“Do That Which is Right and Good in the Sight of the LORD”:

New Insights and Burgeoning Creativity in the Writing of Nahmanides’ Commentary[[1]](#footnote-1)

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A great deal has been written on the additions to the commentaries on the Torah that Nahmanides[[2]](#footnote-2) completed in Acre at the end of his life,[[3]](#footnote-3) in the land of Israel.[[4]](#footnote-4) In his review of Ofer and Jacobs’ book on these additions, Mack writes:[[5]](#footnote-5)

… In this way, readers will internalize the fact that Nahmanides’ commentary on the Torah was not written all at once, and that the author saw fit to respond to various criticisms of his commentary, and to incorporate new discoveries and new insights into it, as would anyone who is intelligent and alert and does not rest on his laurels, anyone whose work is growing, developing, and changing with the times and with alterations in his circumstances and in his environment.

Ofer and Jacobs point to changes that were made after the writing of the commentary was complete, primarily after Nahmanides arrived in Israel, but in Spain as well.[[6]](#footnote-6) Recently, Marcus has noted changes that were made during the original writing of the commentary in Spain, before the original version of the commentary was completed, examining a single case ­– Nahmanides’ explanation of phrases that use the verb דרשׁ with God as the object. In his comment to Genesis 25:22 (according to Marcus), Nahmanides gave one explanation of this idiom; in his comment to Exodus 18:15 he changed his mind and adopted a different explanation; and in his comment to Deuteronomy 13:5, he changed his mind once more and offered yet a third explanation, all without revising his comments to the earlier occurrences.[[7]](#footnote-7) Marcus did not sufficiently emphasize the fact that in his comment to Exodus 18:15 Nachmanides explicitly referenced his comment to Genesis 25:22, writing, “Similarly ‘and she went to seek the LORD,’ *as I explained there*” (emphasis added). To me, this undercuts the entire basis for analyzing the differences in Nahmanides’ explanation of this idiom in his comments on the various occurrences, since when he wrote his comment to Exodus 18:15, his comment to Genesis 25:22 was already written, as is evidenced by his saying, in the past tense, “I explained.” This makes it clear that Nahmanides is presenting these “differing” explanations as identical.

Like Marcus, I shall point in this article to changes that took place while the first version of the commentary was still being written, in Spain. Like Marcus, I will also do so by examining a single case – Nahmanides’ explanation of Deuteronomy 6:18, “and thou shalt do that which is right and good in the eyes of the LORD.” In contrast to the case discussed by Marcus, where Nahmanides refers explicitly to an “identical” comment that he has already written – making it difficult to describe the alteration as a change in Nahmanides’ thinking – in the case discussed in this article, Nahmanides refers to comments that he has yet to write. It is therefore possible to show that this case does involve changes in Nahmanides’ thinking about Deuteronomy 6:18, demonstrating a development in his thinking, and to elucidate the circumstances that led to the change.

Nahmanides comments on Deuteronomy 6:18 *ad loc.*, but he has already mentioned, in his comments to Exodus 15:26 and Leviticus 19:2, that he intends to discuss it in his Deuteronomy commentary:

I will further explain this when I come to the verse ‘And you shall do that which is upright and good,’ if the good God will show me goodness. [to Exodus 15:26]

As I will explain when I reach there [that verse], with the will of the Holy One, blessed be He. [to Leviticus 19:2]

From these comments, it is clear that when he wrote his comments to Exodus 15:26 and Leviticus 19:2, his comment to Deuteronomy 6:18 had not yet been written. We may generalize this conclusion and say that Nahmanides’ method in writing his Torah commentary was the standard one of working from beginning to end, commenting on verse after verse in their biblical order. It was not a matter of writing comments on individual words, phrases, or verses and collecting them later into a complete commentary.[[8]](#footnote-8)

Naturally, Nahmanides wrote about “that which is right and good” briefly in the earlier comments and at greater length in the place where it actually occurs. This fact has led many people to take all three comments as identical.[[9]](#footnote-9) But careful study shows that what we have here is not an identical idea presented briefly in the earlier comments and more extensively where the actual phrase occurs. Rather, by the time he wrote the comment to Deuteronomy 6:18, he had developed a new insight into the verse, different from that presented in the earlier comments.

Two late comments in Deuteronomy were written from the perspective of this new insight, and an examination of these comments will strengthen and deepen this new insight.

I shall first examine the two earlier comments; then the comment to Deuteronomy 6:18 and the two comments that followed in its wake.[[10]](#footnote-10)

# The Comment to Exodus 15:26

IF ‘SHAMO’A TISHMA’ TO THE VOICE OF THE LORD YOUR GOD. Rabbi Abraham ibn Ezra explained that “[*shamo’a tishma* here] means ‘to understand’ the purport of that which He will command[[11]](#footnote-11) you to do. And you will do that which is right in His eyes – this implies the positive commandments – and will give ear to His commandments – this implies the negative commandments.” [Thus the language of Ibn Ezra.]

And in the Mekhilta, the Rabbis have said: “And you will do that which is right in His eyes, this means in business dealings. This teaches us that if a person is honest in his business dealings, and the spirit of his fellow creatures finds pleasure in him, it is accounted to him[[12]](#footnote-12) as though he had fulfilled the entire Torah.” I will further explain this when I come to the verse ‘And you shall do that which is upright and good,’ if the good God will show me goodness.

Nahmanides begins by citing Ibn Ezra’s understanding of the verse.[[13]](#footnote-13) Ibn Ezra explains that the expressions לשמוע ל- or לשמוע ב- do not mean “to hear” but “to understand,” and he therefore interprets the two expressions “that which is right in His eyes” and “give ear to His commandments” as indicating the obligations to (1) understand and (2) fulfill the positive commandments, here called “that which is right in His eyes,” and the prohibitions, here called “His commandments.” Nahmanides then cites the words of R. Eleazar of Modi’in from the Mekhilta. R. Eleazar connects “that which is right in His eyes” to how one conducts business, concluding from this that “if a person is honest in his business dealings, and the spirit of his fellow creatures finds pleasure in him, it is accounted to him as though he had fulfilled the entire Torah.”

On the one hand, the expression “that which is right in His eyes” applies to the Torah as a whole, which is certainly “right in His eyes”; on the other hand, the midrash bestows on the expression “that which is right in His eyes” a specific reference to business dealings. What kind of business dealings are these? They must be business dealings done so honestly that “the spirit of his fellow creatures finds pleasure in him.” Doing what is right in God’s eyes, which according to Ibn Ezra is directed at the positive commandments, now in the words of the Mekhilta is presented as directed at a *single* positive commandment, to deal honestly in business in a way that God considers right.

The midrash, then, restricts the reference to doing what is right as directed at business dealings alone. Why business dealings in particular? What does business involve that demands a particular commandment to conduct it in a way that God sees as right? Nahmanides limited himself here to citing what R. Eleazar says in the Mekhilta, comprised for practical purposes of the expressions “a person is honest in his business dealings” and “the spirit of his fellow creatures finds pleasure in him.” What is included in this commandment, in these two expressions? These questions are not answered in the comment, and Nahmanides himself alluded to the fact that he has not gone into detail here, but will do so later: “I will further explain this.” He rounded off the comment in his signature poetic style:[[14]](#footnote-14)

I will further explain this when I come to [אל] “And you shall do that which is upright and good [טוב]”

If the good God [האל הטוב] will show me goodness.

# The Comment to Leviticus 19:2

In his comment to this verse, Nahmanides discussed the meaning of the commandment to “be holy” and the meaning of the physical restraint demanded by this verse according to the Sifra. His opinion is that, after the Torah lists a variety of detailed prohibitions, a range of permitted activities remains. The Torah then sets up a general commandment of restraint to further limit the permissible realm. The area that remains permissible after the prohibitions are detailed is sufficiently broad that the commandment of restraint must assert: Satisfy physical needs to the extent that you must in order to maintain the body and fulfill the commandments, and no more.

After presenting the idea of restraint and various examples of its practical application, Nahmanides supports the idea by employing the argument that this is not the only positive, general commandment that comes on the heels of a detailed list of prohibitions. Rather, this is something that the Torah regularly does:

And such is the way of the Torah, that after it lists certain specific prohibitions, it includes[[15]](#footnote-15) them all in a general precept. Thus after warning with detailed laws and all[[16]](#footnote-16) business dealings between people, such as not to steal[[17]](#footnote-17) or rob or exploit,[[18]](#footnote-18) and other similar prohibitions, He said in general, *And you shall do that which is right and good* [Deuteronomy 6:18], thus including under a positive commandment the duty of doing that which is right and of acting equitably;[[19]](#footnote-19) as well as all requirements to act “beyond” the line of justice [i.e., to be generous in not insisting upon one’s rights as defined by the strict letter of the law, but to agree to act “beyond” that line of the strict law] for the sake of pleasing one’s fellow man, as I will explain when I reach there [that verse], with the will of the Holy One, blessed be He.[[20]](#footnote-20) Similarly, in the case of the Sabbath, He prohibited doing certain classes of work by means of a negative commandment, and painstaking labors [not categorized as “work,” such as transferring heavy loads in one’s yard from one place to another, etc.] He included under a general positive commandment, as it is said, *but on the seventh day you shall rest* [Exodus 23:12]. I will yet explain this with the help of God.[[21]](#footnote-21)

The Torah’s method of listing detailed prohibitions and adding to them a more general, positive commandment is here expressed in two particular areas: business and the Sabbath. With regard to business dealings, the Torah lists detailed prohibitions (e.g., not to steal or rob or to exploit), on top of which it sets up a general commandment to do what is right and good. As for the Sabbath, here too the Torah details various prohibited kinds of work and then adds a more general commandment to “rest” from “painstaking labors.”

It appears, however, that Nahmanides is here developing and broadening in some measure the way this topic is specified by R. Eleazar in the Mekhilta. The Mekhilta speaks of business conduct, but Nahmanides specifies “detailed laws and all business dealings between people.” The different readings of Nahmanides’ comment at this point are quite significant. In some manuscripts and the text edited by Chavel, the word בכל appears, implying that there is a single topic here: “detailed laws *regarding* all business dealings between people.” But most manuscripts have וכל,[[22]](#footnote-22) implying two things (“detailed laws” *and* “all business dealings”), not one. Among the examples provided by Nahmanides, it appears that only “not to exploit” belongs to the limited realm of business conduct, while “not to steal” and “not to rob” fall outside a business framework. Therefore, even leaving aside the preponderance of manuscript evidence, it would appear correct to adopt the reading “and all,” meaning that “not to steal” and “not to rob” would be examples of the “detailed laws,” while “not to exploit” would be an example from the business realm. The expression “between people” thus applies both to the “detailed laws” and to “business dealings.”

If this is correct, then Nahmanides has broadened the limited realm of business conduct alone to include every kind of financial interaction between people. He thereby provides a new definition of “that which is right and good,” insisting upon “honesty and equity that go beyond the letter of the law, acting in a way that will win the approval of others.”

This definition is not expressed by direct quotation of the words of R. Eleazar in the Mekhilta and provides further clarification of Nahmanides’ comment to Exodus 15:26. There, I posited two areas: one, the need for a commandment to do “that which is right and good” specifically with regard to business conduct; and two, how this positive commandment is to be applied. From Nahmanides’ comment to Leviticus 19:2, we understand that financial dealings are not the only topic for which the Torah sets a general, positive commandment that applies to a number of detailed prohibitions. Just as with “be holy” and “rest on the Sabbath,” this is in fact the Torah’s standard method wherever this approach is necessary. The necessity for such an approach in financial affairs is that the prohibitions can define what is forbidden to do, but they do not tell us what one *ought* to do, the positive and practical way in which one ought to conduct business. This is precisely what the commandment to do “that which is right and good” defines. The applications of this commandment are: “doing that which is right and acting equitably,” as well as all requirements to act “beyond” the line of justice for the sake of pleasing one’s fellow man.”

This is in fact Nahmanides’ interpretation of R. Eleazar’s words in the Mekhilta:

|  |  |
| --- | --- |
| Mekhilta | Nahmanides |
| a person is honest in his business dealings | doing that which is right and acting equitably |
| the spirit of his fellow creatures finds pleasure in him | acting “beyond” the line of justice for the sake of pleasing one’s fellow man |

This comparison makes clear that this commandment is implemented in two respects ­– the “doing what is right and acting equitably” is included in the command to “be honest in one’s business dealings,” and the “acting beyond the line of justice” is included in the expression “the spirit of his fellow creatures finds pleasure in him.”

I would like to emphasize the new element in Nahmanides’ interpretation of the Mekhilta by presenting a different understanding of R. Eleazar’s statement, which to me is the plain sense of it: When one does business in a way that wins the approval of others, that is the proof that he is doing business honestly. But if that is correct, then Nahmanides’ interpretation is adding a new distinction, one that does not appear in the Mekhilta. He has thereby created two applications for the commandment to do “that which is right and good.”[[23]](#footnote-23)

Comparison of the comment on Exodus 15:26 and that on Leviticus 19:2 reveals the following picture: In Nahmanides’ opinion, the commandment to do “that which is right and good” is a general commandment applying to financial dealings between people, and to those dealings alone. It supplements the detailed prohibitions that apply to such dealings, out of the necessity of regulating the positive, practical aspect of such dealings. This commandment is to be implemented in two ways: on a basic level, by conducting business honestly; on an additional, further level, by conducting business in a way that goes beyond the letter of the law.

In the comment on Exodus 15:26, Nahmanides merely cites the words of the Mekhilta, which do not sufficiently clarify the matter. He therefore concludes by saying, “I will *further* explain this” (emphasis added). In the comment to Leviticus 19:2, although Nahmanides only cited R. Eleazar’s comment to support what he says about “be holy,” he further clarifies the matter, and his allusion to Deuteronomy 6:18 is therefore phrased “*as* I will explain *when* I reach there, with the will of the Holy One, blessed be He.” He concludes by making a verbal connection with the word רצון:[[24]](#footnote-24)

It says that included in “do that which is right and good” that the positive commandment contains the duty of doing that which is right and of acting equitably; as well as all requirements to act “beyond” the line of justice for the sake of pleasing [לרצון] one’s fellow, as I will explain when I reach there [that verse], with the will [ברצון] of the Holy One, blessed be He.

Does Nahmanides indeed explain that phrase when he gets to Deuteronomy 6:18 *as* he does in his comments to Exodus 15:26 and Leviticus 19:2?

# The Comment *ad loc* – Deuteronomy 6:18

AND YOU SHALL DO THAT WHICH IS RIGHT AND GOOD IN THE SIGHT OF THE LORD. In line with the plain meaning of Scripture, the verse says, “Keep the commandments of God, His testimonies, and His statutes, and, in observing them, intend to do what is right and good in His sight only.” And [the expression in the verse before us] *that it may be well with you* is a promise, stating that, when you will do that which is good in His eyes, it will be well[[25]](#footnote-25) with you, for God does good unto the good, and to them that are upright in their hearts. Our Rabbis have a beautiful Midrash on this verse.[[26]](#footnote-26) They have said: “[That which is right and good] refers to acting equitably and going beyond the requirement of the letter of the law.” The intent of this is as follows: At first he [Moses] stated that you are to keep His statutes and His testimonies which He commanded you, and now he is stating that even where He has not commanded you, give thought, as well, to do what is good and right in His eyes, for He loves the good and the right. Now this is a great principle, for it is impossible to mention in the Torah all aspects of man’s conduct with his neighbors and friends, and all his various transactions, and the ordinances of all societies and countries. But since He mentioned many of them – such as, *You shall not go up and down as a talebearer*; *You shall not take vengeance, nor bear any grudge*; *neither shall you stand idly by the blood of your neighbor*; *You shall not curse the deaf*; *You shall rise up before the hoary head* and the like – he reverted to state in a general way that, in all matters, one should do what is good and right and honest,[[27]](#footnote-27) including even acting equitably and going beyond the requirements of the law. Other examples are the Rabbis’ ordinances concerning the prerogative of a neighbor, and even what they said [concerning the desirability] that one’s youthful reputation be unblemished, and that one’s conversation with people be pleasant.[[28]](#footnote-28) Thus [a person must seek to refine his behavior] in every form of activity, until he is worthy of being called “whole-hearted and upright.”[[29]](#footnote-29)

The commandment “and you shall do that which is right and good in the sight of the LORD” follows immediately after the commandment “You shall diligently keep the commandments of the LORD your God, and His testimonies, and His statutes, which He has commanded you” (Deuteronomy 6:17). Nahmanides therefore explains v. 18 as supplementing the commandment of v. 17.[[30]](#footnote-30)

After presenting the plain-sense interpretation of the verse, which teaches that this is a general commandment, to be implemented by performing the specific commandments with the intention to keep God’s commandments for no other reason than that you wish to do what He finds right and good without question, he cites a rabbinic interpretation of the verse (which also appears in Rashi’s comment): “[That which is right and good] refers to acting equitably and going beyond the requirement of the letter of the law.” He thereby bestows upon it a much broader meaning.

As in the comment to Leviticus 19:2, here too Nahmanides presents a basic level of detailed commandments supplemented by a general one. But whereas Nahmanides based his comments on Exodus 15:26 and Lev 19:2 on the statement of R. Eleazar in the Mekhilta pointing specifically at the realm of business conduct (broadened by Nahmanides to include all sorts of financial interactions), the background to his comment on Deuteronomy 6:18 is v. 17, which is about keeping *all* the “commandments, testimonies, and statutes.” His interpretation of the commandment to “do that which is right and good” in his comment to Leviticus 19:2 follows a series of financial prohibitions; he therefore takes it to be adding a dimension that the detailed *financial* prohibitions do not cover. But here the general commandment is supplementing something much broader: *all* the commandments “that the LORD your God has commanded you.” It must therefore be adding a dimension that none of the commandments touch upon – that one must make sure to do that which is right and good even “where He has not commanded you .”

This “where He has not commanded you” stems from the fact that “it is impossible to mention in the Torah all aspects of man’s conduct with his neighbors and friends, and all his various transactions, and the ordinances of all societies and countries.” The Torah makes many of them explicit, but not all. As described by Nahmanides, this area “where He has not commanded you” must include all sorts of interactions between people.[[31]](#footnote-31) In his comment to Leviticus 19:2, the specifics are the commandments not to steal or rob or exploit, all prohibitions in the limited area of financial conduct (the “laws” and “the business dealings”). But here Nahmanides presents completely different examples: the prohibitions of tale-bearing, taking vengeance or bearing a grudge, standing idly by the blood of one’s neighbor, cursing the deaf, and the commandment to “rise up before the hoary head.” These examples extend far beyond financial conduct to the entire realm of human interaction: the relationship to “the other” – “all aspects of man’s conduct with his neighbors and friends, and all his various transactions, and the ordinances of all societies and countries.” Nor are the detailed examples solely prohibitions, as is clear from the inclusion of the commandment to rise up before the hoary head.

As in the comment to Leviticus 19:2, all the examples cited here are also from Leviticus 19. There is certainly a significant concentration of commandments regarding human interaction in that chapter, but it would seem that Nahmanides is deliberately choosing his examples from there in order to forge a comparison between his comment to Leviticus 19:2 and his comment here, emphasizing the new insight he adopts here for the first time. In the comment to Leviticus 19:2, he still maintained the limited interpretation of “that which is right and good” as referring to financial interactions; here a new insight has dawned on him: that there is a much broader significance to this commandment. This broader description – “*all* aspects of man’s conduct with his neighbors and friends, and *all* his various transactions” – is a departure from that of the comment to Leviticus 19:2.

Yet the areas pointed to in the Leviticus comment – the “laws” and “the business dealings” – actually do include “all his various transactions, and the ordinances of all societies and countries.” The link between the “laws” (הדינים) and the “ordinances of all societies and countries (תקוני הישוב והמדינות)” can be seen in a number of places in Nahmanides’ commentary:

**My ordinances shall you do, and My statutes shall you keep, to walk therein: I am the LORD your God.** (Leviticus 18:4) – Now by way of the simple meaning of Scripture, the term *mishpatay* (My ordinances) is to be understood in its simple sense. It is a reference to the laws (דינים) stated in the section of *V’eileh Hamishpatim* (*And these are the ordinances*) and in the whole Torah. Therefore He states here, *which if a man do, he shall live by them*, as these laws were given so that man should live, and for the development of countries (ישוב המדינות) and peace among men, so that no one should cause harm to his fellowman or kill him.

Behold, I have taught you statutes and ordinances … What great nation is there, that has statutes and ordinances so righteous as all this law, which I set before you this day? (Deuteronomy 4:5, 8) – Now he admonished them concerning “the statutes,” which are His decrees, and “the ordinances,” which are the laws (דינים), for these need greater reinforcement because the reason for the statutes is hidden from us and also because it is “by *mishpat* [ordinance] that they will establish the Land” (Proverbs 29:4) … Additionally, the statutes and ordinances are righteous in themselves, fair and good for the welfare of society and countries (צדיקים וישרים וטובים ביישוב העם והמדינות).

Deuteronomy 4:8 uses the word צדיקים: “What great nation is there, that has statutes and ordinances so *righteous* as all this law, which I set before you this day?” But Nahmanides recasts the verse in terms of the expression “that which is right and good (הישר והטוב)” and therefore he interprets: “righteous in themselves, upright and good” (צדיקים וישרים וטובים).

Note further that, although “statutes” (חוקים) certainly do appear in the verse, the end of Nahmanides’ comment is only about the “ordinances” (משפטים).[[32]](#footnote-32)

In light of all this, it is clear that in the expression “all his various transactions, and the ordinances of all societies and countries” Nahmanides includes all the areas that he mentioned in his comment to Leviticus 19:2 – the “laws” and “the business dealings” – to which he adds the expression “all aspects of man’s conduct with his neighbors and friends.” He begins specifically with that phrase because precisely that is what he is now adding to his original interpretation, at Leviticus 19:2.

Since this is the innovation of his comment here, Nahmanides does not need to repeat the examples that he cited in his comment to Leviticus 19:2 – “not to steal” and “not to rob” (which belong to the realm of the “laws” and the “ordinances of all societies and countries”) nor “not to exploit” (which belongs to the financial realm), but he does add examples which come from Leviticus 19 but belong to the new area of “all aspects of man’s conduct.”

At this point, R. Eleazar’s statement in the Mekhilta receives a completely new meaning. Previously, in his comments to Exodus 15:26 and Leviticus 19:2, Nahmanides has maintained that “do that which is right and good” refers to interactions first in the limited realm of business dealings and subsequently with a wider sense of all kinds of financial interactions; now he sees these interactions as just one example of a much wider realm of human activity. Previously Nahmanides related the expression “a person who is honest in his business dealings” as referring to “doing that which is right and acting equitably,” and the expression “the spirit of his fellow creatures finds pleasure in him” to “acting beyond the line of justice for the sake of pleasing one’s fellowman.” Now he ignores the “person who is honest in his business dealings” and refers only to “the spirit of his fellow creatures finds pleasure in him,” tremendously broadening its meaning: “compromising and going beyond the requirements of the law,” e.g., with regard to the neighbor’s right of first refusal, and even simply “that one’s youthful reputation be unblemished, and that one’s conversation with people be pleasant … until he is worthy of being called ‘good and upright.’”

A side-by-side comparison of the three comments will make this point clear:

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| --- | --- | --- |
| Exodus 15:26 | Leviticus 19:2 | Deuteronomy 6:18 |
| this means in business dealings | **after** warning with detailed laws and all business dealings between people | **since** He mentioned many of them |
|  | such as not to steal or rob or exploit | such as, *You shall not go up and down as a talebearer*; *You shall not take vengeance, nor bear any grudge*; *neither shall you stand idly by the blood of your neighbor*; *You shall not curse the deaf*; *You shall rise up before the hoary head* |
|  | **and other similar prohibitions** | **and the like** |
|  | **He said in general, *And you shall do that which is right and good*** | he reverted **to state in a general way that**, in all matters, **one should do what is good and right** |
|  | thus **including** under a positive commandment | **including** even |
| if a person is **honest** in his business dealings | the duty of **doing that which is right** and of acting equitably | acting equitably |
| and the spirit of **his fellow creatures** finds pleasure in him | as well as all requirements to act **“beyond” the line of justice** for the sake of pleasing **one’s fellowman** | and, **going beyond the requirements of the law.** Other examples are the Rabbis’ ordinances concerning the prerogative of a neighbor, and even what they said [concerning the desirability] that one’s youthful reputation be unblemished,[[33]](#footnote-33) and that one’s conversation with **people** be pleasant. Thus [a person must seek to refine his behavior] in every form of activity, until he is worthy of being called “whole-hearted and upright.” |

Nahmanides builds his Deuteronomy comment on the foundation of his Leviticus comment both in its structure and in its wording, recasting it with new content that matches the new insight he has now achieved.

What caused Nahmanides to change his interpretation of “that which is right and good”? What changed circumstances engendered the new insight?

Nahmanides’ interpretive domain includes both *peshat* and *derash* – plain-sense interpretation and creative interpretation – two hermeneutical methods with a tangled and complex relationship.[[34]](#footnote-34) The existence of *peshat* and *derash* side by side ends up forging a connection between them. Here too the birth of the new insight was the fruit of a coupling of *peshat* and *derash*. The point of departure for the plain-sense reading of the text, presented at the beginning of Nahmanides’ comment, is to relate this verse to its predecessor. Nahmanides reads “that which is right and good” contextually, as if applicable to the previous verse’s insistence on keeping all the commandments, thereby granting this new commandment a meaning that touches on keeping all the commandments; besides the practical aspect of keeping all the commandments, one must also fulfill an intellectual aspect, intent on performing each of the commandments in order to do “that which is right and good” in God’s eyes. When Nahmanides shifts to the rabbinic, midrashic interpretation, he takes with him the plain-sense interpretation, the reading of the commandment to do “that which is right and good” as a follow-up to the instruction to keep all the commandments. He therefore broadens the application of this general commandment to the full spectrum of human behavior, not limiting it to financial matters alone. In the Exodus and Leviticus comments his starting point is R. Eleazar’statement in the Mekhilta, which is plainly restricted to business dealings; even when Nahmanides expands it to cover a full range of financial matters, its application remains limited.

The references in his Exodus and Leviticus comments to his comment here at Deuteronomy 6:18 were made from within this more limited approach; that is, he assumed that he would be interpreting the phrase “that which is right and good” as he did in those earlier comments, but “with the will of the Holy One,” “the good God who showed [him] goodness,” having reached this point Nahmanides significantly broadened his understanding of the commandment to do “that which is right and good.” The earlier references have led scholars to apply his limited approach in Exodus and Leviticus to his comment here,[[35]](#footnote-35) or to do the opposite, by recasting the understanding of his comments in Exodus and Leviticus along the lines of his approach here in Deuteronomy.[[36]](#footnote-36) However, as I have shown, those two comments differ from this one.

# The Comment to Deuteronomy 12:28

Nahmanides discusses the commandment to do “that which is right and good” in two later places in his Torah commentary, each time retaining the new interpretation first presented at Deuteronomy 6:18. The first is a comment on Deuteronomy 12:28, “Observe and hear all these words which I command you, that it may go well with you, and with your children after you forever, when you do that which is good and right in the eyes of the LORD your God.” The latter phrase, of course, matches the phrase of Deuteronomy 6:18, “that which is right and good in the sight of the LORD.” But Deuteronomy 12:28 invokes “all these words” without specifying them as do the other such references in the book of Deuteronomy. Nahmanides comments:

He [Moses] did not mention here the statutes and ordinances, nor His testimonies and His commandments, but said *all those words* in order to include in this observance the good and the right, as I have explained in the section of *Va’ethchanan*.

For Nahmanides, who understood 6:18 as commanding something *in addition* to the other commandments, the second half of 12:28 must also be adding a further commandment to do “what is good and right in the sight of the LORD your God.” He therefore explains the beginning of the verse to mean that “all these things” is intended to refer to keeping all the commandments, *including* the commandment in 6:18 to do “that which is right and good.” His reference at this point to his comment on 6:18 is called for because 12:28 is phrased similarly. The difficulty caused by the uniquely comprehensive style of 12:28 in citing “all these things” can therefore be resolved in light of the explanation he has given for 6:18.

# The Comment to Deuteronomy 26:16–17

In contrast to the previous comment, which discusses a verse with a phrase like that of Deuteronomy 6:18, in the comment to be discussed next Nahmanides interprets words that in no way resemble “do that which is right and good in the sight of the LORD” as if they are in fact directed at “that which is right and good”:

AND THAT YOU WOULD WALK IN HIS WAYS – to do the good and the right, and do kindness one to another.

The reason for this is Nahmanides’ broad view of Deuteronomy 26:16–19:

This day the LORD your God commands you to do these statutes and ordinances; you shall therefore observe and do them with all your heart, and with all your soul. You have avouched the LORD this day to be your God, and that you would walk in His ways, and keep His statutes, and His commandments, and His ordinances, and hearken unto His voice. And the LORD has avouched you this day to be His own treasure, as He has promised you, and that you should keep all His commandments; and to make you high above all nations that He has made, in praise, and in name, and in glory; and that you may be a holy people unto the LORD your God, as He has spoken.

In his introduction to Deuteronomy and his other comments at the beginning of the book, Nahmanides views the first five verses of Deuteronomy as a gateway to the main part of the book of Deuteronomy, called “the explanation of the Torah”(ביאור התורה). But instead of that part following immediately, Moses interrupts the natural sequence by prefacing that “main part” with an introduction that combines reproach with compassion – reproach of the Israelites for their actions, and examples of the kindness and compassion with which God has treated them. The purpose of this introduction is to make them aware of God’s kindness, to ensure that they do not return to their previous sinful ways, and assure them that God will continue to treat them kindly. This introduction extends from Deuteronomy 1:6–4:40. After this introduction, in 4:44–49, comes a repetitive resumption of Deuteronomy 1:1–5, with these words at its center: “This is the law which Moses set before the children of Israel; these are the testimonies, and the statutes, and the ordinances, which Moses spoke unto the children of Israel” (4:44–45). The repetitive resumption is then followed by the “the explanation of the Torah” (ביאור התורה), which gives the book its name of Deuteronomy, literally “Repetition of the Torah” (משנה תורה). In this repetition, we find “the explanation of the Torah and the completion of the commandments.” The “completion” refers to the commandments that have not yet appeared in the Torah,[[37]](#footnote-37) about which the Torah emphasizes that they too were addressed to the Israelites by Moses “according unto all that the LORD had given him in commandment unto them” (Deuteronomy 1:3). This kind of commandment is called by Nahmanides a newly-declared commandment (מצווה מחודשת).[[38]](#footnote-38) The explanation is a repetition of the commandments that have already been given, “in order to clarify them further and to give additional instructions about them”[[39]](#footnote-39) or to warn the Israelites about them again. The text emphasizes that they were spoken at Moses’ own initiative and not by God’s command: “Moses took upon him to expound this law” (Deuteronomy 1:5). In the rest of the commentary, this kind of commandment is called an “explanatory commandment” (מצווה מבוארת).[[40]](#footnote-40) The “explanation of the Torah” is the main part of Deuteronomy, extending from 5:1–26:19.

At the end of this explanation comes a concluding paragraph, Deuteronomy 26:16–19, in which Nahmanides summarizes “the explanation of the Torah.” He therefore explains v. 16 with the same phraseology he used at the beginning of his commentary on Deuteronomy when he defined the subject of the explanation:

THIS DAY THE LORD YOUR GOD COMMANDS YOU TO DO THESE STATUTES AND ORDINANCES [Deuteronomy 26:16]. Now Moses finished explaining the Torah to them and issuing all the new commandments which God commanded him to declare to them. Therefore he said, “This day the LORD thy God commands you to do these statutes and ordinances, for I have already completed everything for you.” He mentioned, *and you shall observe and do them with all your heart, and with all your soul*. I have already explained the terms “heart” and “soul.”[[41]](#footnote-41)

“Moses finished explaining the Torah” (לבאר את התורה) corresponds to “Moses took upon him to explain the Torah” of 1:5, and “all (כל) the new commandments which God commanded him (אשר צוה אותו השם) to declare to them (להם)” corresponds to “according unto all that the LORD had given him in commandment unto them (ככל אשר צוה ה' אתו אליהם)” of 1:3.

Nahmanides presents the Israelites’ reception of this “explanation of the Torah” as corresponding to the revelation of the Torah at Mount Sinai. That is how he describes it in his comment to the first verse of the book:

Then Moses called all Israel that were before him … and then began the explanation of the Torah with the Ten Commandments in order that they hear them with the explanation from the mouth of the one who received them from the mouth of the Holy One, blessed be He. Afterward, he informed them of the Unity of God, as it is said, *Hear, O Israel: the LORD our God, the LORD is One*, and all the commandments in this book. This is why Scripture explained here *which Moses spoke unto ‘all’ Israel*, and there it is stated, *And Moses called unto ‘all’ Israel* [emphasizing that *all* were present] **because the explanation of the Torah and the completion of the commandments must be in the presence of “all” Israel just as was the Giving of the Torah** [itself on Mount Sinai].

By turning this “explanation of the Torah” into an event, Moses is fashioning a renewed acceptance of the Torah, for now the Israelites are accepting the commandments already included in the Torah together with the additional commandments in the exposition. Nahmanides’ exposition of the first half of 26:17, in the concluding paragraph of the explanation of the Torah, takes this perspective:

YOU HAVE AVOUCHED THE LORD THIS DAY. The meaning thereof is: “**Since you have accepted the entire Torah upon yourselves with all its interpretations, details, and new promulgations**, you have thus magnified God and exalted Him, that He alone will be your God; you will in no way avow another god.”

After beginning the explanation of the Torah “with the Ten Commandments in order that they hear them with the explanation from the mouth of the one who received them from the mouth of the Holy One, blessed be He,” Moses informed them of the commandments, the first of them being “the Unity of God, as it is said, *Hear, O Israel: the LORD our God, the LORD is One*,” followed by “all the commandments in this book.” The unity of God is the basis of all the other commandments and therefore comes first; on the other hand, the acceptance of the commandments by the Israelites creates the unity of God: “Since you have accepted the entire Torah … you have thus magnified God and exalted Him, that He alone will be your God; you will in no way avow another god.”[[42]](#footnote-42)

Nahmanides expounds the second half of 26:17 as a specification of “the entire Torah” that the Israelites accepted at the “explanation of the Torah event,” that is, all the commandments in Deuteronomy. Since he has already defined “that which is right and good” as a higher-level positive commandment, Nahmanides includes this important commandment among those mentioned in the second half of this verse:

AND THAT YOU WOULD WALK IN HIS WAYS – to do the good and the right, and do kindness one to another. AND KEEP HIS STATUTES, AND HIS COMMANDMENTS, AND HIS ORDINANCES. He [Moses] singles out the statutes and ordinances [for the reason] I have explained,[[43]](#footnote-43) and he includes in the expression and His commandments all the commandments – positive and negative. AND HEARKEN UNTO HIS VOICE – this refers to whatever He will command you concerning other deeds through me or through the rest of the prophets, as I have explained. It is possible that the expression HIS COMMANDMENTS refers to the positive commandments, and HEARKEN UNTO HIS VOICE means the avoidances, that is to say, the negative commandments.

Moses sets the higher-level positive commandment to “do that which is right and good” (Deuteronomy 6:18), which supplements the instruction to “keep the commandments” of Deuteronomy 6:17, right after the commandment about the unity of God (6:4–16). Here at the end of Moses’ explanation of the Torah, Nahmanides provides a corresponding elucidation: “You have avouched the LORD this day” = the unity of God; “that you would walk in His ways”[[44]](#footnote-44) = “do that which is right and good”; and “keep His statutes, and His commandments, and His ordinances and hearken unto His voice” = keeping all the commandments.

# Brotherliness and Kindness

Nahmanides defines “that you would walk in His ways” as “to do the good and the right,” as well as “to do kindness one to another.” Kindness to others is mentioned just once in Nahmanides’ Deuteronomy commentary, in his comment on the prohibition of taking interest on a loan (Deuteronomy 23:20). Nahmanides explains that this is forbidden “because of brotherliness and kindness,” since lending at interest “is agreed upon by both parties and is done voluntarily.” Nahmanides also brings into the discussion the commandments to “love your neighbor as yourself” (Leviticus 19:18) and the remission of debt (Deuteronomy 15:1–11). In doing so, Nahmanides explains the blessings granted to those who remit debts and avoid lending at interest as resulting from the commandments demanding charity, brotherliness, and kindness. To this kind of commandment Nahmanides opposes a different kind of commandment, which he presents with the following examples:

Scripture mentions a blessing only in connection with charity and acts of mercy, and not for [the mere abstention from] **robbery, theft, and fraud (**בגזל ובגנבה ובאונאה**)**.

These three examples, of course, are identical to those that Nahmanides used in his comment on “do that which is right and good” in the framework of his comment to Leviticus 19:2. There, as noted, Nahmanides was still defining “that which is right and good” strictly in financial terms: not to steal, not to rob, not to exploit (לא תגנובו, לא תגזול ולא תונו). But in his comment to Deuteronomy 6:18, where the phrase “that which is right and good” actually occurs, Nahmanides applies the phrase to all the commandments, a supplement that completes the full picture of “all aspects of man’s conduct with his neighbors and friends, and all his various transactions, and the ordinances of all societies and countries,” of which the Torah could include only a portion. The Torah *does* include commandments regarding business conduct (“not to exploit”); commandments regarding more general financial dealings (“not to steal” and “not to rob”); and other commandments regarding interpersonal actions more generally (“not to go up and down as a talebearer” and so forth), including commandments to be brotherly and kind, like the remission of debts and the prohibition of taking interest. But even all these cannot include everything. The commandment to “do that which is right and good,” therefore, includes the entire realm of interpersonal actions, including the commandment to “do kindness one to another,” and not merely those acts of brotherly kindness specifically commanded in the Torah.

# Conclusion

In this article, I have presented the development of Nahmanides’ interpretation of the phrase “do that which is right and good” in Deuteronomy 6:18. I have shown that originally, before commenting on the verse where that phrase occurs, he alludes to it briefly, interpreting it in connection with the comments of R. Eleazar in the Mekhilta relating it to “detailed laws and business dealings.” The purpose of the verse would thus be to supplement the various prohibited financial activities with a positive commandment to conduct oneself properly. However, by the time he reaches that verse in the course of his commentary on Deuteronomy, the plain sense of the text influenced the way Nahmanides understood R. Eleazar’s midrash. Now he interprets the verse as intended to supplement all the commandments, and it applies to interpersonal actions of all kinds, not just financial ones. Correspondingly, in his Leviticus commentary, Nahmanides gives examples of “laws and business dealings,” whereas in Deuteronomy he presents not only new examples of prohibitions but also one positive commandment, all belonging to the realm of interpersonal behavior. Further on in Deuteronomy, per this new interpretation, Nahmanides comments on two additional texts, in the latter of which it is clear that “all aspects of man’s conduct” include a requirement of brotherliness and kindness to others.

In light of what I have demonstrated in this article, it is clear that Nahmanides’ commentary was dynamic, and constantly developing. He not only came back after the conclusion of his commentary to make changes but changed his mind in the process of writing, before the first draft was finished. At an early stage, Nahmanides saw Deuteronomy 6:18 (in his mind’s eye) in a limited context; at a later stage, he changed his perspective, viewing it as having much broader significance.

I conclude with a request for more research in this area. This article has dealt with only a single instance, the development of Nahmanides’ exegesis of one phrase, “that which is right and good,” a verse that Nahmanides explains briefly before he reaches it, alluding to a fuller discussion that will come later. That later discussion finds Nahmanides having changed his understanding of the text. To test whether there are other such occurrences it is necessary to examine all the cases in which Nahmanides interprets a verse earlier in his commentary but refers to a fuller comment to come, and when he finally reaches the verse it is evident that he has changed his interpretation.[[45]](#footnote-45)

# Manuscripts of Nahmanides’ Commentary to the Torah

1 State Library of Berlin, Berlin, Germany Ms. Or. fol. 584 (15th. c?), MSS-D 9938, F 1820

2 Hamburg State and University Library Carl von Ossietzky, Cod. hebr. 51 (15th c.), F 900

3 Hamburg State and University Library Carl von Ossietzky, Cod. hebr. 88 (15th–16th c.), F 925

4 Vatican Library, Ms. Neof 7 (1457), F 615

5 Vatican Library, Ms. ebr. 40 (14th–15th c.; Genesis–Exodus), F 156

6 Vatican Library, Ms. ebr. 64 (16th c.; Genesis–Exodus)

7 British Library, London, Harley 5503 (1472), MSS-D 6948, F 4863

8 British Library, London, Harley 5504 (15th c.), F 4864, MSS-D 6951

9 British Library, London, Harley 5703 (14th–15th c.), F 4871, MSS-D 6947

10 British Library, London, Harley 7638 (15th c.), F 4860, MSS-D 6950

11 British Library, London, Add. 18731 (1491), F 4995, MSS-D 6949

12 Wineman, David Raphael, London, England Ms. 1 (14th c.), F 41386

13 Leipzig University Library, Ms. B.H. fol. 20 (1469), F 74932

14 Bavarian State Library, Munich, Cod.hebr. 113 (15th c.; Leviticus–Deuteronomy), F 1160

15 Bavarian State Library, Munich, Cod.hebr. 137 (14th c.; Leviticus–Deuteronomy), F 1187

16 Bavarian State Library, Munich, Cod.hebr. 138 (14th c.; Genesis–Exodus), F 1188

17 Bavarian State Library, Munich, Cod.hebr. 257 (15th c.; Leviticus–Deuteronomy), F 1184

18 Bavarian State Library, Munich, Cod.hebr. 362 (1471), F 1634

19 Jewish Theological Seminary of America, New York, Ms. 540 (15th c.), F 23647, MSS-D 4012

20 Jewish Theological Seminary of America, New York, Ms. 987 (15th c.), F 24093

21 Jewish Theological Seminary of America, New York, Ms. 988 (15th–16th c.), F 24094

22 Jewish Theological Seminary of America, New York, Ms. 989 (1490; Genesis–Exodus), F 24095

23 National Library of Russia, St. Petersburg, Ms. EVR I 44 (1442), F 50878 (Reel 5)

24 National Library of Russia, St. Petersburg, Ms. EVR I 45 (15th–16th c.; Genesis–Exodus), F 51098 (Reel 7)

25 University and State Library Fulda, Germany Ms. Qu. A 2 (14th–15th c.), F 2141, PH 301 (selected pages)

26 National Library of France, Paris, Ms. hebr. 219 (14th c.), F 4258, MSS-D 12091

27 National Library of France, Paris, Ms. hebr. 220 (14th–15th c.), MSS-D 9344, F 4259

28 National Library of France, Paris, Ms. hebr. 222 (1484), MSS-D 9346, F 4260

29 National Library of France, Paris, Ms. hebr. 223 (15th c.), F 4261, MSS-D 9347

30 National Library of France, Paris, Ms. hebr. 224 (15th c.), MSS-D 12092, F 4262

31 Palatina Library, Parma, Italy Cod. Parm. 2372 (1467; Leviticus–Deuteronomy), F 13237, MSS-D 5145

32 Palatina Library, Parma, Italy Cod. Parm. 2828 (1419), F 12289, MSS-D 5544

33 Palatina Library, Parma, Italy Cod. Parm. 2978 (1464), F 13707, MSS-D 5673

34 Palatina Library, Parma, Italy Cod. Parm. 3119 (15th c.), F 13863

35 Palatina Library, Parma, Italy Cod. Parm. 3218 (1475), F 13924, MSS-D 5880

36 Palatina Library, Parma, Italy Cod. Parm. 3255 (14th. c.), F 13942, MSS-D 5912

37 Palatina Library, Parma, Italy Cod. Parm. 3258 (14th c.), F 13945, MSS-D 5915

38 Palatina Library, Parma, Italy Cod. Parm. 3535 (1458), F 14042, MSS-D 6044

# Print Editions

א Rome, before 1480 [1470?]

ב Lisbon, 1489

ג Naples, 1490

ד Soncino, 1514

ה Salonica, 1520

ו Constantinople, 1522

ז Venice, 1545

ח Krakow, 1588

1. \* I thank Prof. Jonathan Jacobs and R. Yehuda Tropper for their insightful comments. MSS of Nahmanides’ commentary to the Torah will be identified by numbers, printed editions by letters; see the list at the end of this article. The English translations of Nahmanides’ comments are based on those of Chavel, accessed via mg.alhatorah.org, with slight alterations; biblical quotations in English are based on the 1917 JPS translation (again with alterations where necessary). This permits close comparison with Nahmanides’ original Hebrew.

 On changes in the compositions of medieval authors, Nahmanides among them, see David Henshke, "On Maimonides’ Halakhic Thought: Inner Dynamism versus Institutional Conservatism – On the Nature of the Halakha in Maimonides’ Sefer ha-Mitzvot" [in Hebrew], in Maimonides: Conservatism, Originality, Revolution, I: History and Halakha, ed. Aviezer Ravitzky (Jerusalem: The Zalman Shazar Center for Jewish History, 2008), 120–121 with n. 6, and Yosef Ofer and Jonathan Jacobs, *Nahmanides’ Torah Commentary Addenda Written in the Land of Israel* [in Hebrew] (Jerusalem: World Union of Jewish Studies, 2013), 17–21. On the changes in Nahmanides’ worldview in the course of his life that are expressed in his writings, see Haviva Pedaya, *Nahmanides: Cyclical Time and Holy Test* [in Hebrew] (Tel Aviv: Am Oved, 2003), 87–88, and more recently Oded Yisraeli, *R. Moses b. Nachman (Nachmanides): Intellectual Biography* [in Hebrew] (Jerusalem: Magnes Press, 2020). [↑](#footnote-ref-1)
2. As Ofer and Jacobs call them in their 2013 book. [↑](#footnote-ref-2)
3. Per R. Yitzhak of Acre; see H. A. Erlanger, *Sefer meir’at einayim ve-hu biur sodot hatorah beferush haramban z”l al hatorah kefi kabbalato mipi soferim usefarim l’rabbenu yiẓhak b”r shemuel demin acco zẓ”l* (Jerusalem: n.p., 1993), 227a. [↑](#footnote-ref-3)
4. As early as the second half of the 19th century, cataloguers of Hebrew manuscripts in the various libraries noted the existence of lists of these additions at the end of many of the manuscripts (M. Steinschneider, *Hamazkir: Hebräische Bibliographie Blätter für neure and ältere Literatur des Judenthnms*, no. 41, [Berlin: 1864], 119; A. Neubauer, *Catalogue of the Hebrew Manuscripts in the Bodleian Library and in the College Libraries of Oxford* [Oxford, 1886], 783; and G. Margoliouth, *Catalogue of the Hebrew and Samaritan Manuscripts in the British Museum*, Part 1 [London, 1899], 157); M. Z. Eisenstadt (*Ramban ʻal ha-Torah* [New York: 1958–1962]) was the first to observe (based on Ms 9) that certain passages that had appeared in various printed editions as an organic part of Nahmanides’ commentary were actually additions; Kalman Kahana, “*Hosafot ha-Ramban le-feirusho*,” *HaMa’ayan* 9 (1969): 25–47, collected the additions attested in letters sent by Nahmanides from Israel back to the Diaspora, in which he instructs that they be incorporated into his commentary; Mordechai Sabato “*Hosafot ha-Ramban le-feirusho la-Torah*” [in Hebrew], *Megadim* 42 (2005): 61–124, collected additions that were not attested in these letters but focused only on Genesis; Yosef Ofer, “The Two Lists Of Addenda to Nahmanides’ Torah Commentary: Who Wrote Them?”, *JSQ* 15 (2008): 321–352 worked on lists of the attested additions, preparing the ground for study of the unattested ones; in *Nahmanides’ Torah Commentary Addenda*, Ofer and Jacobsconducted an extensive study of both the attested and unattested additions; David Shneor, “Additions and Changes in Nachmanides’ Commentaries Relating to the Geography of Israel” [in Hebrew], *Shenaton le-ḥeker ha-mikra ve-ha-mizraḥ ḥa-kadum* 23 (2014): 263–277, worked on eight additions that deal with geographical matters; Jonathan Jacobs, “Books Encountered by Ramban After He Arrived in the Land of Israel” [in Hebrew], *JSIJ* 11 (2012): 105–118, broadened the discussion to include the motivation for some of the additions: texts that Nahmanides discovered in Israel; Yosef Ofer, “Nachmanides’ Interpretations Concerning Rachel’s Tomb in the Development of His Commentary on the Torah” [in Hebrew], in *Zer Rimonim : Studies in Biblical Literature and Jewish Exegesis Presented to Professor Rimon Kasher*, ed. Michael Avioz, et al. (Atlanta: Society of Biblical Literature, 2013), 562–578, has extensively discussed the additions that have to do with Rachel’s tomb. See further Ofer and Jacobs, *Nahmanides’ Torah Commentary Addenda*, 21–26. [↑](#footnote-ref-4)
5. Hananel Mack, “Nachmanides and His Commentary on the Torah” [in Hebrew], *Cathedra* 159 (2016): 189–194, at 191. [↑](#footnote-ref-5)
6. Chapter 6 of their book, “Earlier Addeda,” deals with seven texts that Nahmanides added to his commentary while he was still in Spain, identifying them by the expressions “and again I found,” “I afterwards found,” and “afterwards I saw.” See Ofer and Jacobs, *Nahmanides’ Torah Commentary Addenda*, 579–600. They find two further sections in which there are indications of an even earlier stage of the text. See ibid. 290–291 and 533–535. [↑](#footnote-ref-6)
7. Yosef Marcus, “Revisions in Nachmanides’ Interpretation of the Term *Derishat HaShem*” [in Hebrew], *Megadim* 9 (2021): 67–78. [↑](#footnote-ref-7)
8. This process is evident also from many other comments, both those alluding to later texts on which he will comment in the future and those alluding to earlier texts on which he has already commented. Nahmanides continued this practice in the comments that he added when he was in Israel, asking that they be incorporated organically into his commentary. Ofer and Jacobs, *Nahmanides’ Torah Commentary Addenda*, 166–167, raise the possibility that Nahmanides’ desire to incorporate these later comments seamlessly into his commentary and not as subsequent clarifications led him, in a comment that was added to the Genesis commentary, to refer in the future tense to a passage in the Leviticus commentary that had already been included in the earlier version of his commentary.

This description of Nahmanides’ writing process is not intended to contradict the possibility that at certain points Nahmanides incorporated into his commentary some passages that had already been written before he began the Torah commentary. R. Yehuda Tropper is currently working on an analysis of an extremely important passage of this kind, which will include the analysis of several more such passages. [↑](#footnote-ref-8)
9. M. Meira, *Ha-Ramban beḥug Gerona* (Jerusalem: n.p., 1974), 260–265; Haim Hanokh, *Nachmanides, philosopher and mystic* [in Hebrew] (Jerusalem: Ariel, 1981–1982], 123–131; Moshe Halbertal, *Nahmanides: Law and Mysticism*, trans. Daniel Tabak (New Haven: Yale University Press, 2020), 271–280; A. I. Rotenstein, *Ḥamishah ḥumshe torah ʻim perush Ramban ha-mevoar* (Bet Shemesh: ʻOz ṿe-hadar, 2012), פט. [↑](#footnote-ref-9)
10. This article is based on the version of Nahmanides’ commentary as printed in the HaKeter edition, ed. M. Cohen, [www.mgketer.org](http://www.mgketer.org), corrected with reference to the manuscripts. Significant alterations in the places that require emendation of the Hebrew will be explained in the notes. [↑](#footnote-ref-10)
11. In some of the Mss (4, 18, 19, 26, and 36 [where it is corrected to שיצוך]) this is שצוך ‘that which He has commanded you’. In Ibn Ezra’s commentary as we have it the comment reads שצוה ‘that which He has commanded’. Ibn Ezra’s original comment would seem to have been שיצוה ‘that which He will command’ as the context demands. In the short commentary, Ibn Ezra himself comments on “give ear to His commandments” as follows: “that which He will command.” This example illustrates the need to take into account Ibn Ezra’s comments as given in Nahmanides’ commentary when establishing the correct text of Ibn Ezra’s commentary itself – even though here Nahmanides has altered Ibn Ezra’s comment. See further n. 13. [↑](#footnote-ref-11)
12. Mss 1, 3, 5, 6, 8, 9,13, 16, 23, 27, 29, 32, 34, 35, 37 have מעלין (corrected to מעלה), as do printed editions ה and ו; others have מעלה עליו (4, 11, 18, 22, 25, 26, 30, 33, 36, 38, ד, ז, ח) or מעלה עליו הכתוב (2, 7, 10, 19, 20, 21, 24, 28, א). ב and ג have מעלין עליו הכתוב. Nahmanides’ “short commentary” is an important textual witness here, since there are Mss of this commentary as early as 1284 and 1301, close to Nahmanides’ own time, while the earliest manuscripts of the long commentary date to the 14th century. On the short commentary and the dating of these two manuscripts, see Oded Yisraeli, “Early vs Late in the History of Kabbalistic Ideas in Nahmanides’ Torah Commentary” [in Hebrew], *Zion* 79.4 (2014), 485–486. Of the three main texts presented in this paper, only this one appears in the short commentary, and in a significant majority of the Mss, including the two oldest, the text is מעלים/ן עליו. See also the Horovitz-Rabin edition of the Mekhilta, 158, and the textual versions given there. [↑](#footnote-ref-12)
13. Jonathan Jacobs, “Nahmanides, and Ibn Ezra’s Commentaries on Exodus” [in Hebrew], *Hispania Judaica* 13 (2017): נא–ע, has shown that Nahmanides knew Ibn Ezra’s long commentary to Exodus but not his short commentary. He identified this citation as coming from the long commentary, since the short commentary says nothing about this (נד n. 12). The first part of the comment is not quoted precisely; Nahmanides changed the wording a bit. Since he did not cite the full comment but started with שיבין ‘understand’ he took the word טעם ‘purport’ from the previous sentence and interwove it here because it was such an important word. He similarly turned the future tense שיבין into the infinitive להבין and added an object suffix to שיצוה ‘that which He will command’ (see n. 11). These changes appear to stem from the verse itself, which uses both the infinitive (שמוע) and the second singular suffix (on אלהיך).

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| --- | --- |
| Nahmanides: | Ibn Ezra: |
| **להבין טעם מה שיצוך לעשות והישר בעיניו תעשה מצות עשה והאזנת למצותיו מצות לא תעשה** | ויאמר כבר הזכרתי כי כל שמיעה שאחריה בי”ת או למ”ד אין פירושה לשמוע הדבר רק **טעם** הדבר והנה זאת השמיעה **שיבין מה שיצוה לעשות והישר בעיניו תעשה** אלה **מצות עשה והאזנת למצותיו מצות לא תעשה** להתבונן מה הם... |

 [↑](#footnote-ref-13)
14. See Miriam Sklarz, “Place of Abraham ibn Ezra in Nachmanides’ commentary to Genesis” [in Hebrew], Ph.D. diss. (Ramat-Gan: Bar-Ilan University, 2002), 121–122; Ofer and Jacobs, *Nahmanides’ Torah Commentary Addenda*, 167; and recently Sklarz, “Anonymous Quotations from Ibn Ezra in Nachmanides’ Commentary on the Pentateuch” [in Hebrew], *Shenaton* 24 (2016): 285–302, esp. 300–302. [↑](#footnote-ref-14)
15. The word ולכלול ‘includes’ is missing in Ms 15, which was chosen as the base text for the HaKeter edition, and from two other Mss against which that edition was cross-checked (12 and 36); it is missing as well from Mss 1, 7, 9, 13, 14, 18, 23, 25, 27, 30, and 38. But it appears in three other Mss that were used for cross-checking (19, 20, and 21), as well as in Mss 2, 4, 8, 10, 17, 26, 28, 29, 31, 33, 35) and in all the printed editions. My decision to include the word is based on the content of the comment, which is constantly alternating between the particular (פרט) and the general (כלל). [↑](#footnote-ref-15)
16. In Ms 15, the HaKeter base text, and in Ms 21, one of the Ms used for cross-checking, this word appears as בכל ‘in all’; so to in Ms 7. Charles B. Chavel, *Perush haRamban al-ha-Torah*, 2 vols. (Jerusalem: Mossad Harav Kook, 1959–1960), who put Ms 21 first (א; see vol. 1, 12 f.) on his list and preferred its readings, accepted this as the correct text. His note (vol. 2, קטז, n. 19) reads: “Based on the Mss (and this is correct). Our texts read וכל ‘and all’.” But three of the Mss used for checking the HaKeter edition – two of which Chavel had – read וכל: 19 (ב on Chavel’s list), 20 (ג on Chavel’s list), and 36. So too do practically all the other Mss and printed editions: 1, 2, 4 (הדינין ומשא), 8, 9, 13, 14, 17, 18, 23, 25, 26, 27, 28, 29, 30, 31, 33, 35 (וכל פרטי משא), 38, א, ב, ג, ד, ו, ז, ח. [↑](#footnote-ref-16)
17. All the Mss have לא תגנב (ignoring full or defective spelling), which comes from Exodus 20:12 (v. 13 or v. 15 in some Hebrew editions); Deuteronomy 5:16 (17 or 19 in some editions) has ולא תגנב. Nonetheless, since this comment pertains to Leviticus 19 and the rest of the examples come from that chapter (see next note), and since the Exodus verse is traditionally understood (including by Nahmanides in his comment there) as referring to stealing a person, that is, kidnapping, it seems clear that Nahmanides took *all* his examples from Leviticus 19, listing them in the order they appear there: not to steal (לא תגנבו, v. 11), not to rob (v. 13), ending with “not to wrong the stranger” (v. 33). Nahmanides originally wrote לא תגנבו לא תגזל ולא תונו but a copyist shifted the ו to make it לא תגנב ולא תגזל. That is how it appears in all the Mss, which might seem to argue against my suggestion; but in many of the manuscripts תגנב and the following ולא are written extremely close together.

There is, however, an argument pointing to the correctness of the singular Exodus reading here. Nahmanides uses the term דינין ‘laws’ not just for torts but also for capital crimes. Possibly, then, Nahmanides did intend לא תגנב and לא תגזל as contrasting examples of the דינין. Although this is significant for understanding the extent of the realm of prohibitions, it is not relevant for understanding the positive commandment that follows, to do “that which is right and good,” since by their nature capital crimes fall in the realm of prohibition, not of positive commandment. Rules about torts, of course, can sometimes be framed positively. Throughout this article, I take דינין to refer solely to torts, adopting the hypothetical reading לא תגנבו from Leviticus 19, not לא תגנב from the Decalogue. [↑](#footnote-ref-17)
18. In the rabbinic sources (*Sifra* Behar 3:4, 4:1; b. Bava Metzi’a 58b), there are two types of “exploitation” (אונאה): financial exploitation (derived in the sources from Leviticus 25:14) and verbal exploitation (derived from Leviticus 25:17). Nahmanides comments on the “exploitation” of v. 14 simply by quoting the *Sifra*: “This refers to overcharging in money matters.” So it is evident that, like the Sages, he takes v. 17 to refer to verbal exploitation. Therefore, his reference to exploitation in the comment to Leviticus 19:2 cannot refer to Leviticus 25:17, since it is cited here in a business, that is a financial, context. The reference here is therefore evidently to Leviticus 19:33, “And if a stranger sojourn with you in your land, you shall not exploit him (לא תונו אתו).” The fact that this verse appears in the same chapter as the verse Nahmanides is explaining here strengthens this supposition. Although rabbinic tradition mostly explains biblical references to exploiting the stranger (Exodus 22:20 and Leviticus 19:33) as verbal exploitation (Mekhilta to 22:20 (Horovitz-Rabin ed., 311; Lauterbach ed. 3:137); *Sifra* Kedoshim 8:2 (Weiss ed., 91a); b. Bava Metzi’a 59b), Nahmanides apparently understands them to refer to, or also to, financial exploitation. See further Nahmanides’ comment to Exodus 22:20 and the Mekhilta d’Rashbi 22:20 (Epstein ed., 210). [↑](#footnote-ref-18)
19. Chavel, like many others, took השויה to mean “compromise,” apparently connecting the word to the Hebrew idiom for compromise derived from Genesis 14:17, “to meet him in the Valley of Shaveh.” But השויה here seems to carry a meaning closer to “fairness” or “equity.” That is how it is explained by R. Aryeh Leib Steinhardt in his *Kur Zahav* supercommentary to Nahmanides (see *Sefer Perush ha-Ramban ʻal ha-Torah*, eds. Yehudah Meʾir Devir and Yaʻaḳov Yehoshuʻa Buḳsboim [Jerusalem: Mekhon Yerushalayim, 2008], קצד): היושר וההשוי. “That is, one must follow a middle path and not go to extremes; as they said in M. Avot 2:1, ‘Which is the straight way that a man should choose? That which is an honor to him and gets him honor from men.’ [Danby trans.].” *Sefer ha-Ḥinukh* 178 uses precisely this expression, היושר וההשויה, in discussing the laws of genital discharge: “It is from the roots of the commandment [that it is] since God, blessed be He, distanced us greatly from excesses and commanded us to be holy and righteous regarding food and drink and in all other human matters. And there is no doubt that the matter of a discharge happens to a person from his constantly leaving the straight path in his food and drink, and that putrid, disgusting and impure excess develops in his body from this. It is as they, may their memory be blessed, said (Kiddushin 2b), ‘It is the way of excessive drinking to produce genital discharge.’ And the Torah informed us that a man who has this in him is called impure; and impurity is a general name for anything disgusting and vile. In distancing ourselves from this, we acquire the trait of righteousness and balance [היושר וההשויה] in all of our dispositions and in all of our abilities” (translation adapted from that of R. Francis Nataf on Sefaria [https://www.sefaria.org/Sefer\_HaChinukh.178.4?lang=bi&with=all&lang2=en]), accessed 15 June 2022. [↑](#footnote-ref-19)
20. HaKeter spells out the abbreviations used in the Mss. Some of them have here ברצון הב״ה, others ברצון הקב״ה; the expression ברצון האל ית׳ is also found. Another very common reading is ב״ה, בע״ה, or בעז״ה, without ברצון. [↑](#footnote-ref-20)
21. Most Mss simply say here בע״ה, followed by the word יתברך either in full or abbreviated. Four Mss write out בע״ה in full, three of them as בעזרת האל (2, 4, 19) and one as בעזר האל (18). [↑](#footnote-ref-21)
22. See above n. 16. [↑](#footnote-ref-22)
23. With regard to the Mekhilta text itself, things are clearer with the reading of the printed editions, רוח; but I believe the reading of the Mss, ורוח, still supports the discussion. See again Horovitz-Rabin edition of the Mekhilta, 158; Saul Lieberman, *Tosefta ki-fshuta : a comprehensive commentary on the Tosefta* (New York: Jewish Theological Seminary of America, 1955), 4:678 with n. 15; and Yehudah Morial, “Hayashar ve-hatov,” *Sinai* 70.1–2 ( 1972): צט–צב, at צה. [↑](#footnote-ref-23)
24. Or ברצון following Ms 10; see n. 14. [↑](#footnote-ref-24)
25. Some Mss have ייטיב לך ‘He will do well by you’, influenced by the following מטיב ‘does good’. But ייטב לך is a direct quotation of the verse being discussed and is no doubt the correct reading. [↑](#footnote-ref-25)
26. See Morial, “Hayashar ve-hatov,” צז: “This midrash is not known to us from any other source”; n. 15 there refers to *Midrash Leqaḥ Tov*. [↑](#footnote-ref-26)
27. This latter word was dropped from some of the Mss. [↑](#footnote-ref-27)
28. See b. Yoma 86a: “Abaye explained: As it was taught: And thou shalt love the Lord thy God, i.e., that the Name of Heaven be beloved because of you. If someone studies Scripture and Mishnah, and attends on the disciples of the wise, is honest in business, and speaks pleasantly to persons, what do people then say concerning him? ‘Happy the father who taught him Torah, happy the teacher who taught him Torah; woe unto people who have not studied the Torah; for So-and-so, who taught him Torah, look how fine his ways are, how righteous his deeds! Of him does Scripture say: And He said unto me: Thou art My servant, Israel, in whom I will be glorified” (adapted from the Soncino translation); see Raphael Rabbinovicz, *Dikdukei Soferim* (Munich: 1872), 6:294. [↑](#footnote-ref-28)
29. On “whole-hearted and upright” see further his comment to Deuteronomy 2:10, “Thus the name Ya’akov (Jacob), an expression of guile or of deviousness, was changed to Israel [from the word *sar* (prince)] and they called him *Yeshurun* (Jeshurun) from the expression whole-hearted ‘*v’yashar*’ (*and upright*).” [↑](#footnote-ref-29)
30. See Morial, “Hayashar ve-hatov,” צב. [↑](#footnote-ref-30)
31. But not those between people and God; the latter apparently fall only in the realm of “which He has commanded you.” [↑](#footnote-ref-31)
32. Proof of this is offered by the following source, where Nahmanides also identifies משפטים with דינים:

AND IF YOU SHALL REJECT MY STATUTES. Because “statutes” are commandments the reasons for which have not been revealed to the majority of the people, therefore fools reject them … The “ordinances” (המשפטים), however, everyone desires and everyone needs, for there can be no civilized life for any people or country without ordinances (אין ישוב לעם ומדינה בלתי משפט). No one will reject the ordinances of: *he that smites a man so that he dies*; *and if men strive together*; and the laws of the ox and the pit and the [four] guardians, and so on. However, the judgment that we execute upon those who transgress the commandments, such as one who has forbidden sexual intercourse, or profanes the Sabbath, or does [the sorcery of] the *ov* or *yid’oni* they will despise, because of [the necessity of keeping these] commandments, which constitute a heavy yoke upon the wicked. Therefore He said, *and if your soul abhor My ordinances so that you will not do all My commandments*, for their abhorrence of the “ordinances” is in order that they should not keep the commandments.

Just after Nahmanides’ comment to Deuteronomy 6:18 comes his comment on v. 20, “When your son asks you in time to come, saying: ‘What mean the testimonies, and the statutes, and the ordinances, which the LORD our God hath commanded you?’”

The meaning thereof is that first he will ask, “These commandments called testimonies – to what do they testify?” For they are a memorial to His wonders and witnesses thereof, such as the Unleavened Bread, the Booth, the Passover, the Sabbath, the phylacteries, and the Mezuzah. [Then he will ask] “What are the statutes?,” for their reasons are hidden in the Torah. Of the ordinances he will inquire: “What are the ordinances that we enforce in these commandments — stoning him who does work on the Sabbath, burning him who has intercourse with a woman and her mother, and administering forty lashes to him who sows mixed seeds?” For the ordinances pertaining to the social order of countries (משפטי ישוב המדינות) — such as the laws of the ox, the pit, the guardians, and the rest of the laws (הדינין) of the Torah — are righteous and good (צדיקים וטובים), all that see them acknowledge them, [and of these they do not ask].

When the son asks about “the ordinances,” he is asking about specific commandments such as stoning one who works on the Sabbath and so forth – not about financial misbehavior and such “ordinances pertaining to the social order of countries.” The latter are understood by everyone to be wrong, and it is them that Nahmanides in his comment to Deuteronomy 4:8 calls “righteous in themselves, fair and good.”

In the context of the comment to Exodus 15:26, Nahmanides explains that the expression חק ומשפט (of v. 25 there) does not yet refer to Torah commandments:

In line with the plain meaning of Scripture … Moses established customs for them concerning how to regulate their lives and affairs *until they come to a land inhabited*. A custom is called *ḥok* … Custom is also called *mishpat* (judgment or ordinance) because it is something measured out accurately … It may mean that Moses instructed them in the ways (*ḥukei*) of the wilderness, namely to be ready to suffer hunger and thirst and to pray to God, and not to murmur. He taught them ordinances (*mishpatim*) whereby they should live, to love one another, to follow the counsel of the elders, to be discreet in their tents with respect to women and children, to deal in a peaceful manner with the strangers that come into the camp to sell them various objects. He also imparted moral instructions, i.e., that they should not become like bands of marauders who do all abominable things and have no sense of shame, similar to that which the Torah commanded, *When you go forth in camp against your enemies, then you shalt keep you from every evil thing* [Deuteronomy 23:10].

In the case of Joshua it is also said. So Joshua made a covenant with the people that day, and set them a statute and an ordinance in Shechem [Joshua 24:25]. Here too the expression, [a statute and an ordinance], does not refer to the statutes and ordinances of the Torah, but rather to the customs and ways of civilized society, such as “the conditions which Joshua made [upon entering the Land],” which the Rabbis have mentioned, and other such similar regulations.

“The customs and ways of civilized society” (הנהגות וישוב המדינות) belong to the realm of משפטים ‘ordinances’; but there are ordinances given in the Torah and others made by Joshua. There is a clear linguistic link between these “customs and ways of civilized society” (הנהגות וישוב המדינות) and “man’s conduct with his neighbors and friends, and all his various transactions, and the ordinances of all societies and countries” (הישוב והמדינות) in Nahmanides’ comment to Deuteronomy 6:18. [↑](#footnote-ref-32)
33. On the various meanings of פרקו נאה, here in the sense of “acquiring a good reputation,” see Bernard Septimus, “On the Meaning of the Phrase פרקו נאה,” Lĕšonénu 76.4 (2014): 189–222, esp. 401–402. [↑](#footnote-ref-33)
34. On the relationship between *peshat* and *derash* in Nahmanides’ commentary, see (e.g.) Miriam Sklarz, “Contending with the Disparity Between Peshat and Derash: Nachmanides in the Footsteps of Ibn Ezra” [in Hebrew], *Shenaton* 22 (2013): 189–222. [↑](#footnote-ref-34)
35. See (e.g.) Yossi Erel, “Ramban’s Approach Toward the Plain Meaning of the Biblical Text vs. his Commitment to Halakha” [in Hebrew], *JSIJ* 8 (2009), 152–117, at 143: “In the financial realm Nahmanides links a commandment of this kind to ‘do that which is right and good’ (Deuteronomy 6:18).” [↑](#footnote-ref-35)
36. See (e.g.) Halbertal, *Nahmanides: Law and Mysticism*, 271–280. [↑](#footnote-ref-36)
37. They were, however, already given to Moses either at Sinai or in the Tent of Meeting, before the episode with the spies in Numbers 13–14; but he had not yet spoken them to the people. [↑](#footnote-ref-37)
38. Nahmanides writes in his introduction: “Additionally, he proclaims commandments which have not been [previously] mentioned at all, such as the levirate marriage, the law concerning the defamation of a virgin bride, the divorcing of a wife, [the punishment of] plotting witnesses, and others besides.” See his comments to Deuteronomy 6:7, 18:3, 20:1, 21:15, 18; 22:8, and 24:4. [↑](#footnote-ref-38)
39. Here Nahmanides uses the verb חדשׁ but with an indirect object: לחדש בהם דברים; the implication is that he is “renewing” something already in existence. In his comment to Deuteronomy 26:16, he employs a direct object: לחדש כל המצוות, implying the invention of something completely new. Here the phrase describes commandments that are being clarified; there, the commandments themselves are new. Using “new” in both senses presents Deuteronomy, “the repetition of the Torah,” as an overall renewal of the commandments – both new ones that had not previously been spoken, and old ones that are clarified with new elements. [↑](#footnote-ref-39)
40. On the connections between an “explanatory commandment” in Deuteronomy and its original appearance in one of the earlier books of the Torah and on its identification as “explanatory” see Avraham Nahshon, “Mitzvot mevu’arot be-homesh devarim le-shitat haRamban,” *Shemaʻtin* 176.2 ( 2010), <https://orot.ac.il/sites/default/files/shmaatin/176-2.pdf> (accessed 9 May 2020). [↑](#footnote-ref-40)
41. See his comment to Deuteronomy 6:5. [↑](#footnote-ref-41)
42. In his comment to Genesis 18:19, Nahmanides writes: “It is possible that the word ידעתיו (*yedativ*) means “I have raised him and elevated him so that he shall command his children after him to do that which is right before Me.” Note that “to do that which is right before Me” is at this stage of writing the commentary an expression connected with observing all the commandments written in the Torah; doing so is “right” before Him, as noted in the citation of Ibn Ezra in the comment to Exodus 15:26. It is not a commandment in itself to be added to them. [↑](#footnote-ref-42)
43. See his comment to 4:5. [↑](#footnote-ref-43)
44. This expression appears a number of times in Deuteronomy (8:6, 19:9, 26:17, 30:16), but only here, in the conclusion to the exposition of the Torah, does Nahmanides explain it as doing “that which is right and good.” [↑](#footnote-ref-44)
45. This conclusion, and indeed this entire article except for the brief mention of Marcus at the beginning, was written before Marcus’s article was published. Since (as I remarked) I believe Nahmanides’ reference to his own comment undercuts the entire basis of Marcus’s article, the case discussed there should be re-examined. In any event, both articles call for further research in this area. [↑](#footnote-ref-45)