YESHIVAT HAR ETZION

ISRAEL KOSCHITZKY VIRTUAL BEIT MIDRASH (VBM)

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Introduction to the Thought of the Ramban

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*Taamei Hamitzvot* - Reasons for the Commandments

Devising systems to provide the rationale for the *mitzvot* and giving reasons for individual *mitzvot* is a recurring theme in medieval Jewish philosophy, a theme that has continued to fascinate Jewish thinkers up to the present time. This is a quintessential Jewish occupation, because no other major religion has the body of detailed commandments that Judaism possesses, and no other religion places such an emphasis on the law and the commandments. The Torah is primarily the book of the commandments, and Judaism is primarily the way of the Torah. The Ramban, in his Commentary to the Torah, attempts to explain each and every *mitzva* in the Torah. Unlike the Rambam, who, in chapter 35 of the third book of the *Moreh* Nevuchim, offers a systematic analysis of *taamei hamitzvot*, the Ramban's approach is piecemeal, one *mitzva* at a time. We will, in the coming weeks, examine several of the individual rationales which exhibit points of special interest within the philosophy of the Ramban. Today, I wish to examine the comments of the Ramban concerning the general topic of *taamei hamitzvot.*

The main discussion of the Ramban to this topic is found in his commentary to Devarim 22,6 on the verse mandating the freeing of the mother-bird before taking her eggs or chicks.

*The complete text, in English, of the Ramban's commentary to Devarim 22,6, can be found* [*here*](https://www.sefaria.org.il/Ramban_on_Deuteronomy.22.1.1?lang=en)*.*

*It would be worthwhile to read it in its entirety before and together with the shiur.*

The location is not accidental, and immediately creates the ideological framework for the entire discussion, as the Rambam's discussion of *taamei hamitzvot* is also based on the Talmudic statement concerning the nature of this *mitzva*. The Ramban's discussion is clearly based on the Rambam's.

**IF A BIRD'S NEST CHANCE TO BE BEFORE THEE**. This also is an explanatory commandment, of the prohibition *Ye* *shall not kill it* [the dam] *and its young both in* one *day,* because the reason for both [commandments] is that we should not have a cruel heart and be discompassionate, or it may be that Scripture does *not* permit us to destroy a species altogether, although it permits slaughter [for food] within that group. Now, he who kills the dam and the young in one day or takes them when they are free to fly [it is regarded] as though he cut off that species

Right at the beginning the Ramban gives two different explanations for the prohibition on taking the mother together with the chicks. We are not going to analyze these explanations today, but it is worth paying attention to several points. First, the Ramban indeed offers two explanations, and not because there is anything wrong with either one of them. This is quite typical of the Ramban. The Ramban sees nothing unusual in explaining a verse in more than one way, and similarly he sees nothing strange in answering the question, "what is God's purpose in giving this *mitzva*?", with more than one answer. If we take a look at the two explanations, we see that they belong to very different categories of reasons for commandments. The first, "that we should not have a cruel heart that does not have pity," is a moral one, seeing the *mitzva* as educating man to have the proper moral sensibilities. The second, "that the Torah does not permit man to destroy a species totally, even if it is permitted to slaughter (members) of that species," is based on a doctrine of the Ramban that there is a mandate to maintain the species created in *Sefer Bereishit* without change. The explanation of this mandate is metaphysical, as we shall see when we discuss the prohibition of mixing species, and in fact is directly tied to a kabbalistic doctrine of the Ramban.

But whatever the exact meaning of these two reasons given by the Ramban, the point I wish to stress is that the Ramban in fact gives **two** different reasons, without attempting to first explain why the first reason isn't correct. This is typical of the Ramban. For many *mitzvot*, I think even for most *mitzvot*, the Ramban will give two or more reasons. As a matter of principle, he will, whenever possible, give one reason which he calls *pshat* - the simple explanation, and another reason which he calls *al derekh ha-emet* - the way of truth, which means the kabbalistic explanation, without denigrating the first explanation. In our case he has two explanations which are both *pshat*, both simple explanations, and sometimes he will give even more than two. This is quite typical of the Ramban, and is very untypical of the Rambam. In *Moreh Nevukhim*, the Rambam gives one reason for every *mitzva*. The Ramban will, on a regular basis, give more than one reason. I think the reason is because the Ramban's reasons for the *mitzvot* are part of his exegesis; they are part of his commentary on the Torah. Commentary by definition is multiple. It is not unusual for a commentator to explain a text in more than one possible way, resulting in multiple explanations and multiple reasons. The Ramban will give more than one reason to explain a story in *Bereishit*, and more than one reason to explain a *mitzva*. This reflects an important point which will come up a number of times in the coming weeks. According to the Ramban, there are multiple levels of meaning for **existence** and not only for text. In other words, the *mitzvot* themselves have more than one reason because the text can have more than one explanation, and the world has more than one explanation because the world has multiple levels of metaphysical existence. If we remember that the Ramban is a kabbalist, then it is important to realize that any theory of *Kabbala*, in the way that the Ramban understands *Kabbala*, speaks of the world as having an outer, visual kind of explanation and existence and an inner, spiritual, deeper meaning. So the world always exists at least on two levels. For the Ramban, that is the way of thinking about the existence in general. Things exist on many, many different levels and therefore, there is no problem whatsoever in offering two totally different reasons for a *mitzva*, not contrasting them, not putting one in opposition to the other, but simply presenting both - this is true and this is true. We will come back to this point many times in our discussion of different reasons for *mitzvot* which the Ramban will give in our discussions in the coming weeks. Now let's go back to the discussion for today, which is the Ramban's general theory of *ta'amei ha-mitzvot*.

The Ramban now quotes the Rambam's analysis of the basic question of reasons for *mitzvot*. The Ramban's discussion follows the Rambam almost exactly, at least in the beginning. He quotes two different statements of Chazal which **seem** to imply that there are no reasons for mitzvot, or at least that we should not give reasons for the commandments. The first one is a statement in the *Gemara* in *Berakhot*, that one should not say "Your (God's) mercy extends to the nest of the bird." The *mitzvah*, which is the subject of the Ramban's commentary which we are reading, is that when one comes across a nest, one should send away the mother before taking the eggs or the young. Chazal said that one is not allowed to say to God - "You had mercy on this bird." Apparently the continuation would be, "so You should have mercy upon us." The Rambam thought that this seemed to imply that the commandment of the bird's nest is not based on mercy, but is simply a Divine decree without any meaning whatsoever. And the Rambam in fact is willing to admit that that is the explanation of this statement of Chazal, but he claims that they themselves disagreed about this matter and we (meaning the Rambam) hold the opposite opinion, that there are reasons for *mitzvot*. A second statement appears in the *Midrash*, where the *Midrash* asks, "What difference does it make to God whether one slaughters from the front of the neck or the back of the neck? Rather the *mitzvot* were given in order to refine the creatures, refine men (*letzaref bahem et habriyot*)." And again the Rambam understood this, at least at first glance, to mean that there is no logical distinction and no logical reason why one should slaughter from the neck. *Mitzvot* were given to refine man by giving him tasks; they impose a yoke upon man, and there is no logic or reason for the individual *mitzvot*. The Ramban now goes on to state his opinion, which in fact is not different from the Rambam's. The Ramban says that it is an incontestable principle that is that all *mitzvot* were given for a reason, which is for the benefit and improvement of man. In fact, even those *mitzvot* which are classified as *chukim*, which implies that they don't have a reason, in fact have reasons, though we are do not know them. The Ramban claims that great individuals, for instance Moshe Rabbeinu, did know the reason, that Moshe Rabbeinu knew the reason of the red heifer, of *para aduma*, but no one else has known it. I think that the Ramban here is interested in emphasizing that the reasons for these difficult commandments are not merely theoretical, and are not only known to God. It is important for the Ramban that at least one human being should have known the reason. The logic is not some esoteric divine logic that no human being could understand. It's not enough to say that theoretically there is a reason; Ramban says there is a reason and human intellect can grasp that reason, although it might be such a difficult reason that only one person in history ever achieved it. But in principle, Moshe Rabbeinu does not have a different kind of logic than the rest of us.

What then is the meaning of the statements that the Rambam quoted from Chazal? The Ramban says the meaning is clear - not that there are no reasons at all, but that there is no benefit to God. God doesn't care whether you slaughter from the back of the neck or the front of the neck, meaning it makes no difference to Him in terms of the benefit to God. God doesn't benefit from the *mitzvot*, but **you** do. The logic of the *mitzvot* is not to help God but to help man. The mitzvot form a system that is a kind of religious humanism. The *mitzvot* all have reasons and the reason is the improvement and correction and benefit of the man who performs the *mitzvot*. The expression used in the *Midrash*, "to refine," refers to the process of purifying metals. The process of refinement means improving the metals, producing pure silver out of silver ore by ridding it of its impurities. In the same way, you refine man by getting rid of his bad qualities and improving upon his good qualities.

Similarly, the statement about the bird's nest means that God does not command us to send away the mother because He has mercy on the bird. Ramban claims in an aside that the principle of divine providence does not apply to individual birds, so God did not tell us to spare the mother because God had mercy on the bird. He did, though, have a reason - it was to teach **us** to have mercy upon the mother bird. God does not benefit from our observing this *mitzva*, but **we** definitely do, and the reason why God commanded us to send away the mother bird is that we should in fact develop the very same quality that we thought this *gemara* was rejecting, the quality of mercy for the mother and the desire not to cause her pain.

The Ramban, then, has established the principle that all *mitzvot* in the Torah without exception have as their purpose the refinement of man, of the individual man. There are no *mitzvot* that reflect merely the will of God, without any logic or reason or goal. The goal of all *mitzvot* is always, according to the Ramban which we have just read, man-oriented. The goal of God in commanding the *mitzva* is not to increase his own glory, which is irrelevant to him, not to somehow do something for the majesty of God, but is to improve and to correct, to develop the man who is observing the *mitzvot*.

This idea, that God's purpose in the *mitzvot* reflects not his attitude towards the world but what he wants our attitude to be towards the world, becomes a rather common theme in later Jewish commentary on the *mitzvot*. I will give one very prominent example, prominent both because many people learn the book and because of its influence on the history of Jewish philosophy. The *Sefer Ha-Chinukh* on every *mitzva* gives a bit of a philosophical explanation. When he comes to the *mitzva* of charity, of *tzedaka*, the *Sefer* *Ha-Chinukh* states that the reason that God commanded us to give charity is not because God wishes to help the poor person. I think one could add here that if God wanted to help the poor person, He could just help him on his own without commanding us to do so. The reason is that He wants the rich person to develop the attribute of mercy and charity towards poor people. His goal is not to help the poor person but to help and improve the rich person. He wishes not to give money to the poor but to inculcate mercy in the rich. And this is a classic example of the Ramban's principle, which Ramban expressed in a more extreme manner about birds. God has no mercy for individual birds, but wants us to distance ourselves and avoid the attribute of cruelty. He does this by charging us with exercises in mercy. The Ramban adds, in a fascinating aside, that people who do things which are in themselves permissible, there is nothing wrong with them, but they involve the psychological trait of cruelty, will in fact become cruel. He says it is well known that butchers who slaughter large animals like oxen are themselves people of blood, *zovchei adam* (the expression literally means that they slaughter men). The Ramban is saying, if you are a ritual slaughterer - which of course is not forbidden, it is a part of Jewish life - your personality will be affected by the fact that you regularly shed blood. Therefore the Ramban says there is nothing wrong with taking the mother together with the young birds. God doesn’t care about that. But if you do it, it will affect your soul and your personality psychologically in a manner which would be detrimental. God wishes us to be merciful in general - not necessarily for the bird - and therefore He has found ways for us to practice being merciful.

Does the Ramban believe that the *mitzvot* have no purpose or goal in respect to God but only in respect to people, only humanistic reasons? The Ramban in fact elsewhere expresses the exact opposite opinion. The statement that he rejects here, that God could have any benefit from *mitzvot*, is in fact Ramban's opinion. In a section that we will see concerning the sacrifices, he states that *al derekh ha-emet*, meaning in the *Kabbala*, *korbanot* are based upon the principle that the Divine Presence (shechina) in the world is not merely for the benefit of mankind but in fact is a "need of heaven." In fact, all the *Kabbalistic* references in the Ramban are based on the idea that the deeds of man in doing *mitzvot* affect and improve and elevate the divine order in the divine emanations. The expression that he agrees to state explicitly - "the Divine Presence in the world is a need of heaven" - is based on the principle that we, through our actions, provide and allow the divine presence to reside in the world and this is a fulfillment of divine needs. How then can the Ramban state so explicitly in our section that God gains nothing from the *mitzvot* but all the *mitzvot* have humanistic needs. The answer, I think, is found in the principle that I explained in the beginning of today's *shiur*. Existence is multi-faceted. The *mitzvot* have multiple reasons, and multiple reasons are not multiple possibilities but multiple truths. Both reasons are true and they are true on different levels. In fact, even in this *mitzva* of sending away the mother from her nest, the Ramban at the end adds that in addition to the first two reasons given in the beginning, there is also a "secret" reason, meaning a reason in the *Kabbala*. "*Yesh ba-mitzva sod*" - there is a secret in this *mitzva*. I don't exactly understand the reason that he gives and we will not go into it, but the reason clearly refers to different *sefirot*, emanations, and when we observe the *mitzva* of sending away the mother, we somehow affect the relationship between the *sefira* called *bina*, represented by the mother, and the seven *sefirot* underneath it, represented by the children. What the Ramban is saying that we have a level of explanation based on *pshat*, and in the *pshat*, all the reasons and the goals are humanistic, for the benefit of man, but at the same time there is another level of explanation, of understanding, and another level of the existence of the world, whereby the goal is always the affect that human actions have upon the arrangements within the divine sphere. These two explanations, these two types of explanations, are not contradictory because existence itself functions on multiple levels which do not contradict each other but exist one within the other. The Ramban is therefore capable within one section of writing that all *mitzvot* have one reason, one kind of reason only, the betterment of man, and God gets nothing from them, and then immediately adds - and I think he adds it on purpose, such that you realize the tension involved - **but** in the *Kabbala* sending away of the mother has a secret interpretation. I suggest that the nature of the secrecy involved is that this explanation is the opposite of the previous explanations and not concurrent with them; and therefore it exists hidden within the regular *pshat* explanation but cannot be open and disclosed next to and parallel to the *pshat* explanation. In almost all cases, with only one or two exceptions, which we shall see in the future, the Ramban never offers the *Kabbalistic* explanation as the correct explanation, as the *pshat*; he always offers first *pshat*, which is true, and then says that there is a further, deeper hidden meaning which is reflected by the *Kabbalistic* explanation. In the *pshat* all *mitzvot* are directed towards man and that is correct, but there is a hidden explanation that says that *mitzvot* are directed towards God. In both cases the *mitzvot* do not reflect the arbitrary will of God but rather have a reason, an intelligent purpose and a rationale which explains why they exist.

In a future shiur, we will examine several *ta'amei ha-mitzvot*, several explanations that the Ramban gives for individual *mitzvot*, both to understand the particular ideas expressed by those reasons and also to further enhance the understanding of the principle that we saw today, about how different reasons can exist on multiple levels, reflecting the multiple levels of existence itself.