

# Zera Shimshon

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## Chapter VIII: Vayishlach (Gen. 32:4–36:43)

Essay 8. Why does Scripture continue to refer to Israel as “Jacob,” if the name implies deception?

*Genesis 25:26 states that Jacob was given his name because he was born holding onto Esau's heel. The first part of this essay suggests other possible reasons for Jacob's name, starting with a discussion of whether his name necessarily implies a deceptive nature.*

**גְּמָרָא** סוף פֶּרֶק קמ"א דְּבִרְכוֹת תְּנִי בַר קַפָּרָא: כָּל הַקּוֹרֵא לְאַבְרָהָם "אַבְרָם" עוֹבֵר בְּעֵשָׂה. אֵלָּא מֵעַתָּה כָּל הַקּוֹרֵא לְיַעֲקֹב יַעֲקֹב הֲכִי נִמְי? וְשִׂאֲנִי הֵתָם דְּהָדַר אֶהְדְּרִיהָ קָרָא, דְּכַתִּיב: "וַיֹּאמֶר אֱלֹהִים לְיִשְׂרָאֵל בְּמַרְאוֹת הַלַּיְלָה וַיֹּאמֶר יַעֲקֹב יַעֲקֹב" וְכוּ' עכ"ל.

**The Gemara at the end of the first chapter of Berachot states:**

**Bar Kapara taught: Anyone who calls Abraham** [by his birthname] **“Avram” transgresses a positive mitzvah**, as it is stated: “And your name will be Abraham” (Gen. 17:5). Rabbi Eliezer says: [One who calls Abraham “Avram” transgresses a negative mitzvah, as it is stated: “And your name shall no longer be called ‘Avram’ ” (Gen. 17:5). . . .

**But if that is so, one who calls Jacob “Jacob,”** [about whom it is written: “Your name shall no longer be Jacob, but Israel” (Gen. 32:29)], **also** [transgresses a mitzvah]. **It is different there, as the verse reverts back** and G-d Himself refers to Jacob as “Jacob,” **as it is written** before his descent to Egypt: **“And G-d said to Israel in the visions of the night, and said, ‘Jacob, Jacob,’** and he said, ‘Here I am’ ” (Gen. 46:2).

- Berachot 40a

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וקושה טובא שאדרבא יותר הנה מוכרח לשנות שמו של יעקב ולא להזכירו עוד משום דמחזי לשון עוקב[ה]<sup>1</sup> ואובאה. וכמו שאמר עשו הכי קרא שמו יעקב ויעקבני זה פעמים וכו'. ולמה נשאר שם זה במקומו הראשון, ואף הכתוב תמן אמת ליעקב. לישאל הנה לו לומר, שהרי יעקב הוא לשון עוקב ואינו לשון אמת.

**It is very difficult to understand this. For to the contrary, it would have been necessary to change Jacob's name and not to mention him again by that name because it appears as language of deception and fraud.** That is, Gen. 25:26–26 explains that the name Jacob was derived from the fact that Jacob was born holding onto Esau's heel, but the Hebrew word for heel, *akev* (עֶקֶב), is also related to the word *okva* (עֲקָבָה), meaning deception. **As Esau said, “Was he, then, named Jacob that he might deceive me<sup>2</sup> these two times? First he took away my birthright and now he has taken away my blessing!” (Gen. 27:36). Why did this name remain in the first place, and even Scripture [says], “You will keep faith with Jacob” (Micah 7:20). It should have said, “You will keep faith with Israel,” for Jacob is the language of deception and fraud and is not the language of truth!**

*Rabbi Nachmani now presents alternate reasons for Jacob's name.*

ויש לומר דלעיל בפרשת בראשית על פסוק נעשה אדם שאמר משה למה אמה גותן פתחון פה למינים. והשיב לו הקב"ה כתוב והרוצה לטעות יטעה. שם פירשנו שאין אנו אחראים למי שרוצה להתחזק בסברא חלושה ומוטעת כדי להכחיש האמת ועיי"ש. והכא נמי הואיל שלפי האמת שם יעקב נקרא כך לפי ששכרו אינו אלא בעקב דהיינו בעולם הבא, והיו"ד שבראשו מוכיח, לפי שהעולם הבא נברא ביו"ד, דהיינו יו"ד עקב. אין אנו אחראים למי שירצה לומר הפך האמת שנקרא כך על שם העוקב.

**It should be noted that above in parshat Bereisheet, essay 7, which presented a Midrash Yalkut Shimoni on the verse “Let us make man in our image” (Gen. 1:26), that Moses said to G-d, “Why do you give an opening here for heretics?” The Holy One, Blessed be He, answered him, “It is written, ‘One who wishes to sin will sin.’” There, we explained that we are not obliged [to correct] one who wants to strengthen his weak and mistaken thinking in order for him to contradict the truth. Here too, the truth is that the name Jacob is called thus because his reward is only in the future world, which is the World-to-Come, and the letter *yud* at the head of the name Jacob proves this, since the World-to-Come was created with a *yud*, which**

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<sup>1</sup> In this essay, the first edition has the spelling עוקבא in three places, עוקבה in two places, and one abbreviated spelling of עוקב. The spellings have been standardized to עוקבה. This Hebrew word for “deception,” more properly spelled עֲקָבָה, as in II Kings 10:19, is derived from the same root עֶקֶב (heel) as the root for Jacob's name, as pointed out by the Kli Yakar at Gen. 25:26, which uses the same term, “לשון עקבה.” [The misspelling עוקבא could lead to confusion with one of the rabbis named Mar Ukva.]

<sup>2</sup> Some translators render ויעקבני as “he has deceived me,” while others render it as “he has supplanted me.” That is, supplanting someone does not necessarily imply any deception. In the current paragraph, talking about deception, this translator has translated the word as “that he might deceive me.” The alternate interpretation, supplanting, will become more relevant below. [Both supplanting and deception are related to the root עֶקֶב (heel). Chasing someone's heels puts one in a position to overtake him, i.e., to supplant him. Kicking at someone's heels can trip him, which could be a trick, a deception.]

is why the name Jacob is *yud* plus the word *eikev* (עֵקֶב) (the future world). **We are not responsible to one who wishes to say the opposite of the truth, that [Jacob] was named thus because of the deception.**

וּכְמוֹ שֶׁנִּבְאָר לְקַמּוֹ, וְאִם עָשׂוּ הִרְשָׁע אֶפְשָׁר שְׁלֵא כִּיּוֹן לִזְמַר שְׁבִיבִיל כֶּף נִקְרָא שְׁמוֹ יַעֲקֹב מִשּׁוּם דְּעֵקֶבְהוּ פְּעֻמִּים, דָּאִם כּוֹ הֵיָה לּוֹ לִזְמַר כִּי עֵקֶבְנִי זֶה פְּעֻמִּים. אֵלָּא נִדְאִי מִדְּכֵתִיב וַיַּעֲקֹבְנִי וְכוּ' מוֹכַח שֶׁהֵם שְׂתֵי דְבָרִים.

**As we will explain below, even with regard to the speech of the wicked Esau in Gen. 27:36, when he said, “Was he, then, named Jacob that he might deceive me these two times?,” it is possible that he didn’t intend to say that was why his brother was named Jacob, because he deceived him two times, for if so, he could have said “he has *akvani* (עֵקֶבְנִי) (deceived me) twice.” Rather, it’s certain from the fact that it’s written *va’yakveini* (וַיַּעֲקֹבְנִי) (he has supplanted me) it proves that there are two different things with which we are dealing. Thus, we see that Rabbi Nachmani prefers the translation, “Was he, then, named Jacob that he might supplant me these two times?”**

וּפִירוּשׁוֹ הוּא כֶּף, וַיֵּאמֶר הֵכִי קָרָא שְׁמוֹ יַעֲקֹב כְּלוּמַר בְּנִדְאִי שְׁשֵׁם יַעֲקֹב נִקְרָא עַל שֵׁם הָעֵקֶב דְּהֵיִינוּ שְׁשִׁכְרוּ יְהִיָה לְבִסּוּף. אֲמַנָּם זֶה הֵיָה סִיבָה שֶׁהַבְּרָכוֹת נִתְּנוּ לַיַּעֲקֹב, כְּמוֹ שֶׁפְּתַבְּנוּ לְעֵיל בְּפָרְשַׁת תּוֹלְדוֹת עַל הַפְּסוּק וַיִּתֵּן לָךְ הַאֲלֹהִים וְעֵי"ש. וְזוֹ הֵיָתָה סִיבָה נְמוּי שֶׁיַּעֲקֹב רָצָה לִישַׁח הַבְּכוֹרָה דְּהֵיִינוּ חַד יוֹם מִן דִּידָךְ כִּנ"ל. וַיַּעֲקֹבְנִי וְכוּ' זֶה גַּרְם שֶׁעֲקֹבְנִי וְכוּ'.

**The explanation is thus: Esau said, “Was he, then, named Jacob,” as if to say, “Of course the name Jacob was called thus after the future world, which is to say that his reward will be at the end of his life, i.e., in the World-to-Come.” Truthfully, this was the reason that the blessings were given to Jacob, as we have written above in essay 15 for parshat Toldot on the verse, “May G-d give you of the dew of heaven and the fat of the earth, abundance of new grain and wine” (Gen. 27:28), and see there. This was also the reason that Jacob wanted to take the birthright, which is to say, “Sell me one day of yours,”<sup>3</sup> as we have said above. Further, when Esau said, “Was he, then, named Jacob that he might supplant me,” this was the reason that he deceived me.**

That is, we are not necessarily saying that Jacob acted without deceit. Rather, we are only saying that he was not predestined to be named for the deceit that he would engage in, but rather because he would supplant Esau in taking his birthright and blessing, and also because he would receive a reward for his observance of mitzvot in the World-to-Come.<sup>4</sup>

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<sup>3</sup> Gen. Rabbah 63:13: [Gen. 25:31 reads:] “Jacob said, ‘Sell me, this day, your birthright.’ He said to him, ‘Sell me one day of yours.’ Rabbi Acha said, ‘Whoever is able to calculate the period of [Israel’s] exile will find that one day Jacob dwells in peace under the shadow of Esau.’ ” That is, we can look forward to periods of peaceful coexistence between Israel and Esau.

<sup>4</sup> Esau willfully sold his birthright, so there was no deceit there. The commentators disagree about what Jacob actually purchased, why Esau wanted to sell, and why Jacob wanted to buy. The firstborn was entitled to a double inheritance (Deut. 21:17), and it could be that Jacob wanted to obtain that, while Esau thought he would die young and that he wouldn’t live to inherit anything. Also, before the sin of the Golden Calf, the firstborn were intended to serve G-d, and it could be that Esau felt unworthy, and that Jacob considered himself more worthy. The Rashbam says

*The taking of the blessing by trick was a shield against haughtiness.*

**וּבְדִרְתָּ זֶה נִבִּין מִדְּרַשׁ תַּמוּזָה, הֵכִי קָרָא שְׁמוֹ יַעֲקֹב מִלְּמַד שֶׁחִיפָהּ בְּגִרוּנוֹ וְהוֹצִיא אֶת הַזְּמוּרָה עִכ"ל.** וְצָרִיף עֵינָיו מִה הַיְתָה דַעְתּוֹ שֶׁל עֲשׂוֹ בָּהָא מִלְּתָא וּמֵה בָּא בַעַל הַמְדְרַשׁ לְהוֹדִיעֵנו. אֲמַנָם כְּתַבְנוּ לְעֵיל בְּפִרְשֵׁה הַנ"ל שֶׁהַטַעַם שֶׁנִּטְלַל יַעֲקֹב הַבְּרָכוֹת בְּעֶרְמָה הוּא מְשׁוּם דְּשִׁכַר מְצוֹת בְּהֵאֵי עֲלֵמָא לִיכָא. וְרַצָּה הַקַּב"ה שֶׁיִּטְלַם בְּדִרְתָּ זֶה מִפְּנֵי שְׂאֵם הָיוּ הַבְּרָכוֹת בְּאוֹת לִידּוֹ בְּלִי תַחֲבוּלָה, יִשְׂרָאֵל הָיוּ מִתְנַצְּאִים בְּבְרָכוֹת אֵלּוּ וְלֹא יִהְיוּ רוֹצִים עוֹד לְסַבּוֹל עוֹל הַגְּלוּת.

**In this way we will understand a strange Midrash,<sup>5</sup> “‘Was he then named Jacob,’ teaches that [Esau] cleared his throat and expelled the saliva.” This requires investigation: what was Esau’s thinking with regard to this matter, and what was the author of the Midrash coming to inform us? Indeed we have written above in the mentioned parsha, Toldot, essay 15, that the reason that Jacob took the blessings treacherously was because “there is no reward for a mitzvah in this world.”<sup>6</sup> The Holy One, Blessed be He, wanted him to take the blessings in this way, because if the blessings would have come to him without trickery, Israel would have been haughty because of these blessings and wouldn’t have been willing to continue suffering the yoke of the Exile.**

וּבַפְרָק ט' דְּסוּטָה אֲמַרְיִנּוּ שְׁמֵי שְׁנֵישׁ לוֹ גְּאֻנָה הוּא מוֹשֵׁף הָרוּק דְּרַךְ גְּאֻנָה, דְּאֲמַרְיִנּוּ הַתָּם מְשַׁרְבוּ מוֹשְׁכֵי הָרוּק רְבוּ הִיְהִירִים עִכ"ל. וְאֵם כֵּן שְׁפִיר קְאָמַר עֲשׂוֹ הֵכִי קָרָא שְׁמוֹ וְכו' וּמְשַׁף בְּרוּקוֹ, כְּלוּמַר בְּשִׁבִיל מוֹשְׁכֵי הָרוּק יַעֲקֹב נִטְלַל הַבְּרָכוֹת בְּעֶרְמָה. הָא קָמֵן שְׁיַעֲקֹב לֹא נִקְרָא עַל שֵׁם הָעוֹקְבָה רַק עַל שֵׁם הָעַקֵב לּוֹמַר שְׁשִׁכְרוּ יִהְיֶה לְבַסּוּף. וְזֶהוּ דְּאֲמַרְיִנּוּ בְּמִדְרַשׁ (בְּרֵאשִׁית רַבָּה פ"ב ב') שֶׁדְּמוּת יַעֲקֹב, תְּקוּקָה בְּכֶסֶף הַכְּבוֹד. וְלֹא אֲמַרְיִנּוּ שֶׁדְּמוּת יִשְׂרָאֵל תְּקוּקָה וְכו'. לֹא שְׂמוּעֵינוּ דְּדִנְקָא יַעֲקֹב הוּא מוֹרָה עַל שִׁכַר הַמְצוֹת דְּלִיתִיהּ בְּהֵאֵי עֲלֵמָא, וּמְשׁוּם הֵכִי שֵׁם יַעֲקֹב לֹא נִצְקַר מִמְּקוֹמוֹ.

The danger of such haughtiness is discussed in the 9<sup>th</sup> chapter of tractate Sota 47b, where it is said that one who is haughty expels the saliva in a haughty manner. As it says there, “From the time when those who [show their arrogance by] spitting a far distance proliferated, [the number of] haughty people grew and the [number of] students decreased, [as they would say haughtily that there was nothing left for them to learn,] and the Torah [needs to] go around to [seek] those who study it [as people do not learn of their own initiative].” Thus, G-d wanted Jacob to take the blessings by trickery, to save his descendants from being haughty. If so, Esau spoke well, when he said, “was he then named Jacob”—and he expelled saliva, as if to say, “Because of those who spit a far distance, Jacob took the blessings treacherously,” i.e., so that his descendants won’t become haughty. This stands as an indication that Jacob was not named for the deceit, but rather for the future world, i.e., the World-to-Come, which is to say that his

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that while the Torah only mentions a sale based upon the lentil stew, that Jacob actually paid Esau in full for the birthright. Having legally purchased the birthright from a willing seller, Jacob was entitled to the blessing. While Esau may have felt deceived, there may not have been any deceit on Jacob’s part vis-à-vis Esau. However, Isaac was unaware of the sale of the birthright, and Jacob did conspire with his mother to deceive his father, obtaining the blessing from Isaac through that deceit.

<sup>5</sup> Midrash Tanchuma, parsha Ki Tetztei, siman 10; also Yalkut Shimoni on Torah 115:20.

<sup>6</sup> Kiddushin 39b; Chullin 142a.

reward would be reserved for after the end of his life. This is what it says in the Midrash Gen. Rabbah 82:2, “The image of Jacob is engraved upon the Throne of Glory,”<sup>7</sup> and it doesn’t say, “The image of Israel is engraved . . . .” This is to teach us that Jacob feared that there was no reward for mitzvot in this world, i.e., he understood that his reward would be in the World-to-Come, and because of this, the name Jacob was not uprooted from its place.

ואף פסוק תתן אמת לייעקב אתי שפיר, דניעקב אמתיה הוא וְהַעוֹלָם הַבָּא נִקְרָא עֲלֵמָא דְקוּשְׁטָא. וְאֵתִי שְׁפִיר מְקוּשָׁר לְפִי דְרַבְנֵנוּ לְמָה תִּתֵּן אֲמֶת לְיַעֲקֹב וְהֵלֵא נִטְלַת הַבְּרִיכוֹת בְּעֶרְמָה? אֵלָּא צָרִיף לִזְמַר שְׁרַצוֹנוּ שֶׁל הַקַּב"ה הִנֵּה כֹּף פְּדֵי שְׂיִסְבְּלוּ עוֹל הַגְּלוּת וְיִירָשׁוּ הָעוֹלָם הַבָּא שֶׁהוּא עוֹלָם אֲמֶת. וְקִשָּׁה וּמָה אֵיכַפֵּת שְׂיִסְבְּלוּ עוֹל הַגְּלוּת? אֲדַרְבָּא יוֹתֵר טוֹב הִנֵּה שְׂיִטְלוּ הַבְּרִיכוֹת בְּדַרְךָ יִשְׂרָאֵל וְלֹא יִהְיֶה לָהֶם גְּלוּת כָּלֵל.

Even the verse, “You will keep faith with Jacob” (Micah 7:20) is fine to state “Jacob” instead of “Israel,” for “Jacob was sincere”<sup>8</sup> and the World-to-Come is called the World of Truth.<sup>9</sup> According to this approach, the connection is fine why Scripture says, “You will keep faith with Jacob,” even though one may think otherwise, for didn’t he take the blessings treacherously? Rather, it needs to be said that the desire of the Holy One, Blessed be He, was thus so that Israel would suffer the yoke of the Exile and would inherit the World-to-Come, which is the World of Truth. This is difficult, for what difference is there that they should suffer the yoke of Exile? To the contrary, it would be better if they had taken the blessings directly and not suffered Exile at all.

וְתִירַץ, חֶסֶד לְאַבְרָהָם, דְּאֲמַרִּינוּ בְּמִדְרַשׁ שֶׁהַקַּב"ה שָׁאַל לְאַבְרָהָם בְּמָה אַתָּה רוֹצֵה שְׂיִרְדוּ בְּנֵיךָ, בְּגִיהָנָם אוּ בְּמַלְכוּתוֹת? וְהַקַּב"ה עָשָׂה שְׂבִירָר לֹא מַלְכוּתוֹת לְטוֹבָתָן שֶׁל יִשְׂרָאֵל פְּדֵי שְׁלֵא יִרְדוּ לְגִיהָנָם, וְהוּא חֶסֶד לְאַבְרָהָם. וְשָׂמָא תֵּאמַר אֲדַרְבָּא מִחֻמַּת צַעַר וְאוֹרֶךְ הַגְּלוּת לֹא יוֹכְלוּ לְקַיֵּים הַמְצִוֹת וְיִטְמַעוּ בֵּין הַגּוֹיִם וְלֹא יִהְיֶה לָהֶם תְּקוּמָה חַס וְשְׁלוֹם. מִשּׁוּם הֵכִי סַיִים, אֲשֶׁר-נִשְׁבַּעַת לְאַבְרָהָם, כְּמוֹ שֶׁנֶּאֱמַר וְאַף-גַּם-זֹאת בְּהִיוֹתָם בְּאֶרֶץ אֲיִבֵיהֶם לֹא-מֵאַסְתִּים וְכוּ', כִּי אֲנִי ה' אֱלֹהֵי[ה]ם לְעֵתִיד לְבוֹא.

The solution to this difficulty is provided by the term, “kindness to Abraham,” i.e., the continuation of Micah 7:20: “You will keep faith with Jacob, kindness to Abraham, as You promised an oath to our fathers in days gone by.” As it says in the Midrash Gen. Rabbah 44:21, that the Holy One, Blessed be He, asked Abraham, “What do you want your sons to descend to [if they sin], Gehenna or subjugation to foreign kingdoms?”<sup>10</sup> The Holy One, Blessed be He,

<sup>7</sup> Bahya ben Asher ibn Halawa (“Rabbeinu Behaye”) (1255–1340), in his commentary on Gen. 28:12.

<sup>8</sup> Gen. Rabbah 78:14.

<sup>9</sup> Yalkut Shimoni on Nach 139:11; Zohar I: 192b; Yitzchak ben Shimshon haCohen (editor), Midrash Shocher Tov (Venice 1546), Samuel 24.

<sup>10</sup> Gen. Rabbah 44:21: “Shimon bar Abba said in Rabbi Yochanan’s name: [G-d] showed [Abraham] four things, Gehenna, the [foreign] kingdoms, the Giving of Torah [at Mt. Sinai], and the Temple, with the promise: As long as your children occupy themselves with the latter two, they will be saved from the former two. [If not,] would you rather your children descend into Gehenna or into the power of the [foreign] kingdoms?” [The rabbis then disagree over what Abraham answered. Some say that he chose subjugation by the foreign kingdoms, while other rabbis says that Abraham answered “Gehenna” but that G-d overruled him.]

did as [Abraham] chose for himself, viz, subjugation to the foreign kingdoms, for the good of Israel, in order that they should not descend to Gehenna, and that is “kindness to Abraham.” Perhaps you will say to the contrary, i.e., that Gehenna would be better than subjugation to the nations, that because of anguish and the length of the Exile that they will not be able to fulfill the mitzvot and they will become intermingled among the nations and they won’t have any rebirth as a nation, G-d forbid. Because of this, [the verse] in Micah concludes, “as You promised an oath to our fathers,” as it is said, “Yet, even then, when they are in the land of their enemies, I will not reject them or spurn them so as to destroy them, annulling My covenant with them: for I the L-rd their G-d” (Lev. 26:44) in the age to come.

ומעתה שהוכחנו ששם יעקב הוא אמת, צריכה להבין פגונת הפסוק לא יעקב יאמר עוד שמך וכי כפי שרית עם-אלהים ועם-אנשים ותוכל. דלמה הצריך לשתי טעמים אלו ולא סגי בחד מינייהו? ועוד מה ענין זה לומר שלא עשה עוקב[ה] ורמאות כמו שפירש רש"י שם? דילמא אף כי שרה עם אלהים ועם אנשים לעולם עשה עוקב[ה] ורמאות? ויש לומר שאם האמת היה שיעקב עשה שלא פדיו ובמרמה ובאונאה, לא היה פס לו להנצל מהמלאך, שהרי המלאך לא חטא כלל ויעקב חטא. וכשפגנו אומרים גדולים צדיקים יותר ממלאכי השרת הגני מילי בצדיק גמור, אם כן מוכח מכאן שיעקב לא חטא כלל.

Now that we have proven that the name Jacob [represents] truth, we need to understand the intent of the verse, “Said [the angel], ‘Your name shall no longer be Jacob, but Israel, for you have striven with angels and humans, and have prevailed.’ ” (Gen. 32:29). For why do we need these two reasons, angels and humans, when one would be sufficient? Further, what connection is there to this verse to say that [Jacob] didn’t commit deception and deceit, as Rashi explained there? Perhaps even if he strove with angels and humans, he still engaged in deception and deceit? One can say that if the truth was that Jacob had acted in opposition to the law, and with fraud and deception, then he wouldn’t have had the strength to conquer the angel, for in such a hypothetical, the angel would have been without any sin, whereas Jacob would have sinned. When we say, “righteous people are greater than the ministering angels” (Sanhedrin 93a), this is speaking about a completely righteous person; if so, it proves from here that Jacob didn’t sin at all.

אבל יש להקשות דילמא. אין הכי נמי שיעקב חטא, ואם תאמר אם כן למה נצח עם המלאך, לפי שלמטה הצדיקים תשובים יותר ממלאכי השרת, כמו שפירש בעל לונת חן בפירוש זה, שאם היו המלאכים למטה היו חוטאים יותר מבני אדם כמו שמצינו בשתי המלאכים שהוריד לארץ בימי דור המבול והרבו להשחית יותר מבני אדם. ומשום הכי הוסיף, ועם-אנשים ותוכל, דהיינו עם עשו ואלופיו.

But perhaps there is still [something to] question. It is indeed so that Jacob sinned, and if you will say, “If so, why did he conquer the angel?”, it is because here below, i.e., on the Earth, righteous people are considered greater than the ministering angels, as the author of Livyat Chen<sup>11</sup> explained on this parsha, i.e., Beshalach. He explained, that if the angels had been below, i.e., on the Earth, they would have sinned more than the sons of man, as we find

<sup>11</sup> Aryeh Yehuda Leib ben Shmuel Gershon, Livyat Chen v’Or Yekarot (Venice 1742).

with the two angels who descended to Earth in the days of the Flood,<sup>12</sup> and they would have caused more destruction than the sons of man. Because of this concept that righteous people on Earth are considered greater than angels, [Scripture] added the statement that Jacob had strived “also [with] humans, and had prevailed,” which [means] with Esau and his generals.

והנה עשו היתה נדאי שעה משחקת לו ולמה יעקב יכול לו? ועל פרחו צריף לומר פתיון הראשון דהתם בפך קמא דברכות, צדיק גמור אינו בולע אבל צדיק ממנו בולע. אם כן מוכח מפאן שייעקב לא הטא כלל ותתן אמת ליעקב.

**Here, for Esau, certainly the hour was smiling upon him, and why was Jacob able [to prevail] upon him? You must answer in accordance with the first solution** advanced above with regard to his wrestling match with the angel, i.e., that Jacob was not acting in opposition to the law. Habakkuk 1:13 reads: “Why do You look on those who deal treacherously and hold Your peace? When the wicked swallows the man more righteous than he?” **There, in the first chapter of Berachot 7b**, the rabbis discuss the verse and ask, “Do the wicked swallow the righteous?” They interpret that, “When the hour is smiling upon the wicked man, **the wicked man does not swallow the completely righteous man, but he will swallow one who is more righteous than him** but who is not completely righteous.”

ומעתה שהמעשים מוכיחים על אמיתותו של יעקב לא הנה צורך לשנות את שמו כלל. אלא הואיל שלפי האמת ששם יעקב מורה שכל שכוה הוא בעקב ושכר מצות בהאי עלמא ליכא כנ"ל, יהנה קשה לנו היאך עלה ביד יעקב להתגבר בעולם הנה ולניצוח אלהים נאנשים. משום הכי שינה את שמו וקראו ישראל לרמוז שאף על גב דשכר מצות בהאי עלמא ליכא מפל מקום לפעמים הצדיקים נוטלים איזו שורה. ומעתה הוצרך שיתקיימו תמיד אלו השתי שמות יעקב וישראל ולא שיעקר יעקב ממקומו.

**Now that the events have proven the truthfulness of Jacob**, we understand that **there was no need to change his name at all. Rather, since the truth is that the name Jacob demonstrates that his entire reward will be in the future world and that there is no reward for a mitzvah in this world, as stated above, it will be difficult for us to understand how Jacob managed to rise above in this world and to vanquish angels and man. Because of this, [G-d] changed his name and called him Israel, to hint that that even though there is no reward for a mitzvah in this world, nevertheless sometimes the righteous are given some dominion. From here, it is necessary that the two names Jacob and Israel will always exist, and that the name Jacob won't be uprooted from its place.**

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<sup>12</sup> Gen. 6:1-6:4: “When men began to increase on earth and daughters were born to them, the angels saw how beautiful the daughters of men were and took wives from whomever they chose. . .” Rashi and Ramban interpret “from whomever they chose” to include married women. Rabbinic literature identifies the two angels as Shemchazai (שמחזאי) and Uziel (עוזאל), per Yalkut Shimoni on Torah, 44:1; Pesikta Rabbati 34; Targum Yonaton on Gen. 6:4. [See also Yoma 67b where Shemchazai is referred to as Uza (עוזא) and Uziel is referred to as Aza'el (עזאל).]

**וּבְדָרְךָ זֶה תִּהְיֶה מְתוֹרָצֶת קוֹשִׁיית הָעוֹלָם עַל הַפְּסוּק אֲהַבְתִּי אֶתְכֶם אָמַר ה' נֶאֱמַרְתֶּם בְּמַה אֲהַבְתֶּנוּ הֲלוֹא־אָח עָשׂוּ לִיעֲקֹב וְכו' נֶאֱהָב אֶת־יַעֲקֹב. דְּהַקוֹשִׁיא בְּמִקוּמָה עוֹמְדָת בְּמַה אֲהַבְתֶּנוּ, וְעוֹד מַה רָצָה לֵאמֹר הֲלוֹא־אָח עָשׂוּ לִיעֲקֹב דָּמִי לֹא יָדַע בְּנֵה?**

**In this way, the question that the world asks on the verse from Malachi 1:2 will be solved. The verse states: “ ‘I have loved you,’ said the L-rd. But you ask, ‘How have You loved us?’ ‘After all’—declares the L-rd—‘Esau is Jacob’s brother; but I loved Jacob.’ ” But the difficulty still stands, “How have You loved us?” Further, what does [Scripture] intend by saying, “Esau is Jacob’s brother,” for who doesn’t know this?**

וְנִשְׁלַח לֵאמֹר שְׂאִינָה נִיכְרָת כָּלֵל אֲהַבְתּוּ שֶׁל הַקַּב"ה לָהֶם. שְׂהָרִי אִם הֵם שׁוֹמְרִים הַתּוֹרָה וְהַמִּצְוֹת, הוּא אוֹהֵב אוֹתָם, וְאִם לֹא, הוּא שׁוֹנֵא אוֹתָם. אִם כֵּן, אִינָה אֲהַבָּה גְמוּרָה, אֲלֵא אֲהַבָּה הַתְּלוּיָה בְּדָבָר. אֲבָל הָאָמֶת הוּא שְׂיַעֲקֹב נִתְיָרָא מִן עָשׂוּ שְׂמָא יְבֵא עֲלֵיו מַפְסַח מִצְוֹת כִּיבוֹד אֵב וְאִם, אוֹ מַפְסַח יְשִׁיבַת אֶרֶץ יִשְׂרָאֵל, אוֹ מַפְסַח אִיסוּר שְׂנַטְל שְׂתֵי אֲחִיּוֹת, אוֹ מַחְמַת שְׂבוּעַת הַבְּכוֹרָה, כְּדֵאִתָּא בְּמִדְרַשׁ רַבָּה. וְנִמְצָא שְׂיַעֲקֹב הָיָה סוֹבֵר שְׂעָשׂוּ נִקְרָא אֲחִיו בְּמִצְוֹת מַחְמַת הַמִּצְוֹת שְׂקִיִּים הוּא וְלֹא יַעֲקֹב, וּמִשׁוּם הָכִי הָיָה קוֹרָא לוֹ אֲחִיו כְּדִכְתִּיב וְיִשְׁלַח יַעֲקֹב מַלְאָכִים ... אֶל־עָשׂוּ אֲחִיו.

**We can note that Israel is saying that it doesn’t at all recognize the love of the Holy One, Blessed be He, for them. For if they observe the Torah and the mitzvot, He loves them, but if not, He hates them. If this is the case, this is not a complete love, but rather a love that is conditional on the situation. But the truth is that Jacob was afraid of Esau, that perhaps he would march against him with strength from Esau’s fulfilling the mitzvah of honoring one’s father and mother,<sup>13</sup> or with strength from Esau’s fulfilling the mitzvah of settling the Land of Israel,<sup>14</sup> or with strength because Jacob’s position was weakened by his violation of the prohibition of marrying two sisters,<sup>15</sup> or with strength from the oath of the firstborn,<sup>16</sup> as is brought in Midrash Rabbah.<sup>17</sup> It is found that Jacob was of the opinion that Esau was called his brother in mitzvot because of the mitzvot that [Esau] fulfilled and that Jacob did not fulfill, and because of this he called him his brother, as is written, “Jacob sent messengers ... to his brother Esau” (Gen. 32:4).**

<sup>13</sup> The fifth Commandment, Ex. 20:12, Deut. 5:16. The rabbis say that Esau was very devoted to Isaac. Gen. Rabbah 65:16: “R. Shimon ben Gamliel said: All the days of my life I used to serve my father, and I didn't serve him even one percent of Esau's service to his father.”

<sup>14</sup> Num. 33:53.

<sup>15</sup> Lev. 18:18.

<sup>16</sup> This either refers positively to Esau still having the status of the firstborn, despite having sold his birthright, or else may refer negatively to Jacob for his conduct regarding the purchase of the birthright (or at least for having deceived Isaac in order to obtain the blessing reserved for the firstborn). Gen. 36:29 reports the death of Isaac, and states that “he was buried by his sons Esau and Jacob.” Ibn Ezra notes that Esau was listed first, according to the order of birth. Thus, despite having sold his birthright, the fact remained that Esau was still factually the firstborn.

<sup>17</sup> Gen. Rabbah 76:2 mentions the fact that Esau remained in the Land of Israel when Jacob fled to Laban, and that Esau was honoring his parents during this time. The translator has not found a source for Jacob’s concern regarding marrying two sisters or related to the oath of the firstborn.

ונה שאמר הכתוב הלא-אח עשו ליִעֲקֹב כְּלוֹמַר לְפִי דַעַת יַעֲקֹב אִף עֲשׂו הִנֵּה נִקְרָא אָחִיו, שְׁמִקְנֵם הַמִּצְוֹת כְּמוֹהוּ. וְאִם הִיִּיתִי אוֹהֵב עֲשׂו לֹא הִנֵּה לוֹ לִיִּעֲקֹב לְהִתְרַעֵם, וְעַם כֹּל זֶה נֹאֵהֵב אֶת-יַעֲקֹב וְאֶת-עֲשׂו שְׁנֵאִתִּי. וְלִמָּה כֵּן, אֲלֵא וְדַאי מִפְּנֵי שְׂאֵנִי אוֹהֵב אֶתְכֶם אֵינִי מְדַקְדָּק כֹּל כֵּן עִמָּכֶם אִם לֹא קִיַּיְמַתֶּם כֹּל הַמִּצְוֹת, וּמִפְּנֵי שְׂאֵנִי שׁוֹנֵא עֲשׂו אֵינִי מְדַקְדָּק אִם יֵשׁ לוֹ אֵיזָה זְכוּת.

**That is why Scripture says, “After all, Esau is Jacob’s brother” (Malachi 1:2), as if to say, “According to the thinking of Jacob, even Esau was called his brother, for he fulfilled the mitzvot like him.” Thus, Scripture intends that G-d is saying, “If I had loved Esau, Jacob would not have been resentful, but nevertheless, ‘I loved Jacob, but Esau I hated’ (Malachi 1:2–1:3).” Why is this so that we are told the G-d hated Esau? Rather, “It is certain that because I love you, I am not so painstaking with you to punish you if you don’t fulfill all of the mitzvot, and because I hate Esau, I am not so painstaking to reward him if he has some merits.”**

**וְעוֹד** בְּדֶרֶךְ אַחֵר יֵשׁ לְפָרֵשׁ כְּוֹנֵנַת הַכְּתוּב, שִׁישְׁרָאֵל שׁוֹמְעִים הַקֹּב"ה שְׂאוֹמֵר אֶהְבֵּתִי אֶתְכֶם דְּמִשְׁמַע שְׂאוֹהֵב אוֹתָם מִמָּשׁ מִצַּר עִצְמוֹ. וְהֵם אוֹמְרִים בְּמָה אֶהְבֵּתֵנוּ אֵילֹו הִיִּיתִ אוֹהֵב אוֹתֵנוּ מִצַּד עִצְמוֹנוּ לֹא הִיִּיתִ מְבִיא עָלֵינוּ יִיסוּרִין. אֲלֵא וְדַאי שְׂאֵהְבָה שְׂאֵתָה אוֹהֵב אוֹתֵנוּ הוּא מִחֶמֶת שְׂאֵנוּ בְּנֵי אַבְרָהָם יִצְחָק וְיַעֲקֹב, וְכַתִּיב זָרַע אַבְרָהָם אֶהְבֵּי, וְלִמְעַן הַקִּים אֶת בְּרִיתוֹ אֲשֶׁר נִשְׁבַּע לְאַבְרָהָם. וּבִקְשַׁת הָאָבוֹת לֹא הִיִּיתָ אֲלֵא שְׂלֵא יִכְלָה זָרַעֵם, וּמִשׁוֹם הַכִּי אֵתָה מְבִיא עָלֵינוּ יִיסוּרִין בְּשִׁבִיל שְׂאֵין אֶהְבֵּתָה אוֹתֵנוּ מִצַּד עִצְמוֹ.

**In another way, we can interpret the intention of Scripture, that Israel hears the Holy One, Blessed be He, Who says, “I loved you,” meaning that He loved them during their distress. They say in response, “How have You loved us?” As if to say, “If You had loved us for our own sake, You wouldn’t have brought torments upon us.” Rather, it is certain that the love by which You loved us is because we are the descendants of Abraham, Isaac, and Jacob, and it is written, “seed of my beloved Abraham” (Isaiah 41:8), and “in fulfillment of the covenant that He swore to your fathers” (Deut. 8:18). The request of the forefathers was only that their offspring would not be destroyed, and because of this, You bring torments upon us, because Your love of us was not for our own sake.**

וְלִכֵּן בָּא הַכְּתוּב כְּמִתְרַץ, אִם הָאֵמֶת שְׂאֵהְבָה שְׂאֵנִי אוֹהֵב אֶתְכֶם הוּא מִצַּד אַבְוֹתֵיכֶם וְלֹא מִצַּד עִצְמוֹכֶם הִנֵּה לִי לְאַהֵב גַּם עֲשׂו כְּמוֹתְכֶם. שְׂהָרִי עֲשׂו אִחַ לִיִּעֲקֹב וּשְׂנִיָּהֶם מִזָּרַע אַבְרָהָם אוֹהֵבִי, וְעַם כֹּל זֶה נֹאֵהֵב אֶת-יַעֲקֹב דְּוִקָא. וְלֹא דִי שְׂלֵא אֶהְבֵּתִי אֶת עֲשׂו אֲלֵא אֶדְרָבָא וְאֶת-עֲשׂו שְׁנֵאִתִּי, אִם כֵּן מִיִּכַח שְׂפִיר שְׂאֵהְבֵתִי אֶתְכֶם וְהִיִּיסוּרִין הֵם אֶדְרָבָא לְטוֹבְתְכֶם.

**Therefore, to counter this concern of the Children of Israel, Scripture comes to say as we have solved, “If the truth is that the love by which I loved you was only for the sake of your forefathers, and not for your own sake, then I would have also loved Esau as I have loved you. For Esau is the brother of Jacob, and the two of them are from the seed of my beloved Abraham, and yet with all that, Scripture reads precisely, “I loved Jacob.” It wasn’t enough that I didn’t love Esau; to the contrary, “but Esau I hated.” If so, that is a good proof that I loved you and that the torments were to the contrary for your good.**

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