot* (NY: KTAV, 1975)**

What divine purpose do the mitzvot, the Biblical commandments, serve? What moral and spiritual goals do the mitzvot envision? The *Sefer ha-Hinnukh*, one of the principal works in Jewish ethical and halakhic literature, is a primary source for *ta'amei ha-mitzvot*, the reasons and purpose of the divine commandments in the Torah.

*A Philosophy of Mitzvot* by Rabbi Dr. Gersion Appel sets forth the Hinnukh's objectives and his approach to revealing the religious and ethical meaning of the mitzvot. In his wide-ranging study, the author presents a comprehensive view of Jewish philosophy as developed by the Hinnukh and the classical Jewish philosophers. The *Hinnukh* emerges in this study as a great educator and moral and religious guide, and his classic work as a treasure-trove of Jewish knowledge, religious inspiration, and brilliant insight in the molding of human character.

The Torah itself offers reasons for some commandments and emphasizes the "wisdom" of the law (Deut. 4:6–8).

It also differentiates between *mishpatim* ("ordinances") and *ḥukkim* ("statutes") without, however, offering any clear principle of division.

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## דברים פרשת נצבים פרק ל

(10) if you shall obey the voice of Hashem your God, to keep **his commandments and his statutes** which are written in this book of the law; if you turn to Hashem your God with all your heart, and with all your soul.  
(11) For this commandment which I command you this day, it is **not too hard** for you, **neither is it far off**. (12) It is **not in heaven**, that you should say, "Who shall go up for us to heaven, and bring it to us, and make us to hear it, that we may do it?" (13) **Neither is it beyond the sea**, that you should say, "Who shall go over the sea for us, and bring it to us, and make us to hear it, that we may do it?" (14) But the word is **very near to you**, in your mouth, and in your heart, that you may do it.

(י) כִּי תִשְׁמַע בְּקוֹל יְקֹוֹק אֱלֹהֶיךָ לְשָׁמֵר  
מִצְוֹתָיו וְחֻקֹּתָיו הַכְּתוּבָה בְּסֵפֶר הַתּוֹרָה  
הַזֶּה כִּי תָשׁוּב אֶל יְקֹוֹק אֱלֹהֶיךָ בְּכָל לְבָבְךָ  
וּבְכָל נַפְשְׁךָ: פ  
(יא) כִּי הַמִּצְוָה הַזֹּאת אֲשֶׁר אֲנֹכִי מְצַוֶּךָ  
הַיּוֹם לֹא נִפְלֵאת הוּא מְמֹד וְלֹא רְחֻקָה  
הוּא:  
(יב) לֹא בַשָּׁמַיִם הוּא לֵאמֹר מִי יַעֲלֶה לָּנוּ  
הַשָּׁמַיְמָה וְיִקְחֶהָ לָּנוּ וְיִשְׁמַעְנוּ אֹתָהּ  
וְנַעֲשֶׂנָּה:  
(יג) וְלֹא מֵעֵבֶר לַיָּם הוּא לֵאמֹר מִי יַעֲבֹר  
לָנוּ אֶל עֵבֶר הַיָּם וְיִקְחֶהָ לָּנוּ וְיִשְׁמַעְנוּ  
אֹתָהּ וְנַעֲשֶׂנָּה:  
(יד) כִּי קָרוֹב אֵלֶיךָ הַדְּבָר מְאֹד בְּפִיךָ  
וּבְלִבְבְּךָ לַעֲשׂוֹתוֹ:



(5) Behold, I have taught you **statutes and ordinances**, even as Hashem my God commanded me, that you should do so in the midst of the land where you go in to possess it. (6) Keep therefore and do them; **for this is your wisdom** and your understanding in the sight of the peoples, who shall hear all these statutes, and say, "Surely this great nation is a **wise and understanding** people."

(24) The people murmured against Moshe, saying, "What shall we drink?"  
(25) Then he cried to Hashem. Hashem showed him a tree, and he threw it into the waters, and the waters were made sweet. There he made **a statute and an ordinance** for them, and there he tested them.

דברים ד'

(ה) רֵאָה לְמַדְתִּי אֶתְכֶם **חֻקִּים וּמִשְׁפָּטִים**  
כַּאֲשֶׁר צִוֵּנִי יְיָ אֱלֹהֵי לַעֲשׂוֹת כֵּן בְּקֶרֶב  
הָאָרֶץ אֲשֶׁר אַתֶּם בָּאִים שָׁמָּה לְרִשְׁתָּהּ. (ו)  
וּשְׁמֵרְתֶם וַעֲשִׂיתֶם **כִּי הוּא חֻכְמַתְכֶם**  
וּבִינְתְּכֶם לְעֵינֵי הָעַמִּים אֲשֶׁר יִשְׁמְעוּן אֶת  
כָּל הַחֻקִּים הָאֵלֶּה וְאָמְרוּ רַק עִם **חֻכְם**  
**וְנִבּוֹן** הַגּוֹי הַגָּדוֹל הַזֶּה.

שמות ט"ו

(כד) וַיִּלְנוּ הָעָם עַל מֹשֶׁה לֵאמֹר  
מַה נִּשְׁתֶּה. (כה) וַיִּצְעַק אֶל יְיָ  
וַיֹּרְהוּ יְיָ עֵץ וַיִּשְׁלַךְ אֶל הַמַּיִם  
וַיִּמְתְּקוּ הַמַּיִם שָׁם שָׁם לוֹ **חֻק**  
**וּמִשְׁפָּט** וְשָׁם נִסָּהוּ.

רש"י שם שם לו חק ומשפט – במרה נתן להם מקצת פרשיות של תורה שיתעסקו בהן: שבת, פרה אדומה, וכיבוד אב ואם, ודינין.

At Marah He gave them a few sections of the Torah in order that they might engage [in the study] thereof; viz., the sabbath, the red heifer and the administration of justice.

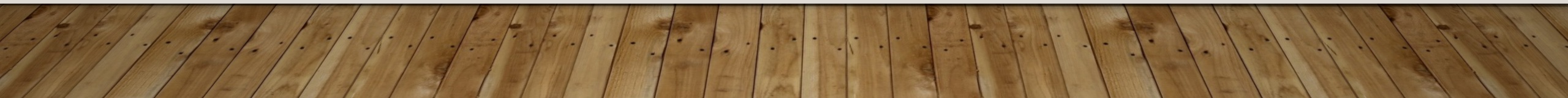
אבן עזרא

(יד) בפ"ך ובלבבך לעשותו- שכל המצות עיקרם הלב, ויש מהם זכר בפה לחזוק הלב. ויש מעשה כדי שיזכור בפה:

For the *leiv* is the core of the commandments. Some commandments require articulation, which serves to reinforce the *leiv*. Others consist of deeds so that a person will utter the required statements.



<p>(25) If you take your neighbor's garment as collateral, you shall restore it to him before the sun goes down, (26) <b>for</b> that is his only covering; it is his garment for his skin. What would he sleep in? It will happen, when he cries to me, that I will hear, for I am gracious</p>	<p>שמות כב (כה) אִם חָבַל תַּחְבֵּל שְׁלֵמַת רֵעֶךָ עַד בֹּא הַשָּׁמֶשׁ תְּשִׁיבֵנּוּ לוֹ. (כו) <b>כִּי</b> הוּא כְּסוּתוֹ לַבְּדָה הוּא שִׁמְלָתוֹ לְעֵרוֹ בַּמָּה יִשְׁכַּב וְהָיָה כִּי יִצְעַק אֵלַי וְשָׁמַעְתִּי כִּי חֲנוּן אֲנִי.</p>
<p>(9) "You shall not oppress a foreigner, <b>for</b> you know the heart of a foreigner, since you were foreigners in the land of Egypt.</p>	<p>שמות כ"ג (ט) וְגֵר לֹא תִלְחָץ וְאַתֶּם יִדְעֶתֶם אֶת נַפְשׁ הַגֵּר כִּי גֵרִים הֵייתֶם בְּאֶרֶץ מִצְרַיִם.</p>
<p>(16) Only he shall not multiply horses to himself, nor cause the people to return to Egypt, to the end that he may multiply horses; <b>because</b> Hashem has said to you, "You shall not go back that way again." (17) Neither shall he multiply wives to himself, <b>that</b> his heart not turn away: neither shall he greatly multiply to himself silver and gold.</p>	<p>דברים י"ז (טז) רַק לֹא יִרְבֶּה לוֹ סוּסִים וְלֹא יָשִׁיב אֶת הָעָם מִצְרַיִמָּה לְמַעַן הַרְבּוֹת סוּס וְיִ"י אָמַר לָכֶם לֹא תִסְפוּן לָשׁוּב בַּדֶּרֶךְ הַזֶּה עוֹד. (יז) וְלֹא יִרְבֶּה לוֹ נָשִׁים וְלֹא יִסוּר לְבָבוֹ וְכֶסֶף וְזָהָב לֹא יִרְבֶּה לוֹ מְאֹד.</p>
<p>(4) An Ammonite or a Moabite shall not enter into the assembly of Hashem; even to the tenth generation shall none belonging to them enter into the assembly of Hashem forever: (5) <b>because</b> they didn't meet you with bread and with water in the way, when you came forth out of Egypt, and <b>because</b> they hired against you Balaam the son of Beor from Pethor of Mesopotamia, to curse you.</p>	<p>דברים כ"ג (ד) לֹא יָבֹא עַמּוֹנִי וּמוֹאָבִי בְּקֹהֶל יִ"י גַם דּוֹר עֲשִׂירֵי לֹא יָבֹא לָהֶם בְּקֹהֶל יִ"י עַד עוֹלָם. (ה) <b>עַל</b> <b>דְּבַר</b> אֲשֶׁר לֹא קִדְמוּ אֶתְכֶם בַּלְחָם וּבַמִּים בַּדֶּרֶךְ בְּצִאתְכֶם מִמִּצְרַיִם וְאֲשֶׁר שָׂכַר עֲלֶיךָ אֶת בְּלָעַם בֶּן בְּעוֹר מִפְּתוֹר אֲרָם נֹהָרִים לְקַלְלָךְ.</p>



**the giving of the Torah.** In general, the Torah tends not to give reasons for the details of mitzvot and their minutiae (like the sacrifices). Among the mitzvot there are several whose reasons we can only suppose, but we can never know with certainty (e.g., the order of the ritual on Yom Kippur, the ritual for the purification of a person impure because of contact with a corpse, and the one afflicted with leprosy). Specifically, the obscurity and the secrecy that rest on them imbue them with a character of “exaltation and awe.”

Observance of the mitzvot that proceeded explicitly from the divine utterance, “is irrational from the point of view of the human actor.” Even if we do not understand their reasoning, we are obligated to uphold them; and if we do understand them, we must intend not only to uphold the mitzvot of our conscience, but also to do the express will of our Maker with a full heart and to arrange the entire process of our lives according to His mitzvot.



# TALMUD & MIDRASH

Classical rabbinic literature contains a more formal discussion of the problem. The *mishpatim* are said to represent laws that would have been valid even without having been "written" in the torah, such as the prohibitions against robbery, idolatry, incest, and murder, while the *ḥukkim*, such as the prohibition of swine's flesh and the wearing of garments made of both wool and flax are "decrees" of God. It is to the latter class that "the evil inclination" and the gentiles object.



## תלמוד בבלי מסכת יומא דף סז עמוד ב

Our Rabbis taught: "Mine **ordinances shall ye do**," i.e., such commandments which, if they were not written [in Scripture], **they should by right have been written** and these are they: [the laws concerning] idolatry [star-worship], immorality and bloodshed, robbery and blasphemy. "And My **statutes shall ye keep**," i.e., such commandments to which Satan objects, they are [those relating to] the putting on of sha'atnez, the halizah [performed] by a sister-in-law, the purification of the leper, and the he-goat-to-be-sent-away. And perhaps you might think these are vain things, therefore Scripture says: "I am the Lord," i.e., I, the Lord have made it a statute and you have no right to criticize it.

תנו רבנן: "את **משפטי תעשו**" - דברים שאלמלא נכתבו דין הוא שיכתבו, ואלו הן: עבודה זרה, וגלוי עריות, ושפיכות דמים, וגזל, וברכת השם.

"ואת **חקתי תשמרו**" - דברים שהשטן ואומות העולם משיבים עליהן, ואלו הן: אכילת חזיר, ולבישת שעטנז, וחליצת יבמה, וטהרת מצורע, ושעיר המשתלח. ושמא תאמר מעשה תוהו הם? - תלמוד לומר "אני ה'" - אני ה' חקקתיו, ואין לך רשות להרהר בהן.

ויקרא פרשת קדושים פרק יט

(לז) ושמרתם את כל חקתי ואת כל משפטי ועשיתם אתם אני יקוק:

<p>“You shall <b>observe</b> all My <b>statutes</b> and all My <b>ordinances</b> and <b>perform</b> them:” This applies observance and performance to both the statutes and the ordinances. “I am the Lod:” I am reliable to deliver your reward.</p>	<p>ספרא קדושים פרשה ג תחילת פרק ח (יא) “ושמרתם את כל <b>חוקותי</b> ואת כל <b>משפטי</b> <b>ועשיתם</b> אותם:” ליתן שמירה ועשייה לחוקים ושמירה ועשייה למשפטים. “אני ה’”, אני נאמן לשלם שכר.</p>
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## תלמוד בבלי מסכת מכות דף כג עמוד ב

R. Simlai when preaching said: Six hundred and thirteen precepts were communicated to Moses, three hundred and sixty-five negative precepts, corresponding to the number of solar days [in the year], and two hundred and forty-eight positive precepts, corresponding to the number of the members of man's body. Said R. Hamnuna: What is the [authentic] text for this? It is, Moses commanded us torah, an inheritance of the congregation of Jacob, 'torah' being in letter-value, equal to six hundred and eleven, 'I am' and 'Thou shalt have no [other Gods]' [not being reckoned, because] we heard from the mouth of the Might [Divine].

דרש רבי שמלאי: שש מאות ושלוש עשרה מצות נאמרו לו למשה, שלש מאות וששים וחמש לאוין--כמנין ימות החמה, ומאתים וארבעים ושמונה עשה--כנגד איבריו של אדם.  
אמר רב המנונא: מאי קרא? "תורה צוה לנו משה מורשה", תורה בגימטריא [כד עמוד א] שית מאה וחד סרי הוי, "אנכי" ו"לא יהיה לך" מפי הגבורה שמענום.



David came and reduced them to eleven [principles], as it is written, "A Psalm of David. Lord, who shall sojourn in Thy tabernacle? Who shall dwell in Thy holy mountain? — [i] He that walketh uprightly, and [ii] worketh righteousness, and [iii] speaketh truth in his heart; that [iv] hath no slander upon his tongue, [v] nor doeth evil to his fellow, [vi] nor taketh up a reproach against his neighbour, [vii] in whose eyes a vile person is despised, but [viii] he honoureth them that fear the Lord, [ix] He sweareth to his own hurt and changeth not, [x] He putteth not out his money on interest, [xi] nor taketh a bribe against the innocent. He that doeth these things shall never be moved."

בא דוד והעמידן על אחת עשרה,  
דכתיב: "מזמור לדוד [ה'] מי יגור  
באהלך מי ישכון בהר קדשך, הולך  
תמים ופועל צדק ודובר אמת בלבבו,  
לא רגל על לשונו לא עשה לרעהו רעה  
וחרפה לא נשא על קרובו, נבזה בעיניו  
נמאס ואת יראי ה' יכבד נשבע להרע  
ולא ימיר, כספו לא נתן בנשך ושוחד  
על נקי לא לקח עושה אלה לא ימוט  
לעולם."

Isaiah came and reduced them to six [principles], as it is written, "[i] He that walketh righteously, and [ii] speaketh uprightly, [iii] He that despiseth the gain of oppressions, [iv] that shaketh his hand from holding of bribes, [v] that stoppeth his ear from hearing of blood, [vi] and shutteth his eyes from looking upon evil; he shall dwell on high."

Micah came and reduced them to three [principles], as it is written, "It hath been told thee, O man, what is good, and what the Lord doth require of thee: [i] only to do justly, and [ii] to love mercy and [iii] to walk humbly before thy God."

בא ישעיהו והעמידן על שש, דכתיב:  
"הולך צדקות ודובר מישרים מואס  
בבצע מעשקות נוער כפיו מתמוך  
בשוחד אוטם אזנו משמוע דמים  
ועוצם עיניו מראות ברע."

בא מיכה והעמידן על שלש, דכתיב:  
"הגיד לך אדם מה טוב ומה ה' דורש  
ממך כי אם עשות משפט ואהבת חסד  
והצנע לכת עם (ה') אלהיך."



Again came Isaiah and reduced them to two [principles], as it is said, "Thus saith the Lord, [i] Keep ye justice and [ii] do righteousness [etc.]." Amos came and reduced them to one [principle], as it is said, "For thus saith the Lord unto the house of Israel, Seek ye Me and live."

To this R. Nahman b. Isaac demurred, saying: [Might it not be taken as,] Seek Me by observing the whole Torah and live? — But it is Habakuk who came and based them all on one [principle], as it is said, "But the righteous shall live by his faith."

חזר ישעיהו והעמידן על שתיים,  
שנאמר: "כה אמר ה' שמרו משפט  
ועשו צדקה."

בא עמוס והעמידן על אחת שנאמר:  
"כה אמר ה' לבית ישראל דרשוני  
וחיו." מתקיף לה רב נחמן בר יצחק,  
אימא: דרשוני בכל התורה כולה! אלא,  
בא חבקוק והעמידן על אחת, שנאמר:  
"וצדיק באמונתו יחיה."



שבת ל"א א

שוב מעשה בנכרי אחד שבא לפני שמאי, אמר לו: גיירני על מנת שתלמדני כל התורה כולה כשאני עומד על רגל אחת. דחפו באמת הבנין שבידו. בא לפני הלל, גייריה. אמר לו: דעלך סני לחברך לא תעביד - זו היא כל התורה כולה, ואידך - פירושה הוא, זיל גמור .

Shabbat 31a

On another occasion it happened that a certain non-Jew came before Shammai and said to him, "I will convert to Judaism, on condition that you teach me the whole Torah while I stand on one foot." Shammai chased him away with the builder's tool that was in his hand. He came before Hillel and said to him, "Convert me." Hillel said to him, "What is hateful to you, do not to your neighbor: that is the whole Torah; the rest is commentary; go and learn it."

From the second century onward, Christian attacks on "the law" provoked many Jewish replies stressing the importance of the *mitzvot*.

The commandments were given for the sole purpose of purifying man; they strengthen man's holiness; they enable Israel to acquire merit.

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## בראשית רבה פרשת לך לך פרשה מד

After these things the word of Hashem came to " etc. ([Psalms 18:31](#)) "As for "Abram in a vision, saying, God — His ways are perfect; the Word of Hashem is tried; a shield is He for all who take refuge in Him." If His way is perfect, how much more is He Himself! Rav said: Were not the mitzvot given so that man might be refined by them? Do you really think that The Blessed Holy One of cares if an animal is slaughtered by front or by the back of the neck? Therefore, mitzvot were given only **to purify people.**

Rabbi Ḥananya ben Akashya says:  
The Holy One, Blessed be He, sought **to confer merit upon the Jewish people**; therefore, He increased for them Torah and mitzvot, as it is stated: "It pleased the Lord for the sake of His righteousness to make the Torah great and glorious" (Isaiah 42:21).

טו (א) [אחר הדברים האלה היה דבר י"י אל אברם במחזה] וגו' "האל תמים דרכו, אַמַּרְתָּ י"י צְרוּפָה" (שמואל ב' כב לא) אם דרכו תמים הוא על אחת כמה וכמה.

רב אמר לא נתנו המצוות אלא לצרוף את הבריות בהם. וכי מה איכפת לו להקב"ה מי ששוחט מן הצואר ומי ששוחט מן העורף? **הוי לצרוף את הבריות.**

משנה מסכת מכות פרק ג  
רבי חנניה בן עקשיא אומר:  
רצה הקדוש ברוך הוא **לְזַכּוֹת אֶת יִשְׂרָאֵל**, לפיכך הרבה להם תורה ומצות.  
שנאמר (ישעיה מ"ב) "ה' חפץ למען צדקו יגדיל תורה ויאדיר".



Kaufmann Ms. (10<sup>th</sup>-11<sup>th</sup> century)

יֵט רַחֲמֵיךָ בְּנֵי עֲקֵשׁתֶּךָ אוֹמְרֵי  
הַמִּקְדָּשׁ בְּרוּךְ הוּא לְדַבְּרוֹתֶיךָ לְפִיכָךְ  
הִדְבַּר לָהֶן תְּוֹדָה וּמִצִּוֹתֶיךָ שֶׁנִּי חֹפֵץ לַמַּעַן  
עֲדֶיךָ יִגְדֵל תְּוֹדָה מֵאֲדָמָה

The *ta'amei ha-torah* ("reasons of the commandments") are not revealed and should not be revealed.

The "yoke of the commandments" is to be cherished without probing its reasons.

No detailed rationalization of the commandments is to be found in the rabbinic sources.

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## תלמוד בבלי מסכת סנהדרין דף כא עמוד ב

R. Isaac also said: **Why were the reasons of [some] Biblical laws not revealed?** — Because in two verses reasons were revealed, and they caused the greatest in the world [Solomon] to stumble.

Thus it is written: “He shall not multiply wives to himself,” whereon Solomon said, ‘I will multiply wives yet not let my heart be perverted.’ Yet we read, “When Solomon was old, his wives turned away his heart.”

Again, it is written: “He shall not multiply to himself horses;” concerning which Solomon said, ‘I will multiply them, but will not cause [Israel] to return [to Egypt].’ Yet we read: “And a chariot came up and went out of Egypt for six [hundred shekels of silver].”

ואמר רבי יצחק: **מפני מה לא נתגלו טעמי תורה** - שהרי שתי מקראות נתגלו טעמן נכשל בהן גדול העולם.

כתיב “לא ירבה לו נשים”; אמר שלמה: אני ארבה ולא אסור. וכתיב “ויהי לעת זקנת שלמה נשיו הטו את לבבו.”

וכתיב “לא ירבה לו סוסים”, ואמר שלמה: אני ארבה ולא אשיב. וכתיב “ותצא מרכבה ממצרים בשש” וגו’.



תלמוד בבלי מסכת ראש השנה דף טז עמוד א

R. Isaac said: Why do we sound the horn on New Year? — [You ask], why do we sound? **The All-Merciful has told us to sound!—**

What he means is, why do we sound a *teru'ah*? [You ask] why do we sound a *teru'ah*? **The All-Merciful has proclaimed** 'a memorial of *teru'ah*!

[אמר] רבי יצחק, למה תוקעין בראש השנה? - למה תוקעין? **רחמנא אמר תקעו!**—

אלא: למה מריעין? - מריעין? - **רחמנא אמר** זכרון תרועה!

## **Seneca: Letters**

I condemn Plato because, not content with specifying the law, he added general principles. The law should be like a voice addressing us from heaven.

It should command, not discuss.

Tell me what I must do.

It is not for me to learn, but to obey.

## טור יורה דעה הלכות גילוח סימן קפא

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With regard also to shaving the head or beard, Maimonides wrote that their prohibition is due to their practice by idolaters—although this is not explicit [in the Torah].

We have no need to seek reasons for mitzvot because they are royal decrees that are incumbent upon us even if we do not understand them.

- הקפת הראש והשחתת הזקן גם באלו כתב הרמב"ם שאסרם הכתוב מפני שעושין כן עובדי כוכבים ע"כ וזה אינו מפורש.

- ואין אנו צריכים לבקש טעם למצות כי מצות מלך הם עלינו אף לא נדע טעמן.