

NORMAN LAMM

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MAIMONIDES ON THE "TAAMEI HA-MITZVOT"

The beginning of Maimonides' exposition of the Taamei Ha-Mitzvot should be sought in III:25, not 26 as is usually done. For the idea that the Torah's commandments issue from divine Wisdom rather than solely or primarily Will is derived from the equivalence of the natural and moral order, and it is in Ch. 25 that Maimonides demonstrates that the universe is the product of ~~the~~ divine wisdom.

Maimonides classifies all action, in relation to intention and performance, into four categories. (Friedlander's translation will be used throughout). They are: Purposeless, Unimportant, In Vain, Good. Where the intention that motivates the action is significant or worthy, in terms of the value of the end result sought, then the action is called "good" if the performance is successful, i.e. the intention is realized. Where the performance is ^a failure, the intention not being realized, the action is said to be "in vain." The other two categories refer to actions where the intention is faulty: "purposeless" actions where there is no intention at all, such as in unconscious motions, and "unimportant" where the intention is to achieve a trivial result.

On the basis of this analysis, Maimonides concludes that the universe was created by virtue of G-d's wisdom, and not merely as a result of a whimsical exercise of His will. For to attribute ~~any of the~~ either of the last two categories to G-d is to deny His omniscience (G-d does not know what He is doing -- the purposeless action, or He does not know the value of a deed -- the unimportant action). Divine omnipotence precludes the classification of any of His actions as "in vain." Hence, all divine activity is "good" -- as Genesis speaks of His activity, "it was very good" -- or, a product of His wisdom; for wisdom means intending a worthy purpose and proceeding to achieve it. Those who attribute creation to His will are, in Maimonides' opinion, reducing Divine activity to the class of "purposeless" activity, which would put G-d on a lower level

than man. Those who see creation as an expression solely of G-d's will are led to this conclusion by a contemplation of the purpose of the whole universe. Since there is no external purpose for which the world was created, it must be accepted as having come into being simply because G-d willed it so. The parts of the universe are similarly directly traceable to the divine will. Maimonides further attributes their position to two factors: a philosophical egocentricity, assuming that all creation was made for man, and ignorance of the nature of the sublunary world. They are afraid to concede that creation issues from Wisdom, because they are afraid that they thus will be forced to acknowledge the Eternity of the Universe. (Why they are afraid that they will be forced into this position is not too clear from the Guide. I believe that the reasoning is as follows. If the existence of the world is "good", and the result of G-d's wisdom, then ~~it is~~ why did it not exist before creation? The same reasoning, or exercise of divine wisdom, should have called the world into being before the time it actually was created. Since this question applies to the problem regardless of the specific time creation did take place, the only answer is that the world must always have existed, for by the same token of divine wisdom declaring its existence necessary and good, its nonexistence is evil and impossible. Hence, the Eternity of the Universe. Maimonides gets around this by maintaining that divine wisdom is incommensurate with human wisdom, it cannot be fathomed by our intellect, and hence it is reasonable to assume that G-d in His wisdom also saw fit to call the world into being at a certain specified time, and to cause its nonexistence prior to its existence).

Maimonides thus asserts that the world was created by divine wisdom, not will. From his analysis it seems that the difference between will and wisdom lies in the idea of "purpose," and that, furthermore, the "purpose" must always assume a goal or telos external to the immediate action under study, and can never be reflexive or self-contained. A creation of an object "for its own sake" is, thus, not a purpose but a whim. Where there is only one immediate goal -- the calling into existence of the thing itself --

that is an exercise of "will." And where there is a hierarchy of goals -- creating one object for the sake of another object -- that is an exercise of "wisdom." The opponents whom Maimonides attacks in this chapter probably base their defence, or position, on these grounds: if you trace the ultimate goal of the "wise" creation, forgetting the intermediary steps which, are, after all, of no intrinsic importance, we have again reached a point where we cannot seek a purpose outside and beyond this goal in itself. We are thus back to the very same position of creation through will. This reduction of creation-through-wisdom to creation-through-will is what the opponents of Maimonides meant by referring the question back to the problem of the purpose of the creation of the universe. Maimonides does not really answer this criticism, for his appeal to Scripture and religious authority is not conclusive -- he himself grants that some passages can be interpreted to support the opposing theory -- and his attack on purposelessness as absurd begs the question. For what then was the purpose of the universe as a whole? And how can this universe be said to have a purpose beyond itself, since the only existence beyond the totality of the universe is G-d, and the universe can certainly not be said to fill a divine "need" or correct any imperfection in Him?

II.

Having established that the natural order is a result of wisdom, Maimonides in Ch. 26 declares the Mitzvot to be the result of divine wisdom, on the basis of the equivalence of the natural and the moral orders. As with nature, so all the commandments belong in the category of "good", and not in any of the other three, imperfect classes. The major idea of this chapter is that the general principles of the commandments are amenable to human understanding -- that is, we can search for the ulterior purpose for which they were legislated, whereas the details or parts of the mitzvah are not amenable to rational explication. Here Maimonides is confronted with a number of problems, some deriving from Talmudic passages, and others matters of internal consistency.

The first of these is the passage in Bereshit Rabbah to the effect that there is no real difference to G-d as to how the Shechitah is performed; the only reason G-d gave this and all other mitzvot was "to purify men." Maimonides takes this to be a challenge to his whole position, since this seems to indicate that there is no immediate purpose beyond the performance of the commandments itself. He therefore is forced to categorize "shechitah min ha-tzavar" as a detail of the larger principle that an animal ought to be killed for the purpose of the human consumption of its meat. He then says that actually "shechitah min ha-tzavar" is a principle that can be explained rationally -- it is a matter of kindness to the animal -- in opposition to the midrashic text quoted. (The difficulty with this whole passage in Maimonides is not his solution, forced as it seems, but his question. "Li-tzerof bahen et ha-beriot" certainly is a higher purpose than the performance in and of itself, not qualitatively different from the "tikun ha-guf" or even "tikun ha-nefesh" that Maimonides himself, in the very next chapter, declares to be the purpose of Torah in general). Maimonides then offers a better example: the sacrifices. Here the general principles are rationally understandable (using the whole approach of Maimonides to sacrifices as a compromise with the cultic experience and milieu of Israel) whereas the details, as: the number of animals to be slaughtered or the type of animal, is an inexplicable detail.

At this point, however, it becomes difficult to follow Maimonides. For he states unequivocally that the details of the mitzvot neither have reasons nor can they be discovered, and that he who occupies himself with a search for such supposed reasons suffers from a "shiga'on arokh". And yet a few lines later, at the end of this chapter, he states that he has discovered the reasons for most of the mitzvot, and also "hitba'er li ketzat chelkei ha-mitzvot." Even if we say that Maimonides' opposition to the rationalization of "chelkei ha-mitzvot" refers only to sacrifices, the problem remains. First, in the later chapters in which he discusses Sacrifices in detail, he certainly does venture explanations of details. Second, and more crucial, the very idea of

"taamei ha-mitzvot" in Maimonides, is the result of a logical development: every mitzvah has a reason because the Torah is a product of divine wisdom, and that fact is so because of the equivalence of the moral to the natural order, in which all is purposeful since it was created by G-d in His wisdom, as was proven by the analysis of all activity into four categories. Now in Ch. 25 he stated clearly that all of nature, in its various parts, were informed with a purpose, "v'ei me-hem davar le'hevel ve-lo li'sechok ve-lo la'rik." If this equivalence holds true, as for Maimonides it must, then similarly all parts of the mitzvot in their most intricate details, must be purposeful and thus open to rational investigation. Maimonides must have been aware of this problem, for that is why he explains that if we question why seven animals, so if there had been eight we would have asked why eight, why not seven. But this evades the point, for granted that there is no substantive difference between the number or age or sex of the animal chosen for sacrifice. But then the choice is a purely arbitrary one, and therefore clearly an expression of G-d's will rather than His wisdom; or, in Maimonides' own terms, an "unimportant" or "purposeless" act. For Maimonides does not seem willing to grant such arbitrariness at all in the natural world; why then in Torah?

III.

In Ch. 27, 28, 31 and 33, Maimonides states the general purposes of the mitzvot of the Torah. In general there is a two-fold object: "Tikun ha-nefesh" and "tikun ha-guf". These break down (ch. 31) into 3 things: opinions, morals, and social conduct. These ~~These~~ ^{These} are further analyzed (ch. 33) into such virtues as reducing "taavah", cleanliness, purity, politeness, etc. Ch. 32 speaks of the ~~nature~~ gradualness of the Law, reflecting the gradualness of Nature. Ch. 29 and 30 tell of the pagan customs in vogue in Biblical days, as Maimonides learned of them through the Arabic books of the Sabians, and how the Torah, through the mitzvot, strived to wean Israel away from these practices. In ch. 34 Maimonides shows that the Law was created for normal and not exceptional

circumstances. In ch.35 he divides the mitzvot, for purposes of rational explanation, into 14 categories (the same number as that he used in the Yad), and in chapters 36-49 he gives the "taamei ha-mitzvot" in detail.

IV.

Maimonides makes mention of Taamei Ha-Mitzvot in his other works as well. In addition to some minor references to it in the Sefer Ha-Mitzvot, he discusses Taamei Ha-Mitzvot, in greater or lesser detail, in five places in the Yad. What is of interest is not so much the content of his remarks, in which he is much less one-sided than in the Guide and less prone to overstate his case, but the places he chooses to comment on this theme. These five are all at the end of a different Books of the Yad, as follows:

- 1) Arachin ve-Charamin 8:12 -- the end of Haflaah
- 2) Shemittah ve-Yovel 13:12 -- the end of Zeraim
- 3) Meilah 8:8 -- the end of Avodah
- 4) Temurah 4:12 -- the end of Korbanot
- 5) Mikvaot 11:12 -- the end of Taharot

It will immediately be seen that all five of the above deal with Mitzvot that are essentially "Gmulin", or rationally obscure. The others -- with one exception -- are more or less self-evident. The exception is Kedushah, which deals primarily with the dietary laws. This can be explained, however, on the basis of the Guide, ch.35, in which Maimonides includes laws of vows and the Nazirites together with dietary laws as his thirteenth class of mitzvot; i.e., for philosophical or rationalization purposes he viewed Haflaah and Kedushah as one book.

V.

There is one more place (for purposes of this paper) in which Maimonides discusses material that is indirectly relevant to the Taamei Ha-Mitzvot theory of the Guide.

In one of his medical tracts in which he guides the Egyptian Sultan, Maimonides prescribes the eating of non-kosher meat. ("The Preservation of Youth", trans. H.L. Gordon, [N.Y.:Philosophic Library, 1958, p.91]). He maintains that experience has proven rabbit meat to be beneficial. Especially its brain, he says, is good for the prevention of "head noises" and neurological illnesses. So is the meat of a wild ass good for the vision. This tract was written in 1198, shortly after the Guide. This would not in itself be surprising except for the fact that in explaining the dietary laws, in Guide, Ch. 48, Maimonides states as one of the chief reasons for the prohibitions the unwholesomeness of non-kosher meat. Surely this cannot be dismissed as a mere "detail". The hygienic explanation of kashrut in the Guide is contradicted by the writings of Maimonides the physician.

VI.

Issac Heineman, in his "Taamei Ha-Mitzvot be-safrut Yisra'el", maintains that Maimonides subscribes to the opinion that the mitzvot are rational from the point of view of G-d, and irrational from the point of view of man. While this is a convenient dichotomy, I do not see how we can force Maimonides into this mold. If they are really irrational from the point of view of man, then man cannot find a rational explanation for them; why then the whole effort of Part III of the Guide to investigate their reasons?

It is more probable that Maimonides was overstating his case, as for instance his apparently contradictory remarks in 25 and 26 regarding the "chelkei ha-mitzvot". This was not the result of the author's uncontrolled emotion or enthusiasm, but a deliberate part of his technique, for which he prepared us in the Introduction, specifically the fifth cause of contradictions. Taking this into account, it seems most likely that Maimonides' ideas on Taamei Ha-Mitzvot can be stated as follows:

All mitzvot, without exception, have reasons, which are clearly known by G-d Who legislated them in His wisdom. Some laws, however, he chose to conceal from man in their

entirety, such as the law of Parah Adumah, in order that man not make his performance contingent upon his rational understanding of the mitzvot. With the "chelkei ha-mitzvah" the matter is different in degree, but not in kind. Most of the "chelkei ha-mitzvah", while completely rational in that G-d had good reason for legislating them, are beyond human comprehension; some are amenable to rational analysis. The major function of the explication of Taamei ha-Mitzvot, however, is not to discover the reasons for the sake of the discovery itself, or ^{to promote} ~~for~~ more devout observance, but the more to appreciate the Wisdom of G-d. Since, then, the "chelkei ha-mitzvah" are usually beyond our ability to understand, then our investigation of them (except where the reasons are readily available and fall into the general pattern of the major principles of the particular mitzvah being investigated) is a sheer waste of time, for they will not lead us to the greater awareness of G-d's wisdom. So too must we not accept our explanations as final. Since G-d chose to conceal some of the major reasons and most of the reasons for the details of the commandments, He obviously wished ~~to~~ us to obey merely because He commanded. That is, our performance is based upon a direct and immediate response to the divine command, whilst philosophically we must pursue the Taamei Ha-mitzvot in order to appreciate the underlying divine wisdom. This being so, all our Taamei Ha-Mitzvot are necessarily tentative and incomplete. They never can be complete also because of the fact that human ~~wisdom~~ wisdom is incommensurate with divine wisdom. Hence it is possible to assume that one of the reasons for ^a ~~k~~shrut is hygiene, even while knowing, for practical medical purposes, that some non-kosher meats are desirable and healthful.

This last paragraph of attempted explanation and reconciliation of Maimonides is, of course, only conjecture. An important and outstanding difficulty is Maimonides' assertion in III:48 that the reason for "shiluach ha-kan" is mercifulness, and that he rejects the talmudic opinion of "ha-omer al kan tzippor yagi'u rachamekha meshatkin oto" because it is based on the theory that the mitzvot are a function of divine will. Yet in the Yad Maimonides codifies this very opinion as the halakhah.