

5780—Genesis 37-40—Vayashev (And he settled)

With *Vayeshev*, the story shifts from Jacob to his children. The tension we have already sensed between Leah and Rachel is transferred to the next generation in the form of the rivalry between Joseph and his brothers, the story whose twists and turns take us to the end of Genesis.

Joseph is Jacob's favourite son, firstborn of his beloved Rachel. The envy and antagonism of his brothers leads them to sell Joseph into slavery in Egypt, an act that will many years later result in the entire family, by then a nation, being enslaved.

The Joseph story is full of fascinating vignettes, and in the studies that follow I look first at Reuben, Jacob's eldest son; then at Jacob's refusal to be comforted for the loss of Joseph; then at the relationship between Judah and Tamar, and lastly at Tamar and another biblical heroine, Ruth.

Common to them all is the power of the narrative to confound our expectations. Reuben, the firstborn, seems to suffer self-doubt that robs him of the courage to take decisive action. Jacob's interminable grief hides a refusal to give up hope. Tamar turns out to be a paradigm of moral sensibility and courage. Two unlikely women play a part in the lineage of David, Israel's greatest king. Part of the continuing power of these stories lies in their defiance of narrative convention. You can never predict in advance, the Torah seems to suggest, where virtue is to be found.

*Refusing Comfort, Keeping Hope*¹

The deception has taken place. Joseph has been sold into slavery. His brothers dipped his coat in blood. They bring it back to their father, saying: "Look what we have found. Do you recognise it? Is this your son's robe or not?" Jacob recognises it and replies, "It is my son's robe. A wild beast has devoured him. Joseph has been torn to pieces." We then read:

Jacob rent his clothes, put on sackcloth, and mourned his son for a long time. His sons and daughters tried to comfort him, but he refused to be comforted. He said, "I will go down to the grave mourning for my son." (37:34-35)

There are laws in Judaism about the limits of grief—*shiva*, *sheloshim*, a year. There is no such thing as a bereavement for which grief is endless. The Talmud says that God admonishes one who weeps beyond the appointed time, "You are not more compassionate than I."⁽¹⁾ And yet Jacob refuses to be comforted.

A midrash gives a remarkable explanation. "One can be comforted for one who is dead, but not for one who is still living," it says. In other words, Jacob refused to be comforted *because he had not yet given up hope that Joseph was still alive*. That, tragically, is the fate of those who have lost members of their family (the parents of soldiers missing in action, for example), but have as yet no proof that they are dead. They cannot go through the normal stages of mourning because they cannot abandon the possibility that the missing person is still capable of being rescued. Their continuing anguish is a form of loyalty; to give up, to mourn, to be reconciled to loss is a kind of betrayal. In such cases, grief lacks closure. **To refuse to be comforted is to refuse to give up hope.**

1. This why when a Jewish "funeral service has ended, **the mourners come forward to fill the grave**. Symbolically, **this gives the mourners closure as they observe, or participate in, the filling of the grave site**. One custom is for all people present ... to throw three shovelfuls of dirt into the grave.

Some have the custom to initially use the shovel 'backwards' for the first few shovelfuls. Even within those who do it, some limit this to just the first few participants.

When someone is finished, they put the shovel back in the ground, rather than handing it to the next person, to avoid passing along their grief to other mourners. This literal participation in the burial is considered a ... mitzvah because it is one for which the beneficiary—the deceased—can offer no repayment or gratitude and thus it is a pure gesture."²

Yet on what basis did Jacob continue to hope? Surely he had recognized Joseph's blood-stained coat—he said explicitly, "A wild beast has devoured him. Joseph has been torn to pieces." Do these words not mean that he had accepted that Joseph was dead?

The late David Daube made a suggestion that I find convincing.⁽²⁾ The words the sons say to Jacob—*haker na*, literally "identify please"—have a quasi-legal connotation. Daube relates this passage to another, with which it has close linguistic parallels:

If a man gives a donkey, an ox, a sheep or any other animal to his neighbor for safekeeping and it dies or is injured or is taken away while no one is looking, the issue between them will be settled by the taking of an oath before the Lord that the neighbour did not lay hands on the other person's property... If it [the animal] was torn to pieces by a wild animal, **he shall bring the remains as evidence and he will not be required to pay for the torn animal**. (Exodus 22:10-13)

¹ Rabbi Jonathan Sacks, *Covenant & Conversation: Genesis*, (Maggid Books & The Orthodox Union), pp. 253-257.

² https://en.wikipedia.org/wiki/Bereavement_in_Judaism#Burial

The issue at stake is the extent of responsibility borne by a guardian (*shomer*). If the animal is lost through negligence, the guardian is at fault and must make good the loss. If there is no negligence, merely *force majeure*, an unavoidable, unforeseeable accident, the guardian is exempt from blame. One such case is where the loss has been caused by a wild animal. The wording in the law—*tarof yitaref*, “torn to pieces”—exactly parallels Jacob’s judgment in the case of Joseph: *tarof toraf Yosef*, “Joseph has (*surely*) been torn to pieces.”

We know that some such law existed prior to the giving of the Torah. Jacob himself says to Laban, whose flocks and herds had been placed in his charge, “I did not bring you animals torn by wild beasts; I bore the loss myself” (31:39). **This implies that guardians even then were exempt from responsibility for the damage caused by wild animals.** We also know that an elder brother carried a similar responsibility for the fate of a younger brother placed in his charge, as, for example, when the two were alone together. That is the significance of Cain’s denial when confronted by God as to the fate of Abel: “Am I my brother’s guardian [*shomer*]?” (4:9).

We now understand a series of nuances in the encounter between Jacob and his sons upon their return without Joseph. Normally they would be held responsible for their younger brother’s disappearance. To avoid this, as in the case of later biblical law they “bring the remains as evidence.” If those remains show signs of an attack by a wild animal, they must—by virtue of the law then operative—be held innocent. Their request to Jacob, *haker na*, must be construed as a legal request, meaning, “Examine the evidence.” Jacob has no alternative but to do so, and by virtue of what he has seen, to acquit them. A judge, however, may be forced to acquit someone accused of a crime because the evidence is insufficient to justify a conviction, while still retaining lingering private doubts. So Jacob was forced to find his sons innocent, without necessarily trusting what they said. In fact **Jacob did not believe it, and his refusal to be comforted shows that he was unconvinced.** He continued to hope that Joseph was still alive. That hope was eventually justified: Joseph was still alive, and father and son were ultimately reunited.

The refusal to be comforted sounded more than once in Jewish history. The prophet Jeremiah heard it in a later age:

This is what the Lord says:
“A voice is heard in Ramah,
Mourning and great weeping,
Rachel weeping for her children
Refusing to be comforted,
Because her children are no more.”
This is what the Lord says:
“Restrain your voice from weeping,

And your eyes from tears,
For your work will be rewarded,” says the Lord.
“They will return from the land of the enemy.
So there is hope for your future,” declares the Lord,
“Your children will return to their own land.” (Jeremiah, 31:15-17)

Why was Jeremiah sure that Jews would return? Because they refused to be comforted—meaning, **they refused to give up hope.**

So it was during the Babylonian exile, as articulated in one of the most paradigmatic expressions of the refusal to be comforted.-

By the rivers of Babylon we sat and wept,
As we remembered Zion...
How can we sing the songs of the Lord in a strange land?
If I forget you, O Jerusalem,
May my right hand forget [its skill],
May my tongue cling to the roof of my mouth
If I do not remember you,
If I do not consider Jerusalem above my highest joy. (Psalms 137:1-6)

It is said that Napoleon, passing a synagogue on the fast day of Tisha B’Av heard the sounds of lamentation. “What are the Jews crying for?” he asked one of his officers. “For Jerusalem,” the soldier replied. “How long ago did they lose it?” “More than 1,700 hundred years.” “A people who can mourn for Jerusalem so long, will one day have it restored to them,” the Emperor is reputed to have replied.

Jews are the people who refused to be comforted because they never gave up hope. Jacob did eventually see Joseph again. Rachel’s children did return to the land. Jerusalem is once again the Jewish home. All the evidence may suggest otherwise: it may seem to signify irretrievable loss, a decree of history that cannot be overturned, a fate that must be accepted. Jews never believed the evidence because they had something else to set against it—a faith, a trust, an unbreakable hope that proved stronger than historical inevitability. It is not too much to say that Jewish survival was sustained in that hope. And **that hope came from a simple—or perhaps not so simple—phrase in the life of Jacob. He refused to be comforted. And so—while we live in a world still scarred by violence, poverty and injustice—must we.**

(1) *Moed Katan* (Little Festival) 27b.

(2) David Daube, *Studies in Biblical Law* (Cambridge University Press, 1947).

2. *Rachel weeping for her children, refusing to be comforted ...*

a. Matthew 2:16-18

¹⁶Herod ... was furious, and he gave orders *to kill all the boys in Bethlehem ...* ¹⁷Then what was said through the prophet Jeremiah was

fulfilled:

¹⁸"A voice is heard in Ramah, weeping and great mourning, **Rachel weeping for her children and refusing to be comforted**, because they are no more." (Jeremiah 31:15).

- 1) Jeremiah 31:15 occurs in a setting of hope. Despite the tears, God says, the exiles will return; and now Matthew, referring to Jeremiah 31:15, likewise says that, **despite the tears of the Bethlehem mothers, there is hope because Messiah has escaped Herod and will ultimately reign ...**

But there may be a further reason why Matthew quotes this OT passage ... Here (Yeshua) does not, as in v. 15, recapitulate an event from Israel's history. **The Exile sent Israel into captivity and thereby called forth tears. But here the tears are not for him who goes into "exile" but because of the children who stay behind and are slaughtered.** Why, then, refer to the Exile at all? ... Jeremiah 31:9, 20 refers to Israel = Ephraim as God's dear son and also introduces the new covenant (31:31-34) the Lord will make with his people. Therefore the tears associated with Exile (31:15) will end. Matthew has already made the Exile a turning point in his thought (1:11-12), for at that time the Davidic line was dethroned. The tears of the Exile are now being "fulfilled"—i.e., the tears begun in Jeremiah's day are climaxed and ended by the tears of the mothers of Bethlehem. **The heir to David's throne has come, the Exile is over, the true Son of God has arrived, and he will introduce the new covenant (26:28) promised by Jeremiah.**³

- 2) The story ... involving the massacre of the male children in Bethlehem and the surrounding regions, echoes faithfully Pharaoh's slaughter of the male infants of the Hebrews. But Matthew works to connect this event in Egypt with another major tragedy in Israelite history, the Exile of the tribes to Assyria and Babylon. In the theology of Israel the persecution in Egypt and the Exile were the two greatest trials to which God's people had been subjected; and the Exodus and the return from Exile were the two greatest manifestations of (the Lord's) protective power. This parallelism is prominent in (Isaiah) who described the return as a second Exodus through the desert (40:3; 52:3-6). If Matthew is interested in the Exodus motif ... which imitated the story of Moses, he is no less interested in the Exile, which is an event demarcating a major division in the genealogy of (Yeshua) (1:11-12). His ingenuity

lies not so much in connecting the two events, as in relating them to what happened in Bethlehem. **The massacre of male children was a clear reminder of the persecution in Egypt; Bethlehem, where this happened**, was also the place on the way to which Rachel was buried; Jeremiah (31:15) **referred to the Exile** in terms of Rachel weeping over her children; and now her voice is heard from the tomb again, nay heard as far as Ramah, as the children of Israel suffer persecution once more. But just as God ultimately broke the power of tyrants who persecuted Israel in Egypt and in the Exile, so will he frustrate the power of this tyrant. Thus (Yeshua), who is to save God's people (1:21), relives both great past moments of divine salvation. **A modern interpreter may regard Matthew's exegesis of Jeremiah as fanciful ... but it is an exegesis that detects a divine master plan of salvation. The three ... Bethlehem, the city of David, Egypt, the land of the Exodus, and Ramah, the mourning place of the Exile, offer a theological history of Israel in geographical miniature.** Just as (Yeshua) sums up the history of the people named in his genealogy, so his early career sums up the history of these prophetically significant places.⁴

- 3) 2Samuel 12:15-23

¹⁵the child that Uriah's wife had borne to David ... became ill.

¹⁶David pleaded with God for the child. He fasted and spent the nights lying in sackcloth on the ground. ¹⁷**The elders of his household stood beside him to get him up from the ground, but he refused, and he would not eat any food with them ...**

¹⁹**David noticed that his attendants were whispering among themselves, and he realized the child was dead. "Is the child dead?" he asked. "Yes," they replied, "he is dead."** ²⁰**Then David got up from the ground ...** ²¹**His attendants asked him, "Why are you acting this way? While the child was alive, you fasted and wept, but now that the child is dead, you get up and eat!"**

²²**He answered, "While the child was still alive, I fasted and wept. I thought, 'Who knows? The LORD may be gracious to me and let the child live.'** ²³**But now that he is dead, why should I go on fasting? Can I bring him back again? I will go to him, but he will not return to me."**

a) Why would David be comforted by the knowledge that "I will go to him" **IF** the soul "sleeps" in death, i.e., that there was no

3 Frank E. Gaebelin, Gen. Ed., *The Expositors Bible Commentary, Volume 8, Matthew, Mark, Luke* (Regency Reference Library, 1984), pp. 94-95.

4 Raymond E. Brown, S.S., *The Birth of the Messiah, A Commentary on the Infancy Narratives in the Gospels of Matthew and Luke* (Doubleday, 1993), pp. 216-217.

expectation that he and his son would be consciously (or knowingly) reunited in death?

b) Genesis 37:35

All (Jacob's) sons and daughters came to comfort him, but he refused to be comforted. "No," he said, "**I will continue to mourn until I join my son in the grave.**" So his father wept for him.

1] The implication is that Jacob (like David), expected to "see" his son "in the grave"—at that point, "mourn(ing)" Jacob's loss would no longer be needed.

2] It makes less sense to assume the statement means that when Jacob dies he will stop mourning his son because he will be dead (or "sleeping" too)—in what way is that "hopeful"?

c) Luke 23:39-43

⁴²Then he said, "Yeshua, **remember me when you come into your kingdom.**" ⁴³Yeshua answered him, "Truly I tell you, **today you will be with me in paradise.**"

1] In what way would the words "today you will be with me in paradise" be comforting, IF the soul "sleeps" in death—and the alternative is to be "alive" when the Messiah "come(s)" to establish his kingdom?

d) 1Thessalonians 4:13-18

¹³Brothers and sisters, we do not want you to be uninformed about those who sleep in death, **so that you do not grieve like the rest of mankind, who have no hope.** ¹⁴For we believe that Yeshua died and rose again, and so **we believe that God will bring with Yeshua those who have fallen asleep in him** ... ¹⁶For the Lord himself will come down from heaven ... and **the dead in Messiah will rise first.** ¹⁷After that, we who are still alive and are left will be caught up together with them in the clouds to meet the Lord in the air. And so we will be with the Lord forever. ¹⁸Therefore encourage one another with these words.

1] God promised that all the nations would be blessed in Abraham, which Paul interpreted in light of the eschatological traditions about the ingathering of the nations—which **Paul thought was imminent—and this in turn is why his message has such urgency. God's kingdom is coming. God's justice is coming.**⁵

2] Here too, Paul's point is not that we will not be consciously united with our loved ones in death, but that the Messiah's return is so imminent, we will be united with them in the resurrection.

3. *Jews never believed the evidence because they had something else to set against it—a faith, a trust, an unbreakable hope that proved stronger than historical inevitability.*

a. 2Corinthians 4:16-18

¹⁶Therefore **we do not lose heart.** Though outwardly we are wasting away, yet inwardly we are being renewed day by day. ¹⁷For our light and momentary troubles are achieving for us an eternal glory that far outweighs them all. ¹⁸So **we fix our eyes not on what is seen, but on what is unseen, since what is seen is temporary, but what is unseen is eternal.**

b. Hebrews 11:1-10

¹Now **faith is confidence in what we hope for and assurance about what we do not see.** ²This is what the ancients were commended for. ³By faith we understand that the universe was formed at God's command, so that what is seen was not made out of what was visible ...

⁷By faith Noah, **when warned about things not yet seen**, in holy fear built an ark to save his family ...

⁸By faith Abraham, when called to go to a place he would later receive as his inheritance, obeyed and went, even though he did not know where he was going ... ¹⁰For he was looking forward to the city with foundations, whose architect and builder is God.

⁵ Pamela Eisenbaum, *Paul Was Not a Christian: The Original Message of a Misunderstood Apostle*, (HarperCollins. Kindle Edition), p. 241.