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בס"ד

Parashat Miqqes Part III Toward the Denouement

1. Preparing for the Frame-Up

When the brothers returned to Egypt with Benjamin and appeared before the viceroy, he instructed his steward to take them to his home for they were going to dine with him that day. Fearful, they approached the steward and tried to return the silver that did not belong to them but could not do so; the steward said their payment had been received.

When the viceroy arrived, the brothers presented him their gift and bowed to him to the ground. After inquiring about their father and blessing Benjamin he hurriedly left the room to cry for he was overcome with warm feelings for his full brother. He washed his face and returned, struggling to maintain his composure.

In accordance with Egyptian protocol the brothers were seated for dinner at a separate table from his. "They sat before him, the firstborn in accordance with his seniority, the youngest in accordance with his youth," that is, in age order, "and the men expressed astonishment to one another" (Gen. 43:33). Although the text does not mention how such a seating arrangement came about, it is most unlikely that they organized themselves in such a manner on their own. Their standard grouping was according to mothers, as previously indicated when they are described in their occupation of shepherding (37:2), as Jacob divided them when meeting Esau, and as they are classified when they are counted. Joseph evidently instructed his steward to assign them seats in this configuration, but to do it as if randomly. The text hints at this, as their astonishment is mentioned after their being seated, apparently referring to it. The neutral syntax probably reflects Joseph's hidden hand behind it. (Subsequently, when the steward checks their bags, he also does it in age order.)

By imposing such a seating arrangement on eleven brothers, all of whom except Benjamin were born in

the same seven year period from four different mothers, and most of whom were virtually the same age as some of the others, Joseph placed them in a state of bewilderment, unable to comprehend how it came about. This situation transmitted a message to them, that private matters could somehow be revealed. But more important, the seating arrangement struck a blow for family unity; it emphasized the fact that they were all sons of the same father. Perhaps for the first time in their lives, the brothers were viewed as a single whole, in contrast to their usual groupings according to their cliques. In his youth, Joseph had been a victim of the snobbishness of Leah's sons who had relegated him to an inferior status, to be associated with the sons of the handmaidens. The latter had apparently also treated him as subordinate to them (37:2). That discriminatory behavior may have been connected to the negative reports that he brought to their father about his brothers, which strained his relationship with them from early on.

The former espionage suspects were treated to a regal meal. The viceroy manifested a most cordial disposition toward them and expressed especially warm feelings toward Benjamin, sending more delights to him than to the others. They might have thought that it was his way of apologizing for the enormous trouble he caused them and for insisting that Benjamin leave his father to come to Egypt. "They drank and got drunk with him" (v. 34), feeling comfortable and in high spirits and could not but have observed the viceroy's silver goblet from which he drank.

All the while Joseph was focusing on the next step of his stratagem: to frame Benjamin with a charge of theft and feign great disappointment in the brothers' ungrateful comportment. He was preparing the way for his steward to find his "missing" goblet in Benjamin's possession and be able to say, "Why did you repay evil for good, is this not that from which

my master drinks and uses for divining?” (44:4-5). It seems to have been common for those who served in high administrative posts in Egypt to practice divining.

In the ancient Near East a method of divining (*nihush*) involved the interpretation of patterns that were perceived on the surface of certain liquids when drops of one liquid settled on another of different density or in those that formed in the dregs of a wine cup. In this manner, specialists in the art supposedly could foretell the future or reveal secret matters. This was later prohibited in the Torah together with many other magical practices that have idolatrous associations: לֹא יִמָּצֵא בְךָ...מְעוֹנֵן וּמְנַחֵשׁ וּמְכַשֵּׁף (Lev. 19:26); לֹא יִמָּצֵא בְךָ...מְעוֹנֵן וּמְנַחֵשׁ וּמְכַשֵּׁף (Deut. 18:10).

Joseph, continuing the heritage of the patriarchs, was a believer in the one G-d. He had received prophetic messages from Him and he advocated belief in His supreme authority to reveal the future (Gen. 40:8; 41:16). He is never depicted as actually practicing *nihush*.

In this instance he feigned mastery of it so that the steward’s words would convey several messages to the brothers to advance his purpose. They should know that the goblet’s worth to him is beyond its silver value since he uses it for divining, and stealing it is an extremely grave offense. In addition, they should take into account the possibility that the viceroy could uncover their supposedly secret acts, as he is a diviner. Joseph obviously intended to stir their conscience with these statements of the steward. He wanted them to relate their current situation to their dark secret concerning selling of their brother. Shortly afterwards he personally transmitted that message in an expanded form as he reprimanded them: “What is this deed that you (plural) have committed, do you not realize that a man such as I can divine things?” (44:15).

We may further conjecture that Joseph, appearing to belong to a foreign culture, presented himself as one who employed *nihush* as the vehicle for receiving messages that revealed hidden matters as an alternative to dreams, which also are a vehicle of revealing hidden matters. His purpose may have been to prompt his brothers to recall the dreams their visionary brother had dreamt concerning them. They should consider the possibility that those dreams were legitimate prophecies from G-d. They were guilty for dismissing them as well as for rejecting the dreamer

and of course for their contemptible transgression of selling him.

At some point, apparently after the brothers had retired for the night, Joseph had his staff go to work. They loaded the brothers’ donkeys with food to the maximum extent possible, returned their silver payments to “the mouths of their packs,” where they will quickly be discovered during the forthcoming search, and planted the silver goblet in Benjamin’s pack along with his silver. At daybreak they were sent off surely feeling elated about the extraordinary turn of events. Joseph gave them time to exit the city and begin their journey home. He then had his steward pursue them and accuse them of stealing the goblet.

The tension is palpable as the action proceeds to the final steps of the test.

2. Caught in Joseph’s Web

The steward searched all their sacks, beginning with the eldest and concluding with the youngest, surely again causing them to wonder how could he have known their age order. But they now had more serious concerns on their minds. Undoubtedly, the search uncovered each brother’s recently returned bag of silver as well as his other bag of silver, the one that had been returned to them on their first trip and which they unsuccessfully tried to return on this trip. When they had discovered the returned silver of their first trip, the effect on them was terrifying (42:28, 35-36). Now, not only was their defense – that they had brought back the silver in order to correct the error – possibly irrelevant but this time they were departing with a double portion of extra silver, and who knows what that might portend! But the steward passed over all this silver in silence, as does the narrative, reflecting his intense focus on the goblet and the goblet alone. The brothers must have been panic-stricken.

With all the silver mysteriously coming to them – silver not rightfully theirs and which they had been unable to return – they also could not help but be reminded of the twenty silver pieces that they had received for the sale of Joseph. That wrongdoing was already weighing heavily on them as indicated in their discussions while in detention (42:21-22) and the silver received for that crime represented it. Would

that they could undo that transaction and not have the silver they had received!

Finally, the silver goblet was found in Benjamin's sack. From this low point forward, the brothers seriously begin proving to Joseph their contrition as well as their commitment to family unity. The latter includes their acceptance of Jacob's selection of Rachel and her children for preeminence.

Before the search, the steward had rejected their statement of death to the guilty party and collective punishment of slavery to all if the goblet would be found with one of them. He declared all to be innocent and free to leave except the one in whose pack the goblet might be found (44:10). Now, with Benjamin apprehended, what were their options? They were powerless to help Benjamin against the mighty government that had its evidence against him. Secretly, they must have also been concerned about their own welfare, considering all the unexplained silver in their possession, the viceroy's personal disappointment in them after having treated them so well and perhaps also worried about the espionage accusation that might be reintroduced.

They were caught in an inexplicable web of occurrences from which they could not extricate themselves. It was a situation that required them to search their consciences for what could have caused G-d to bring such a predicament upon them.

By having their silver secretly returned to them Joseph deepened the test by greatly increasing their incentive to continue home (and abandon Benjamin). Their families were in dire need of provisions. They might have been thought justified in returning home while the window of opportunity to do so was open. Although that would mean leaving Benjamin behind to an unpredictable fate, they did nothing wrong and their consciences would be clear regarding their present behavior. True, it would be difficult to face their father, but, after all, they did it once before when they were guilty of kidnapping and selling their brother, whereas now they were innocent, victims of circumstances beyond their control.

The return of their silver the first time, besides stirring their consciences, had also created disincentive for them to return to Egypt; the fear of being seen as thieves on top of the espionage accusation more truly

tested their resolve to redeem Simeon. It had also raised the ante in what was needed to persuade their father to allow Benjamin to accompany them. Joseph knew one of his brothers would have to make a prodigious commitment to accomplish that. But the famine was severe and it demanded a measure of realism even from Jacob, a consideration that Joseph understood must have played a role in his agreement to send Benjamin.

Now, only genuine concern for Jacob's situation, which notably included his preference for Rachel and her sons, could impel them to remain in Egypt and try to do something for Benjamin. Such a disposition would also imply repentance for what they did to their brother years before.

3. Facing the Charges

The brothers rend their garments, return to the city, proceed to Joseph's home and prostrate themselves before him. The narrative singles out Judah – **וַיָּבֹא** וְיָהוּדָה וְאָחָיו (“Judah and his brothers came” [44:14]), employing the singular of the verb – as he had assumed a leadership role. It was he whom the brothers had listened to in selling Joseph, as stated **וַיִּשְׁמְעוּ אָחָיו** (37:27), it was upon his guarantee that Jacob relied in sending Benjamin and he would now take the lead in dealing with this crisis.*

It was a most positive sign that the brothers refused to abandon Benjamin and returned to the city instead of continuing on home, but it still was not the precise and definitive proof Joseph was seeking.

Although only Benjamin was deemed guilty, Joseph surprisingly reprimanded his brothers collectively, “What is this deed that you (plural) have committed, do you not realize that a man such as I can divine things?” (44:15). He capitalized on an opportunity to stir their consciences, to think about their own past culpability, while implying that actions even performed in secret are subject to being discovered.

Judah responds for all. He admits that they had no justification for their behavior and recognizes that G-d had discovered their (collective) sin. All deserved to be slaves to the viceroy. Knowing that they were innocent of the current accusation but could do nothing about it, from his point of view and that of his beleaguered brothers (except Benjamin), his statement

has another meaning. It is a confession regarding what (he thinks) only he and the co-conspirators in the sale of Joseph understand, namely, the sin of that deed. On behalf of all, he finally officially acknowledges it as the ultimate cause for their present predicament. He accepts the validity of the punishment, that they will all be slaves, a fitting retribution for having sold their brother into slavery.

Declaring their acceptance of slavery for their punishment was not a mere perfunctory expression, an opening statement tacitly understood by all to be nothing more than protocol, an exaggerated formality. It is not similar to Ephron's opening offer to give Abraham the field containing *me'arat hamakhpela* as a gift, as some have maintained. For all they knew, their confession might convince the viceroy that all the brothers conspired to steal the goblet; it may be viewed as a confession often is, as a plea for merciful treatment. In confessions, it is axiomatic that every word is carefully weighed.

How could they offer themselves as slaves, given their responsibility to their father and families? This proposition reflects a characteristic of genuine penitents. When a sincere individual realizes his culpability for a heinous crime, especially when he recognizes that what he deserves as retribution is being presented to him, in his contrition he concentrates on his reduced spiritual condition and personal requirements for repair. At that moment it is of no concern how burdensome the consequences for he is focused on an issue of cosmic importance to the exclusion of other considerations. Afterwards, he addresses his other responsibilities. In this case, Judah realized the appropriateness of the retribution that was at hand and felt compelled to accept it.

But on the providential plane, this "measure for measure" retribution leaves an opening for Benjamin's freedom, since he was not involved in the sale of Joseph. Although Judah included all the brothers with the "already proven guilty" Benjamin as deserving of slavery, that statement was essentially on behalf of the other brothers. He was surely poised to request special consideration to allow Benjamin to return home, to fulfill his pledge to his father. Divine justice would be on the side of the innocent Benjamin.

Joseph fully comprehends the deeper significance of what was being said. The declaration of deserving

slavery was an impressive demonstration of contrition for the act of selling their brother into slavery. However, it did not prove their commitment to their father's decision of choosing Rachel's sons for special status. He now seeks the final, decisive proof on that ultimate issue. Even were they to plead for Benjamin's freedom – which he surely assumed they would, given that they knew he was innocent of the crime they believe they were being divinely punished for – it would not prove the point, for they lose nothing by such pleading. With all the brothers offering themselves as slaves, there was nothing further Joseph could expect them to sacrifice to prove deep feelings of loyalty to their father's choice.

Consequently, he reconfigures the elements of the case and eliminates the connection between the present situation and the brothers' deserved retribution for their collective transgression of selling their brother. He insists that all the brothers should go in peace to their father and only the one in whose possession the goblet was found is to remain as a slave. This highlights a different feature of congruence between the present circumstances and their past. They have now been presented with a situation that requires they return home without Benjamin, reminiscent of the previous time when they returned home without the other son of Rachel. What option do they have?

Endnote

* Judah, through his progeny, remains in a leadership role well into the future, as does Joseph. Reuben had forfeited firstborn rights from the moment of his impetuous act with Bilhah (35:22; see Jacob's statement in 49:4), which may have represented his crude attempt at establishing his leadership, in accordance with ancient Near Eastern symbolism. His inability to command his brothers' respect to implement his good intention to save Joseph (37:22) illustrates his deficiency in attributes of leadership. The brothers sold Joseph when Reuben was not present. When he bemoaned Joseph's absence from the pit (v. 30), the text is silent about whether they informed him of what they had done. When in detention he recalled the sin committed with Joseph he appears not to know about the sale (42:22). His attempt at persuading Jacob to send Benjamin (v. 37) was pathetic.