

The Torah grants the first born son certain rights above and beyond his younger siblings. These include a double portion of inheritance in the assets the father owns prior to death. Why is the first born singled out for such special treatment? It was not uncommon for the father of the household to be away from home, at work in the field or traveling to distant places. The first born often stepped into the role of surrogate father to his younger siblings. Chazal derive from the word אֵת in the verse כָּבֵד אֶת אָבִיךָ that the younger siblings are obligated to honor their older brother. The first born is granted these extra gifts as compensation for his extra responsibilities within the family. This was apparently common before the Torah was given, as we find Jacob and Esau waging an epic battle over the birthright.

Using this background, let us examine the story of Reuben, the first born son of Jacob. As first born and presumably surrogate father figure, he should have been granted the monarchy and the priesthood. Yet we find that he is stripped of these privileges and is treated the same as any of the other sons of Jacob. Where and why did Reuben lose the first born privileges associated with the birthright?

Jacob encounters various obstacles along his journey home from Charan. He has a standoff with Laban, a stressful encounter with the heavenly representative of Esau as well as with Esau himself, culminating with the kidnap and rape of his daughter Deena. Jacob does not act in the latter case. He waits for his sons to return from tending the flocks in the field, and allows them to be the primary interlocutors with Chamor and Shchem. Ultimately, it is Shimon and Levi who take the initiative to attack the city and rescue their sister. As the eldest son, Reuben should have been the one to organize a response on the part of the brothers. Yet he is absent and his younger siblings act in a way that may have been proper in the final analysis, but still angered Jacob. Reuben's guidance and intercession with Jacob is nowhere to be found.

After the death of Rachel, Jacob designates Bilhah to be his primary wife. Reuben disagrees and acts unilaterally to change Jacob's decision. He consults no one, least of all Jacob. His actions, whatever they were, ultimately ended any additional possibility for Jacob to have more children. Yet after these actions, the Torah tells us that the children of Jacob were 12: Reuben did not sin. It is interesting to note that the name Israel, used just prior to this statement, is not mentioned.

Immediately after this episode the Torah tells us about Esau's progeny and how they settled their land. According to Chazal, Esau and his children shared wives and concubines, rendering them all illegitimate. Reuben's behavior in the incident

with Bilhah could have been expected from the children of Esau, not Jacob. The Torah goes out of its way to tell us that unlike the children of Esau, Reuben did not sin. Yet his impetuous action left a negative impression on his father.

Reuben wails when he returns to the pit that the brothers threw Joseph into and discovers that he is gone. Rashi (37:22, 30) notes that he was upset at the prospect of having to face his inconsolable father who would surely blame his eldest son for Joseph's disappearance. As the firstborn child, he should have protected his younger sibling. Later, Joseph incarcerated his brothers on their initial journey to Egypt to purchase food. Reuben laments that the brothers did not listen to his advice to spare Joseph. He acknowledges his own ineffectiveness as eldest brother to persuade them to release Joseph. He tacitly admits that Judah, whose advice was followed, was the true leader. It is interesting that no other brother participates by name in the conversation. Chazal say that Simeon and Levi expressed culpability for their lack of mercy towards Joseph, but Reuben is the only named participant in the conversation. Where was Judah? Where was his good advice and counsel now? As the nominal leader of the brothers, Reuben should have had a plan of action, not a statement of resignation. Reuben failed again.

The final incident in the chain of events leading to Reuben's demotion occurred upon the return of the brothers from their initial trip to Egypt. Joseph forbade their return without their brother Benjamin. Jacob is reluctant to send Benjamin with his brothers. He is afraid that Benjamin too would meet with a tragic accident and he would lose both sons from his beloved Rachel. In an attempt to convince Jacob to send Benjamin with them, Reuben steps forward and offers to take responsibility for Benjamin. In the event that Benjamin does not return, Jacob shall put Reuben's two sons to death as punishment for his failure. Jacob refuses to send Benjamin with Reuben. Rashi notes that Jacob considered him a *בכור שוטה*, a foolish firstborn son. Jacob wonders to himself if Reuben realizes that his sons are Jacob's sons. Does he really think that Jacob would possibly consider taking the lives of his own grandchildren in retribution for the loss of Benjamin? How would compounding Jacob's loss of Joseph and Simeon with the death of his grandsons alleviate his suffering and bring him a sense of equity and justice? Jacob cannot believe the words he is hearing. They sound more like the words of Esau's son than Jacob's. Jacob rejects Reuben's foolish offer and he terminates the discussion.

At the end of his life, Jacob brings up all his grievances against Reuben and rebukes the son who should have been the *בכור* but who lost it because of

impetuous actions. What finally convinced Jacob to remove the birthright from Reuben? After all, he saw the strife caused when he usurped the blessings from Esau. Would he want to subject his children to a similar situation?

Jacob realized that his sons and family were destined to undergo a difficult period of exile in an unforgiving foreign land, most likely Egypt. The Egyptians stood out for their cruelty towards others. They seized upon the opportunity to extort the other nations gripped by the famine. A psychology of cruelty gripped the nation. The first born was often called on to take the place of the father. A cruel father will tend to have a cruel son who is likely to look out for himself and take advantage of his younger siblings. If the Jews had a hope of emerging intact from this exile, they required a clear thinking leader who displayed empathy and sympathy for others. The worst possible leader would be someone who was impulsive and felt no pain for others, even at the loss of his own children. Upon hearing Reuben's offer to put to death his two sons as retribution for losing Benjamin, an offer that would not affect him physically or apparently emotionally, Jacob realized that Reuben was not the right person to be entrusted with the leadership of his family. His character traits suggested an impending disaster if he were left in charge.

The Torah juxtaposes Judah's approach to Reuben's to teach us that Judah was the true leader. Judah recognized that a leader must hold himself, not others, personally accountable for his failures. Jacob ultimately accepts Judah's offer to remain exiled in this world and the world to come as a guarantee of Benjamin's safe return. The role of leader, king, is now transferred to Judah. On the second trip to Egypt, Judah represents the family before Joseph. He is entrusted by his father with the preemptive scouting mission that will guarantee their spiritual survival throughout the long and bleak exile that awaits them in Egypt. He is the one who receives the blessing of מלכות. Reuben lost everything.

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