YESHIVAT HAR ETZION

ISRAEL KOSCHITZKY VIRTUAL BEIT MIDRASH (VBM)

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**Before Sinai: Jewish Values and Jewish Law**

**By Rav Dr. Judah Goldberg**

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This week’s *shiurim* are dedicated in memory of Rhona Albert *z”l*by Jose and Fay Poliak

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**Shiur #03: Components of *Berit Avot***

Our thesis, introduced in earlier *shiurim*, is that a comprehensive devotion to Judaism entails observance of two different covenants:

1. *Berit Sinai* – the covenant established through Moshe at *Har Sinai* (and reaffirmed in *Arvot Mo’av* just prior to his death and the passage of the Jewish people into the Land of Israel) that commits us to the halakhic system; and
2. *Berit Avot* – the covenant established with our forefathers in the earliest stages of Jewish history, prior to the giving of formal law.

The bulk of *Torah she-bikhtav* and almost all of *Torah she-be’al peh* are devoted to a careful enunciation of the detailed duties of *berit Sinai*, so much so that Rashi (*Bereishit* 1:1) opens his commentary to the Torah by asking why anything prior to the giving of laws was even recorded. The responsibilities of *berit Avot*, on the other hand, are not listed quite as neatly. This *shiur* will outline the contents of *berit Avot* and assess its representation in the text of the Torah.

**Does *Berit Avot* Obligate?**

At first glance, it might not occur to a casual reader of *Sefer Bereishit* that *berit Avot* carries any specific responsibilities at all. *Parashat Lekh Lekha* opens with God’s selection of Avraham, accompanied by a multitude of promises (*Bereishit* 12:1-3), but it is deliberately vague about why Avraham was chosen or what God expects from him. To be sure, Avraham’s devotion to God is unsurpassed, and we do not begin to question his worthiness for a unique covenant. At the same time, we cannot point to any specific demand that God makes of Avraham in return for, or in anticipation of, His covenant.

Even Avraham’s legendary role as an iconoclast and outspoken monotheist, passed down as an oral tradition and so elegantly retold in the first chapter of the Rambam’s *Hilkhot Avoda Zara*, is noticeably absent from *Sefer Bereishit*. While conventional wisdom holds that this is what earned Avraham his chosenness, the Torah itself never says so.

Furthermore, throughout the rest of the Torah, *berit Avot* seems to guarantee the Jewish nation more than it demands from them. Repeatedly, *berit Avot* appears as a “safety net” for when God finds the Jewish nation unworthy. In Egypt, God recalls *berit Avot* (see *Shemot* 2:24 and 6:4-5) and redeems the Jewish people, even though they had regressed to idol worship­—contrary to Avraham’s legacy—and refused to abandon it (see *Yechezkel* 20:7-9 and Ramban on *Shemot* 12:42 ).

When the Jews falter in the desert and again engage in idol worship, Moshe appeals to *berit Avot* (*Shemot* 32:13; also see 33:1-3). Regarding their upcoming entrance into the Land of Israel, Moshe tells the Jews that they are undeserving and are conquering the land only because of *berit Avot* (*Devarim* 9:5). From exile, God will again redeem us in the merit of the earlier covenants (see *Vayikra* 26:42, 44-45; *Devarim* 4:31; also see verse 37 there).

Indeed, many of these verses are deeply familiar to us, as we invoke them frequently during the recitation of *Selichot* and in the *Yamim Nora’im* prayers, beseeching God to find favor with us despite our unworthiness. Could it be that *berit Avot* constitutes an unconditional promise that demands nothing in return?

**Responsibilities of *Berit Avot***

I think this conclusion is too extreme for both logical and textual reasons. First, the very concept of “*berit*” as an agreement demands that it be bilateral in nature. The term “*berit*” is used elsewhere in *Tanakh* to refer not to a promise by God but to a deal reached by two human parties (see, for instance, *Bereishit* 14:13, 21:27, 26:28 and 31:44).[[1]](#footnote-1) While a “*shevu’a*,” a promise, can be unilateral, a “*berit*” should require active participation by both sides.

Second, a closer look at *Sefer Bereishit* (and beyond) reveals that *berit Avot* does carry expectations for the *Avot* as well. With regard to Avraham, they are described in hindsight. In reiterating the *berit* to Yitzchak, God promises him innumerable progeny and inheritance of the Land of Israel “because Avraham obeyed Me and kept My charge: My commandments, My laws and My teachings” (*Bereishit* 26:5).[[2]](#footnote-2) Apparently, *berit Avot* is contingent upon Avraham’s actions, and presumably upon those of his descendants as well.

What, then, does *berit Avot* demand? R. Walter Wurzburger, quoting his mentor R. Joseph B. Soloveitchik, summarizes *berit Avot* as follows:

(1) experiencing a sense of kinship and solidarity with fellow Jews with whom we share a common “Covenant of Fate” as well as the awareness of a singular spiritual destiny and value system, and (2) acknowledging the unique and preeminent position of the Land of Israel as the central arena for the fulfillment of Jewish destiny. It should also be noted that, at times, Rabbi Soloveitchik expanded his analysis of the meaning of the Covenant of Abraham to include in it the additional extra-legal requirement (3) to strive for religious experiences, in which God is encountered.[[3]](#footnote-3) (*Ethics of Responsibility*, 15)

R. Wurzburger himself then shifts his focus to what he terms “Covenantal Ethics,” which is an overarching commitment to an ethical life that transcends the particular obligations of halakha and whose force derives from a broad vision for a holy nation rather than from a specific commandment. While the covenant that R. Wurzburger mainly has in mind is, in fact, *berit Sinai*, based on a comment by R. Naftali Tzvi Yehuda Berlin (*Ha’amek Davar*, *Shemot* 19:6), I will argue that the ethical mandate is also just as much a part of *berit Avot* as the three components quoted above, if not more so.

***Berit Avot* Summarized**

To restate and reshuffle, I would list the following components as the core of God’s covenant with the *Avot*:

1. Sociopolitical – commitment to a Jewish nation with its own, unique destiny
2. Geographical – attachment to the Land of Israel as the Jewish homeland
3. Ethical – commitment to the values of generosity and justice
4. Theological – belief in a single, omnipotent God and pursuit of a personal relationship with Him

I have chosen to reorder them mainly for the purpose of setting off the last value from the first three, for two reasons. First, more than any of the other components, #4 anticipates the far more comprehensive *berit Sinai*, whose very purpose is to bring Avraham’s original theological vision to full fruition (though it, too, is not fully captured by the realm of halakha, as we will demonstrate in future *shiurim*). In contrast, the first three components, we will see, find less expression in the eventual *berit Sinai*, and their ultimate force for Jewish living derives much more directly from *berit Avot* itself.

Second, I set apart the fourth component not because it is more important than the rest, but the opposite. Astonishingly, betrayal of Avraham’s monotheism through pagan worship is more easily forgivable, both in *Torah she-bikhtav* and *Torah she-be’al peh*, than is rejection of the other parts of *berit Avot*, as we shall see in detail. As a simple example, let us note that in the desert, the sin of the golden calf—idolatry—was fully forgiven (*Shemot* 34:10), whereas the sin of the spies—a rejection of the Land of Israel—was not (see *Tehillim* 106:19-27 and Ramban on *Bamidbar* 14:17-18).

**Responsibilities of the *Avot* in *Sefer Bereishit***

Returning to the text of *Bereishit*, we find that while much of God’s communication with the *Avot* takes the form of promises and predictions, many of the sparse directives that we find revolve around the themes that we have enumerated.

**1. Avraham**

First and foremost, God instructs Avraham to “Go forth from your country, and from your birthplace, and from your father's house, to the land that I will show you” (*Bereishit* 12:1). Contained in this verse is a fusion of the first two elements, namely, a vision for a distinct peoplehood (#1) who will inherit and inhabit a chosen land (#2). Avraham is asked to separate himself, both sociopolitically and geographically, from his origins. God follows with correlating promises, first in verse 2, “and I shall make you a great nation,” and then in verse 7, regarding Canaan, “to your progeny shall I give this land.” While the promises are not presented as the quid pro quoof a typical agreement,the parallelism between God’s command and His subsequent commitments is evident.

**2. Yitzchak**

Similarly, with regard to Yitzchak, God’s command relates to his relationship to the Land of Israel. *Bereishit* 25:2-5 records Yitzchak’s primary prophecy. Though the bulk of it contains a restatement of the promises originally made to Avraham—Divine providence, inheritance of the Land of Israel and innumerable progeny—it opens with one single directive: “Do not descend to Egypt; dwell in the land of which I will tell you.” Yitzchak is asked to reside exclusively in the Land of Israel, presumably not only to locate himself physically inside its borders but also to entrench himself within it and forge a relationship with it (one could similarly read *Bereishit* 13:17, in which God tells Avraham, “Rise and walk in the land, its length and its width”).

**3. Yaakov**

Yaakov’s first prophecy contains the familiar promises of providence, the land, and a future people (*Bereishit* 28:13-15), leaving us to wonder, as we did earlier, whether Yaakov “owes” anything in return. However, many years later God appears to Yaakov in the land of Charan and commands him, “Return to the land of your fathers and to your birthplace, and I shall be with you” (*Bereishit* 31:3; also see verse 13). While one could read this verse narrowly as a specific, context-dependent instruction (such as in *Bereishit* 35:1, when God tells Yaakov to make a pilgrimage to Beit El), one could alternatively interpret this verse as a broader directive to reestablish himself with and in the land, as his father and grandfather were commanded to before him (see *Bereishit* 37:1 and Ramban and Rabbenu Bechaye there for the fulfillment of this directive; also see the following shiur). If we accept this interpretation, then with Yaakov, too, we find a two-sided *berit* that demands something from Yaakov as well.

**“Do Not Take a Wife from the Daughters of Canaan”**

Furthermore, we can learn not only from God’s instructions to Yaakov, but from his father Yitzchak’s instructions to him as well. In blessing Yaakov before sending him away to the land of Charan, Yitzchak tells him:

Do not take a wife from the daughters of Canaan. Rise and go to Padan Aram, the home of Betu’el, your mother’s father, and take for yourself a wife from the daughters of Lavan, your mother’s brother. (*Bereishit* 28:1)

While this insistence does not emanate from God, it parallels exactly what Avraham demanded from his servant Eliezer with regard to Yitzchak himself (see *Bereishit* 24:3-4).

The preference for the women of Charan over the women of Canaan is never explained outright in the text, and one could suggest either repulsion from Canaanite culture[[4]](#footnote-4) or a genetic predilection for close kin from the house of Terach as a reason. Either way, Avraham and Yitzchak’s opposition to local mates reflects the need to establish a strong identity—both social and theological—for this newfound clan, separate and distinct from the local population, as well as all other peoples, in order to grow into a “people that dwells in solitude and is not figured amongst nations” (*Bamidbar* 23:9). Indeed, throughout Jewish history intermarriage has been perceived as one of the primary threats to Jewish peoplehood, as we will investigate at length in future *shiurim*, and we should understand Avraham and Yitzchak’s stance in a similar vein.

Moreover, in both places the avoidance of Canaanite women is closely tied to the election of the *Avot* and the promises made to them. Yitzchak’s request is a prelude to the blessing that God grant Yaakov “the blessing of Avraham” (*Bereishit* 28:4) with regard to progeny and the Land of Israel. Again, while the text does not suggest a quid pro quo, the juxtaposition effectively intertwines the command and the blessing as two sides of a covenant.[[5]](#footnote-5)

In Avraham’s conversation with Eliezer, he strangely references his own past providence and the promises that God made to him in reassuring Eliezer that Yitzchak’s future wife will indeed be found in Charan:

The Lord, the God of heaven, who took me from my father's house and from the land of my birthplace, and who spoke to me and who swore to me, saying, “To your progeny will I give this land” – He will send His angel before you, and you will take a wife for my son from there. (*Bereishit* 24:7)

Nowhere else does Avraham speak as reflectively about his personal life history or his destiny, which he invokes here to explain his total confidence that God will lead Eliezer to an appropriate mate for Yitzchak. It seems that Avraham is saying that Eliezer not only **may not** return Yitzchak to Charan; he **cannot**, in the sense that such a move is simply incompatible with Avraham’s very chosenness. For Avraham, Yitzchak’s departure from the Land of Israel would weaken or even dissolve the *berit*, a possibility that Avraham’s faith in God does not allow him to entertain.[[6]](#footnote-6)

**Why Was Avraham Chosen for a *Berit*?**

So far we have related exclusively to the first two responsibilities of *berit Avot*, namely, commitment to the Jewish people and to the Land of Israel. What of the last two? Can we find expressions of them in *Sefer Bereishit* as well?

With regard to living ethically and beneficently (#3), the text’s treatment differs slightly from that of the other values. On the one hand, a commitment to ethics appears in the text not as an obligation incumbent upon Avraham, but as a description of his character. On the other hand, according to certain interpretations of the text, this element is more closely tied to God’s choice of Avraham than any other.

The primary verses that underscore the centrality of Avraham’s interpersonal righteousness are *Bereishit* 18:18-19:

And Avraham shall surely become a great and mighty nation, and all the nations of the earth shall be blessed through him. For I have known him (“*ki yeda’tiv*”) in order that he may command his children and his household after him, that they may keep the way of God to do righteousness and justice, so that God may bring upon Avraham that which He has spoken of him.

The critical significance of this verse lies in the Hebrew phrase, “*ki yeda’tiv*.” It literally means “for I have known him,” which is obviously inadequate to capture what God is saying about His relationship with Avraham.

Onkelus explains the verse as saying that “I know **of him that** he will command his children and his household after him.”[[7]](#footnote-7) Rashi, in contrast, explains that “*ki yeda’tiv*” is an “expression of love.” Citing other verses that he interprets similarly, Rashi summarizes, “In fact, the basic meaning of all of them is indeed an expression of ‘knowing,’ for he who loves someone draws him near to himself and knows him and understands him.” In other words, according to Rashi, we would translate “*yeda’tiv*” colloquially as “I have gotten to know him,” in which case God is giving the tradition of virtue that Avraham will establish as **the primary reason** for forging a unique relationship with him.

This possibility is even more explicit in the Ramban:

It is possible that the word “*yeda’tiv*” means “I have **raised him and elevated him** because he will command his children after him to do that which is right before Me, **and therefore** I will make him a great and mighty nation that will worship Me.”

“*Yeda’tiv*,” according to the Ramban’s interpretation, refers to Avraham’s election.[[8]](#footnote-8) The reason that God has chosen Avraham to found “a great and mighty nation” that is dedicated to His ritual worship is that Avraham will imbue his nascent clan with a profound spirit of justice and righteousness. It is Avraham’s unbounded goodness, rather than his radical faith, that makes him an appropriate patriarch for a “kingdom of priests and a holy nation” (*Shemot* 19:6).[[9]](#footnote-9) The ethical serves as a foundation for the ritual, rather than the opposite.[[10]](#footnote-10) And while God never commands Avraham directly to pursue righteousness and justice, their centrality in the emerging covenant between God and Avraham is apparent.

**Theology of the *Avot***

Finally, with regard to the theological aspect of *berit Avot* (#4), Avraham’s obligation is most explicit. That is, God gives Avraham a specific mitzva that both represents and solidifies their special relationship in the form of a *berit*: “I will maintain My *berit* between Me and you and your offspring after you, an everlasting *berit* throughout the ages, to be a God for you and for your offspring after you” (*Bereishit* 17:7). The mitzva, of course, is circumcision, about which God commands, “And you shall keep my *berit*” (verse 9).[[11]](#footnote-11) Only here does the command take a form that closely resembles that of the *mitzvot* Moshe will eventually receive, complete with a specific punishment for non-adherence (verse 14), a signature feature of the 613 *mitzvot* of *berit Sinai.*

On the one hand, only in the context of Avraham’s theology do we find a classic *berit* with clear responsibilities on both sides. However, inasmuch as the other three elements of *berit Avot* lack this feature, the theological component again stands alone, closer in some ways to the familiar *berit Sinai* than to the other dimensions of *berit Avot*.

**“Inconclusion”**

With this we return to our original question. If R. Soloveitchik and R. Wurzburger are correct—that *berit Avot* does set specific expectations from both our forefathers and from us—why are they so cryptically represented in the text? The rest of the Torah knows very well how to comprehensively spell out our obligations, together with rewards for fulfillment and punishments for disobedience. If God’s covenant with the *Avot* indeed has a conditional element, why does it consistently sound like an immutable promise? We will attempt to answer these questions in the next *shiur* as we further reflect on the differences between *berit Avot* and *berit Sinai*.

1. The *berit* of *Bereishit* 9:8-17 presents a unique problem in this context and requires its own treatment. [↑](#footnote-ref-1)
2. See the medieval commentaries for different interpretations of the phrases in this verse. Admittedly, their various “lists” do not match the list of responsibilities we will present below. However, note Ramban, who explains “My laws” by referencing *Bereishit* 18:19. [↑](#footnote-ref-2)
3. The theme of twin covenants appears frequently in R. Soloveitchik’s own writings. See, for instance, *Kol Dodi Dofek: Listen—My Beloved Knocks*, trans. David Z. Gordon (New York, 2006), 51-89; *The Rav Speaks: Five Addresses on Israel, History, and the Jewish People*, trans. A. H. Rabinowitz (New York, 2002), 127-152; and *Abraham’s Journey* (Jersey City, 2008), 201-204*.* For further background and discussion regarding this theme, see R. Reuven Ziegler, *Majesty and Humility: The Thought of Rabbi Joseph B. Soloveitchik* (Jerusalem, 2012), 283-289. [↑](#footnote-ref-3)
4. See *Derashot Ha-Ran* #5. [↑](#footnote-ref-4)
5. See *Meshekh Chokhma* on *Bereishit* 24:3. Regarding the aforementioned conversation, the Torah records that “Esav saw that Yitzchak had blessed Yaakov and sent him to Paddan Aram to take a wife for himself from there. In blessing him, he charged him, saying, ‘Do not take a wife from the daughters of Canaan’” (*Bereishit* 28:6). Comments the *Meshekh Chokhma*, “This was not a commandment that [Yitzchak] was obligated to respect his father; rather, **it was a condition ‘in blessing him’ that if [Yitzchak] does not listen to him in this regard, the blessing will not be fulfilled**.” Also see Rashbam and Ramban on *Bereishit* 28:5-6. [↑](#footnote-ref-5)
6. Whether or not Eliezer was allowed to marry Yitzchak to a Canaanite in a “worst-case scenario” is debated by Rashi and Ramban to verse 8. Rashi claims that he could have done so, in which case the true focus of Eliezer’s oath is Yitzchak’s continued residence in the Land of Israel. The Ramban, however, explains that “Avraham knew of the righteous Yitzchak that he would listen to his father and avoid [Canaanites] and turn to Yishma’el or to Lot and the rest of the nations,” in which case Avraham does not relent on either value. Also see *Pesachim* 50a. [↑](#footnote-ref-6)
7. Also see *Meshekh Chokhma*. [↑](#footnote-ref-7)
8. To be sure, the Ramban offers a second interpretation that he prefers, according to which “*yeda’tiv*” refers to dedicated Divine attention: “As regards His pious, He directs His Providence to know each one individually so that His watch constantly attaches to him; His knowledge and remembrance of him never departs.” However, even according to this interpretation, the verse is still explaining why Avraham is worthy of unique Divine treatment. [↑](#footnote-ref-8)
9. Also see Seforno to *Bereishit* 18:19. [↑](#footnote-ref-9)
10. It should be noted that in Judaism, ethical behavior has a ritual component as well. As God is infinitely good and just, leading a just and righteous life is an imitation of the Divine, which the Rambam counts as a positive commandment (#8) in his *Sefer Ha-mitzvot*. This is likely the significance of the phrase, “that they may keep the way of God” in the aforementioned verse; also see Rambam *De’ot* 1:5-7 and R. Walter Wurzburger, *Ethics of Responsibility,* 9-10, 15-17. Thus, Avraham’s religious devotion and his ethical sensibility may in fact be inseparable, a point that *mori ve-rabbi* R. Aharon Lichtenstein once observed from the dual language of “pursuers of righteousness” and “seekers of God” in *Yeshayahu* 51:1-2. Still, the fact that God singles out Avraham’s righteousness here, rather than his religious zeal, is significant. [↑](#footnote-ref-10)
11. *Akeidat Yitzchak*, a critical aspect of Avraham’s legacy which resulted in specific promises (*Bereishit* 22:16-18) and is possibly referenced in *Bereishit* 26:5 (see Rashi, Rashbam and Chizkuni), most likely also reflects the theological component of *berit Avot*. [↑](#footnote-ref-11)