

JEWISH IDENTITY IN RABBINIC THOUGHT
BASED ON THE CONCEPT OF THE COVENANT

by

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DIGEST OF THESIS

This study is an inquiry into rabbinic conception of Jewish identity and distinctiveness. It is seen that the idea of covenant, framed by the rabbis, stems from the Bible and is an adaptation to the needs of their day.

The Bible distinguished between covenants that are human and those that are Divine. When God enters into covenant with man, a different relationship exists than when men establish a covenant among themselves. Only God can initiate the theological covenant, and He does so with an entire group: it is done for all time, and it involves the entire life of those who enter into it. There was one covenant made with mankind through Noah and several covenants made with Israel through Abraham, Moses, David, etc. There are those within Israel who establish agreements among the people to reaffirm and preserve a covenant which God and the people have already established.

The rabbis reduced all of God's covenants to two: the Noachian covenant with all mankind and the covenant with Israel at Sinai. The Torah thus becomes the covenant--it is dedication to the covenant which makes one a Jew, a partner of the group within the covenant. There were two signs of the covenant with Israel--the signs of circumcision and Sabbath. History served to re-enforce the importance of these signs. It is the acceptance of the yoke of the commandments which separates Israel. This is a testimony to

the Kingdom of God and the merit of Israel.

This study leads us into the external and internal factors which aid to congeal the concept of the covenant and Jewish identity. We conclude with the position that it is only by reaffirming the biblical covenant does one remain a Jew. This does not however solve the problem; rather it raises several questions.

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CHAPTER 1

THE ROLE OF THE COVENANT IN BIBLICAL THOUGHT

The rabbis built upon a biblical foundation. Their thought was not creatus ex nihilo. To understand the rabbinic treatment of the covenant concept, we must first seek to comprehend their inheritance from the Bible.

The Usage of the Word "ברית"

The word ברית occurs 265 times in the Bible.¹ It is used to denote two different relationships: (1) between man(men) and man(men); and (2) between God and man. The secular (1) concept differs from the theological (2).

Etymologically the word derives from the ascription barak, to bind.² In antiquity, the covenant marked the beginning of an agreement for life-fellowship. It was consummated by the sipping of the blood of the covenanters. Men came to honor the forbidding of human blood, and the joint partaking of a feast became the means of entering into league. The covenant was solemnized by invoking the deity in an oath, or by utilizing representative symbols of the deity. Since the representative was often seven objects, such as animals, stones, or vells, the word ("to be bound by the holy seven") came to be used for the entering into a covenant.³

Neither the content of the agreement nor its form is essential to the concept but

only the fact that two parties, voluntarily and of their own free will, make an agreement which binds the one to the other in respect of the content of the agreement, while in other respects they remain perfectly free. ברית is an agreement of two independent parties about something fixed and defined.⁴

The covenants between men are established for various purposes. They are instituted without, and even against, Israel and its God.⁵ The ברית may be a treaty as were those made between Abraham and the Amorites, Israel and the Canaanites, and Judah and Assyria.⁶ Monarchs established a ברית with their subjects to proscribe laws.⁷ A ברית is found to be pledge,⁸ an alliance of friendship,⁹ and a marital relationship.¹⁰

Generally one of the members of the agreement has undertaken the initiative to establish the relationship by making a covenant. But both parties enter out of free choice. Although there may be a disparity of power, each member of the covenant regards the other as an equal. "ברית is always (on both sides) a voluntary bond. It is never a one sided decision."¹¹

The non-theological covenant is thus characterized by its being of limited scope and by its equality of rights. Either party may decide to enter into covenant with the other. In the human situation, ברית connotes a specified agreement concerning certain duties of those bound by the covenant.

The ברית between God and Israel differs from the ברית

between men. The English translation, to covenant, denotes the same Hebrew word, but fails to connote the distinction in meaning. This בְּרִית does have its mutual obligations. But there are four major and important differences which characterize the theological covenant of the Bible.

The first distinction is that God always decides to enter into the covenant. Men never author the covenant; they may at times establish a בְּרִית among themselves to accept and observe the terms of the Divine Covenant. All covenants between God and man are inaugurated solely by God and offered to men. Man has only the option of saying "yes" or "no". "... the second partner has become the more recipient and usufructuary".¹² Men gain special rights but they do not become equals of God by being in covenant with Him.

The second distinction of the theological בְּרִית is the scope and duration of the covenant. The relationship is intended for all time. Each generation is as bound by the covenant and its obligation to take and give its consideration as the generation that originally accepted the covenant. "The earlier is always the living present to those who come after."¹³ "What is peculiar to Israel is the idea of a revelation that is given in history and experience in a single complex."¹⁴

The third distinction is that God never makes a בְּרִית with an individual. There is no בְּרִית between God and a man just as there is no covenant between God and a genera-

tion. The covenant with Noah is for all mankind; with Abraham it is for all his descendants; with Levi it is with all those who are to serve in the priestly cult on behalf of Israel.

The covenant is a relationship with the people and not with individuals. Jahweh is concerned with the people and deals with the people, not with the individual. The individual stands within the covenant, which Jahweh has made, but he stands within this covenant not because he is an individual personality in his own right, for that means nothing for the Old Testament, but because he is a member of the people. The people is not the sum of its members, it is not a mathematical quantity. On the contrary, it is represented in any group of members you like, even in individuals; but the individual is never alone where the covenant is concerned. Always, whether by himself or in a number, he is pars pro toto. It is an axiom of the Old Testament revelation that God deals with society, with the people, or-- to put it more accurately-- with the community. The individual can live before God only as a member of the community.¹⁵

The theological usage of בְּרִית only describes the relationship between God and a permanent group of men.

The fourth distinction is that the theological binds all of man's life to God. The covenant is more than a specific agreement or contract. "Whereas a contract (to build a house for example) concerns only a part of the lives of those who enter it, a covenant involves the pledging of total selves."¹⁶ The "total self" is "all of life". God's promise and man's response involves all of one's being.

Both the theological and non-theological usage of the word בְּרִית implies mutual responsibilities. The theological covenant is distinguished by its only being initiated and

offered by God, and by its eternal, non-individual, and all inclusive character. "The idea of — is preserved, but the change in usage is really such as to destroy the essential character of the — altogether."¹⁷

The Content, Development, and Significance of the Biblical Covenants.¹⁸

1. The Covenant with Noah

"...there was no covenant between God and man; therefore God destroyed the world in a Flood."¹⁹ God could not covenant with one individual isolated from society. Yet God needed man to help rule the earth.²⁰ This explains the need for destruction so that God might establish his covenant with all creation to preserve life.²¹ God decided that he could preserve His creation through Noah because he was an צדיק.²² Noah was completely innocent and passive in his being selected. God wrote the terms of the covenant. Noah was to build the ark, avoid destruction, and emerge to sire a more righteous society. His action would save all ensuing generations. God gave a reassuring testimony, קשת הערב והבוקר, the rainbow, that He would remember and remind mankind.²³

This covenant may be late in biblical thought.²⁴ But its place in the Bible precedes the covenants with Israel. It is this covenant in which the prophets find universal judgement, eternal life, and restoration of Israel to its own covenant.²⁵ The covenant implies man's responsibility for humane conduct. It best exemplifies the conditions of

covenant in that it is for all mankind. But there are no specific laws or obligations given, nor are they specified anywhere in the Bible. Although the idea of a covenant with mankind may well be an outgrowth from the covenant restricted to Israel, this universal covenant serves as a background to the covenants with Israel in the Bible inherited by the rabbis.

2. The Covenant with Abraham

This is the first covenant with God's elect people. God takes the initiative and Abraham accepts the offer of covenant. God wants Abraham and his descendants to recognize Him as God. We are not, however, told the "why" of God's electing Abraham over the other nations of the world. Those who accept the covenant shall be given the land of Canaan, become sires of large families, and be a source of blessing for mankind.

This covenant also has its sign. But unlike the rainbow, it is man who must perpetually erect the sign--circumcision. It must be emphasized that circumcision is not the covenant; it is the sign of the covenant, אליהם. The land, not the circumcision, was the patriarch's and their descendant's reward; God's reward was to have them as his people--to be God to them. But he who fails to acknowledge his being a part of the covenant by establishing the sign personally, shall be cut off from God and His people.²⁶

This covenant gives the first criteria of Jewish iden-

tity found in the Bible. It involves all the people for all time.

Jahweh's covenant with Israel is a covenant with those competent to enter into such a thing; that is to say, with the men: they represent the people. The children, the women, the slaves and the non-Israelites are not the people, but the possessions of the people...It was only with the greatest difficulty that the Old Testament overcame this limitation.²⁷

Circumcision is an ancient practice among Semitic peoples. But it was not performed on the eighth day prior to the entry of the Israelites into the land of the Canaanites.²⁸ Being "uncircumcised" is synonymous of being a non-Jew.²⁹ And eighth day circumcision distinguished the Jew from other circumcised peoples. Finally circumcision becomes symbolic of the covenant between God and the descendants of Abraham. The ceremony becomes reinterpreted by the prophets and a poetic form of the rite is introduced.

We may assume that this initiation rite was the sole biblical requirement, other than the exclusive worship of Jahweh, for initiation into the "congregation of Israel."³⁰ It was during the Babylonian exile, however, that this sign of the covenant came to be the special mark of the Jew. While in Palestine, the Jews were surrounded by many circumcised nations; in Mesopotamia, they were with people who did not know of circumcision.³¹

3. The Covenant with Moses

This covenant became "the Magna Charta of Judaism".³²

It is similar to the covenant with Abraham in that God chose Israel to reveal himself, and establish a covenant by taking them for a people and being to them a God. Israel is given commandments which he must honor if he is to preserve the covenant. As Israel is to keep the commandments and worship God, so is God bound by the covenant to keep Israel as His unique people.³³ God initiated the covenant, Israel agreed to its terms; now both are bound in an everlasting relationship. This covenant incorporates the covenant made with the patriarchs.

You stand this day all of you before the Lord your God; the heads of your tribes, your elders, and your officers, all the men of Israel, your little ones, your wives, and the sojourner who is in your camp, both he who hews your wood and he who draws your water, that you may enter into the sworn covenant of the Lord your God, which the Lord your God makes with you this day; that he may establish you this day as His people, and that he may be your God, as he promised you, and as he swore to your fathers, to Abraham, to Isaac, and to Jacob. Nor is it with you only that I make this sworn covenant, but with him who is not here with us this day as well as with him who stands here with us this day before the Lord our God.³⁴

Every Jew is responsible for accepting God's offer of covenant. This is the all inclusive covenant. The fact that the *ברית* between God and Israel implies the performing of commandments is never questioned. The covenant preserves Israel and Israel's performing the *מצוות* preserves the covenant.

This covenant also has its *יוֹם*, the Sabbath.³⁵ Like circumcision, the Sabbath is not the content of the covenant,-- it is the reminder of the *ברית*. Also, like circumcision,

its observance antedates its attachment to the covenant, and its origin is not in pure Jewish soil.³⁶ With circumcision it came to be a characteristic of the Jew in Babylonia.³⁷ Removed from the land promised in the two covenants, the Jews could still produce the signs of the covenants to show that they were still in force. As long as Israel remembers, God remembers. As the eighth day distinguished Jewish circumcision from other Semitic circumcision rites, so the observance of the Sabbath in joy distinguished the Jewish Sabbath from the Babylonians' day of ill omen.³⁸

The covenant with Moses becomes Israel's raison d'être. The revelation at Mount Sinai is the highpoint of Israel's history. The Sabbath remains as a sign and portal for every Jew to enter the covenant. He who profanes the Sabbath shall be killed or cut off from Israel.³⁹

4. The Covenant with Levi

This was the covenant of priesthood established through Moses for the descendants of Aaron. The responsibility of the priests was to teach God's תורה, law, and to supervise the sacrificial cult.⁴⁰ To the tribe of Levi and the house of Aaron were given the token of authority--the ark of the covenant of the Lord, אֲרוֹן הַבְּרִית.⁴¹ The covenant of Abraham had provided the land, the covenant of Sinai had given the law; yet more was needed.

The sacrificial cult was ideally suited for an agricultural economy. It enabled Israel to bear witness daily

to the God who protected them and blessed the fruits of the flock and the field. "...every sacrifice was regarded as a renewal of the covenant with God..."⁴² The priests had a specific function to perform in their preserving their covenant on behalf of the people at large.

5. The Covenant with Joshua

The book of Joshua closes with Joshua's covenanting with God to exclude the worship of all foreign gods.⁴³ Although this covenant is referred to only in this passage, it is of significance in showing the difficulty in preserving the Mosaic covenant by Israel's refusal to cease worshipping the forbidden deities. At best, Israel was henotheistic; usually it was henotheistic.

In this covenantal experience we find that Israel is free to accept or reject God. This is not a new covenant--it is a reratification of the Mosaic covenant; it is a ברית in non-theological usage. It is an agreement undertaken by contemporary Israel to remain within the covenant God instituted with their fathers. Each generation re-elects God. "Election in the Old Testament is a reciprocal relationship: Jahweh chooses Israel, Israel chooses Jahweh; both do it in complete independence."⁴⁴ But Israel makes no demands upon God; this is an agreement among men for preservation.

But Joshua said to the people, "You cannot serve the Lord; for he is a holy God; he is a jealous God; he will not forgive your transgressions or your sins. If you forsake the Lord and serve foreign gods, then he will

turn and do you harm, and consume you, after having done you good." And the people said to Joshua, "May; but we will serve the Lord." Then Joshua said to the people, "You are witnesses against yourselves that you have chosen the Lord, to serve him." And they said, "We are witnesses." He said, "Then put away the foreign gods which are among you, and incline your heart to the Lord, the God of Israel." And the people said to Joshua, "The Lord our God we will serve, and his voice we will obey." So Joshua made a covenant with the people that day, and made statutes and ordinances for them Shechem.⁴⁵

God writes the platform of the covenant; the people vote freely. The covenant is not binding until Israel chooses to fulfill God's demands.

6. The Covenant with David

To David was promised an everlasting kingdom, a continuous male progeny and supervision of the temple.⁴⁶ The covenant with Joshua renewed the covenant of Sinai; so did the covenant of the monarchy. Jehoiada, Hezekiah, and Josiah covenant to worship Yahweh, and Yahweh alone by observing His commandments.⁴⁷

The covenant of monarchy recognizes the pre-existence of the covenant at Sinai. This covenant is outside of God's main covenant with Israel. When the monarchy falls, as it did in the Babylonian exile, God's covenant remains intact with Israel. This covenant has no sign other than a king. When there is no king, there is no monarchy. But God's covenant endures. The prophet is able to foresee a re-establishment of the House of David which will usher in a messianic age. Not only Israel, but all creation,

will be blessed through the descendant of David. As in the days which were to follow the Flood, Justice and righteousness would be universal.⁴⁸

7. The Covenant with the Prophets

This covenant was more promise than fact. It was a "divine promise through a series of prophets to establish a new constitution...with new institutions and precepts."⁴⁹ In reality, this conception served to re-emphasize the covenant with Abraham and at Sinai, and as we have just noticed, there is a prophetic concern for all creation.

We may assume that in Babylonia, Jewish worship became cleansed of idolatrous heathenism and that hedonism gave way to monotheism. From Amos to Isaiah, prophets foretold of God's forsaking Israel because of Israel's forsaking God. Though the covenant concept may have congealed in Babylonia, certainly the implications of it are found in the pre-exilic prophets.

You only have I known of all the families of the earth; therefore I will punish you for all your iniquities.⁵⁰

God never completely abandons Israel; He only erases the sinful. He bids the Jew to circumcise the foreskin of his heart so that he may return unto the Lord through justice and righteousness. Through this circumcision, too, shall the nations be blessed.⁵¹ God will issue a new covenant should Israel break the original.

Behold, the days are coming, says the Lord, when I will make a new covenant with the house of Israel and the house of Judah, not

?
hedonism

like the covenant which I made with their fathers when I took them by the hand to bring them out of the land of Egypt, my covenant which they broke, though I was their husband, says the Lord. But this is the covenant which I will make with the house of Israel after those days, says the Lord: I will put my law within them, and I will write it upon their hearts; and I will be their God and they shall be my people. And no longer shall each man teach his neighbor and his brother, saying, 'Know the Lord,' for they shall all know me, from the least of them to the greatest, says the Lord; for I will forgive their iniquity, and I will remember their sin no more."⁵²

Then the new covenant becomes identified with the old.

And the Lord your God will circumcise your heart and the heart of your offspring, so that you will love the Lord your God with a all your heart and with all your soul, that you may live...And you shall again obey the voice of the Lord, and keep all his commandments which I command you this day."⁵³

Israel's covenant with God will be a reality when each Jew stands at Sinai, when Israel knows and practices the Torah. All the promises of the covenant will be again established in the future. Now God can exist, and does hold dominion, outside of Palestine, through the land was promised to Israel. Through Moses, God promised to make Israel His special treasure; the prophets maintain this right. The covenant with Abraham is incorporated in the covenant with Moses in the new covenant. Israel bears witness to the new covenant through knowledge of the Torah.

If God is the God of all men, if Israel is His select people; then Israel must have a unique role among the nations. So it does.

I am the Lord, I have called you in righteousness, I have taken you by the hand and kept you; I have given you as a covenant to the people, a light to the nations."⁵⁴

As God gave His covenant to all mankind through Noah, so will He propagate it through Israel. Israel becomes the earthly manifestation of the rainbow.

8. The Covenant with Ezra

The prophets understood that God had established an everlasting covenant. Never again would there be need to forsake Israel. The divine promise had been offered, it was only waiting for the people to be accepted.

After the Sinai experience, the people lapsed into their former sinful ways. Joshua then establishes a covenant among the people to elect God. After the return from Babylonia, there is again, in the eyes of Ezra, a need to reaffirm the covenant. Again men concur in acting for God. The congregation of Israelites say, "Let us make a covenant on behalf of our God (לְאַחַד אֱלֹהֵינוּ)"⁵⁵ The people agreed to fulfill the terms of the Mosaic covenant. What was new was the statement: "We also lay upon ourselves mitsvoth"⁵⁶ There was a willingness to enact legislation-- and to enforce it-- to prove the outcome of Israel's election. Again Israel chooses God and accepts commandments. The priestly cult is re-established and the Sabbath is to be observed strictly. Above all, the nation is to avoid being polluted through intermarriage,⁵⁷ Only those whose households were completely devoted to God could be in-

cluded in His covenant. To be devoted to God was to keep His Torah.

Summary

We have attempted to derive the legacy of the Bible to Israel. First God covenanted with mankind through Noah; He then repeatedly covenanted with Israel. God gave Israel land and the Torah--He elected Israel to be His אֱלֹהֵינוּ. Israel gave God his promise to worship Him alone and to observe His commandments. There were two signs by which Israel testified to the mutual election: circumcision and the Sabbath. God and Israel are bound forever.

"And as for me, this is my covenant with them, says the Lord: my spirit which is upon you, and my words which I have put in your mouth, shall not depart out of your mouth, or out of the mouth of your children, or out of the mouth of your children's children, says the Lord, from this time forth and for evermore."⁵⁸

Israel has become the sign of the covenant. Why God chose the Jews is not the important question.

It was not because you were more in number than any other people that the Lord set his love upon you and chose you, for you were the fewest of all peoples; but it is because the Lord loves you, and is keeping the oath which he swore to your fathers...⁵⁹

It is a fait accompli that God revealed Himself through Israel on His own volition. When Israel accepts the conditions specified by God, the Jews receive the covenant by which God reveals himself to the world.

It is too light a thing that you should be my servant to raise up the tribes of Jacob and to restore the preserved of Israel; I will give you as a light to the nations, that my salvation may reach to the end of the earth.⁶⁰

Israel belongs to God; this is his distinction. The Torah is Israel's mark of distinction. Circumcision and Sabbath observances are reminders. The Jew who is not circumcised or does not observe the Sabbath is cut off from Israel; the generation that forsakes the Torah is cut off from God.

And now, Israel, give heed to the statutes and the ordinances which I teach you, and do them; that you may live...Keep them and do them; for that will be your wisdom and your understanding in the sight of the peoples, who, when they hear all these statutes, will say, 'Surely this great nation is a wise and understanding people.' For what great nation is there that has a God so near to it as the Lord our God is to us, whenever we call upon him? And what great nation is there, that has statutes and ordinances so righteous as all this law which I set before you this day?⁶¹

To be removed from the community and still be a Jew is a concept foreign to Biblical thought. To be a Jew is to be a member of the people bound to God through his Torah.

Now therefore, if you will obey my voice and keep my covenant, you shall be my own possession among all peoples; for all the earth is mine, and you shall be to me a kingdom of priests and a holy nation.⁶²

CHAPTER 2

ISRAEL IS DIFFERENT

The Oral Law

In the preceding chapter we have outlined the various concepts of the covenant which were bequeathed to the rabbis. We have seen the characteristics of God's covenant with Man. God and Man independently elect to join in the covenant; each has obligations to fulfill within the covenant. We also have noticed that covenants were established among the people themselves to strengthen their claim to being God's elect.

In the Bible we discussed eight formulations of covenant. One of these was with mankind through Noah; the other seven were with Israel through Moses, priests, kings, prophets, etc. The rabbis consider only two covenants: the Noachian covenant with mankind and the covenant with Israel at Sinai. This does not mean that the other covenants were disregarded. They were incorporated, and often reinterpreted into the Mosaic Law.

The rabbis considered the covenant to have been established at Sinai. But "Rabbinic tradition itself admits that *מִצְוַת שִׁנַּי* was not confined to Sinai. Rather is that term a concept, a generalization, and hence not limited to a single concretization or instance."¹ The rabbis did not

forfeit their right to be recipients and transmitters of further aspects of divine revelation.

In our attempt to understand the biblical conceptions of *אֱלֹהִים*, we considered the literary framework. The rabbis had no compunctions against removing a biblical verse, or even a word, from context. They are able to make words of chastisement yield meanings of self justification and honor. One example should suffice to illustrate this important characteristic of rabbinic thought.

Moses reports that God is going to break His covenant with Israel because of the people's iniquities. So great has the sin become that "Were I to write for him my laws by ten thousands, they would be regarded as a strange thing."² Yet it is this verse which enables the Midrash to glorify Israel.

I will only give the Bible in writing; but the Mishnah, Talmud, and Haggadah I will give orally to keep Israel distinct from the idolaters. The heathens who will conquer them will not be able to steal it, nor will they be able to worship with the Jews. The Oral Law is what separates the Jew from the idolater.³

The incorporation of the Oral Law into the covenant is the fundamental basis of rabbinic thought. It enables the rabbis to keep God's revelation contemporary as well as to maintain the historical link with Sinai. "The rabbis did not presume that Moses himself had meant what the sentences which, according to tradition, he had written could be shown to mean by their methods of exegesis. They were

trying to get not at Moses' meaning but at God's."⁴

Before Sinai

In the last chapter we noticed that God's covenant with Noah only implied man's responsibility for humane conduct. In their interpretation of this covenant, the rabbis are consistent in their inconsistency. In accord with biblical narrative, we find expression that Noah's righteousness serves as the foundation of the world.⁵ Yet the rabbis are unable to accept God's covenanting without establishing commandments. Thus we find various formulations of Noachian Laws, ranging from six to thirty.⁶ The prevalent opinion of the Talmud is that there are seven commandments which are obligatory for mankind to observe: they may not commit idolatry, adultery, murder, or robbery; they may not eat a limb cut from a living animal, emasculate animals, nor pair animals of a different species.⁷ It is the failure of Noah's descendants to fulfill these commandments which leads to God's covenant with Israel.⁸

But why Israel? The first answer is that although God offered the Torah to every other people, none would accept it. Israel won through the nation's default.

The Holy One, blessed be He, offered the Torah to every tongue, but none would accept it, until He came to Israel who received it.⁹

On the other hand, Israel merited to be chosen.

God saw that the nations did not observe even the seven precepts which the sons of Noah had taken upon themselves and seeing

that they did not observe them, He stood up and released them therefrom.¹⁰

Israel, according to some of the rabbis, chose to accept the covenant and its obligation to observe commandments.

There is a second view that God intuitively preferred Israel. The covenant was designed to unite God with His people.

A Roman lady addressed a query to R. Jose. She said to him: "Your God brings near to Himself indiscriminately whomsoever He pleases." He brought her a basket of figs and she scrutinized them well, picking the best and eating. Said he to her: "You, apparently, know how to select, but the Holy One, blessed be He, does not know how to select. The one whose actions He perceived to be good, him He chooses and brings near to Himself."¹¹

God's choice is part of His master plan of creation.

And just as He divided the light from the darkness in order that it might be of service to the world, so He separated Israel from the nations; as it says, "I have set you apart from the peoples that ye should be mine."¹²

It is passages such as these two which lead to Karff's conclusion that to the rabbis there is an unconditional as well as a conditional covenant.¹³

The covenant with Israel is seen by some rabbis as similar to the covenant made with Noah; the world endures but for the sake of Israel and the Torah.¹⁴ The covenant with Noah remains open to the nations of the world. They are still to abide by its legal implications. But God will not destroy the world as long as Israel observes his covenant. "Israel is a fence to the world."¹⁵ The elements

of the biblical covenant have not changed. The covenant is still instituted by God. Even though the covenant may be for the same purpose as the Noachian covenant, or in fact be the Noachian covenant, man's responsibility is emphasized; he is given mitzvot. God and Man (primarily Israel) become wedded at Sinai. Every moment is a re-enactment of the act of covenanting.

The book and the sword were given from heaven bound together. God said to them (Israel): "If you will observe what is written in this book, you will be saved from the sword; and if not, it will ultimately kill you."¹⁶

Tell Israel, "My children! Occupy yourselves with the Torah and you need not be afraid of any nation."¹⁷

It is because the rabbis felt it necessary to justify Israel's election that we are able to discern their conception(s) of the Jews' uniqueness. They are not bound to biblical reasoning. We concluded the last chapter seeing that, according to Deuteronomy, God chose Israel without special merit inherent in the people. The rabbis are aware of this biblical passage; they are also cognizant of their right to reinterpret and to expand its message.

"It was not because you were greater than any people that the Lord set His love upon you and chose you." God said to Israel: "I love you because even when I bestow greatness upon you, you humble yourselves before me. I bestowed greatness upon Abraham, yet he said to me: 'I am but dust and ashes' (Gen. 22:6); upon Moses and Aaron, yet they said: 'And we are nothing' (Ex. 16:3); upon David, yet he said: 'But I am a worm and no man' (Ps. 22:7). But with the heathens it is not so. I bestowed greatness upon Nimrod, and he said: 'Come, let us build us a city'

(Gen. 11:4); upon Pharaoh, and he said: 'Who is the Lord?' (Ex. 5:2)..."¹⁸

In a similar vein, the rabbis are able to make parables.

Why is Israel compared to an apple? Just as an apple bears its fruit before its leaves, so did Israel promise to act before it promised to listen.¹⁹

The main merit of Israel prior to Sinai is his humility and deeds. God's people is well-mannered.

This nation is distinguished by three characteristics: They are merciful, bashful, and benevolent... Only he who cultivates these three characteristics is fit to join this nation.²⁰

"Are you not as the children of the Ethiopians as far as I am concerned?" asks God (Am. 9:7). Just as the Ethiopians are distinguished by the color of their skin, so is Israel distinguished by their deeds from all other peoples.²¹

The rabbis recognized the covenant with Noah; they also recognized their right to interpret it. Israel fulfills the terms of the Noachian covenant, and he has special merits of his own. Some of these merits are earned, others are freely bestowed upon him by God.

Israel has a claim to being chosen by God; he is God's beloved.

The congregation of Israel spoke before the Holy One, blessed be He, "Sovereign of the Universe! Though I am poor in religious deeds, yet I am Thine, and it is fitting that I should be saved."²²

Regardless of why Israel was chosen, even in rabbinic thought only God can initiate the covenant.

After Sinai

Israel was transformed at Sinai. It was here that they received their name; "they were not called the children of Israel until Sinai."²³

R. Judah ben R. Simon said in the name of R. Joshua ben Levi: "In the past you were named as any other tribe, like Saptah, Raamah, and Sabteca (Gen. 10:7). But as soon as you received my Torah I made a covenant with you and I elevated you!"²⁴

Ethical living was enough to make Israel worthy of election; more was required to remain in the covenant. Israel had commandments of his own to perform.

By observing the mitzvot, an Israelite testifies to the reality of the covenant²⁵ and acknowledges the God of the covenant.

It is the commandments which distinguish Israel. As Israel is compared to an apple, so is he compared to a dove. "As a dove is saved only by its wings, so is Israel redeemed only through observing the commandments."²⁶ It is Israel's dedication and thorough immersion to the burden of covenant that separates him from the nations.

When Israel eats and drinks, they begin with words of Torah and words of praises--but the people of the world who eat and drink only begin with words of frivolity.²⁷

Through observing the commandments, the Jew becomes reverent; the heathen remains a heathen.

The Bible progressed toward the conception of the Torah as the summation of God's covenant with Israel. The rabbis see Torah as the mark of the Jew.

R. Meir used to say: "How do we know that even a non-Jew who studies the Torah is

equal to a High Priest? From this verse: 'Ye shall therefore keep my statutes and my ordinances which, if a man do, he shall live by them.' It does not say: 'If a Priest, Levite or an Israelite do, he shall live by them,' but 'a man'; here then you can deduce that even a heathen who studies the Torah is equal to a High Priest! What is meant then is that they are rewarded not as greatly as one who does a thing which he is bidden to do, but as one who does a thing which he is not commanded. For R. Hannina said: 'He who is commanded and does, stands higher than he who is not commanded and does.'²⁸

Thus we have two views. R. Meir says that studying the Torah is fulfilling the requirements of being a Jew. R. Hannina says the study must be commanded. Yet both agree that the possession and study of the Torah is the outstanding characteristic of Israel. The supreme command of the covenant was Torah. "The particular divine calling of the Jew is Torah; his mission consists of its study and practice, he was created for that purpose."²⁹

Rabbah expounded: "Why is it said: 'Come, my beloved, let us go forth into the fields...' (Cant. 7:11)? The Israelites said to God, 'Come my beloved! O Master of the Universe, do not judge us as inhabitants of the cities which have stealth, sexual abominations, vain oaths, and false oaths,' but 'let us go forth into the field'. Come, and I shall show you students who labor in the Torah in the midst of the oppression. 'Let us lodge in the villages (this means among the heathen)' Come and I will show you the sons of Esau for whom you gave an abundance of goodness and they deny you. 'Let us get up early to the vineyards.' These are the synagogues and schools. 'Let us see if the vine has budded.' These are the masters of Scripture. 'Whether the vine blossom has opened', these are the masters of Mishnah; 'and the pomegranate be in flower', these are the masters of Talmud. 'There I will give thee my love.' I will show thee my honor, my greatness, the praise of my sons and daughters."³⁰

Israel was not only meritorious in their deeds, but they were also dedicated to the Torah-covenant.

Study is not an end in itself. Study leads to knowledge, knowledge leads to the affirmation of God and His covenant, and the covenant prescribes and leads to action. R. Eleazer said, "Whoever lacks knowledge will ultimately be exiled."³¹ This is an echo of prophetic thought,³² it is an incorporation into the covenant framework of the rabbis.

There is the view that all of Israel is engaged in fulfilling the covenant.

As the palm-tree contains no waste matter, the dates being for food, the palm branches for service of praise, the dried up twigs for covering the sukkah, the fiber for ropes, the leaves for sieves, the planed trunks for roofing houses, so is it with Israel-- they contain no worthless matter. Some of them are masters of Scripture, some of Mishnah, some of Maggidah, some devote themselves to the performance of pious deeds, some to charitable acts, etc.³³

The opposite view is also expressed--all of Israel is not righteous.

As the palm-tree yields juicy dates...and dates of an inferior quality and also produces thorns, so is it with Israel: there are scholars and there are unlearned.³⁴

Prior to the destruction of the Temple and the subsequent exile from Palestine, all of the rewards of the covenant could be witnessed and utilized. Israel not only had the Torah; he had land, Temple cult, and monarchy. What was to happen when Israel's rewards for accepting the covenant ceased to exist?

According to the rabbinic mind, the acme of Israel's tragic fate under the covenant was provided by the destruction of Jerusalem and the Holy Temple, and by Israel's exile from the land promised their forefathers. This configuration of tragic events was bitter testimony to the implication of a conditional covenant.³⁵

Yet just as exile in the biblical period caused the Jews to reinterpret the covenant, so the catastrophes of the rabbinic period brought forth new thinking.

It happened that R. Jochannan ben Zaccai went out from Jerusalem and R. Joshua followed him, and he saw the burnt ruins of the Temple, and he said: "Woe is it that the place where the sins of Israel find atonement is laid waste." Then said R. Jochannan, "Grieve not, we have atonement equal to the Temple, the doing of good deeds (מעשים טובים) as it is said, 'For I desire mercy (רחמים) and not sacrifice!'"³⁶

The covenant accounts for the exile.

On account of our sins we were exiled from our land and removed far from our country, and we are unable to fulfill our obligations in Thy chosen house...³⁷

The covenant remains intact. Daily the Jews prayed for the restoration of the Temple and the monarchy; they prayed for an end to the Diaspora. But even in the Diaspora, they were God's elect. They possessed His Torah, in which was contained all of God's covenanting. They had the power to perform prayer, repentance and meritorious deeds.

In discussing biblical covenants, we noticed that after the Babylonian exile, the Jews established covenants with themselves to fulfill the commandments of the Divine covenant. Mitzvot are the commandments which tie Israel

to God. And the commandments are viewed as concrete testimony of God's love for Israel.

Thou hast chosen us from all peoples, Thou hast loved us and hast found pleasure in us, Thou hast exalted us above all nations, and Thou hast sanctified us by Thy commandments.³⁸

Study and observance of the Torah are important; they are requirements of Sinai. But Israel may do more than the specified.

"New and old which I have laid up for you, O my beloved." (Cant. 7:14) The congregation of Israel said to God, "Lord of the Universe, I have imposed upon myself more restrictions than Thou hast imposed upon me--and I have observed them."³⁹

Every act of charity is an act of affirming the covenant.

מעשים טובים are those deeds which mirror God's love for Israel and Israel's love for God.

If Israel can not collect their reward at once, they are content to labor and to wait. The postponement of the reward for entering the covenant and sustaining it is bound up with the concept of immortality in the "world to come".

R. Tarfon also used to say: "It is not your duty to complete the work, but neither are you exempt from it. If you have studied much Torah, much reward will be given you, for your Employer is faithful to recompense you--and know that the payment will be in the time to come."⁴⁰

We began our discussion of the covenant with a consideration of its development and its components in the biblical period. We have attempted to discern that the rabbis inherited a framework which they could adopt and modify. We have seen that it is the covenant which ties Israel to God. God instituted the covenant with the fore-

fathers; each generation undertakes to preserve the covenant by entering into it. Thus is established a continuing relationship between God and Israel. It is possible because each generation replaces all generations which have preceded it. The merits and the sins of one generation belong to all generations; Israel marches through history bearing the yoke of the commandments, the מצוות, to bear witness to their having accepted the yoke of heaven, the עול שמים. Israel accepts the covenant by observing the commandments (מצוות) and by observing deeds of covenantal love (מעשים טובים).

All the nations were expected to fulfill the Mosaic laws and to assume upon themselves the yoke of heaven--the sovereignty of God. But when the nations refused, Israel became all the more beloved to God. It is because Israel accepts God as their sole ruler, and accepts the עול שמים, that God gives to Israel the commandments.

R. Jeremiah says: "Whence can you prove that whosoever accepts even one single commandment with true faith is deserving of having the Holy Spirit rest upon him? We find this to have been the case with our fathers. For as a reward for the faith with which they believed, they were considered worthy of having the Holy Spirit rest upon them, so that they could utter the song, as it is said: 'And they believed in the Lord...Then sang Moses and the children of Israel.' And so also you find that our father Abraham inherited both this world and the world beyond only as a reward for the faith with which he believed, as it is said: 'And he believed in the Lord'..."⁴¹

Faith in God becomes the commandment par excellence. Twice daily does the Jew proclaim God's sovereignty.

R. Joshua ben Karha said: "Why does the section Hear, O Israel precede And it shall come to pass if you hearken?--so that a man may first take upon him the yoke of the kingdom of heaven and afterward take upon him the yoke of the commandments."⁴²

It is the willingness to acknowledge God and the kingdom of heaven which enables Israel to be worthy to enter the covenant and to bear the yoke of the commandments.

Within Jewish ranks there are those that weaken the yoke of Heaven and its emanating yoke of the commandments. Some of these people assimilate and leave Judaism as happened in the Hellenistic era. Others eventually break away or are excluded from Judaism. This happened with the Samaritans and was the fate of the Christians. But some remain within the household of Israel; they are detractors from Israel's righteousness.

All Israel have a share in the world to come, for it is written, "They people also shall be all righteous, they shall inherit the land for ever; the branch of my planting, the work of my hands that I may be glorified." (Isa. 60:21) And these are they that have no share in the world to come; he that says that there is no resurrection of the dead prescribed in the Torah, and he that says that the Law is not from heaven, and ~~amoyip'ox~~.⁴³

These are still Jews. The Sadducees denied that there was a biblical prescription for resurrection. Certainly there were those, like Elisha ben Abuyah, who were attracted by Greek thought and gnosticism. Though they were heretics, we have no proof that they were excommunicated by the rabbis.⁴⁴ They had removed the yoke of the commandments, they even denied the unity and sovereignty of God.

As they were lessened, Israel's goodness was lessened.

And when the Israelites fail to do the will of God, i.e. His commandments, His name becomes profaned in the world, just as it becomes sanctified among the nations when Israel does God's will.⁴⁵ The ~~oyip'ox~~ is one who disregards (yepo) the ~~oyip'ox~~. For it is only through the commandments that the Jew acknowledges Israel's covenant.

The commandments are secondary to God. He desires that man accept the yoke of heaven. To Israel ~~oyip'ox~~ become primary as it is the commandments which are peculiarly Israel's--they were received through the unique covenant at Sinai. The commandments are given for life, not for death. It is only where there is submission to authority other than God's that one chooses martyrdom rather than to transgress. One dies rather than commit idolatry, murder or sexual transgression as these deny God's dominion over man. In the Hadrianic persecution, Jews even suffered death rather than transgress a minor commandment in public.⁴⁶

"Of them that love Me," refers to our father Abraham and those like him. "And keep My commandments," refers to the prophets and the elders. R. Nathan says: "Of them that love Me and keep My commandments," refers to those who dwell in the land of Israel and risk their lives for the sake of the commandments. "Why are you being led out to be decapitated?" "Because I circumcised my son to be an Israelite." "Why are you being led out to be burned?" "Because I read the Torah." "Why are you being led out to be crucified?" "Because I ate the unleavened bread." "Why are you getting a hundred lashes?" "Because I performed the ceremony of the lulab." And it says: "Those with which I was wounded in the house of my friends." (Ech. 13:6) These wounds caused me to be beloved of my Father in Heaven.⁴⁷

Collectively, the commandments come to symbolize Israel's special relationship to God. The calendar centers around them. This is continually re-iterated in the observances of the Jew. Each week day points toward the day which is the sign of the covenant. Each of the three pilgrim festivals is reinterpreted to commemorate the covenant. Passover marks the freeing of the slaves and the forsaking of idolatry; Pentecost represents the giving of the law and the assuming of the commandments; Tabernacles represents the desert experience and the ideal life of the people dedicated to God.

Rosh Hashana and Yom Kippur become the most important days to affirm the covenant. It is during these ten days that the Jew makes repentance for breaking the covenant and begs to have one more year within it. As each New Year is said to be the birthday of the world, so might we say that each Day of Atonement is the birthday of the Jew. It is on this day that the Jew acknowledges his willingness to accept both the yoke of Heaven and the yoke of the commandments. Rosh Hashana comes to commemorate the submission of Abraham to accept God's commandments. Yom Kippur also has its universal element in the reading of Jonah. The two days are the extremities of the ten days of repentance; the ten days of returning to the covenant. Israel again chooses God; it prays that God choose Israel.

It is through Israel's fulfilling its own covenant

that the other nations are led to realize the Noachian covenant and to accept the yoke of Heaven. Israel's Universalism is founded on its particularism. To the rabbis, as to Isaiah, God chose Israel to be a "light to the nations." It is through Israel's fulfilling the terms of his covenant that he draws God nigh unto himself--and unto the world.

CHAPTER 3

THE SIGNS: SABBATH AND CIRCUMCISION

The Need To Be Different

In the last chapter we discussed the development of the covenant concept and its becoming synonymous with Torah. The Jew put life into the Torah through *מציאות* and *מציאות*. We discerned that the rabbinic idea was a blossoming of a biblical doctrine. The event of exile and removal from concrete aspects of the covenant (viz. land and monarchy, Temple and priestly cult) led to further dedication to the covenant relationship.

We now have to discuss the two biblical signs of the covenant between God and Israel: the Sabbath and circumcision. In our discussion of the development of these two ceremonies in Chapter One, we noticed that their practice antedated their inclusion in the covenant. Surely their being signaled as "signs of the covenant" elevated their importance and made them central to Jewish self-consciousness. History served to make them even more central.

Sabbath and circumcision were most likely first elevated to their prime position during the Babylonian exile. Away from their land, Temple and cult, and monarchy, the Jews could still practice these two rights and bear testimony to the reality of the covenant. In fulfilling these two obligations, the Jews could testify to their acceptance

of the *מציאות* through the *מציאות*.¹ While in Palestine the Judeans lived among many circumcised peoples; in Babylonia circumcision served as a mark of distinction.² Though not included in the Decalogue, circumcision becomes the outward sign of the covenant between God and Israel through Abraham, just as the Sabbath is the sign of covenant established through Moses.³

These two observance were destined to come under attack, both from within and without Israel, throughout the centuries. In Heccebean times their observance was tenuous. Jews, enamoured with Hellenistic civilization and desiring to assimilate, underwent epispasm to conceal their identity.⁴ The rulers prohibited Jewish religious observances, including the Sabbath and circumcision. The king's purpose was to abolish the ethnic characteristics of Israel by ridding it of its religion based on Torah.⁵

Judaism rebelled.

Israel cannot be joined with the idolaters of antiquity, but must keep themselves apart. For even if an enemy decrees that they should desecrate the Sabbath, abolish circumcision, or serve idols, they suffer martyrdom rather than be assimilated with them.⁶

The Sabbath

The need of the rabbis to make new legislation to safeguard Sabbath observance tends to shed light on their seeing this day as a distinctive mark of the Jew. R. Simeon ben Yohai, a second century Tanna, possesses this insight.

Whatever the Sages have permitted you (by way of infringing a presumed Sabbath law)

they have permitted you what is in any case permitted, since they only declared permissible what had been rabbinically (but not Scripturally) considered an infringement of the Sabbath rest.⁷

By God's giving the Sabbath to Israel, a partnership of the three is established.⁸ Quoting R. Simon, R. Johanan informs us that the Sabbath was the only commandment given to Israel in secret.⁹ If every Jew would properly observe two consecutive Sabbaths, redemption would occur immediately.¹⁰ He who observes the Sabbath is kept away from sin.¹¹ Though the Sabbath has existed from the days of Creation,¹² it is intended only for the Jews. The Sabbath is a reunion between Israel and God.¹³

An important aspect of rabbinic thought is the advent of the Messiah, the son of David. The covenant with David established the monarchy; the rabbis reinterpret it as the Messianic promise. The reinterpretation is present in the thought of Isaiah.¹⁴ The rabbis join it to the Sabbath.

Just as we find that the son of David's coming depends upon all the commandments, so it depends on the observance of the Sabbath one day, for the Sabbath is equivalent to all the commandments.¹⁵

Another element of rabbinic thought is "the world to come". But like the Messiah, it, too, is linked with the Sabbath. The world to come is a perpetual Sabbath;¹⁶ the Sabbath is, however, a sample of life in the world to come.¹⁷

We can assume that the Sabbath is as important to

rabbinic literature as it is to the Bible, if not more so. In the Bible it serves as the sign of the covenant; a reward for the acceptance of the Torah. In its development it comes to serve as the symbol of all the commandments and he who properly observes it testifies to his acceptance of the yoke of Heaven.

This observance is one that requires neither land nor Temple and thus is able to function throughout the Diaspora. It remains as the sign of the covenant between God and Israel. Just as it comes to symbolize all the commandments, so does it come to symbolize Israel's devotion and consecration to God. He who keeps the Sabbath testifies before God that He is the Creator of the world.¹⁸

The Sabbath is an elixir of life to the exiled Jews. An illustrative report comes from the early third century.

R. Ishmael the son of R. Jose asked Rabbi (Judah): "What is the merit of those Jews who live in Babylonia that preserves them?" Rabbi answered: "The merit of Torah." "And what is the merit of those living in Palestine?" "The merit of tithes." "And those who live in the Diaspora?" "Their merit is that they honor the Sabbaths and festivals."¹⁹

It is the Sabbath which enables Israel to fulfill all the covenants given at Sinai. We have seen how it symbolizes the covenant of Torah-commandments through Moses and the covenant of monarchy through David. The use of wine²⁰ and the Musaf service stem from the covenant with Levi. The prophetic conception of Israel as the bearer of the covenant is also given expression by the rabbis.

Anyone who observes the Sabbath properly, even if he is an idolater, is forgiven his sins.²¹

This and similar Universalistic expressions still convey the idea of Israel's election to covenant. God chose Israel, revealed to him His Torah, and the Sabbath testifies to this.

Blessed art thou, O Lord our God, King of the universe, who hast hallowed us by thy commandments and hast taken pleasure in us, and in love and favour hast given us thy holy Sabbath as an inheritance, a memorial of the creation--that day being also the first of the holy convocations, in remembrance of the departure from Egypt. For thou hast chosen us and hallowed us above all nations, and in love and favour hast given us thy holy Sabbath as an inheritance. Blessed art thou, O Lord, who hallowest the Sabbath.²²

To observe the Sabbath enables one to stand at Sinai and receive the Torah.

Circumcision

In our introductory remarks to this chapter, we noted that like the Sabbath, it was the Babylonian exile that first made the rite of circumcision paramount. And together they are emphasized by the anti-Hellenists. It is not surprising therefore to find their importance stated in similar terminology.

In the Mekilta we find a dispute over the meaning of "and keep my covenant" in Exodus 19:5.

R. Eliezer says: "This refers to the covenant of the Sabbath." R. Akiba says: "This refers to the covenant of circumcision and idolatry."²³

According to the Halakah, circumcision takes precedence over the Sabbath when the circumcision is performed on the eighth day but not when the ceremony is postponed. Against the view that the Sabbath is equivalent to all the commandments, circumcision counterbalances all the precepts of the Torah. As the Sabbath's being observed by Israel is what preserves the world, without circumcision heaven and earth would not endure.²⁴ As the Sabbath reflects the world to come, he that separates himself from his grave; he who covers his circumcision has no share in the world to come.²⁵

It is therefore not surprising to see that this rite, originally a sign of the covenant, like the Sabbath, comes, like the Sabbath, to be a mark of Jewish identity. "A child is not counted among the generation except through circumcision."²⁶ One must take care however to note the Halakah. An uncircumcised Jew is a full Jew by birth.²⁷ But a proselyte must be circumcised. Though there is a view that baptism without circumcision enables one to convert to Judaism, the view is not accepted and to be a full proselyte, circumcision must be performed.²⁸ It is true that Jews are also sons of Noah and are bound to the Noachian laws; but since Abraham was circumcised they are called by his name and are special.²⁹ As in the Bible, circumcision is testimony to Israel's faithfulness to God and his being God's elect.

As the Sabbath retains its function of being the sign of the covenant at Sinai, so does circumcision retain

its function of being the sign of the covenant with the Patriarchs for the land. This is the point of R. Judan's discussion of "and I will give unto thee and to thy seed after thee the land of thy sojournings"(Gen. 17:8).

God said:

If thy children accept My divinity, I will be their God and Patron; if not, I will not be their God and Patron.
If thy children enter the Promised Land, they accept My divinity; if not, they do not accept My divinity.
If they accept circumcision, they accept My divinity; if not, they do not accept My divinity.
If thy children accept circumcision, they will enter the Promised Land; if not, they will not enter the Promised Land.³⁰

There is also the view that it is only circumcision of the male organ which would allow the priests to fulfill the covenant through Levi--the sacrificial service.³¹ So important does circumcision become that it is not only the sign of the covenant, but also its preservative.

R. Aibu said: "When Abraham circumcised those that were born in his house, he set up a hillock of foreskins. The sun shone upon them and they outrefied, and their odor ascended to the Lord like sweet incense. God then said: 'When My children lapse into sinful ways, I will remember that odor in their favor and be filled with compassion for them.'"³²

Circumcision, like the Sabbath, is an excellent example of the joy of bearing the yoke of the commandments. Of Talmudic origin is the blessing recited at the ceremony called

Blessed art thou, O Lord our God, King of the universe, who hast hallowed us by thy commandments, and hast given us command concerning the Circumcision.

Blessed art thou, O Lord our God, King of the universe, who hast hallowed us by thy commandments, and hast commanded us to make our sons enter into the covenant of Abraham our father.

Even as this child has entered into the covenant, so may he enter into the Torah, the nuptial canopy, and into good deeds.³³

The Jewish initiation rite is an entrance into the covenant. It is a recreation of Sinai. So important does the rite of circumcision become, that an apostate, Benedict de Spinoza declares:

The sign of circumcision is, as I think, so important, that I could persuade myself that it alone would preserve the nation for ever. Nay, I would go so far as to believe that if the foundations of their religion have not emasculated their minds they may even, if occasion offers, so changeable are human affairs, raise up their empire afresh, and that God may a second time elect them.³⁴

Summary

What differentiates Israel from the nations of the world is that God thinks this people is different. He gave them His Torah and Israel accepted it. And Israel willingly accepted God's sovereignty and His covenant. Continually Israel praises God and performs the commandments. Sabbath and circumcision are the two signs of the covenant; but they are not the covenant. The Torah is the covenant and Israel is its possessor. It is dedication to the Torah through commandments, מצוות, and deeds of covenantal love, גמילות חסדים, that Israel maintains its uniqueness. It is through Sabbath and circumcision that the Jew plays

his role in the establishment and permanence of the covenant. Through the covenant, the Jew endeavors to establish the Kingdom of God on earth and to earn his immortality in the עולם הבא, the world to come.

To be a Jew according to the rabbis, as according to the Bible, is to enter into God's covenant with His elect people. There can be no Jew who lives in isolation. To be a Jew is to join the people who stand at Sinai: to dedicate one's life to Torah and to perform the commandments; to make one's life a sign of the covenant through Sabbath and circumcision. The Jew acknowledges God by bearing the yoke of the commandments. (על עול)

This is the rabbinic ideal. Birth is enough to make one a Jew; one must willfully break the covenant to lose one's place in the community. But perhaps ideals become common characteristics. For the Jew became purified...

CHAPTER 4

THE COVENANT: JESUS OR TORAH?

Background

We have discussed the historical factors which influenced the development of rabbinic thought in terms of the covenant. History served to re-enforce the idea that God had chosen Israel to receive and transmit His Torah and proclaim His sovereignty. Yet equally important to the need to prevent deterioration of the covenant relation from within, was the need to counter the attacks from without. Polemics in a significant manner served to crystallize the covenant concept. The rise of Christianity presented a new problem for Judaism. The Jew's right to call themselves the "sons of the covenant" was challenged. Under Babylonian rule, the cause was political survival; under Hellenistic rule, the cause was cultural survival; but under the attacks of the Christians, the cause became religious survival.

We have seen that the basis of Judaism is the covenant; it is made manifest by study of the Torah and its application (עשיית מצוות), by observance of the Sabbath, and by circumcision. Through dedication to these tenets, the Jews fulfill their responsibility to worship God and serve as His elect; thus, they receive salvation and earn immortality. A Jew becomes a Jew by identifying himself with the people of the covenant. Though a Jew may earn

his own merits, it is only among the community of Israel that he may fulfill the demands of Judaism. As no generation can stand at Sinai by itself, no Jew can live isolated from Israel.

Paul

Paul did not deny the reality of the covenant; to the contrary, he also made it of crucial importance. Now the Christians, those who believe in Jesus, are the elect of the elect--the true Israel. Though "the Jews are entrusted with the oracles of God",¹ they have no advantage--indeed, they are at a disadvantage. They are at a disadvantage because their covenant of Torah necessitates sin.

Now we know that whatever the law says it speaks to those who are under the law, so that every mouth may be stopped, and the whole world may be held accountable to God. For no human being will be justified in his sight by works of the law since through the law comes knowledge of sin.²

Then what becomes of our boasting? It is excluded. On what principle? On the principle of works? No, but on the principle of faith. For we hold that a man is justified by faith apart from works of law. Or is God the God of Jews only? Is he not the God of Gentiles also? Yes, of Gentiles also, since God is one; and he will justify the circumcised on the ground of their faith and the uncircumcised because of their faith. Do we then overthrow the law by this faith? By no means! On the contrary, we uphold the law.³

The promise of Abraham and his descendants, that they should inherit the world, did not come through the law but through the righteousness of faith. If it is the adherents of the law who are to be the heirs, faith is null and the promise is void. For the law brings wrath, but where there is no law, there is no transgression.⁴

Therefore, since we are justified by faith, we have peace with God through our Lord Jesus Christ.⁵

Do you not know that all of us who have been baptized into Christ Jesus were baptized into his death? We were buried therefore with him by baptism into death, so that as Christ was raised from the dead by the glory of the Father, we too might walk in newness of life.⁶

The rabbis reasoned differently. To them, Paul's preaching, if accepted by the Jews, would lead them to forsake the Torah. To forsake the Torah and its commandments is to abolish the covenant; to destroy the covenant would mean to destroy Judaism and to condemn the Jews. Sin does not come from knowledge of the law; the law delivers man from sin. The non-Jews are in sin because they did not enter the covenant with Moses.

Why are the idolaters lustful? Because they did not stand at Mount Sinai. For when the serpent came upon Eve, he injected a lewdness (אֲבִירָה) into her. But the Israelites who stood at Mount Sinai, their lewdness departed; the idolaters, who did not stand at Mount Sinai, their lewdness did not depart.⁷

Therefore, at the age of thirteen, when the Jew comes under the yoke of the commandments, his moral character (לְבוֹ שֵׁנִי) becomes more powerful than his sensual passion (אֲוֵרָה שֵׁנִי).⁸

The Jews are special--they do have an advantage over the other nations. "Even though Israel sins, they are still Israel."⁹ God loves His people.

A gentile (גֵּוֹי) said to Rabbi Avira: "It is said in the Bible, 'And who is like Thy people, like Israel, a nation unique in the earth?' (2 Sam. 7:23) What is their greatness? For you are categorised with us, for Scripture

declares, 'All the nations are as nothing before him.' (Isa. 40:17) He replied: "One of you (Malak) testified concerning us, 'We (Israel) shall not be reckoned among the nations'." (Num. 22:9)¹⁰

Against Paul's charge that the inevitable failure to observe the commandments in their entirety obviate the sinfulness of the Jew and his being cut off from God, R. Tarfon offers his rebuttal.¹¹

It is not thy duty to complete the work, but neither art thou free to desist from it; if thou hast studied much Torah, much reward will be given thee, for faithful is thy Employer to pay thee the reward of thy labor; and know that the grant of reward unto the righteous will be in future to come.¹²

The Jew's immortality comes via Sinai, not via faith in an anti-nomian doctrine. Paul's hero of faith, Abraham, knew and observed the law; both the written and the oral laws were revealed to him. This revelation enabled him to be worthy of receiving the covenant.¹³

As ardently as Paul attacked the Torah as a sign of God's covenant with Israel, he debased the value of circumcision. Paul realized that circumcision makes the convert a full-fledged Jew. Becoming a full Jew through circumcision would necessitate learning the Torah and observing its commandments; simultaneously, being led to sin.

Now, I Paul, say to you that if you receive circumcision, Christ will be of no advantage to you. I testify again to every man who receives circumcision that he is bound to keep the whole law. You are severed from Christ, you who would be justified by the law; you have fallen from grace. For through the Spirit, by faith, we wait for the hope of righteousness. For in Christ

Jesus neither circumcision nor uncircumcision is of any avail, but faith through love.¹⁴

O Foolish Galatians! Who has bewitched you, before whose eyes Jesus Christ was publicly portrayed as crucified? Let me ask you only this: Did you receive the Spirit by works of the law or by hearing with faith? Are you so foolish? Having begun with the Spirit, are you now ending with the flesh? Did you experience so many things in vain?--if, it really is in vain. Does he who supplies the Spirit to you and works miracles among you do so by works of the law, or by hearing with faith? Thus "Abraham believed God and it was reckoned to him as righteousness". So you see that it is men of faith who are the sons of Abraham.¹⁵

The rabbis were not defenseless.

Rabbi Judah said: "Great is circumcision for none so busied himself with God's precepts as our Father Abraham, yet he was called perfect only in virtue of circumcision."¹⁶

Wretched is the uncircumcision where by the wicked are held up into shame as it is written: "For all the nations are uncircumcised". (Jer. 9:26)¹⁷

More Attacks

The Pauline attacks would have been sufficient to make the Torah and circumcision of prime importance to Jewish identity. But Paul was not alone in his efforts to reinterpret the covenant. The author of Hebrews also sees Jesus as the embodiment of the covenant.¹⁸ He tells us that it is by the blood of Jesus that one is enabled to perform sacrifice; Jesus brings the new covenant of the heart.¹⁹ Furthermore;

Matthew insists that the great reward in

heaven is promised in consequence of the scrupulous keeping of the new law by Christians, a law characterized by a righteousness superior to that of the Pharisees. Luke, on the contrary, stresses the fact that in spite of the present difficulties they will gain the Kingdom; that is, as over against those who are apparently now in high favour, the Christians are the true elect of God.²⁰

The abolition of sacrifices and the doctrine that piety was independent of priests and Temple encouraged the Christians to claim the abolition of Sabbath, circumcision, dietary laws, etc.²¹ When Sunday became the Sabbath, the separation was complete--Christianity had left the Jewish fold.

Christianity attacked rabbinic Judaism; it denied that the Jews are God's elect, the recipients of His covenant and the resultant redemption from sin and salvation from death. But the Jews could make accusations against their protagonists. In the second century, R. Eliezer of Modiin gave his famous dictum.

If a man profanes the Sabbaths,²² and despises the set feasts, and puts his fellow to shame publicly, and makes void the covenant of Abraham our father, and discloses meanings in the Law which are not according to the Halakah, even though a knowledge of the Law and good works are his, he has no share in the world to come.²³

Israel, as is usual when under attack, clung tenaciously to the law--the whole of Torah. Every commandment was important; each ^(תורה) was a vehicle to the world to come. It was the laws which distinguished Israel; it was obedience to the commandments which made one a Jew. There were two commandments which were most noticeable among all the

Jewish males which set them apart from other people: Sabbath and circumcision. These were the two rites that were called signs of the covenant in the Bible; they remain as signs of the covenant in the Jew.

The battle was not over. At times the Christians found need to acknowledge the commandment of circumcision. Early in his career, Paul circumcised Timothy.²⁴ This was to promote the acceptance of Christianity among the Jews. Origen had to defend the rite of circumcision, against the attacks of Celsus, as correct for Jews.²⁵ The Epistle of Barnabas, like Origen, shows that the circumcising of Abraham differs from similar practices of the Egyptians, Syrians, and Arabs. By utilising gematria and combining two biblical passages (Gen. 14:14 and 17:26f.), the author identifies Abraham's rite with Jesus and the cross.²⁶

Others acknowledged circumcision as a sign--a sign of God's disfavor with the Jews. This is the view of Tertullian and Justin Martyr. Circumcision was given as a sign that the Jews might be driven away from their evil deeds done to Christ and the Christians.²⁷

This, therefore, was God's foresight,--that of giving circumcision to Israel, for a sign whence they might be distinguished when the time should arrive wherein their above-mentioned deserts should prohibit their admission into Jerusalem.²⁸

...the blood of that circumcision is obsolete, and we trust in the blood of salvation; there is now another covenant, and another law has gone forth from Zion.²⁹

This circumcision is not, however, necessary for all men, but for you alone, in order that, as I have already said, you may suffer these things which you now justly suffer...For if it were necessary, as you suppose, God would not have made Adam uncircumcised; would not have had respect to the gifts of Abel when, being uncircumcised, he offered sacrifice; and would not have been pleased with the uncircumcision of Enoch...let...Noah...Melchizedek...30

Again the rabbis constructed their defense. Circumcision is necessary and always has been. So important is it, that in addition to Job, Adam, Seth, Noah, Shem, Melchizedek, Jacob, Joseph, Moses, Balaz, Samuel, David, David's son Chileab, Jeremiah, and Zerubbabel were born circumcised and this was their purity and righteousness.³¹ R. Hosaiah claimed that the Torah was used to create the world;³² he also had a reason for circumcision.

A "philosopher"³³ asked R. Hosaiah: "If circumcision is so beloved, why was it not given to Adam (and thus become a natural characteristic of all men)?" He said to him: "Why do shave the corner of your head, but leave the corner of your beard?" "Because the former grew when I was a youth." "In that case, you should also blind your eye, cut off your hands and break your feet, for they, too, grew when you were a foolish youth." "Do you mean to convince me by such arguments?" "Well, since it is impossible to let you go without an answer, note this: everything created during the six days of creation is in need of perfection. Mustard needs sweetening; the lupine needs sweetening; wheat has to be ground. Even man is in need of improvement."³⁴

The Separation of Paths

It is Torah that creates and preserves the Jew as it is Torah that sustains the world. The Torah is proof of

God's covenant with Israel; the Halakah is the road back to God. Living in the midst of a Christian environment, the Jews tenaciously proclaimed their path the right one. The Synagogue said the covenant to be in the Torah while the Church held the covenant to be in Jesus. The Jews denied that faith in Jesus fulfilled the covenant; they fulfilled the terms of Israel's covenant in proper form--dedication to Torah through commandments, Sabbath, and circumcision. Justin Martyr clearly outlines the controversy.

Is there any other matter, my friends, in which we are blamed, than this: that we live not after the law, and we are not circumcised in the flesh as your forefathers were, and do not observe Sabbath's as you do?³⁵

No--there is no other matter. For he who does this denies not only his right to the covenant, but also His who established it. By throwing off the yoke of the commandments, one denies the Kingdom of God. To be a Jew was to be loyal to the forefathers--not to stray from Sinai, but to constantly return and re-enter the covenant.

CHAPTER 5

YESTERDAY'S PROMISE IS TODAY'S DILEMMA

The rabbis took the narratives of the Bible as history. It was a fact that God had elected to give His covenant to Israel. Israel's prime purpose for living was to preserve and transmit Torah. The rabbis were able to base their lives on Torah because they were able to interpret it to answer their needs. But they did not forsake it because of their whims.

The covenant remained the source of Jewish identity for the rabbis. The Bible furnished the framework of thought concerning the covenant and the ages built within it and upon it. The signs of the biblical covenant remained important to Jewish identity and preservation. Circumcision and the Sabbath bore testimony to the distinctiveness of Israel.

The covenant has been deeply inscribed upon the Jewish heart. Perhaps this is why Judaism looks with such great disdain upon the apostate; he has broken the covenant between God and Israel for humanity and between all Jews for God. Unfortunately, however, the covenant has become weakened within the ranks of Judaism. There is a tendency among most segments of modern Jewry to either eliminate the concept of election to covenant, or to over-emphasize certain aspects of it.

The brutal Torah-less nationalism promulgated in certain quarters, would have been to the Rabbis just as hateful as the suicidal Torah-less universalism preached in other quarters.⁴

To be a Jew has meant to include oneself among those who receive God's covenant--the Jews.

Though all Jews may fall short of the high demands the group imposes upon him, he still is subject to the commandments. The commandments may change in number or in order of importance; but they always reflect God's will. It has always been through Torah that the Jew finds himself and directs his labor heavenward.

The modern Jew may not be able to accept the historical veracity of the biblical account(s) of God's covenanting with mankind and with Israel. Yet, unless, one sees some value to the story, it is difficult to see what constitutes a Jew. The story may be a myth--but it is a myth whose insight explains the psyche of the Jew through the ages. There have been those in the past who differed with the Judaism which we have inherited; their only legacy is historical as they did not survive in Judaism. The various messianic movements are the outstanding examples of this.

The leaders of most elements of Judaism fail to realize that there must be two parties to the covenant: God and people. There are those who emphasize God and ignore the people. Judaism is a "religious fellowship" having no binding ties between one Jew and another. This means that there are no binding ties to Sinai, the on going source of

all covenants. In Judaism God only covenants with His entire people, never with an individual.

From the failure of the Bar Kochba revolt in 135 to the re-establishment of the State of Israel in 1947, the Jews survived the numerous perils of Diaspora life. Despite all propaganda to the contrary, the Jews have lived meaningful lives as Jews; they have felt themselves to be within the covenant. They have been a people who have had a God. The modern state, by its very nature, makes a land and its inhabitants primary and God secondary, if present at all. The Bet Mabnesset ceases to be Synagogue and becomes Parliament; it seeks to promulgate human law rather than understand Torah.

Once God is denied, it is difficult to understand how one can gain admittance to a covenant of Judaism. Historically, the covenant has always been God initiated; men only covenanted among themselves to uphold the established covenant. And if divine revelation is denied, it would seem that there can be no covenant as Judaism has understood it.

The Bible gave the goal.

Now therefore, if you will obey my voice and keep my covenant, you shall be my own possession among all peoples; for all the earth is mine, and you shall be to me a kingdom of priests and a holy nation. These are the words which you shall speak to the children of Israel.²

The rabbis found the vehicle which operated in their day. Perhaps we must find our own answer. Superficially, our

holidays being on a different calendar, our contributing to different charity organizations, our belonging to different "churches", etc. may preserve our distinction. But this does not answer the fundamental question of "why" the distinction and for what purpose.

It is only through the covenant concept that Judaism can be based upon a unity; the unity of God attested to by His unique people. Those who would have us interpret our actions as mitzvot must attempt to show how these proclaim the uniqueness of God and His people. We must realize that there are now new problems--Judaism has no authoritative legislative body having jurisdiction over any Jews but those who volunteer their allegiance; the twentieth century Jew is a modern man(or woman); and thus is interested in himself(or herself) as an individual as well as part of a group; the re-emergence of a political state founded on a secular nationalistic philosophy dependent upon Diaspora Jewry for numerical and monetary strength, etc.

History tends to the conclusion that there is no Jew outside of God's covenant of Torah. The rabbis were not the first to be faced with the problem of Jewish identity and this generation is not the last.

We need more than superficial answers. We need to realize that a Seventh Day Adventist is circumcised and observes Saturday more in accord with biblical and rabbinic legislation than most Jews. Islam observes the dietary

laws. Non-Jewish Israelis speak Hebrew. Women are Jews in their own right, not because they are chattel; neither circumcision nor the Sabbath include them to bear the sign of the covenant. But if the Jew is neither the receiver nor the bearer of God's covenant; if the Jew's light unto the nations is extinguished, then what is he or she?

This is the eternal problem of the Jewish people. They have the choice of being God's kingdom of priests and a holy nation, or of once again becoming like Sodom, Samaria and Sabeen.

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33. Exodus 6:2ff; Exodus 19:5.
34. Deuteronomy 29:9-14.
35. Exodus 31:12ff.
36. Emil G. Hirsch, "Sabbath", in The Jewish Encyclopedia, Vol. 10, p. 591. Cf. also Hayyim Schauss, The Jewish Festivals, Cincinnati, Union of American Hebrew Congregations, 1938, pp. 3-5. Schauss contends that the Sabbath is developed by the Jews, though its development preceded its incorporation into the covenant.
37. Kaufmann Kohler, "Sabbath", in The Jewish Encyclopedia, Vol. 10, p. 591.
38. Emil G. Hirsch, loc. cit.
39. Exodus 31:14.
40. Numbers 25:12f; Deuteronomy 33:8-10; Malachi 2:1-5.
41. Deuteronomy 10:8. Note Deuteronomy 33:8 where the Urim and Thummim are given to Levi.
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44. Ludwig Köhler, op. cit., p. 68.
45. Joshua 24:19-25.
46. 2 Samuel 23:5; Psalm 2; Jeremiah 33:21.
47. 2 Kings 11:17, 23:3ff; 2 Chronicles 29:10.
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53. Deuteronomy 36:6, 8.
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56. Nehemiah 10:33. I am indebted to Dr. Jakob J. Petuchowski for this translation and insight. See "The Concept of Revelation in Reform Judaism", in The Central Conference of American Rabbis Yearbook, Vol. LXIX, Philadelphia, Maurice Jacobs, 1959, pp. 220f.
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3. Exodus Rabbah 47:1.
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5. Genesis Rabbah 30:1.
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