

Parashat Toldot 5777, 2016:

*The Enduring Meaning of the Covenant of the Patriarchs*

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Dedicated to the sacred memories of my mother, Miriam Tovah bat Aharon Hakohen, father-in-law, Levi ben Yitzhak, sister-in-law, Ruchama Rivka Sondra bat Yechiel, sister, Shulamit bat Menachem, Chaim Mordechai Hakohen ben Natan Yitzchak, Yehonatan Binyamin ben Mordechai Meir Halevi, Avraham Yechezkel ben Yaakov Halevy, HaRav Yosef Shemuel ben HaRav Reuven Aharon, David ben Elazar Yehoshua, the refuah shlaimah of Devorah bat Chana, Yitzhak Akiva ben Malka and Leah bat Shifra, and the safety of our brothers and sisters in Israel and around the world.

Our *parasha* presents the story of Isaac's sojourn with Abimelech, the King of the Philistines:

“And there was a famine in the land, aside from the first famine that had been in the days of Abraham, and Isaac went to Abimelech the king of the Philistines, to Gerar.” (*Sefer Bereishit*

26:1, this and all Bible and Rashi translations, *The Judaica Press Complete Tanach*) Apparently,

Isaac was planning to repeat his father's journey and travel from Abimelech's kingdom to Egypt.

Hashem, however, had different plans for him:

And the L-rd appeared to him, and said, “Do not go down to Egypt; dwell in the land that I will tell you. Sojourn in this land, and I will be with you, and I will bless you, for to you and to your offspring will I give all these lands, and I will establish the oath that I swore to Abraham, your father. And I will multiply your children like the stars of the heavens, and I will give your descendants all these lands, and all the nations of the earth will bless themselves by your seed.” (26:2-4)

At this point in the narrative, the Torah cites the reason as to why Isaac and his future children are to receive the blessings that have been vouchsafed to them: “Because Abraham hearkened to

My voice, and kept My charge, My commandments, My statutes, and My instructions.” (26:5)

Rashi (1040-1105) explains the terms, “charge, commandments, statutes and instructions” in the following manner:

**And kept My charge:** [Referring to] decrees to distance [himself] from transgressing the warnings in the Torah, e.g. secondary prohibitions to prevent incest from occurring, and the Rabbinic decrees to safeguard the prohibitions of the Sabbath. **My commandments:** [Referring to] things, which, had they not been written, would have been fit to be commanded, e.g. [prohibitions against] robbery and bloodshed. **My statutes:** [Referring to] things that the evil inclination and the nations of the world argue against, e.g. [the prohibitions against] eating pork and wearing garments of wool and linen for which no reason [is given], but [which are] the decree of the King and His statutes over His subjects. **And My instructions:** To include the Oral Law, the laws given to Moses from Sinai.

As the Ramban (Nachmanides, 1194-1270) notes in his commentary on our *pasuk* (verse), Rashi's gloss is congruent with the rabbinic concept that maintains, "Abraham fulfilled and kept the Torah prior to it having been given [at Mount Sinai]." This idea is given powerful voice in two well-known statements in the Mishnah and Talmud:

We find that our father, Abraham, implemented (*she'asah*) the entire Torah prior to it having been given. As the text states: "Because Abraham hearkened to My voice, and kept My charge, My commandments, My statutes, and My instructions." (Mishnah, *Kiddushin* 4:14, translation my own)

Rava said, and others suggest that it was Rav Ashi [who said]: Our father, Abraham, fulfilled (*kiyaim*) [the entire Torah] – including *eruvei tavshilin* (the mixture of dishes, a rabbinic enactment). As the text states: "*Torotai* (My instructions)" – [this refers to both] the Written Law and the Oral Law. (*Talmud Bavli, Yoma* 28b, translation my own)

The Ramban raises a series of formidable questions that challenge the straight-forward interpretation of these two passages:

One may very well ask: If we are to accept [the notion that "Abraham fulfilled and kept the Torah prior to it having been given [at Mount Sinai]," how is it that Jacob raised up a monument (28:18) and married two sisters [both acts that are prohibited by the Torah]?...Moreover, how did Amram marry his aunt (*Sefer Shemot* 6:20), and how did Moses establish 12 monuments? (*Sefer Shemot* 24:4) And how is it possible that they [i.e. Jacob, Amram and Moses] would permit themselves such actions when they were precisely those activities that our father Abraham had prohibited himself to do?

At this juncture, the Ramban presents a profound response that has become a fundamental element in understanding the phrase, “Abraham fulfilled and kept the Torah prior to it having been given [at Mount Sinai]:”

Based upon the thought of our rabbis, it appears to me, that our father Abraham learned the entire Torah through holy inspiration (*b’ruach hakodesh*) and assiduously worked at mastering its content as he searched for the underlying rationale of its commandments and essential principles. Moreover, he kept the Torah in its entirety on the level of one who is not commanded, yet volitionally chooses to do so (*aino metzuveh v’oseh*). In addition, his actual practice of the Torah was solely in the Land of Israel. As such, Jacob married two sisters outside the Land of Israel, so, too, did Amram [marry his aunt]...

In sum, the Ramban presents three constitutive elements of what *Chazal* (our Sages of blessed memory) called the “*Brit Avot*” (the Patriarchic Covenant):

1. Abraham learned the entire Torah *b’ruach hakodesh*.
2. Abraham, Isaac and Jacob chose to fulfill the entire Torah on the level of one who is *aino metzuveh v’oseh*.
3. Under the *Brit Avot*, the actual practice of the Commandments was restricted to the Land of Israel.

Given the legal limitations of the Patriarchic Covenant, as presented by the Ramban, we may well refer to a question that was asked by my rebbe and mentor, Rabbi Joseph B. Soloveitchik *zatzal* (1903-1993): “What did [this] covenant impose upon the Jewish people, and what has been its enduring relevance and influence over the centuries?” We are fortunate to have his penetrating reply:

The Patriarchic Covenant apparently imparts teachings to the Jewish people by example rather than by prescription. While the Sinaitic Covenant [i.e. the covenant enacted by our receiving the Torah] tells the Jew what to do and how to act as a member of the covenantal community, the Patriarchic Covenant addresses the “I” awareness of the Jew, teaching him how to experience his Jewishness. It sensitizes him in specifically Jewish ways; it expresses attitudes, ideals, and sentiments which still speak to us. It guides our feelings and consciousness rather than our physical acts, for we are duty-bound not only to act as Jews, but to feel as Jews. In a word, it is the backdrop of the Sinaitic Covenant; the latter is the behavioral fulfillment of the truths, values,

and Jewish self-awareness established by the former...Thus, all of Jewish history and the basic character of the Jew were shaped by the covenantal period of the patriarchs. Their life-experiences still nourish our self-consciousness as Jews even as the Sinaitic Covenant guides the format of our lives. (Rabbi Abraham R. Besdin, *Man of Faith in the Modern World: Reflections of the Rav*, "Shaping Jewish Character," pages 67-69, brackets and underlining my own)

For the Rav, the *Brit Avot* emerges as our emotional and psychological ballast in the midst of the wave-tossed sea of a world that ceaselessly challenges our values and, far too often, our very right to exist. Moreover, in my estimation, it teaches us that "we are duty-bound [to] not only to act as Jews, but to feel as Jews" so that, like Abraham, we may be ever sensitive to the needs of all mankind and ultimately be *metkane haolam b'malchut Sha - dai* (improve the entire world through the Kingdom of G-d). With the Almighty's help, may this time come soon and in our days, *v'chane yihi ratzon*.

Shabbat Shalom

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They may also be found on [YUTorah.org](http://YUTorah.org) using the search criteria of Etengoff and the parasha's name.

The email list, *b'chasdei Hashem*, has expanded to hundreds of people. I am always happy to add more members to the list. If you have family or friends you would like to have added, please do not hesitate to contact me via email <mailto:rdbe718@gmail.com>.

\*\*\* My audio *shiurim* for Women on "*Tefilah: Haskafah* and Analysis," may be found at: <http://tinyurl.com/8hsdpvd>

\*\*\* I have posted 164 of [Rabbi Soloveitchik's](#) English language audio *shiurim* (MP3 format) spanning the years 1958-1984. Please click on the highlighted link.