



A Covenant of Separation

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Throughout Parashat VaYeitzei, almost from their very first encounter, Lavan and Ya'akov are locked in conflict. I wish to focus on a rare moment of encounter—though a fraught one—where the verses describe a desire to bridge: “וַעֲתָה לָכֶּה נִכְרְתָה בְּרִית אֲנִי וְאַתָּה” - Come, then, let us make a covenant, you and I” (Genesis 31:44).¹ As we shall see, what emerges is a covenant of separation—a covenant in which much of the content is devoted to how the two will live apart, not together.

Following Lavan's declaration, “Come, then, let us make a covenant,” Ya'akov responds by building a physical structure. What drew my attention is the wide array of biblical terms and names given to this structure:

בראשית לא:מה-מט

⁴⁵וַיִּקַּח יַעֲקֹב אֶבֶן וַיְרִימֶה מִצְבֵּה: ⁴⁶וַיֹּאמֶר יַעֲקֹב לְאֶחָיו לְקִטּוֹ אֲבָנִים וַיִּקְחוּ אֲבָנִים וַיַּעֲשׂוּ גֵל... ⁴⁷וַיִּקְרָא לוֹ
לְבֵן יִגְר שְׁהַדוּתָא וַיַּעֲקֹב קָרָא לוֹ גֵּלְעָד: ⁴⁸וַיֹּאמֶר לְבֵן הַגֵּל הַזֶּה עַד בֵּינִי וּבֵינְךָ הַיּוֹם עַל כֵּן קָרָא שְׁמוֹ גֵּלְעָד:
⁴⁹וְהַמִּצְפָּה.

¹ It is worth noting that despite the use of the word “covenant” (*brit*), the pact agreement is far from clear. Lavan makes Ya'akov swear not to mistreat his daughters or take additional wives—but this sounds more like mutual threats, or at best the airing of grievances, than a covenant of peace or reconciliation.



Genesis 31:45-49

⁴⁵Thereupon Ya'akov took a stone and set it up as a **pillar**. ⁴⁶And Ya'akov said to his kinsmen, "Gather stones." So they took stones and made a **mound**... ⁴⁷Lavan named it **Yegar-sahadutha**, but Ya'akov named it **Gal-ed**. ⁴⁸And Lavan declared, "This **mound** is a witness between you and me this day." That is why it was named Gal-ed; ⁴⁹and **Mitzpah**.

The names are not only numerous, they don't fully align.

The verses present varied—even conflicting—layers of meaning. The verses present a wide range of terms—*matzeivah* (pillar), *gal'ed* (mound of testimony), and *mitzpeh* (lookout)—each carrying different, even conflicting connotations. A *matzeivah* is a single stone or column that is supposed to be seen. In addition, it is usually erected to commemorate a past event—in this case, the making of a covenant. While the *matzeivah* emphasizes the significance of the past event, the term *gal'ed* highlights the function of witness: "This mound is a witness between you and me this day." Memory and testimony are closely related, but they convey different meanings. The *gal'ed* testifies in the present, actualizing and affirming now that a covenant has been made. *Mitzpeh*,² a place from which one can see into the distance. It becomes a kind of eye that continues to see and look far, across time and space, even when the two covenant-makers are no longer together. It is the eye that demands the ongoing maintenance and accountability of the covenant.

Beneath the attempt to erect a monument that might testify to a clear covenant, the language of the verses remains elusive. The fluidity of the characters' speech seems to undermine clarity, casting doubt on any genuine desire to understand one another or to truly bridge the gap between these men and their families.

² The interchange of bet (ב) and peh (פ)—both labial letters, whose sounds are formed by the lips—can be seen in the terms *matzeivah* (monument) and *mitzpeh* (lookout). See Rashi on Leviticus 19:16.



The text does not express concern that the different names and meanings signal a threat to the covenant. It does not worry that varying understandings or objectives might undermine the agreement. On the contrary, all meanings are allowed space in the narrative, and the different understandings of the covenant's purpose and significance are absorbed into the shaping of their future relationship.

Indeed, the description of life after the covenant reveals another role for this physical marker: that of separation. And Lavan declared, "This mound is a witness between you and me this day." Lavan explains to Ya'akov: this mound, this pillar—I have erected it **between** us (31:51). It is not a connecting symbol, it is a dividing one. Perhaps this is how we must understand the covenant described in these verses: a covenant of separation and disengagement.

Lavan continues, making this explicit:

עַד הַגֵּל הַזֶּה וְעֵדָה הַמִּצֵּבָה אִם אֲנִי לֹא אֶעְבֹּר אֵלֶיךָ אֶת הַגֵּל הַזֶּה וְאִם אַתָּה לֹא תַעְבֹּר אֵלַי אֶת הַגֵּל הַזֶּה
וְאֶת הַמִּצֵּבָה הַזֹּאת לְרָעָה:

⁵²This mound shall be witness and this pillar shall be witness that I am not to cross to you past this mound, and that you are not to cross to me past this mound and this pillar, with hostile intent.

The promise is not to cross over for harm; the emphasized content of this covenant is separation, and the stone monument both reinforces and clarifies that boundary.³ A covenant of separation also needs ongoing reinforcement.

"Lavan named it Yegar-sahadutha, but Ya'akov named it Gal-ed." As noted, Lavan and Ya'akov

³ Commentators grapple with what appears to be a covenant of separation, softening it into a statement about zones of separation and zones of encounter. For example, see Rabbeinu Behaye (ben Asher) on this verse.



give different names to the same monument, reflecting not only a range of meanings but also a range of languages—each speaking in his own tongue. Ya’akov uses Hebrew (*lashon ha-kodesh*, the sacred tongue), while Lavan uses his own language, Aramaic. Suddenly, a surprising reality emerges: is it possible that these two men, who spent so many years together, were actually speaking different languages the entire time—and thus lived with a gap between them, an ongoing “distance of translation” so to speak?⁴

One might worry that these different languages reflect different understandings—and that differing understandings—might threaten the integrity of the covenant. This concern finds expression in both halakhic discussions and theological-philosophical debates. It surfaces in the form of a question: does a translation of the Torah have a different status than the original Hebrew? An affirmative answer raises the fear that perhaps Ya’akov and Lavan were each entering into a fundamentally different covenant—so much so that there was not even sufficient shared understanding between them to form a genuine pact!

In Massekhet Shabbat (115b), the Talmud wonders: if there is a fire on Shabbat and one is permitted to rescue sacred texts despite the prohibitions of the day—may one also save sacred texts that are translated? The Torah Temimah⁵ summarizes the discussion: “Yegar-sahadutha—It was taught: one may rescue translations of the Torah on Shabbat from a fire. And what is considered a ‘translation of the Torah’? Yegar-sahadutha.”

In other words, within the halakhic and theological realm, the commentators interpret this bilingual covenant as an act that contains the potential—perhaps even the imperative—to expand the boundaries of the sacred. A covenant is not about narrowing or fortifying a single,

⁴ Since the story of the Tower of Babel, the Torah has made no mention of the simple fact that people in different places speak different languages! E.g., Pharaoh was in Genesis 12, and at no point did it emphasise he spoke Egyptian.

⁵ R. Barukh ha-Levi Epstein (1860-1941, Belarus). See also Talmud Bavli Megillah 9a.



limited possibility. On the contrary, the very act of forging a covenant implies an expansion of what can be understood as holy, as sanctified.

The biblical text itself does not express concern or doubt that the two parties might have divergent intentions—whether linguistic, emotional, or in terms of the substance of the covenant and the life that will follow it. It seems the Torah recognizes that a covenant forged between adversaries or individuals in a strained relationship inevitably includes a degree of misunderstanding. There is a real chance that each side holds a different vision of the future.

But the Torah teaches us that this is precisely the power of a covenant: the capacity to maintain a relationship between those who are different, to clarify distinctiveness, sometimes even to formalize separation—and through this process, possibly relinquish some enmity. In doing so, the covenant becomes a creative act and a widening of the space of the sacred.

