

"Anyone Who Says That Reuven Sinned..."

By Rav Yaakov Medan

I. PRESENTATION OF THE PROBLEM

The standard rabbinic interpretation of Reuven's sin concerning Bilha, his father's concubine, poses two fundamental questions.

A. There are assumptions which, for reasons that are not always clear to us, become fundamental to our faith, after a process of refining in yeshivot throughout the generations. How far can exegesis be pulled away from the literal meaning of the text on the basis of these assumptions?

B. Does our desire to see the great figures of our nation in a favorable light not sometimes come at the expense of the rules of faith and logic - which are no less important than the merits of those great people?

We have proceeded ahead of ourselves; let us start at the beginning. The Torah recounts Reuven's sin concerning Bilha in clear and straightforward language which seems difficult to interpret in any way other than its simple meaning:

"Yisrael journeyed and erected his tent beyond Migdal Eder. And it was, while Yisrael dwelled in that land, that Reuven went and lay with Bilha, his father's concubine, and Yisrael heard. And the sons of Yaakov were twelve..." (35:21-22)

Nevertheless, Rabbi Shemuel bar Nachmani - representing many other opinions among the Tannaim - explains:

"Rabbi Shemuel bar Nachmani said in the name of Rabbi Yonatan: Anyone who says that Reuven sinned, is mistaken, as it is written: 'The sons of Yaakov were twelve' - this teaches that all were equally worthy. What, then, is the meaning of the verse teaching that he 'lay with Bilha, his father's concubine'? It teaches that he moved (upset) his father's bed, and the text regards him as though he had lain with her.

We learn [in a baraita]: Rabbi Shimon ben Elazar says: That righteous one [Reuven] was protected from committing that sin, and he did not perform that act. Is it possible that his descendants were destined to stand upon Mount Eival and to declare, 'Cursed is he who lies with his father's wife' - while he himself did this? What, then, are we to learn from the verse teaching, 'he lay with Bilha, his father's concubine'? He wanted to protest his mother's honor. He said: My mother's sister troubled my mother - shall the maidservant of my mother's sister than also trouble my mother? He stood up and moved her bed...

The Tannaim disagreed: 'Unstable (pachaz) as water, you shall not excel' (Ber. 49:4)

Rabbi Eliezer interpreted: ['Pachaz' is a mnemonic for:] You were hasty, you were guilty, you did disgrace.

R. Joshua interpreted: You did overstep the law, you did sin, you did fornicate.

R. Gamaliel interpreted: You did meditate, you did supplicate, your prayer shone forth.

Said R. Gamaliel: We still need [the interpretation of] the Moda'i, for R. Eleazar ha-Moda'i said, Reverse the word and interpret it: You did tremble, you did recoil, your sin fled [Parhah] from you.

Raba - others state, R. Yirmiyah b. Abba - interpreted: You did remember the penalty of the crime, you were [grievously] sick, you held aloof from sinning."(Shabbat 55b)

Two reasons are given to support the claim that it is impossible for Reuven to have literally committed this atrocity. The first reason, provided by R. Shemuel bar Nachmani, is that "all of Yaakov's children were equally worthy" - i.e., all of them were righteous. We may question this point on the basis of Yaakov's harsh criticism of Shimon and Levi at the end of his life - from which it would appear that these two brothers were not as worthy as their brethren. Moreover, even if all of them were equally righteous, this does not necessarily prove that they all had a spotless record: after all, most of the brothers sinned through participation in the sale of Yosef.

The second reason is raised by R. Shimon ben Elazar, who notes that Reuven's descendants were destined to stand together with another five tribes and declare, "Cursed is he who lies with his father's wife." This claim, too, seems forced; even according to R. Shimon ben Elazar's explanation that Reuven only upset his father's bedclothes - he still apparently transgressed against "Cursed is he who dishonors his father..." - which was also declared at Mount Eival. How, then, could the tribe of Reuven have stood and made this declaration?

Perhaps behind these two reasons there lies a more fundamental perception, for which the reasons mentioned merely serve as cover. This reason may be the very fact that it is impossible for one of Yaakov's sons - the foundation stones of God's nation - to have committed such a heinous sin. This position is adopted, among others, by Rav Avigdor Nebenzahl in his book, "Sichot le-Sefer Bereishit":

"Anyone who thinks that Reuven, David and other great figures of Israel... are people who descended to such a distance from holiness - such a person is surely mistaken."

His disciple, Rav Yehuda Brandes (in an article in Megadim 26), understood that his teacher's point of departure was not historical truth or compatibility with the literal meaning of the text, but rather the educational need to clear the great figures of the

nation of such serious transgressions in the eyes of the nation. I have questioned the views of both of them at length, on both technical and theoretical grounds, in the past (Megadim 26; see also my book on David and Batsheva), and shall not repeat that discussion here.

Let us return to our question. Whatever the need may be to seek merit for Reuven, can we allow ourselves to depart so far from the literal meaning of the text, which presents such an unequivocal narrative, solely on the basis on the logic which dictates that Reuven could not have sinned thus? Moreover, let us take a closer look at what happened according to the midrashic approach. After Rachel died, Yaakov moved his bed into Bilha's tent, or alternatively, Bilha's bed into his own tent. Reuven, out of zeal for the honor of his mother Leah, from whose tent Yaakov was conspicuously absent, came and "upset Bilha's bed." It is not entirely clear what this phrase means. From the Midrash, it would seem that he overturned her bed [3], but it is not clear what harm Reuven caused by this act. Did Bilha fall and injure herself? Was she humiliated? Was Yaakov humiliated, having to resort personally to restoring the bed to its proper position? Other commentators suggest that Reuven uprooted her bed - i.e., removed it from the tent. Still, this would appear to have caused minimal damage that could easily be repaired.

We may summarize and say that this interpretation of Reuven's act does not sit well with the literal text, does not make clear why the act was so serious, and does not make sense in light of what Yaakov decreed for him at the End of Days.

II. THE CONTROVERSY SURROUNDING REUVEN'S SIN

In my view, the reason to defend Reuven is exegetical rather than ideological. There is a contradiction between the description of the sin in Bereishit chapter 35, and Yaakov's attitude towards Reuven in his last words to him at the end of his life:

"Reuven, you are my firstborn, my might and the beginning of my strength, the excellence of dignity and the excellence of power. Unstable as water, you shall not excel, for you ascend to your father's bed and then defiled it; he went up to my bedclothes." (49:3-4)

If indeed the act committed as described in chapter 35 and Reuven did indeed lie with his father's concubine during his father's lifetime - is it possible that following such an abomination Yaakov would have allowed Reuven to remain in his home, including him with the other sons and giving him an inheritance in the land? Were the sins that led to the exclusion of Kayin, Cham, Yishmael and Esav more serious?

We are forced into viewing the two episodes - that of chapter 35 and that of chapter 49 - as contradictory and requiring some solution. Chazal were faced with two possibilities: either to accept the verses in chapter 49 at face value, implying that Reuven did not commit such a terrible sin, and to provide some appropriate explanation for the verses in chapter 35, or they could accept literally the verses in chapter 35 - implying that Reuven's sin was truly an abomination - and find some explanation for Yaakov's relatively mild words in chapter 49.

R. Shemuel bar Nachmani adopts the first approach, maintaining that Reuven did not lie with Bilha. He does this not out of a blind need to defend or justify Reuven, but rather in order to explain Yaakov's attitude towards him at the end of his life.

Other Sages, who understood the textual description of the sin literally - as sexual immorality - adopt the second approach. They understand Yaakov's somewhat forgiving attitude towards Reuven while on his deathbed as reflecting the long, profound and sincere repentance that Reuven had undergone: his sackcloth and fasting throughout his life, as well as his behavior in the story of the sale of Yosef, as will be explained below. For these Sages, the difference between Yaakov's attitude towards Shimon and Levi in his last words and his attitude towards Reuven arises not from the discrepancy in the severity of the sin, but rather from a discrepancy in the repentance following it. Reuven recognized his sin, confessed it and spent the rest of his life engaged in repentance, while Shimon and Levi refused to accept their father's rebuke, and even boldly answered him back (34:31). They had not undertaken any repentance for their sin up until the day they stood before their father on his deathbed.

III. TWO DEFENSES OF REUVEN

What I have said above deviates from the accepted understanding in Rashi and in the *beit midrash*. Rashi, in his interpretation of the sin (35:22), adopts the position that Reuven did not lie with Bilha but rather only upset his father's bed. In the story of the sale of Yosef, on the other hand (37:29), Rashi insists that Reuven was not together with his brothers at the time of the sale; he explains that he was clothed in sackcloth and engaged in fasting over his previous sin. The combination of these two *midrashim* leads us to an apparently impossible conclusion: although Reuven's sin was motivated by good intentions (zeal for his mother's dignity), although this sin was not particularly severe and its results could even be corrected quickly and easily - despite all of this, Reuven wore sackcloth and fasted for the rest of his life, or at least for many years (up until the sale of Yosef). Moreover, following this repentance, which is unparalleled in all of *Tanakh*, Reuven's birthright is handed over to Yehuda - who is the principal guilty party in the sale of Yosef!

This picture confuses two different solutions to the question of the relationship between Reuven's sin and Yaakov's response. These two solutions cannot be combined; they represent two opposing views. According to one, Reuven's sin was relatively "minor" - he upset his father's bed, but nowhere are we told that he engaged in repentance for this act. This represents the view of some of the greatest *Tannaim* and *Amoraim*: R. Shemuel bar Nachmani in the name of R. Yonatan; R. Shimon ben Elazar and R. Elazar ha-Moda'i (*Shabbat* 55b); Rabban Shimon ben Gamliel in the *Sifri* (as we shall see below); and even the *Targum Yerushalmi*, the *Ba'alei ha-Tosafot* in their commentary on the Torah, the *Chizkuni* and other commentators. The great difference between Reuven's relatively light rebuke and the heavy-handed treatment of Shimon and Levi arose from the severity of the latter sin in contrast with the minor offense committed by Reuven.

The second approach is adopted by R. Eliezer and R. Yehoshua (*Shabbat* 55b); the Sages who disagree with Rabban Shimon ben Gamliel in the *Sifri*; R. Eliezer ben Yaakov in *Bereishit Rabba* (100); the Ramban, Radak, R. Yosef Bekhor Shor and other commentators. According to this view, Reuven committed an act of sexual

immorality, lying with his father's concubine, but he also repented. Let us now examine each approach, starting with the second.

IV. REUVEN'S SIN OF SEXUAL IMMORALITY

The assumption that Reuven literally committed an act of sexual immorality led Chazal (and us) to seek some merit for him: to conclude that he repented. The idea of his repentance is based on the relatively forgiving attitude displayed by Yaakov in his last hours, as opposed to his attitude towards Shimon and Levi; it is also based on the fact that he did not sit together with his brothers at the time of the sale of Yosef. These two factors do not seem strong enough to prove that he underwent such a profound and sincere process of repentance, of which the text gives no hint at all. We shall therefore expand a little on this repentance, but first let us discuss the sin itself.

THE BATTLE FOR LEADERSHIP

How could Reuven, an intelligent man, involve himself in such foolishness, such an abomination, as to lie with his father's concubine? Could Bilha, a generation older than Reuven, have been such an exceptionally beautiful woman that he fell prey to his evil inclination?

If we adopt this approach, Reuven's act has an obvious biblical parallel: Avshalom, who lay with his father's concubines as a declaration of rebellion against his father and a coup to take over the kingdom (Shemuel II 16:21-22). Adoniyahu, David's son, also tried to follow Avshalom's example and to marry Avishag, who was regarded by the nation as his father's concubine. The context of Reuven's story may point to a similar situation.

Following Yaakov's encounter with Esav and his obsequious bowing before him, one receives the impression that Yaakov has lost his leadership of the family.

Let us try to imagine what was going on in Yaakov's family as they returned to Eretz Yisrael after their exile in Lavan's home. The head of the household, Yaakov - a mighty warrior who single-handedly removed the great stone from the mouth of the well, who stood alone day and night to fend off robbers and wild animals and to protect Lavan's flocks, who fought for his rights bravely and determinedly before Lavan and schemed against him - this Yaakov bows seven times to the ground before his brother Esav. Furthermore, he sends his wives and sons to bow down as well, he sends gifts of livestock to his brother, promises to subject himself to Esav's sovereignty in Se'ir and sees him "as one sees the face of God." The Hivvites inhabiting the land, knowing that the brave, strong Yaakov is on his way - grandson of Avraham, who liberated the land from the hand of Kedarla'omer; son of Yitzchak, the stubborn settler; brother of Esav, commander of the "battalion of four hundred men" - must certainly have feared and revered him. But after witnessing such fawning behavior, Shekhem - son of the prince of the land - did not hesitate to rape Yaakov's daughter, to kidnap her and bring her to his house, and then to engage in negotiations. Yaakov was silent until his sons returned, accepting - out of fear of Shekhem - the possibility that Dina would remain an unwilling prisoner in Shekhem's house forever. Yaakov's sons see (inaccurately, of course) an elderly father who has lost his strength, just as many years later the elders of Israel would regard Shemuel as an elderly leader

who had lost his strength and therefore decide that he must be replaced. In Yaakov's household, there commences a battle of inheritance - a battle for leadership.

Shimon and Levi are the first to try their power to inherit the role - while their father is still alive, and without his permission. Yaakov, by his silence, the agreement between his sons and Chamor and Shekhem that Dina will be given to Shekhem in return for the circumcision of all the men of the city. Shimon and Levi violate the agreement with their swords, regarding Shekhem and his compatriots as barbarians who raped and kidnapped their sister. There would be justification for regarding Shekhem and his men in this light, had they not made an agreement with Yaakov and with his sons. Shimon and Levi did not recognize the agreement to which their father had committed himself - even if only by remaining silent - and for this reason they permitted themselves to spill the blood of an entire city.

Following Shimon and Levi's downfall - the wholesale massacre - Reuven tries out his own leadership prospects according to the same bad counsel that was given, many years later, to Avshalom: he took his father's concubine. Thus Natan would describe to David the way in which his kingdom would be lost - "I will raise evil against you from your own house... another man will lie with your wives before this very sun" (Shemuel II 12:11), paralleling the expression used to describe how David himself received the kingdom from God: "I gave you the house of your master and your master's wives to your bosom" (Shemuel II 12:8). This, it seems, is the behavior of one who inherits rulership.

It is not clear whether Reuven's misdeed involved real sexual immorality, since Bilha was not his father's wife, but rather only a concubine. It seems, then, that when Rachel died and Yaakov moved his bed to Bilha's tent, he meant thereby to promote her not only to the status of his wife, like Leah, but even to the status of the "woman of the house." Reuven did not recognize Yaakov's "right" to do this. From his perspective, Leah was the natural candidate to inherit Rachel's place. Through his deed with Bilha, Reuven expressed the fact that he did not recognize Yaakov's choice; it was a vehement declaration that Bilha was no more than a maidservant and concubine. Reuven's lack of recognition of Yaakov's authority therefore led him to commit a sin of sexual immorality.

Yehuda tries out his chances after his three elder brothers fail. When Yosef comes to Dotan to visit his brothers, the three oldest debate his fate. Shimon and Levi suggest that he be killed and cast into the pit (see Rashi 49:5), Reuven proposes that he be thrown into the pit alive, but a new leader arises among the brothers - Yehuda - and he decides that Yosef will be sold to the Yishmaelim. This is a "punishment," inter alia, for Yaakov having chosen Yosef and loved him more than all his brothers. Yehuda's rejection of Yaakov's right to do this draws him down to the level of kidnapping, concerning which we are commanded: "One who kidnaps a person and sells him, and he is found guilty - he shall surely die."

Even before Yehuda arrived at this point, Yosef dreamed of his father, mother and brothers bowing down before him. He, too, sees himself as the leader of the family in place of his father. He lacks his elder brothers' ability to realize his leadership potential; it remains, for him, a dream. A dream of leadership would not seem to

represent a crime, but Yosef adds to his dreams some tales about his brothers that he recounts to his father, implying that he is better than they.

REUVEN'S PUNISHMENT

All the brothers discussed here receive a punishment. Within the limited scope of this shiur, I shall be able to discuss only that of Reuven, who - as a result of his act - is relieved of the birthright, which is given to Yosef, and of his leadership, which is given to Yehuda.

It is possible that among the rights that were meant to be awarded to Reuven, there was also the portion of land that eventually became the portion of Yehuda, who assumed some of Reuven's leadership role. Moreover, it is possible that Reuven's inheritance was among the factors that led him into his sin, since he felt himself - located in Migdal-Eder, between Beit-Lechem and Chevron - as owner of that property and entitled to sit there and decide the fate of the entire family at his own discretion. In the same way, Shimon and Levi - regarding themselves as the conquerors of Shekhem and its inheritors forever - schemed against Yosef on "their turf," eventually being punished by having Shekhem taken from them and given to Yosef.

In this portion of land, Reuven - as the firstborn - was meant to inherit the resting places of the forefathers and to see himself as the heir to their dynasty, as it is customary for the firstborn to serve the father and to continue his path. His portion would have been located on the southern border of Binyamin - the portion in which the Shekhina rests - and not to its east, as was when the tribe of Reuven ultimately settled east of the Jordan; this arrangement would have accorded with his place south of the portion of the Shekhina in the desert encampment.

Following Reuven's sin, he lost this portion and was pushed eastwards to the land of Moav, the place where Lot's daughters violated their father's honor. Although their intention - like that of Reuven, who showed disrespect for his father - was good, the stain of their act remained and was not erased.

REUVEN'S REPENTANCE

From where do Chazal deduce Reuven's profound process of repentance for his sin concerning his father's concubine?

Reuven, as we have said, wanted to inherit his father's role in the latter's lifetime, and he expressed this insolently by lying with his father's concubine, thereby showing his lack of recognition of Yaakov's right to choose the woman of the house - Bilha.

In the wake of this ugly act, Yaakov kept Reuven at a distance, and it appears that his special fostering of Yosef as the firstborn who remains at his father's side and receives the "radiance of his image" (see Rashi 37:3) is accelerated as a result of Reuven's banishment. Reuven, then, is the principal loser as a result of Yaakov's special relationship with Yosef. If any one of the brothers has good reason to scheme against him, it is Reuven. Because of Yosef, Reuven loses his birthright; by means of his

special relationship with Yosef, Yaakov demonstrates his love for and closeness to Rachel even after her death, and his decision not to replace her with the living Leah.

But it is Reuven who takes on the challenge and tries to save Yosef from his brothers' scheme. He does this out of respect for his father and in order "to return him to his father" (37:22). His act is interpreted not only as a desire to save a life, and not only as respect for his father, but also as profound repentance for his sin in not honoring his father, and even at the price of relinquishing his birthright and the status of his mother in Yaakov's house.

This, to my view, is the basis for the midrashim by Chazal as to Reuven's great repentance. The precise words they choose to describe his prolonged fasting, and the analysis of Yaakov's mild attitude towards him, are claims that merely accumulate along with the basic argument presented here.

V. REUVEN'S SIN IN UPSETTING HIS FATHER'S BEDCLOTHES

We have treated at length the view of those Tannaim who maintain that Reuven did in fact commit an act of sexual immorality and later repented. Let us now turn our attention to the view of R. Shemuel bar Nachmani in the name of R. Yonatan, and others who adopt this view, that Reuven's sin involved not a forbidden sexual act but rather upsetting his father's bed. Three elements here require clarification.

A. What exactly did Reuven do - what is the meaning of upsetting the bed, and why does this act (assuming that it refers to overturning the bed or moving it from one tent to another, as most of the commentators understand it) represent what Yaakov refers to, in his last words, as "violation of his bed" (Bereishit 49)?

B. If, indeed, we are speaking of an act that is done for the sake of his mother's honor, and an act that caused no actual damage other than momentary insult, then even if we reject the possibility that Reuven engaged his whole in sackcloth and fasting over this trifling act, we still have no answer as to why it causes such wrath and, to point where Reuven is denied the birthright, the priesthood and the kingship, as we are told in Divrei ha-Yamim I (5:1-2): "The sons of Reuven, firstborn of Israel - for he was the firstborn, but because he violated his father's bed, his firstborn rights were given to the children of Yosef, son of Yisrael, but not so as to have the birthright attributed to him by genealogy, for Yehuda prevailed over his brothers and the ruler came from him, while the birthright belonged to Yosef."

C. How does this interpretation fit in with the literal meaning of the verse - "Reuven went and lay with Bilha, his father's concubine; and Yisrael heard"?

REUVEN'S SIN

Following the death of Rachel, Yaakov invited Bilha to his tent in order to make her the "woman of the house" in place of Rachel, or in order to bear another son - a thirteenth. We can only speculate as to why Yaakov did not invite Leah, second in importance after Rachel. Was it perhaps because she was "despised," following her deception of him on their marriage night? Did he regard Bilha, Rachel's maidservant, as the image of the deceased Rachel? Was he hoping to balance the number of

children born of Rachel and her maidservant in relation to those born of Leah and her maidservant? Was Yaakov perhaps commanded to do this; was he perhaps acting with Divine inspiration? Or did he perhaps choose Bilha because she became the adoptive mother of his most beloved sons, Yosef and Binyamin, following the death of Rachel (Bereishit Rabba 84:11 and Rashi 37:10)?

We cannot know the answers to these questions, but we know with certainty that it was Yaakov's right as a person and his obligation as the head of the household to choose for himself who his partner would be. No one had any right to question him.

Let us apply our imagination to what happened that night.

Here is Yaakov's tent, in the dark of night. Yaakov is busy elsewhere for a while, and Bilha - inside the tent - is preparing herself for her husband's return, excited at the honor that she has been given. Bilha is no longer wearing her regular garments; she is wearing only her night clothes. It is dark outside; everyone is asleep; no one is watching. Into the tent marches Reuven, determined, full of anger and cruelty. He grabs Bilha, drags her or carries her off, stifling her screams with his hand. He takes her to a distant tent, where he restrains her and gags her so as to keep her silent. He does not lie with her. Heaven forefend that he should defile himself with his father's concubine! His whole intention is for the sake of heaven, for the sake of justice and his mother's honor.

He also does not lie with her because he hates her: Bilha has fulfilled for his mother - even if not of her own initiative - the expression, "a maidservant who inherits the place of her mistress," by taking the status of favored wife after Rachel's death. He has no interest in "a despised woman with whom you have relations" (see Mishlei 30:23). In addition to all of the above, Reuven has no time to spend on Bilha. The moment he has finished tying her up somewhere far away, he hurries to his mother's tent (for it seems that she must have been at least partially party to his plan) and accompanies her surreptitiously to Yaakov's tent, which is still empty.

It is late. Yaakov returns to his tent after summoning - for the first time since Rachel's death - her replacement, Bilha. There is no moon and the tent is completely dark. Yaakov, with the modesty that he has always practiced, does what he does quietly; perhaps wordlessly, perhaps with whispers. He has no way of knowing, by means of either voice or appearance, who it is that is waiting for him in bed. He draws "Bilha" close to him, and "she" returns his affection...

In the morning, behold, it is Leah.

A final detail in this most troubling scenario. Let us return to Reuven, dragging an unwilling Bilha from Yaakov's tent to somewhere outside, her mouth gagged and wearing only a nightgown. We have assumed that everyone is asleep and no one sees. But this is not so! In one of the tents a young boy is trying to calm his younger brother, a crying baby, because Rachel his mother has died, and Bilha, who now raises them, has left the tent for the night without any notice of where she is going.

Young Yosef is not asleep. From the entrance to his tent he watches, terror-stricken, as Reuven drags Bilha from her bed, like an attacker dragging his victim, and he

concludes what any one of us would conclude in a similar situation. He also understands, that ghastly night, what kind of life awaits a person with no mother to protect him, just as Bilha has no mistress to protect her. The next day, when the plot is discovered by Yaakov, Yosef tells him what he saw and all about his fear of Reuven and the other brothers, who may potentially act as he did.

"He told evil stories about them' - every bad thing that he witnessed in his brothers, the sons of Leah, he told to his father... and suspected them of sexual immorality." (Rashi 37:2)

Perhaps the words of the verse telling us that Reuven lay with his father's concubine are not an objective reporting of the facts, but rather a fact subject to the clause in the second part of the verse - "And Yisrael heard." This is how it appeared; this is what Yaakov was told - but the Torah testifies: "the children of Yaakov were twelve." None of them committed the atrocity mentioned.

Let us return to Yaakov's tent. As dawn breaks, the plot is revealed to him - in the form of Leah.

There is no need to elaborate on Yaakov's humiliation and anguish at being tricked in this manner for the second time. There is likewise no need to elaborate on the humiliation and anguish caused to Bilha, who was about to be transformed from a concubine into a legal wife and one of the matriarchs of Israel. Reuven's sin, even for those who maintain that he did not commit sexual immorality, is severe, justifying the punishment that will last for eternity. The fact that he was zealous for his mother's honor is not sufficient justification for his act; after all, Shimon and Levi also did what they did in Shekhem out of zeal for their sister's honor. Yaakov's bed was not only upset but also violated. For the second time, Yaakov has been intimate with a woman while believing her to be someone else. This act represents a severe violation of the sanctity of marital relations.

"I shall separate from among you those who have rebelled and sinned against Me' (Yechezkel 20:38) - R. Levi said: This refers to those born of marital relations conducted under one of the following nine conditions: when the woman is intimidated, when she is forced, when she is despised by him, when he is under the ban, when he mistakes her for another wife, when they are quarreling, when they (or one of them) are inebriated, when he intends to divorce her, when he is thinking about someone else, or when she is brazen." (Nedarim 20b)

"When he mistakes her for another wife' - when he cohabits with one of his wives, believing her to be her rival." (Commentary of the Ran on Nedarim)

Perhaps Yaakov ceased to cohabit with his wives at that point. He did not have any further relations with Bilha, and it appears that he did not cohabit with Leah, either.

"And the children of Yisrael were twelve." (35:22)

While we previously interpreted this information in accordance with those commentaries who explain "twelve - and not eleven," concluding that Reuven did not sin, we now view it from the perspective of those who explain, "twelve - and not thirteen," for no more sons were born after this violation of his private life. Thus we conclude that Yaakov did not cohabit any more with his wives.

WHAT WAS YAAKOV THINKING?

The great disappointment in Reuven arises from the assumption that Yaakov did not suspect Reuven of having defiled himself with Bilha. Above, we raised the possibility that the explicit description of Reuven as having had relations with Bilha is actually what Yosef told his father; this is what Yaakov heard. According to this view, we may assume that Yaakov's anger was much greater, for he had good reason to suspect that this had happened, and Yosef's report to him was not pure gossip. When Reuven's shameful treatment - according to our postulation - of Bilha was discovered, no sensible person would believe that he had not had relations with her, and even Bilha's own testimony would not necessarily have been accepted as reliable. At what stage, then, came the transition from "Yisrael heard" to "the sons of Yaakov were twelve"? For, obviously, this assertion by the Torah - that all of Yaakov's sons were equally worthy - is not meant as a purely theoretical matter.

The possibility that Reuven is suspected unjustly of a serious sin, and that the Torah needs to testify that he did not commit it, is familiar to us from the story of the sale of Yosef. Reuven's advice to his brothers - to cast Yosef alive into the pit in the desert - sounds no less cruel than the brothers' previous plan - to kill him with their own hands and to cast his body into the pit. A verdict of "lowering and not lifting up" is very similar to a death sentence, and once the brothers hear Yehuda's idea - that Yosef be lifted out of the pit and sold - they take back their agreement to Reuven's "cruel" idea, since "What benefit is there in our killing our brother and covering his blood?" Reuven is the only one who is not party to the brothers' merciful decision, and hence is alone remains stuck with the image of the "cruel" one. But in truth, the Torah tells us that he was actually the most merciful and moral among them, for his intention was "to save him from their hand and to restore him to his father."

Did the brothers know this? From Reuven's rebuke to his brothers, as they stand before Yosef to receive food, it would seem that they did. It appears that when Reuven returned to the pit, tore his clothing and cried, "The child is gone, and I - what shall I do?" - the brothers understood that his intention had been to save Yosef. Perhaps his nobility at that moment towards Yosef, who had reported his act concerning Bilha to his father (thereby bringing about his banishment by his father and brothers), represented the basis for believing his version of the story concerning Bilha: he had not defiled her, and - as terrible as his deed had been - his intentions had been good.

Although a distinction must be made between the two cases, there may be some similarity between them. The brothers felt that if Yosef had exposed Reuven's true shame, it would not be logical for Reuven to do anything to save him. His (relatively) clear conscience led him to want to save Yosef from his brothers and return him to his father.

"YOU INTRODUCED REPENTANCE"

We are left with one final point to clarify. According to the view according to which Reuven genuinely and completely repented for his act, why is the repentance of Yehuda accepted, such that he receives a blessing from his father, while the repentance of Reuven is not accepted wholeheartedly, and he is left ultimately with his father's rebuke?

If we had only the midrash to rely on, with its description of Reuven's sackcloth and fasting, the solution to the question would be easy: these external manifestations of repentance are not of the same weight as the repentance of Yehuda, who was unconditionally and wholeheartedly ready to save Binyamin from slavery in Egypt because of his desire to atone for the sin of having sold Yosef into Egyptian slavery. This is repentance that includes repair, not just mourning and sorrow. We see that sackcloth and fasting did not help Achav when it came to the vineyard of Navot, because he did not actually take the step of returning the vineyard to Navot's heirs.

But even according to what we have said above - that the crux of Reuven's repentance lay in his attempt to save Yosef, who was responsible for him losing his birthright - Yehuda's repentance is still on a higher level. Yehuda did not only desire to save his brother, nor did he only berate his brothers in this regard. He went so far as to accept his punishment, bearing up bravely to the punishment embodied in the death of his wife and two of his sons, and even submitted himself as an eternal slave in place of Binyamin, brother of Yosef, whom Yehuda had sold as a slave.

Shimon and Levi, who never repented for their sin, were completely rejected from the inheritance. Reuven, who repented but did not perform any act to repair his deed, was rejected from the birthright and all that it involved. Yehuda received his reward intact.

(Translated by Kaeren Fish)

This shiur is abridged from the Hebrew original. The full shiur can be accessed in the original at:

<http://www.etzion.org.il/vbm/parsha.php>.