

# The Lost Matriarch: Supplement A

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## Midrash on Jacob's Birthright Episode

In order to understand Leah's life, it helps to consider, as a sort of prelude to her story, the two momentous events in the early life of her husband—Jacob obtaining the birthright from his brother, Esau, followed by Jacob obtaining the firstborn's blessing from his father, Isaac. At a first reading of these two episodes, Jacob's actions present some extremely troubling challenges to our moral evaluation of this presumably righteous Patriarch. Indeed, much of Leah's tumultuous life with Jacob appears to serve as an instrument of Jacob's moral testing, correction, and growth. In the view of the Bible and many traditional Bible commentators, the sometimes devastating consequences to Leah seem to be shrugged off as collateral damage necessary to implement God's plan for Jacob/Israel, the immediate common ancestor of the Jewish people. Contemporary readers may have more difficulties with this attitude.

The first of these two events, the purchase of the birthright, appears simple enough in the text:

*And Jacob cooked pottage; and Esau came from the field, and he was famished. And Esau said to Jacob, Feed me, I beg you, with that same red pottage; for I am famished; therefore was his name called Edom. And Jacob said, Sell me this day your birthright. And Esau said, Behold, I am at the point of death; and what profit shall this birthright do to me? And Jacob said, Swear to me this day; and he swore to him; and he sold his birthright to Jacob. Then Jacob gave Esau bread and pottage of lentils; and he did eat and drink, and rose up, and went his way; thus Esau despised his birthright. (Gen. 25:29-34)*

Jacob is cooking a stew. A famished Esau comes in from the fields and demands food. Jacob offers the stew to his brother in exchange for the transfer of Esau's birthright—the prerogatives of being the firstborn son of Isaac and Rebekah. Esau agrees and eats.

## What Did Jacob Get from Esau?

Since the Bible was previously absolutely clear that Esau was the first of the twins to emerge from Rebekah's womb (Gen. 25:25), we might initially ask what was left to transfer, and why did Jacob want it? Midrash answers the first of these questions—what could Esau transfer—by presuming that the object of the transfer was the bundle of special rights that in biblical times generally went to the firstborn son. Thus, while the biological status of Esau being the firstborn son could not be changed, Jacob nevertheless could acquire the rights and benefits attributable to that status.

Some of the Rabbis go further. They justify Jacob's acquiring the birthright from Esau by concluding that Jacob actually was the firstborn (or should be treated as such because he had been "intended" or destined to be the firstborn), but that at the time of birth he allowed or

maneuvered Esau to take his place as the first to emerge because of concern for Rebekah's health. Esau had been spitefully attempting to destroy Rebekah's womb so that neither Jacob nor any other children could be born after him. Another equally inventive midrashic proof of Jacob's natural claim to being the firstborn is based upon the Rabbis' biological understanding that twins are born from impregnation by two separate "drops" of the father's semen. (This seems fairly good intuitive science for pre-microscopic times if you're talking about fraternal twins since the finest level of observation at the time of the early midrash was only the visible semen rather than the invisible sperm.) Under this concept, Esau being born first is actually offered as proof that Jacob was the true firstborn—the result of the first impregnation—since, as the midrash says, if you put two diamonds into a tube, the first one put in is the second to come out.<sup>1</sup>

More typically, however, the Rabbis accept that Esau was the firstborn, but they attempt to elevate Jacob's piety by concluding that the firstborn right he sought was not the ancient primogeniture right to a double share of eventual inheritance. This would impute to Jacob a lowly materialistic desire. Instead, midrash insists that what troubled Jacob was that as the firstborn, Esau had the religious duty to offer prayers and sacrifices on behalf of the family in order to transmit to descendants the blessings God gave to Abraham and Isaac. Jacob was concerned that Esau lacked the necessary reverence for this holy task.<sup>2</sup> This clever stroke of midrash attributes righteous motivation to Jacob, thereby converting his morally questionable action (seeming to force a bad economic bargain on a starving brother) into an act of piety.

Midrash spins out a very detailed story in support of this holy justification of Jacob's bargain, based upon the observation that the dish Jacob was cooking was a pot of lentils (the round, flat seeds of a plant similar to beans or peas). Why was Jacob cooking lentils? Since lentils are round, they were a traditional dish to serve to mourners (much as Jews today at a house of mourning serve hard-boiled eggs, symbols of rebirth and renewal, and whose roundness is a reminder of the ineluctable circle of life). So Jacob was performing the *mitzvah* (a deed of goodness commanded in the Bible or Jewish custom) of preparing a dish for mourners.<sup>3</sup>

But who had died? The Rabbis conclude that this was the day that Abraham died. And this leads to the further analysis that Abraham's death on that day was not a coincidence. Midrash says that God took Abraham "early" (he was only 175 years old, while his son Isaac lived until 180) in order to shield him from the sorrow of seeing Esau's evil acts. God had to take this drastic step because He had previously promised that Abraham would ultimately die in peace and be buried in a good old age (Gen. 15:15). So Esau must have committed extremely evil acts on that day—acts that, if Abraham had survived to learn of them, would have never permitted him to die in peace thereafter. The Rabbis go on to find textual pointers to the particular sins that Esau committed that day before he came in from the field: seducing a betrothed maiden, theft, and murder.<sup>4</sup>

Under this analysis, Jacob saw from these sins that Esau was not fit to exercise the firstborn's right to offer sacrifices for the family. So Jacob diverted the lentils. Instead of using them to perform the *mitzvah* of serving them to the mourners, Jacob used them for the greater *mitzvah* of removing Esau from his sacrificial duties.<sup>5</sup>

Of course, this isn't the sole midrashic explanation of Jacob's cooking. There has always been some uneasiness about Jacob in the commentaries. The text shows him "cooking up a stew"—does this suggest he was he brewing up some crafty trouble for Esau?<sup>6</sup> Or perhaps Jacob observed how Esau had been able to use food—Esau's tasty venison—to win over their father

Isaac. (Gen. 25:28) So now Jacob may have been trying to emulate his brother by cooking for Isaac.<sup>7</sup>

This could be an instance of Jacob trying to become Esau—trying to exchange identities with his twin. Exchanges of identities can be found at various points in the stories of both Jacob and Leah. Midrash reports that Esau was trying to become the studious Jacob for Isaac by asking his father technical *halachic* (legal) questions.<sup>8</sup> And of course the central story of Jacob’s wedding night depends upon the remarkable exchange of identities between the intended bride, Rachel, and her sister Leah.<sup>9</sup>

## Was the Bargain Fair?

A very troubling aspect of the sale of the birthright is the huge difference between the value of the birthright and value of a pot of lentils. Was Jacob guilty of forcing an unfair bargain upon a starving man? The Rabbis prove very inventive in shielding Jacob from any moral stigma on this point.

In the first place, midrash generally rejects the assumption that Esau was really weak and on the verge of starvation. The Rabbis examine the Bible’s descriptions of Esau’s words and actions and conclude that he is merely dramatically overreacting to simple hunger. In fact, midrash faults Esau for failing to control his ravenous appetite, in contrast to the patient and controlled Jacob. So Jacob didn’t win the birthright by deception (although that becomes Esau’s later complaint, Gen. 27:36), but by controlling and moderating his eating and drinking.<sup>10</sup> Esau’s sale of the birthright can’t be blamed on his starvation or even hunger—the Bible itself notes that Esau despised the birthright (Gen. 25:34), and this occurs after Esau had eaten his full.<sup>11</sup>

The plain text does seem to quote Esau declaring that he is not merely hungry or “famished” (Gen. 25:30), but about to starve to death: “Behold, I am at the point of death; and what profit shall this birthright do to me?” (Gen. 25:32) Certainly taking advantage of a man actually starving to death would be morally reprehensible. But midrash attributes a different meaning to Esau’s statement. He wasn’t talking about facing death from starvation, but rather referring to his dangerous life of facing death every day as a hunter of wild animals.<sup>12</sup> Since Esau could die at any time, he didn’t value the spiritual rewards of the firstborn’s sacrificial duties.

Indeed, the Rabbis see the transfer of the birthright as another specific instance of the general clash of values between Jacob and Esau. Throughout their lives, Esau’s and Jacob’s incompatible moral characters led them to pursue different realms of existence: Jacob’s was the life of the spiritual, focusing on the sublimity of the world to come, while Esau’s was the life of the material, giving up the world to come, in favor of the immediate comforts of this world. So Esau spurned the spiritual benefits of the birthright for a quick meal because the exchange made sense in his moral calculus.<sup>13</sup>

Similar comments on Esau’s value system are expressed later when the midrash tells how, when the twins divide their inheritance upon Isaac’s death (“equally”—neither apparently claiming a double share), Esau chooses the material benefits of this world (flocks, goods, and wealth) while Jacob chooses the spiritual realm (the Promised Land, Machpelah, and the world to come).<sup>14</sup>

Still other commentators turn the traditional analysis upside-down. They suggest that Esau didn’t spurn the birthright because it was spiritual, but to the contrary because it was material—the firstborn’s right to a double inheritance. Esau, a man of the material world,

calculated that he wouldn't receive any value from this birthright because his dangerous work as a hunter of wild animals made it unlikely that he would survive his father Isaac to receive his inheritance.<sup>15</sup> Alternatively, Ibn Ezra, a major medieval Bible commentator, offers a detailed case for his conclusion that Esau despised the birthright of double inheritance because by the time of the sale of the birthright, Isaac was no longer wealthy.<sup>16</sup>

Other midrashic commentary emphasizes the way Esau ate the meal. When he demands, "Feed me" (Gen. 25:30), he is actually using a passive-tense word, "Let me swallow" (*hale'iteni*). The Rabbis infer that he wanted Jacob to feed him the way one feeds a camel (an act that is described by the same word)—Esau would open his mouth and Jacob was to pour in the food.<sup>17</sup> This animalistic image confirmed the Rabbis' view of Esau as a wild man of the fields, uncouth, unrestrained, and unworthy.

But even if Esau was unworthy of the spiritual aspects of the birthright and deemed it valueless, and even if he did not agree to the sale under the duress of actual starvation, we readers still find something unsavory in Jacob's proposing such an inherently unfair bargain. Midrash deflects such criticism by citing a legalistic construction of the transaction. In biblical times the promise of a transfer of future or non-material property rights was generally unenforceable unless it was "sealed" (made enforceable by an observable act) by the transfer of a material token of small value (*kinyan*), such as a coin or a handkerchief, to evidence the contract. (The contemporary practice of the groom giving the bride a ring during the Jewish wedding ceremony may be an outgrowth of this ancient rule of contracts.<sup>18</sup> So some of the classical commentators find it easy to conclude that Jacob paid or promised other substantial value for the birthright. The lentils were only the tangible token of transfer (*kinyan*) used to seal the contract.<sup>19</sup>

Other commentators reject the concept that the lentils were a mere legal token, and that Jacob can be presumed to have separately paid fair value. Instead, they justify Jacob's participation in this apparently unfair transaction by shifting the focus—and the blame—to Esau. Esau indeed sold his birthright for a relatively valueless pot of lentils. But lack of value evidenced by the sale price simply shows how profoundly Esau despised what he was selling.<sup>20</sup>

Another version of the text found in the Book of Jubilees states that what was transferred by Esau's sale of the birthright was more than just the firstborn's right to offer family sacrifices to God (and secure the resulting blessings), or even the firstborn's right to a double share of eventual inheritance upon Isaac's death. In addition to those rights, the sale transferred to Jacob the status, the actual identity, of being the firstborn: "And Jacob became the elder, and Esau was brought down from his dignity."<sup>21</sup>

If the transfer of the birthright meant that Jacob was entitled to assume the identity of the firstborn Esau, this could justify Jacob's later apparent deception when he obtained the primary blessing from blind Isaac by stating that he was [in the place of] Esau, the firstborn.<sup>22</sup> And this exchange of identity could also affect our later reading of the wedding night episode, when Leah, the bride who had been promised to Rebekah's firstborn, is substituted for Rachel as the first bride of Jacob (who by then had become the firstborn).

## Esau's Subsequent Marriages

*And Esau was forty years old when he married Judith the daughter of Beeri the Hittite, and Bashemath the daughter of Elon*

*the Hittite, And they made life bitter for Isaac and for Rebekah.  
(Gen. 26:34-35)*

We should not ignore the Bible's coda to the story of the sale of the birthright, (appearing at the close of an intervening chapter detailing Isaac's involvement with the king of the Philistines). This is the Bible's next mention of Esau, and it relates that Esau married two Canaanite women, describing the effect this had upon his parents.

First of all, these few lines are interesting in what they don't say. In his first reappearance after the birthright sale, Esau doesn't express any anger, regret, or resentment. He doesn't express anything at all about the birthright—unless we are supposed to read these marriages as the expression of his feelings.

What the Bible doesn't point out at this juncture is the fact (surely known to Esau) that these Hittite wives were from one of the Canaanite group of local tribes whose land God had explicitly promised to give to Abraham's descendants. (Gen. 15:18-21) Perhaps that conflict over the land is what motivated Abraham to declare that Isaac, and by implication, all of Abraham's descendants, must not marry Canaanite women. (Gen. 24:3) So Isaac and Rebekah's resulting bitterness over Esau's marriages has a specific context. Esau was not simply marrying individuals whom his parents happened not to like. By violating a basic family standard arising out of the Abrahamic covenant with God, Esau was acting with indifference to, or perhaps defiance of, a fundamental rule of the Jewish people. Some commentators support this interpretation of defiance by pointing out that the Hebrew word here often translated as "bitterness" (*morat*) does not come from the root for "bitter" (*maror*), but from the root for "rebellion" (*marah*).<sup>23</sup>

We might note that the proscription against marrying a Canaanite woman has nothing to do with Jewish concerns about marrying non-Jews. Rebekah was not Jewish, and neither were Leah and Rachel. They were nevertheless appropriate wives for Abraham's descendants because they were not from the Canaanite group of tribes—pagan nations destined to oppose Israel's claim on the Promised Land and thereby weaken Israelite morality and religious commitment. In Deut. 7:1-3 and 20:16-17, the Israelites are commanded not to intermarry with the Canaanite group of tribes, and to utterly destroy them in the conquest of the Land.

Not only does midrash regard every word of the Bible as important, the commentaries often pay close attention to word order. Why does the Bible text say that Esau's Hittite wives were a bitterness to Isaac and Rebekah, implying that Isaac, who is mentioned first, was most affected? Some of the Rabbis seem to show chauvinistic bias in their explanation of Isaac's greater discomfort. Because of her childhood spent in the home of pagan idolaters, Rebekah could be expected to be less disturbed by the idolatry of her Hittite daughters-in-law, but Isaac was the son of holy parents, and so would be deeply distressed by idolatry in his family. (Indeed, in a midrashic prequel to God choosing Abraham, the Rabbis tell how a young Abraham had shown an early understanding of the nature of God when he smashed the idols in the shop of his father, Terach).<sup>24</sup> The Rabbis also suggest that perhaps Isaac was more embittered by Esau's behavior because Isaac blamed Rebekah for having given birth to the struggling twins in the first place.<sup>25</sup>

Another explanation directs merit to Rebekah (rather than to Isaac) for her lesser level of discomfort. The Rabbis state that women, who usually stayed at home, learned to accept domestic discord. Because of his blindness, Isaac now was also kept at home, experiencing that same discord, but he was not experienced in living with household strife.<sup>26</sup>

The Rabbis conclude that as a consequence of Isaac's great level of suffering from this situation that had been created by Esau, Isaac lost the holy spirit of prophecy.<sup>27</sup> This loss of prophetic sight, not just loss of physical sight, could perhaps explain why Isaac could later be fooled into giving Jacob the blessing he intended for Esau when he was misled with only a covering of goatskins and some borrowed clothes.

## Notes to Supplement A

- <sup>1</sup> Esau as firstborn twin: *Midrash Rabbah*, Gen. 63.8.
- <sup>2</sup> Esau not suited for birthright: *Hachut Hameshulash*, 507 [citing Kimchi]; ]; Ibn Ezra, *Commentary*, v.1, 253; Nachshoni, *Weekly Parashah*, 145; Townsend, *Midrash Tanhuma*, 148.
- <sup>3</sup> Jacob was cooking a dish for mourners: Townsend, *Midrash Tanhuma*, 147.
- <sup>4</sup> Esau's sins in the field that day: *Midrash Rabbah*, Gen. 63.8; Townsend, *Midrash Tanhuma*, 147.
- <sup>5</sup> Jacob used the food for a greater mitzvah: Weissman, *Midrash Says*, 246-7.
- <sup>6</sup> Esau cooking up a plot: Armstrong, *Beginning*, 76.
- <sup>7</sup> Jacob cooked to emulate Esau: Attar, *Or Hachayim*, 206.
- <sup>8</sup> Esau pretended to be interested in *halachic* questions: *Midrash Rabbah*, Gen. 63.10; Rashi, *Commentaries*, v.1, 278, n. 27.
- <sup>9</sup> Leah became Rachel for the wedding night: Zornberg, *Beginning of Desire*, 185.
- <sup>10</sup> Jacob won the birthright by moderating his eating: A. Z. Friedman, *Wellsprings of Torah*, 51 [citing Avnei Ezel].
- <sup>11</sup> Esau wasn't starving: Nachshoni, *Weekly Parashah*, 145.
- <sup>12</sup> Esau didn't value the spiritual elements of the birthright because of the dangers of his hunting life: *Hachut Hameshulash*, 505 [citing Rashbam].
- <sup>13</sup> Esau sold the birthright for what it was worth to him: Alshech, *Torat Moshe*, 121-2.
- <sup>14</sup> Esau and Jacob had different values: Bin Gorion, *Mimekor Yisrael*, 66-7; Ginzberg, *Legends of the Bible*, 190-1.
- <sup>15</sup> Esau didn't value the material elements of the birthright because of the dangers of his hunting life: *Hachut Hameshulash*, 505 [citing Rashbam]; Nachmanides (Ramban), *Commentary on the Torah*, 320.
- <sup>16</sup> Esau didn't value the material elements of the birthright because Isaac was no longer wealthy: Ibn Ezra, *Commentary*, 253; critiqued at Nachmanides (Ramban), *Commentary on the Torah*, 320-2.
- <sup>17</sup> Esau wanted the food poured into him: *Midrash Rabbah*, Gen. 63.12.
- <sup>18</sup> The wedding ring as a token to seal the wedding contract: Klein, *Guide*, 391.
- <sup>19</sup> The lentils as a token to seal the birthright contract: *Hachut Hameshulash*, 505 [citing Rashbam]; Nachshoni, *Weekly Parashah*, 146.
- <sup>20</sup> Esau sold the birthright for very little because that's how he valued it: Attar, *Or Hachayim*, 209; Nachmanides (Ramban), *Commentary on the Torah*, 319; Nachshoni, *Weekly Parashah*, 148.
- <sup>21</sup> Jacob became the firstborn when he acquired the birthright: Jub. 24:7.

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- <sup>22</sup> Acquiring the birthright justified Jacob's statements to Isaac: Nachshoni, *Weekly Parashah*, 146.
- <sup>23</sup> Esau made rebellious marriage choices: *Targum Onqelos*, 98 [Gen. 26:35 translated as: ; "...they were rebellious and agitating against the authority of" Isaac & Rebecca]; Rashi, *Commentaries*, v.1, 290, n. 35.
- <sup>24</sup> Abraham destroying his father's idols: *Midrash Rabbah*, Gen. 38.13.
- <sup>25</sup> Isaac was more disturbed by Esau's wives because of his upbringing or because he blamed Rebecca: *Midrash Rabbah*, Gen. 65.4.
- <sup>26</sup> As a woman, Rebecca could better adjust to domestic discord: *Midrash Rabbah*, Gen. 65.4.
- <sup>27</sup> Isaac's distress at Esau's wives caused Isaac to lose his prophetic abilities: *Midrash Rabbah*, Gen. 65.4.