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### Like Father Like Son

How do we know that Jacob wore a *kipah*? Well, at the beginning of last week's parasha, the Torah says:

וַיֵּצֵא יַעֲקֹב מִבְּעַר שֶׁבַע

“And Yakov went out from Be'er Sheva” Could it be that Yaakov went out without wearing a *kipah*?! Of course not!”

I have two confessions. The first is that this is not a real piece of rabbinic exegesis. It's a joke. My second confession is that it's not a very funny joke. But you already knew that.

And yet, it is true that many rabbinic sources, including the Mishnah (Kiddushin 4:14) and Bereishit Rabbah explicitly state that Avraham, and by extension, the other patriarchs as well observed all of the mitzvot of the Torah before the Torah was revealed at Sinai.

מצינו שעשה אברהם אבינו את כל התורה כולה עד שלא נתנה שנאמר (בראשית כו, ה) עקב אשר שמע אברהם בקולי. וישמור משמרת. מצותי חקותי ותורותי.

We find that Abraham our father performed the entire Torah [even] before it was given, as it says "Because Abraham listened to My voice, and he observed My statutes, commandments, laws, and teachings" (Genesis 26:5).

The Talmud (Yoma 28b) goes so far as to say that Abraham, and by extension the other patriarchs even observed rabbinic mitzvot like *eruv tavshilin*.

What on Earth does this mean? While there are vague allusions to mitzvah observance in *Sefer Bereishit*, offering sacrifices, tithing, levirate marriages, and more, the Torah does not contain any clear examples of the patriarchs or matriarchs observing a life of mitzvot that we would recognize. There is no description in the Torah of Avraham and Sarah building a sukkah together. Nor does the Torah describe Yitzhak reciting *kiddush levanah*, or Yaakov unscrewing his refrigerator light before Shabbat.

In fact, there are several episodes in the Torah that seem to be clear and irrefutable instances where the patriarchs and matriarchs violated a mitzvah. The clearest example of that is Yaakov's marriage to two sisters, something the Torah prohibits in no uncertain terms. How could Yaakov observe the Torah before it was given if his marriage was a violation of one of the Torah's mitzvot? Maybe if we have a more sophisticated understanding of the rabbis meant when they taught that the patriarchs observed the Torah even before it was given.

While Rashi, time and again, seems to take this rabbinic statement at face value and he quotes it in his commentary, the son of the Rambam, known as “Avraham ben HaRambam” wrote that the verses that describe the dedication of Avraham and his household to the mitzvot of God are not referring to the panoply of mitzvot that we are familiar with, but rather a broader dedication to spreading a message of ethical monotheism and a faith centered on the practice of ethical monotheism that did not yet contain a full system of law and mitzvot.

Ramban adopts a middle perspective. The patriarchs and matriarchs indeed observed the mitzvot of the Torah when they were in *Eretz Yisrael*. But outside the boundaries of *Eretz Yisrael*, they did not maintain a comprehensive and total observance of mitzvot. This is because the patriarchs and matriarchs, in the generations before Sinai, observed the mitzvot as a kind of local custom and collection of indigenous cultural practices associated with virtuous living in *Eretz Yisrael*. Outside of the land, there was no need to observe the mitzvot. Hence, Yaakov could marry two sisters outside of *Eretz Yisrael*. But, in this week's Torah portion, as he returned to *Eretz Yisrael*, he was faced with the need to separate from one of his wives. He could not remain in a forbidden marriage inside *Eretz Yisrael*. Rachel's death, according to Ramban, saved Yaakov from a terrible decision. The tragic element of Rachel's death is even heightened for Ramban. Rachel's death, once again, saves her unfortunate sister Leah from humiliation and loneliness.

Some historians have seen this entire trope within rabbinic thought as a reaction to Christian interpretations of the Book of Genesis, in which the patriarchs and matriarchs exist as sort of proto-Christians, serving God without *mitzvot* but with only their morals, ethics, and correct behavior. In reaction to Christians who see Abraham as being an early Christian, we interpret Genesis so that Abraham and Sarah, Yitzhak and Rivka, Yaakov and Rachel and Leah are all living lives similar to our own.

Robert Cover, in his writings on the relationship between law and narrative, suggests an almost opposite idea. The patriarchs did not observe the mitzvot of the Torah \*and they suffered\* because of that. The mitzvot of the Torah are written to correct for the mistakes of the patriarchs and matriarchs. The reason why the Torah forbids a man from marrying two sisters is because Yaakov married two sisters and that dynamic had long term repercussions for their family and for the entirety of the Jewish people.

What can we make of all this? One colleague discussing this wrote that statements in rabbinic literature that the patriarchs and matriarchs observed the Torah before it was given at Sinai are not telling us something impressive about the patriarchs and matriarchs - their reputations are secure; those statements are saying something impressive about mitzvot. We are meant to cultivate a love for mitzvot and a mitzvah centered life by seeing mitzvot as crucial to the spiritual successes of the *avot and imahot*.

Somewhat differently, Rav Aharon Lichtenstein z'l once said that, "If we see the Torah that we keep as representing the framework and conduit for a full moral and spiritual life, it is quite unthinkable for us to imagine the *Avot* outside this legal system."

We are left with two takeaways:

Mitzvot are important and, in the aftermath of Sinai, should be core to our identities as Jews. A love for bagels, or even gefilte fish cannot replace a life centered around mitzvot. Jewish pride or love and devotion for Israel are ultimately not sustainable outside of a lifestyle infused with mitzvah observance.

Second, the perspective that the *avot and imahot* observed mitzvot comes from a total identification with the characters in Sefer Bereishit and with the stories about them in the Torah. If we define our identity as Jews and as moral human beings through the mitzvot that we perform, and if we see ourselves as the real and true physical descendants of the avot and imahot, then we will perceive their lives as models for our own religious way of life.

Some of you came to a public conversation between me and the local Episcopalian priest two years ago. We discussed how we each read scripture, the Christian Old Testament and the Hebrew Bible. He shared how he might speak about David's confrontation with Goliath as a lesson in the power of faith and its ability to triumph over obstacles. I shared that for us it was also a story about our ancestors. How I've been to *Emek Ha'Elab* where the battle took place and stood in the field where my ancestors defended their homes against enemies. And, of course, I've ridden by that place on a bus more times than I can remember. For Jews these

stories are the stories of our family and perceiving them in ways that increases the family resemblance is natural and even helpful.

We should see ourselves in the stories. That's how Jews read Torah. The stories are important to us. They tell us who we are and where we came from. Scripture is speaking to us. Not in a Protestant way without an interpretive tradition, but in a familial way. The stories are the stories of our *bubbes* and *zaydes*. So when we read we perceive similarities. This creates a trans-historic sense of belonging to the Jewish people and a trans-historic bond between the Jewish people, our history, our Torah, and the mitzvot that it contains.