

What Is “The Just and the Good in HaShem’s Eyes”?

Part II

Rabbi Yaakov Bieler
Parshat Re’eh 5764

Continuing the discussion of the concept that first appears in the Tora in Devarim 6:18 “And you will do WHAT IS JUST AND GOOD IN THE EYES OF GOD in order that He Do good for you, and you will come to inherit the good land that HaShem swore to your fathers”, (1) our attention is drawn to two verses employing parallel language in Parshat Re’eh—(12:25) “And you will not eat it (blood, when you properly slaughter an animal in order to consume its meat) in order that He will Do good for you and your offspring after you, because you are doing WHAT IS JUST IN THE EYES OF GOD”, and (12:28) “Observe and hear all of these matters that I am Commanding you (while animals not brought as sacrifices can be slaughtered and consumed locally, sacrifices must be brought to a single, centralized location before they can be offered up to HaShem), in order that He will Do good for you and your offspring after you forever, when you do THE GOOD AND THE JUST IN THE EYES OF GOD, YOUR DEITY.”

Two essential questions arise in light of these three particular verses. Generally speaking, why must the Tora iterate three separate times (the last two instances over the course of only four verses) what would appear to be essentially the same idea? (2) More specifically, with regard to the key phrase that is more or less repeated in each of the verses, while the context of such a sentiment in chapter 6 can be explained relatively easily, we are harder pressed to do so in chapter 12. In chapter 6, verse 18 is surrounded by verses 16-19. (3) In these verses, the Jewish people are adjured both to avoid challenging God, as they unfortunately had done so many times during the forty years of wandering in the desert, as well as fulfilling His Directives and Commandments. With a focus upon the entire corpus of the Tora, we can well understand how 6:18 is either defining such compliance with God’s Will as “doing the good and the just in the Eyes of God”, or that the verse is adding a new idea, i.e., that it is important to not only fulfill the letter of the Tora law, but also strive to enact the Divine Will in areas and ways “beyond the letter of the Tora law.” (4) The general nature of the context of 6:18 is in stark contrast to the extremely specific focus of the two verses in chapter 12. The section of text of which these verses are a part—12:20-28—rather than being associated with all of Jewish law, focus upon two specialized Commandments: v. 23, the negative commandment to avoid consuming animal blood when eating meat, and v. 26,

instructing one to bring sacrifices to a place that God will ultimately Choose.
(5)

At times, the Tora implements the hermeneutic principle “Binyan Av” (the construction of a paradigm) (6) in order to teach an idea economically with respect to the number of times the concept has to actually be articulated in separate verses. A single specific example is given to serve as such a paradigm, and the reader is then expected to extrapolate the other instances to which the principle applies. (7) However, such an approach is not indicated in the case of “doing the just and the good in the Eyes of God” in the specific examples of chapter 12, because of the principle’s general application earlier on in chapter 6. Furthermore, if we were dealing with paradigm construction, it would be sufficient in chapter 12 to state the idea a single time, rather than repeating it in more than one instance, let alone over the course of only a few verses.

Another hermeneutical approach is represented by the phrase “Kellal U’Perat” (a general statement followed by a specific example of the application of the statement). (8) The logic behind such an approach to textual interpretation is to be able to more precisely delineate the number and type of individual instances represented by a general principle. (9) But we again are unable to invoke such an approach since 12:25 and 28 create a “Kellal U’Perat U’Perat” (two specific instances following the original general formulation), constituting an unprecedented, unrecognized structure with regard to standard Biblical interpretation. It could also be contended that “Kellal U’Perat” is used with respect to practical cases of Jewish law where there is a significant difference in practice whether or not a certain case is included under the general rubric. However, with regard to “the good and just in God’s Eyes”, while such a categorization is helpful in terms of emphasizing the importance of a certain behavior, it would seem that as long as a practice is defined as a Mitzva, no change in this practice’s fulfillment will be effected whether or not it gains this additional appellation.

Additionally, concerning the two basic approaches that are adopted by the commentators with respect to 6:18, i.e., “Peshat” (the simple, literal meaning) and “Derash” (the homiletical understanding of the verse) neither appear to be applicable to 12:25 and 28. The “Peshat” maintained that carrying out God’s Commandments constituted doing what is “good and just in His Eyes”. Why would I think otherwise with respect to avoiding consuming blood and bringing sacrifices to a central location so that it becomes necessary to reiterate such an idea in those contexts? And as for the “Derash” interpretation of 6:18, i.e., that one is to go beyond the letter of the law when fulfilling the Commandments, while it is relatively easy to define how such a principle can

be fulfilled with respect to Commandments that deal with relationships between man and his fellow, (10) it is difficult to comprehend how one is expected to adopt such an approach when it comes to ritual law between man and God, which is the nature of the two specific examples of not consuming blood and bringing sacrifices to a central location. Ritual law generally falls under the category of Commandments referred to as “Chukim” (statutes), implying that their rationales are either obscure or non-existent. (11) RaMBaN on 6:18 explains that since it is impossible for the Tora to list and codify every behavior that one may encounter during the course of his/her life, a goodly number of specific Commandments are presented, and then the reader is expected to recognize the inherent common principles of these laws and proceed to apply such principles to situations not directly discussed in Jewish tradition’s primary sources. But this is clearly possible only with respect to those Mitzvot which reflect obvious logical and ethical purposes, i.e., interpersonal as opposed to ritual law. The deaths of Nadav and Avihu (VaYikra 10:1 ff.) would appear to demonstrate that in matters of ritual law, HaShem Demands precise compliance with His Law, rather than individual initiative to “improve upon it” or expand it to new areas previously undefined.

A final curious aspect of our discussion arising from a close reading of the two verses in chapter 12 is a specific dissimilarity from one another as well as from 6:18. In the first instance, the terminology that appears is: “the just and the good”. 12:25 simply reads: “the just”, while 12:28 employs: “the good and the just”. While the general parallelism is obvious, a thorough treatment of the topic must account for the subtle differences between the verses as well.

The earliest recorded attempt to explain the fuller form of the expression invoking both “good” and “just” that appears in 6:18 and 12:28, albeit in opposite order, is a dispute between the Tannaim (scholars from the Mishnaic period of the development of the Oral Tradition) R. Akiva and R. Yishmael. (Siphre, [12] Parshat Re’eh, #52) “The good—in the Eyes of Heaven; the just—in the eyes of man. These are the words of R. Akiva. R. Yishmael says: The good—in the eyes of man; the just—in the Eyes of Heaven, as it is stated (Mishlei 3:4) ‘And finds grace and GOOD understanding in the Eyes of GOD and man.’” (13) While the dispute taken as a whole is reminiscent of R. Yehuda HaNasi’s statement in Avot 2:1 “What is the JUST path that a person should choose? All that accrues glory to the Maker (14) and that earns glory from people”, emphasizing how one must simultaneously and continually address how to realize the ideal in both spiritual and interpersonal realms, nevertheless, each of the Tannaim cited apparently feels that there ought to be a subtle difference in emphasis or understanding, R. Akiva emphasizing 12:28, R. Yishmael favoring 6:18. MaLBIM, in his commentary on Siphre “HaTora

VeHaMitzva”, offers an analysis that focuses upon the attitude of the Jew towards Mitzva observance: R. Akiva is of the opinion that the term “Tov” (good) ought to be associated primarily with Commandments between man and God since observing these practices is not motivated by a particular sense of justice, but rather an acknowledgement that God’s Knowledge and Will are Perfect, and consequently define what is truly “good”. The “just” reflects Commandments between man and his fellow man, which appeal to one’s sense of social equity and justice. R. Yishmael, on the other hand, in an arch contrarian manner, insists on the basis of 12:25 where the phrase “the just in the Eyes of God” is used in connection with the prohibition against the consumption of blood, that it is man’s obligation, however counterintuitive, to force himself to approach ritual law “as if” he understood the justness of it, in the same manner and with the same enthusiasm that motivates him to carry out social restrictions and obligations. And as for interpersonal law, he should fulfill these rules not because they make sense to him and contribute to his aspirations for justice, but rather as if the Divine, without rhyme or reason, exclusively imposes them in accordance with a super-rational conception of the “good”. According to this commentator’s understanding of R. Akiva and R. Yishmael, the views are not mutually contradictory; rather each one adopts a particular perspective, either that of God or man.

One aspect of the Tannaitic dispute upon which MaLBIM’s interpretation casts light is the extent to which an individual should expect to apply his rational abilities to the determination of the parameters of “between man and man” Commandments. Whereas according to R. Akiva, one’s own sense of justice should be the motivating factor, thereby opening the possibility for different individuals to respond differently to various aspects of these types of Halacha, e.g., how are Jewish laws relating to women to be approached during different epochs; is there room or even necessity for change with regard to interactions by Jews with the general secular society, etc., according to R. Yishmael such analyses are inappropriate since the laws are informed not by man’s sensibilities but rather by God’s. But how one feels about ritual law also comes into play as a result of the controversy in the Siphre. It would appear that R. Akiva assumes that rationales for “between man and God” laws are unnecessary and even counterproductive, whereas for R. Yishmael, in order to appreciate the “justness” of such law, wouldn’t it be extremely important to delve into Ta’amei HaMitzvot (the reasons for the Commandments)? Is it sufficient to merely assume that the laws are just, in the spirit of the evocation of the blessing “Baruch Dayan HaEmet” (Blessed be the True Judge) when one is confronted with news that is troubling and traumatic, (15) or must one

attempt to convince oneself of this by exploring rationales for these Commandments, however obscure they may at first appear?

Ketav Sopher integrates RaMBaN's second interpretation for 6:18, i.e., the need to go beyond the letter of the law, into the verses in chapter 12. The commentator posits that God Wishes that man do no more than what is just, to fulfill the law "as it is" rather than necessarily striving to do even more. The problem, however, is that what may appear to man to be just and adequate, may not qualify in God's Eyes as such. Consequently, man has to do more, "Tov", not because this is an ideal, but rather it is a practical necessity in order to be assured that one is fulfilling even the minimum requirement "justly" in God's Eyes. This leads Ketav Sopher to an intriguing interpretation of a famous verse in Kohelet 7:20 "For as for man, there is no righteous individual in the world who does 'Tov' and does not sin." Typically, the verse is understood as a cynical comment regarding the impossibility of man ever perfecting himself. However, Ketav Sopher parses the verse in the following manner: An individual is not righteous if he lives according to what he considers to be righteous; but if he were to do "Tov", i.e., beyond the limits of what he thinks qualifies as righteous, it is only then that he can be assured of not sinning." Tora Temima, on R. Akiva's view in the Siphre, reverses the terminology, but comes to a similar conclusion when he suggests that what people may commonly understand to be "Tov", a higher state of desirability and perfection, may really not be any more than simply "Yashar", adequate, but not superior. Consequently, only HaShem can truly Know if something is actually "Tov" since He alone Is in the position to Recognize with certainty future developments, the long-range prospects of a certain activity or initiative, rather than being anchored in the here-and-now, as we very much are. R. Akiva's view thus becomes a call for an exercise in humility. Although Tora Temima dismisses R. Yishmael as a view that we do not generally accept Halachically, and therefore do not have to explain in this instance, perhaps it could be suggested that in fact "Yashar", which carries with it a connotation of objectivity and righteousness, is a higher value, in light of the Divine Opposition to man's eating from the Tree of Knowledge of "Tov" and Evil—see Beraishit 2:17; 3:2-5. If "Tov" is the higher ideal, would it not have been desirable for Adam and Chava to have acquired this type of perspective right from the beginning of Creation? Tora Temima perhaps could counter that man IS intended to achieve such knowledge, but by means of his own deductions, discovery, and determination to pass on such knowledge to ensuing generations.

If in fact the "beyond the letter of the law" approach is to be applied to even areas such as (12:25, 28) not consuming animal blood and bringing

sacrifices to a central Mishkan or Mikdash, then one could understand why someone might strive to be particularly strict when avoiding all forms of blood, as well as maximizing the number of times one brings sacrifices and the number and quality of the sacrifices themselves, in effect going the extra mile in these areas. While “going beyond the letter of the law” may be the appropriate terminology to apply to Commandments between man and man, the principle of “Chumra” (following the stricter/strictest interpretation of the law) may be its complement with respect to Commandments between man and God. A case in point of the latter type is embodied in the story of Kayin and Hevel (Beraishit 4:3 ff.) While Kayin may have first arrived at the idea of bringing sacrifices, and brought more than he needed to bring, Hevel made sure that the quality was superior so that it was clear that was not satisfied merely doing the minimum. If Kayin had had a similar mindset, he very well may never have sinned!

Shabbat Shalom, and may we merit to not only fulfill God’s Mitzvot, but to do them well, not be concerned with the minimum, but rather to perform them so that they will with inspire and suffuse us with the spirit of serving HaShem.

(1) See the essay for Parshat VaEtchanan, 5764 at <http://www.kmsynagogue.org/Nachamu.htm>

(2) Such a question presumes what I typically refer to as the “Law of Conservation of Pesukim (verses)”, i.e., each verse, and for that matter, even word and letter, of the Tora must somehow be uniquely accounted for, beyond simply insisting that the apparent redundancy is intended for special emphasis, rather than in order to expand the range or scope of ideas being presented by the Tora. This premise is accepted by the majority of commentators, but not by all, the latter group insisting that the Tora contains language that is a reproduction of how human beings converse with one another. Just as people will repeat themselves in order to draw special attention to a point, the Tora is doing the same.

(3) The only visible punctuation found in the hand-written Sefer Tora is the spaces that separate sections of text from one another. When a series of verses is sectioned off from what comes before and after, by a space of at least nine letters, it is appropriate to consider such a section in terms of itself as well as with respect to what is written just before it begins, and just after it concludes. In printed Chumashim, these spaces are indicated by either the letter “Samech”, the first letter of the word “Setuma” (closed), representing an empty space which is large enough that it ordinarily could contain nine letters, in the MIDDLE of one of the Tora’s columns, or a “Peh”, standing for “Petucha” (open), and correlating to an empty space of at least nine letters from the last word on the line until the end of the column, with the next word starting at the beginning of the next line below.

(4) See the essay referenced in fn. 1 for an in-depth development of these two interpretations of 6:18.

(5) Mishna Zevachim 14:4-8 discusses the various places that the Mishkan and Mikdashot were located and the practices with respect to sacrifices that were appropriate

for each location. Yerushalayim is never explicitly mentioned by God as the ultimate setting for the Mikdash until Divrei HaYamim I 21:18.

(6) Yosef Schechter, *Otzar HaTalmud, Devir, Yerushalayim*, 1990, p. 68. "...When there are topics in the Tora where a single intent is common to all of them, and regarding one of them, a specific Halacha is stated, this instance becomes a model for the others, all of the others are derived from that one Halacha..."

(7) For examples, see *ArtScroll Siddur*, p. 50.

(8) Schechter, p. 194. "...The specific case that follows the general formulation, defines the general formulation in line with the characteristics of the specific case..."

(9) For examples of Kellal U'Perat, see *ArtScroll Siddur*, p. 50.

(10) See the examples from Bava Metzia 16b and 108a discussed in the essay cited in fn. 1.

(11) See RaMBaN on Devarim 22:6.

(12) The Siphre is one of the collections in the earliest form of the Oral Tradition known as Midrash Halacha. In these compendiums, interpretations of the verses of the Written Tradition are arranged according to the books and verses of the Five Books of Moshe, the Siphre including material on BaMidbar and Devarim. In the Mishna, R. Yehuda HaNasi took essentially the same material, and organized it topically, dividing it up into Shisha Sedarim (Six Orders) which are subdivided into Masechtot (Tractates).

(13) On a technical level, MaLBIM notes that just as R. Yishmael cites a proof text from Mishlei, R. Akiva can also invoke a textual precedent for his view, i.e., Devarim 6:18, "And you will do what is JUST and good in the Eyes of GOD", the primary position of "just" suggesting that this is what is to be most associated with the Divine.

(14) While RAV and RaMBaM interpret the word as referring to the individual carrying out the act, GRA and Meiri understand that reference is being made to the Maker, HaShem.

(15) *Shulchan Aruch, Orach Chayim 222:2.*