

Upon realizing that Laban tricked him into marrying Leah instead of Rachel, Jacob expresses outrage. Laban simply replies that the custom in his land was to marry off the older child before the younger one. If Jacob wishes to marry Rachel as well he must complete the week of celebration associated with Leah's marriage, after which he will be permitted to marry Rachel as well. Why didn't Jacob claim that the marriage to Leah was annulled because it was done under false pretenses, a **מקח טעות**? Why was it necessary for Jacob to wait a week before he was permitted to marry Rachel?

The Midrash points out in several places that Jacob was the rightful first born and should have been accorded all the rights and privileges accorded the **בכור**. Rashi quotes the Midrash that 2 items inserted into a narrow tube are removed from that tube on a last in first out basis. Jacob who was the true first born entered the womb first and was followed by Esau who exited first based on his proximity to the opening. When Jacob appears before Isaac carrying the food Rivka prepared he answers coyly that he is the rightful first born while Esau is his son. When Jacob leaves and Esau enters anticipating the blessings, he tells Isaac the story of how he sold the birthright to Jacob and Isaac subsequently confirms the blessings he gave Jacob despite Jacob's subterfuge. Though Isaac could have claimed the blessings were given to Jacob mistakenly, a **מקח טעות**, he nevertheless willingly confirms them because he realizes that there was a legal and logical reason behind Jacob's actions. As the rightful firstborn son, he indeed deserved the blessings that should go the **בכור**, by law and by custom. For indeed it would have been inappropriate to bless the younger child before the older. Isaac realizes that he was spared this miscarriage of blessings and that in the end result he acted appropriately.

When Jacob arrives at Laban's house, the Torah tells us that he related to Laban all these things, **ויספר ללבן את כל הדברים האלה**. Rashi, as elucidated by the Sifsei Chachamim, explains this to mean that he

related to Laban the entire episode of how he attained the blessings by tricking his father into thinking that he was Esau in order to guarantee that the law was followed and the oldest child was indeed blessed first. Rachel warns Jacob that he must be wary of her father, the master manipulator and liar. Jacob responds that he is Laban's match when it comes to trickery. Despite this Jacob is indeed misled by Laban. The Midrash says that people would say that Rivka had two sons and Laban had two daughters. The older daughter would marry the older son and the younger daughter would marry the younger son. Leah's eyes were soft from tears because she dreaded winding up as Esau's wife. Laban sees an opening to assuage his older daughter's concerns. If Jacob indeed considers himself the firstborn, he is now obligated to marry the older of Laban's daughters. The custom in their town, like it was in Isaac's house, was the oldest child must be treated specially. The older daughter must be married prior to the younger child.

Jacob exclaims that he has indeed been duped by Laban. This deceitful act by Laban should be grounds for annulling the marriage to Leah, a **מקח טעות**. Laban responds to Jacob that the same protocol and logic Jacob followed in rationalizing his taking the blessings from Esau applied here. The older child must be married first. If Jacob indeed considers himself the **בכור**, he must step up and marry Laban's **בכורה**. If he is not the **בכור** then must renounce the blessings that he received from Isaac on the pretext that he indeed was the first born. When faced with the dilemma Jacob relents and does not annul the marriage to Leah. In order to prevent Jacob from claiming at a later point in time **מקח טעות** and annulling the marriage in the future, Laban insists that Jacob demonstrate his acceptance of the marriage by filling out the week of celebration associated with the marriage. By expressing and demonstrating his acceptance of the marriage, he forfeits any right of subsequently renouncing and annulling the marriage based on the claim of **מקח טעות**. Therefore, Laban insisted that Jacob complete the week of celebration before he would be allowed to marry Rachel.

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