

**Israel's Inheritance:
Birthright of the Firstborn Son**
by Anne K. Davis

This article examines the nature of the inheritance of the birthright and the possible loss of that inheritance. The initial impetus for the investigation was my earlier examination of Galatians 4:21–5:1, which suggested that in this passage Paul employs two ancient literary devices to startle the reader and draw attention to the Hebrew concept of inheritance and its relationship to freedom and slavery¹

The study traces the concept of inheritance in the Hebrew Scriptures² and identifies ancient literary devices that penetrate behind the surface meaning to expose deeper levels of figurative and prophetic understanding.³ It finds that all children of Israel were born to the birthright as God's firstborn son, because God declared, "Israel is My son, My firstborn" (Exodus 4:22). The Hebrew Scriptures portray the birthright as bestowing not only a double portion of inheritance but also a special blessing, priestly office, the position and authority of lordship, and procreative power. However, inheritance of the birthright, which is distinct from the inheritance bestowed on other members of the family, requires a commitment to serve and obey God, possibly for a future prophetic role. The narrative portrays individuals losing the birthright because of this failure to serve and obey God. Yet the one who loses the birthright does not lose his status as a son and still receives an inheritance, although not the inheritance of the birthright.

Several concepts invite consideration. For example, the remnant of Israel, prominent in the Hebrew Scriptures, appears to exhibit the characteristics of servants who are worthy to inherit the birthright. Furthermore, Paul's use of "freedom" and "bondage" in Galatians 4:21–5:1 seems to be related to obedience

¹ Anne Davis, "Allegorically Speaking in Galatians 4:21–5:1," *BBR* 14, no. 2 (2004): 161–74, finds that Paul used a metaphor with no apparent meaning five times and suggests that this was an intentional literary device to startle the reader. There are also five apparent contradictions of Scripture serving the same purpose. These allegorical markers are clues that lead the reader back to the Hebrew Scriptures to search for fuller meaning.

² Richard Hays, *Echoes of Scripture in the Letters of Paul* (New Haven: Yale University Press, 1989), initiated an extensive discussion of the New Testament use of citations from and allusions to the Hebrew Scriptures. Traditionally, scholars have tended to treat citations as "proof texts," verses of Scripture used to "prove" an author's conclusion from Scripture. But recently some have suggested that ancient principles of exegesis may have extracted deeper meaning from the Hebrew Scriptures. See, for example, Ithamar Gruenwald, "Midrash and the Midrashic Condition," in *The Midrashic Imagination: Jewish Exegesis, Thought and History*, ed. Michael Fishbane (New York: State University of New York Press, 1993), 6–22.

³ Robert Alter, *The Art of Biblical Narrative* (New York: Basic Books, 1981), offers an introductory exposure to ancient literary devices in the biblical narrative. This is a relatively new field and a significant extension of traditional literary criticism, which tends to focus on genre analysis.

and disobedience, and thus to the inheritance of the birthright. The study provokes other stimulating questions. What is the nature of the inheritance of those sons who will *not* inherit the birthright, and what is the relationship of the church to the inheritance of the birthright? The goal of the current study is to prompt further discussion on the concept of inheritance in Scripture by suggesting that all the children of Israel have been born to the birthright, but individuals can lose this inheritance.

“Israel Is My Firstborn Son”

In the Exodus narrative, before the final devastating plague, in which all the firstborn sons of Egypt died, God instructed Moses, “Then you shall say to Pharaoh, ‘Thus says the Lord, “Israel is My son, My first-born. So I said to you, ‘Let My son go, that he may serve Me’; but you have refused to let him go. Behold, I will kill your son, your first-born”’ (Exodus 4:22–23).

The passage stimulates an important question: does Israel refer here to Jacob, whose name God changed to Israel, or does it refer to the children of Israel? This study seeks to demonstrate that Israel, whom God has called his firstborn son, in this passage refers to all the children of Israel.

Jewish interpretation since Rashi (born in A.D. 1040) has typically held that “firstborn son” in Exodus 4:22–23 is “an expression of greatness” and its deeper spiritual meaning is Jacob, whose name God changed to Israel. Thus, Rashi understands “Israel my firstborn son” as God honoring Jacob with the birthright to which Esau had been born.⁴ However, Bonchak observes, “Ironically, Rashi’s *midrashic* explanation [Jacob is God’s firstborn son, who is entitled to inherit the birthright] takes the word ‘firstborn’ literally, while his *p’shat* explanation [that is, the simple meaning, an expression of greatness] takes the word allegorically.”⁵ Rashi’s inconsistency invites further consideration, especially since Jewish commentary earlier than Rashi acknowledged the simple meaning to be the nation of Israel, meaning all the people of Israel.⁶

That God refers to the children of Israel as “My firstborn son” finds support within the biblical text. For example, in the Exodus narrative God told Pharaoh, “I will kill your firstborn son” (Exodus 4:23). In the context, “son” means more than Pharaoh’s son because all the firstborn of Egypt, both people and animals, died in the last plague. We should also observe that the narrative contrasts the firstborn son of Pharaoh (implying many) with the firstborn son of God, namely Israel, which suggests many rather than a single son.

A parallel also helps clarify this figurative meaning. Following God’s declaration, “Israel is my firstborn son,” the text continues, “I said to you, Let my son go that he may worship me.” The “son” is the people of Israel. The narrative

⁴ Rabbi Yisrael Isser Zvi Herczeg, ed., *Rashi: Commentary on the Torah*, 4th ed. vol. 2 (New York: Mesorah, 1999), 38.

⁵ Avigdor Bonchek, *What’s Bothering Rashi? A Guide to In-Depth Analysis of His Torah Commentary: Shemos*, vol. 2 (Jerusalem: Feldheim, 1999), 38.

⁶ b. Seder Mo’ed 89b; b. Seder Nez. 3a.

continues with a shift from singular (“son”/“he”) to plural (“people”). After Exodus 4:22–23, God repeatedly said, “Let my *people* go so *they* may worship me” (Exodus 7:16; 8:1, 20; 9:1, 13; italics added for emphasis in this and the following quotations). In other passages the Lord commands, “Let the *people* go” (Exodus 7:14; 9:17), and three times the narrative identifies the people as the Israelites (Exodus 6:11; 7:2; 9:35). Never again, after Exodus 4:23, did God say, “Let my *son* go so *he* may worship me.” Thus, the Hebrew text conveys the idea that “my son” and “my people” are equivalent in meaning.

Therefore, in the context of the Exodus narrative, “Israel” in Exodus 4:22 refers not exclusively to Jacob the individual.⁷ According to the biblical text (and found in Jewish writings earlier than Rashi), “Israel” in Exodus 4:22 means all the children of Israel. God declared all Israelites to be his firstborn son.

The Birthright: Double Portion of the Inheritance

Since the Exodus account portrays all the children of Israel as having been born to the birthright, we must now ask, how does the Hebrew narrative depict the nature of that inheritance? In particular, why did certain individuals lose the inheritance of the birthright?

The birthright belonged to the firstborn son simply by position of his birth. For example, in Genesis 43:33, the brothers of Joseph sat before him from the eldest to the youngest, with the eldest described as “the firstborn according to his birthright.” Furthermore, in the case of twins, the first to emerge from his mother’s womb was the firstborn. This is evident with Esau (Genesis 25:24–26), and later with Zerah, the first of the twins born to Judah and Tamar (Genesis 38:27–30; cf. 46:12).

The birthright entitled the firstborn to inherit a greater share of his father’s land and possessions than the remaining heirs. The most common understanding of this greater part in the Jewish literature is a double portion, which is twice the amount given to each of the other sons.⁸ Some theologians have criticized this interpretation of a double portion.⁹ However, for the purpose of this study, we will adhere to this view. Not only is it the most common interpretation in the Jewish literature, but Davies’ extensive examination of Babylonian and Assyrian records suggests that the firstborn received an amount larger than that of his brothers; often the records state that this amount is a double portion.¹⁰ As this

⁷ The “individual” view characterizes some Jewish tradition, which then supposes a spiritual meaning, i.e., the “greatness of Jacob.”

⁸ Rabbi Adin Steinsaltz, *A Reference Guide to the Steinsaltz Edition of the Talmud*, trans. Rabbi Israel V. Berman (New York: Random, 1989), 170; Louis Ginzberg, *Legends of the Jews*, vol. 3 (Philadelphia: Jewish Publication Society, 1966), 211.

⁹ For example, Hiers notes that this notion of a double portion depends largely on Deut. 21:15–17, which contemplates only two sons. Richard H. Hiers, “Transfer of Property by Inheritance and Bequest in Biblical Law and Tradition,” *Journal of Law and Religion* 10, no. 1 (1993–94): 143.

¹⁰ Eryl W. Davies, “The Inheritance of the first-born in Israel and the Ancient Near East,” *JSS* 38, no. 2 (1993): 175–91. Davies has searched in documents of ancient Near Eastern

study will demonstrate, the greater portion of inheritance assisted the son with the birthright to perform his responsibility of leadership.

Redemption of the Firstborn Son

Although the concept of the birthright in Scripture is similar in many ways to legal practices affecting firstborn sons in the surrounding cultures, the Hebrew Bible develops one aspect of the inheritance that is different from those of Israel's neighbors. It originates in the exodus event. The Hebrew text highlights God's rescue of the children of Israel, His firstborn son, from death and destruction that fell upon all the other firstborn in Egypt, both people and animals.¹¹

The Hebrew narrative further develops the importance of the firstborn in three ways. First, the text notes the special status of all firstborn sons by consecration, which sets apart the firstborn as sacred and holy. Sanctification of firstborn animals was for the purpose of sacrifice. We will see that sanctification of the firstborn children of Israel was for service, which is a living sacrifice. "Consecrate to Me all the first-born, the first offspring of every womb among the sons of Israel, both of man and beast; it belongs to Me" (Exodus 13:2). "The first-born of an ox or the first-born of a sheep or the first-born of a goat, you shall not redeem; they are holy. You shall sprinkle their blood on the altar and shall offer up their fat in smoke as an offering by fire, for a soothing aroma to the Lord" (Numbers 18:17).

Second, after God redeemed the children of Israel from death in Egypt, the Hebrew Scriptures portray an ongoing need for redemption of the firstborn son. The redemption in Egypt followed the placement of blood from a sacrificed animal on the doorpost. Continuing redemption also involved animal sacrifice.¹² The text explains this need for continuing redemption.

When in the future your child asks you, "What does this mean?" you shall answer, "By strength of hand the Lord brought us out of Egypt, from the house of slavery. When Pharaoh stubbornly refused to let us go, the Lord killed all the firstborn in the land of Egypt, from human firstborn to the firstborn of animals. Therefore I sacrifice to the Lord every male that first opens the womb, but every firstborn of my sons I redeem." (Exodus 13:14–15)

cultures for evidence of the birthright and found that authors treated the inheritance of the firstborn son in a preferential manner. He concludes that there is insufficient data to determine a definitive ratio but adds that a double portion is evident in the texts he examined. Davies concludes that we should retain the traditional understanding of a double portion.

¹¹ Exod. 6:6; cf. Ps. 103:4; Isa. 44:22–23; 63:9.

¹² The most noted example in the Hebrew Scriptures is the substitution of a lamb for Abraham's near sacrifice of Isaac. The New Testament further develops this concept of substitution. For example, 1 Cor. 5:7 explains that "Christ our Passover also has been sacrificed."

Finally, the Hebrew narrative explains that the firstborn's consecration (setting apart as holy) initiates a different kind of sacrifice. Paul will later call this a "living sacrifice," which he defines as "spiritual service of worship" (Romans 12:1). Paul's exhortation is compatible with the Hebrew Scriptures, for in the Exodus account God repeatedly commands, "Let my people go that they may worship me." The Hebrew word that is translated "worship" is *avad*, from which the word for servant derives (*eved*). In Hebrew, humble service acknowledges the one true God in proper worship.¹³ This study will demonstrate that the relationship between consecration and service to God is characteristic of the birthright and requires the firstborn to be holy as God's servant and the designated leader of God's people.

Thus, the Hebrew narrative develops the importance of the firstborn in three ways. First, it assigns a special holy status to all firstborn sons. Next, it requires an ongoing need for redemption by substitution of sacrificed animals. Finally, it sets the firstborn sons aside for the sacrifice of worship through service.

The Birthright: Benefits and Responsibilities

The firstborn received four benefits and responsibilities in addition to a double portion of his father's estate: a special blessing, the office of high priest of his clan or tribe, a position of authority and leadership, and procreative vigor. These attributes are associated with responsibilities of leadership.

The special blessing included both current and future benefits.¹⁴ That all the other sons received lesser blessings is apparent from the narrative. There are numerous examples. Esau received a blessing even after he sold his birthright to Jacob (Genesis 27:39–40). Jacob bestowed Manasseh's birthright on Ephraim but gave Manasseh a blessing also (Genesis 48:19). All the sons of Jacob, including those who did not inherit the birthright, received blessings (Genesis 49:3–27). Even Reuben, the firstborn son of Jacob, received a blessing, though his father transferred his birthright to Joseph (1 Chronicles 5:1).¹⁵ However, an additional special blessing was reserved for the son with the birthright, as Esau declared when he cried to his father, "He [Jacob] took away my birthright and look, now he has taken away my blessing" (Genesis 27:36).

In addition to receiving a special blessing and a double portion of land and possessions, the firstborn served as the high priest of his clan.¹⁶ The sages

¹³ For the connection between freedom from slavery in Egypt and serving/worshipping God, see Exod. 7:16; 8:1, 20; 9:1, 13; 10:3, 7.

¹⁴ Jacob Neussner, ed., *Dictionary of Judaism*, ed. Jacob Neussner (Peabody: Hendriksen, 1999), 98.

¹⁵ Note, however, distinctive characteristics of the birthright in Joseph's blessing (Gen. 49:22–26). Joseph is "set apart from his brothers" and will be victorious in battle, receive blessings beyond imagination, and produce abundant offspring. Although the Hebrew text acknowledges Judah's prophetic status as a leader, it assigns the inheritance of the firstborn's birthright to Joseph (1 Chr. 5:1–2).

¹⁶ The firstborn's right to the priestly office preceded the assignment of that role to the Levites. We should distinguish the later position of High Priest in the temple from this

understood “young men of the people of Israel” to be firstborn sons, leaders of their clans and tribes in Exodus 24:5: “He [Moses] sent young men of the people of Israel [*na’arei b’nei Yisrael*], who offered burnt offerings and sacrificed oxen as offerings of well-being to the Lord.” The sages concluded that the firstborn sons performed sacrificial services until the construction of the tabernacle and the substitution of the Levites as the priestly class.¹⁷

However, firstborn sons apparently lost this right and privilege to offer sacrifices to the Lord because of the incident with the golden calf. Ancient commentators asked, “Who caused the firstborn to forfeit all this glory?” They gave as an explanation the worship of the golden calf and concluded that the firstborn sons were “found in fetters” because they were prohibited from offering to the Lord anything prepared by fire, undoubtedly meaning sacrifices to the Lord.¹⁸ Ginzberg comments on the firstborn’s loss of the priestly office:

“For God elevates no man to an office unless He has tried him and found him worthy of his calling.” He did not say, “and the Levites shall be Mine,” before He had tried this tribe, and found them worthy. In Egypt none but the tribe of Levi observed the Torah and clung to the token of the Abrahamic covenant, while the other tribes, abandoning both Torah and token of covenant, like the Egyptians, practiced idolatry. In the desert, also, it was this tribe alone that did not take part in the worship of the Golden Calf. Justly, therefore, did God’s choice fall upon this godly tribe, who on this day were consecrated as the servants of God and His sanctuary.¹⁹

Thus, the firstborn sons of Israel lost their priestly position and functions, and the Levites assumed the responsibility of offering sacrifices to the Lord on behalf of others (Numbers 3:44–45). Because the firstborn sons had lost this responsibility, the Lord instructed that the priests perform a ceremony of redemption when a firstborn child was thirty days old, which consisted primarily in the payment of five shekels to a priest by the child’s father.²⁰ This payment signified redemption from the firstborn’s responsibility of the priestly office, which had required him to be holy and consecrated for service to God on behalf of others.

earlier period. The earliest priestly responsibility of the firstborn sons is recognized in the Jewish literature and occasionally in non-Jewish literature as well. See, for example, Num. Rab. 29a; cf. Num. Rab. 14b. See also Ginzberg, *Legends*, 211; Beitzel, “Right of the Firstborn,” 180.

¹⁷ Num. Rab. 29a.

¹⁸ *Midrash Rabbah*, Numbers, 161. The midrash does not explain “anything prepared by fire,” but the priests frequently burned offerings identified as “offerings by fire.” See, for example, Lev. 1:9, 13; 2:2, 16; 3:3, 9, 11; Num. 15:3, 10; 28:3, 19.

¹⁹ Ginzberg, *Legends*, 211.

²⁰ Num. 3:47; 18:16; cf. Num. Rab. 14b. Many Jews still practice this ceremony of redemption today. See Isaac Klein, *A Guide to Jewish Religious Practices* (NY: Jewish Theological Seminary, 1979), 431–32.

Another aspect of the firstborn was a position of authority and leadership. During his father's lifetime, the firstborn apparently exercised some authority over his brothers, as the narrative of Reuben conveys.²¹ Upon the death of his father, the firstborn son became the next leader of his clan or tribe, which made his elevation to this authoritative position part of his inheritance. Beitzel explains, "The purpose of primogeniture then was the systematic and orderly transference of social, legal, and religious authority within the family structure. The firstborn male was made the principal heir and was given a sizeable portion of the estate because it was he who was to perpetuate the family name and lineage and who was to bear the chief burden for the continuance and welfare of the family."²²

The Hebrew narrative portrays this concept of responsibility and lordship. For example, when Joseph became viceroy of Egypt, he fulfilled a prophecy. Joseph had dreamed that his sheaf of grain was standing upright while those of his brothers were bowing down to his sheaf. His brothers responded with indignation, "Are you indeed to have dominion over us?" (Genesis 37:5–8).

Another example is Jacob, who inherited the blessing of the birthright and the position of authority even though he was the younger son. This understanding of leadership becomes clear through Isaac's description to his firstborn son, Esau, of Jacob's special blessing. "I have already made him your lord, and have given him all his brothers as servants" (Genesis 27:37a). Lordship is a position of leadership authority. Apparently Esau (or perhaps his descendants, since these words are prophetic) would become a servant of Jacob after Isaac's death.

Finally, in this position of leadership and authority, the firstborn son increased the strength of his tribe in order to claim his inheritance by conquering the land that the Lord had promised to him.²³ Jacob's blessing of Reuben, who was born to the birthright which he subsequently lost, includes this attribute of the birthright: "my might and the first fruits of my vigor [*ohn*]" (Genesis 49:3; cf. Deuteronomy 21:17). Fohrer notes that *ohn* conveys primarily strength in numbers that results from a man's procreative power. He further explains, "The man with such strength is able to acquire 'property' as the result or consequence of forceful action."²⁴ This strength of procreative power for the purpose of conquest is a meaningful concept in Scripture, apparently related to the blessing

²¹ When the other brothers wanted to kill Joseph, Reuben's decision for life was decisive (Gen. 37:21–22).

²² Beitzel, "Right of the Firstborn," 180.

²³ *Yarash* is often translated "inherit." However, the word also conveys the concept of inheritance by "taking possession" of land and "dispossessing" those who live in that land. Francis Brown et al., eds., *Brown-Driver-Briggs Hebrew and English Lexicon* (Peabody: Hendrikson, 1997), 439.

²⁴ Goerg Fohrer, "Twofold aspects of Hebrew Words," in *Words and Meanings*, ed. P. R. Ackroyd and B. Lindars (Cambridge: Cambridge University, 1968), 99.

of abundant seed given to those patriarchs who inherit the birthright: Abraham, Isaac, and Jacob (Genesis 15:5; 26:4; 28:14).²⁵

To summarize, the firstborn son was entitled to his birthright by virtue of the position of his birth, which entitled him to a double portion of his father's land and possessions. The birthright bestowed four additional benefits and responsibilities. First was a special blessing that was greater than the blessings of his brothers. Second was the office of high priest to his family, clan, or tribe. Third was a leadership position of authority over his clan. Finally, God endowed the son with the birthright with procreative power to strengthen his clan or tribe for the purpose of conquest. These birthright benefits are attributes of leadership. In the prophetic passages, the inheritance of the firstborn seems to point to a future role of leadership service to God and His people.

Loss of the Birthright

The possibility that the firstborn could lose his birthright, which would then transfer to another son, is a repetitive concept in Scripture.²⁶ The Hebrew text records this transfer of inheritance throughout the patriarchal period, for example, Ishmael to Isaac; Esau to Jacob; and Reuben to Joseph.²⁷ The transfer of inheritance included all the attributes of the birthright: property, special blessing, priestly office, position of authority and leadership, and procreative power.

Ishmael was the firstborn son of Abraham. That he was entitled to an inheritance is apparent from Sarah's vehement demand that Abraham disinherit Ishmael: "The son of this slave woman shall not inherit along with my son Isaac" (Genesis 21:10; cf. Galatians 4:30). The text narrates that Abraham "gave all he had to Isaac" (Genesis 25:5). Thus, Ishmael apparently lost an inheritance to which he would have been entitled as the firstborn.

²⁵ Related to abundant offspring is the promise that nations will come from the one receiving the birthright (Gen. 17:4–6; 26:4; 35:11). The plural "nations" (*goyim*) conveys a great abundance of many distinct peoples.

²⁶ Repetition is a well-recognized ancient literary device for emphasis, contrast and expansion that prompts a deeper understanding.

²⁷ The Hebrew text describes a firstborn's loss of his elevated position even in the time before Abraham. Cain was the firstborn son of Adam, but God placed him under a curse for killing his brother, Abel, and drove him from the land. Seth then assumed the elevated position that Cain had lost. Another example is Japheth, the firstborn son of Noah (Gen. 10:21). The text records the descendants of Japheth first in the genealogical list, indicating his firstborn status (Gen. 10:2). Because Shem ascended to the elevated position normally reserved for the firstborn son, the order of the names is inverted in the Hebrew narrative to Shem, Ham, and Japheth (Gen. 5:32, 6:10, 9:18, 10:1). Cf. E. W. Bullinger, ed., *The Companion Bible* (Grand Rapids: Kregel, 1990), 16 n. 21. Furthermore, the text identifies Ham as Noah's youngest son (Gen. 9:24). Yet Ham is listed before the fallen firstborn. It is also possible that Abram was the youngest son of Terah, and Haran the oldest (*ibid.*, 17 n. 27), but the narrative is unclear. As for Isaac and Jacob, the narrative is not only clear but also quite detailed.

Esau was the firstborn son of Isaac (Genesis 25:14–15). However, God's prophecy to Rebekah declared, "Two nations are in your womb, and two peoples born of you shall be divided; the one shall be stronger than the other, the elder shall serve the younger" (Genesis 25:23). It is apparent from the narrative that the stronger brother was Jacob, the younger of the two, and he and his descendants would have authority over Esau and his descendants. The narrative includes a detailed account of Esau, who sold his birthright to his younger twin, Jacob (Genesis 25:29–34). Esau also lost the special blessing reserved for the son with the birthright (Genesis 27:36).

From the numerous examples of younger sons who acquired the birthright, one might conclude that this was the norm rather than the exception. Some scholars suggest that ultimogeniture (inheritance by the youngest son) may have been a customary practice among the ancient Israelites. However, de Vaux dismisses this claim, as does Greenspahn.²⁸ Moreover, it is important to note that the genealogical lists typically record the order of the sons from the eldest (identified occasionally as the firstborn) to the youngest. The list of Ishmael's sons is an example.²⁹

Even when there were unusual circumstances surrounding his birth, a son was entitled to his inheritance. The Hebrew text gives two interesting examples. One was Jephthah, the son of a harlot. The expectation is that such a son might not be entitled to inherit, and certainly not to inherit the birthright of the firstborn son. Thus, Greenspahn notes that the expulsion of Jephthah from his household (Judges 11:12) suggests that he was entitled to a part of the inheritance. Otherwise there would have been no need to expel him. Another example is the son of a slave woman. However, Greenspahn again notes the text's assumption that Ishmael was entitled to receive some kind of inheritance because of Sarah's desire that Hagar be expelled (Genesis 21:10).³⁰ Furthermore, Jacob's four sons by the slave women, Bilhah and Zilpah (Genesis 35:25–26), inherited equally with the other sons. Dan and Naphtali, sons of Rachel's maidservant Bilhah, as well as Gad and Asher, sons of Leah's maidservant Zilpah, not only received blessings from Jacob (Genesis 49:16–21) but their descendants also became four of the twelve tribes of Israel that received an inheritance in the Promised Land.

Ishmael Lost the Birthright

Ishmael was the son of a slave woman, Hagar. The loss of his inheritance is especially interesting because Paul refers to this event in Galatians 4:21–5:1. It is

²⁸ Roland de Vaux, *The Early History of Israel to the Exodus and Covenant of Sinai* (London: Darton, Longman & Todd, 1978), 235. Frederick E. Greenspahn, "Primogeniture in Ancient Israel," in *Go to the Land I Will Show You: Studies in Honor of Dwight W. Young*, ed. J. E. Coleson and V. H. Matthews (Winona Lake: Eisenbrauns, 1996), 70.

²⁹ "These are the names of the sons of Ishmael, by their names, in the order of their birth" (Gen. 25:13–15).

³⁰ Greenspahn, "Primogeniture," 75.

clear from the narrative that Ishmael did not ultimately receive the birthright, since Abraham “gave all he had to Isaac” (Genesis 25:5). This raises several questions. Did Ishmael, in fact, even have the birthright? If so, why did he lose it? Did he receive any kind of inheritance? Although the answers in the Hebrew text may not be conclusive, several aspects of the narrative shed light on these questions. Furthermore, the more detailed accounts of Esau and Reuben fill in some of the gaps.

Ishmael was certainly the firstborn son of Abraham. As noted earlier, the Hebrew text conveys the concept that the son born first stood to receive the birthright. Even though Ishmael was the son of a slave woman, Hagar, it seems that he was entitled to an inheritance. By further example, the sons of the slave women, Zilpah, Bilhah, and Keturah were entitled to an inheritance. So apparently was Jephthah. Sarah’s heated words further conveyed an expectation that Hagar’s son Ishmael would receive an inheritance.

It should be noted that Abraham did not disinherit Ishmael by his own decision or because Sarah told him to do so. It was only after God instructed him to follow Sarah’s advice that Abraham expelled his firstborn son. “The matter was very distressing to Abraham on account of his son. But God said to him, ‘Do not be distressed because of the boy and because of your slave woman; whatever Sarah tells to you, do as she tells you, for it is through Isaac that offspring will be named for you. I will make a nation of him also, because he is your offspring’” (Genesis 21:11–13).

One notes a characteristic of the birthright when God tells Abraham, “It is through Isaac that offspring will be named for you.” The recipient of the birthright was responsible for perpetuating the family name and lineage and was “the firstfruits” of his father’s procreative vigor.³¹ The text implies that Abraham expected his offspring to be named through Ishmael until God intervened and selected Isaac.

Moreover, although the text comments that Abraham “gave all he had to Isaac” (Genesis 25:5), it provides a further explanation. “But to the sons of his concubines [‘concubines’ is plural, meaning Hagar and Keturah] Abraham gave gifts, while he was still living, and he sent them away from his son Isaac, eastward to the east country” (Genesis 25:6). Hiers notes the distinction between a bequest that a father often transferred during his lifetime by specific instructions and an inheritance that a son received upon the father’s death as regulated by custom.³² Ishmael apparently received a bequest from his father, as did the sons of Keturah.³³

³¹ In Hebrew, the text uses the same verbal root for firstborn (*b’chor*), for firstfruits (*bikkur*), and for the verbal concept of selection (*bachar*).

³² Hiers, “Transfer,” 122.

³³ Davies, “Inheritance,” 180. Davies finds evidence in Babylonian records that “the father retained the right during his lifetime of making a special provision for a favorite son by granting him a gift,” which is apparently what Abraham did with Ishmael and the sons of Keturah.

Abraham continued, nevertheless, to regard Ishmael as his son, for the Hebrew text records the descendants of Ishmael in Abraham's genealogy (Genesis 25:12–18). Furthermore, the text narrates that God acknowledged the status of Ishmael as Abraham's son when He told Abraham, "I will make a nation of him [Ishmael] also, because he is your offspring" (Genesis 21:13). Finally, Ishmael must have continued to associate with his brother after Abraham cast Hagar out of his camp, because both Ishmael and Isaac buried Abraham in the cave of Machpelah (Genesis 25:9).³⁴

It seems clear from the narrative that Ishmael, the firstborn son of Abraham, lost the inheritance to which his birthright entitled him. Logically, then, the birthright passed to Isaac, through whom Abraham's "offspring will be named." Carrying the name is a concept that suggests the birthright. But the Hebrew text does not terminate Ishmael's status as Abraham's son, since Abraham's genealogical record includes Ishmael. Nor does the biblical record disinherit Ishmael, to whom Abraham gave a bequest in lieu of his expected inheritance.

Reuben Lost the Birthright

The account of Reuben's loss of the birthright is more detailed and helps explain *how* the firstborn son could lose this inheritance. The Hebrew text narrates that Jacob removed Reuben's birthright and gave it to Joseph. Reuben was "the firstborn, but because he defiled his father's bed his birthright was given to the sons of Joseph son of Israel" (1 Chronicles 5:1–2). Jacob apparently, at least in practice, removed the birthright from Reuben at the time he adopted Joseph's two sons (Genesis 48:5, 16). At this time Jacob transferred the double portion of inheritance in the land of Canaan from Reuben to Joseph by placing Joseph's two eldest sons in a position to inherit land. Ephraim and Manasseh were each entitled to inherit half of their father's double portion of inheritance, which gave each the equivalent of a single portion.³⁵

So why did Reuben lose the birthright? The text explains that he "defiled his father's marriage bed" (1 Chronicles 5:1) and mentions this event at the time that Jacob blessed his sons (Genesis 49:3–4). Gevirtz has conducted an extensive linguistic study of Reuben's blessing and translated these verses as follows:

Reuben, my first-born,
you are my strength

³⁴ Ginzberg notes two dissenting haggadic views regarding the reason that Abraham cast out Hagar and Ishmael from his camp. According to one, "Sarah noticed that Ishmael caught locusts and sacrificed them to the idols (that is to say, he was imitating adults, his locusts being 'toy sacrifices'; . . . according to another view Ishmael even committed adultery and murder." Ginzberg, *Legends*, 246 n. 211.

³⁵ Considering Jacob's adoption of Joseph's two sons, Mendelsohn has examined Babylonian adoption formulas. He finds a striking similarity between these adoption formulas and the words that Jacob used to claim Manasseh and Ephraim as his own. Isaac Mendelsohn, "An Ugaritic Parallel to the Adoption of Ephraim and Manasseh (Gen 48:5)," *Israel Exploration Journal* 9, no. 3 (1959): 180–83.

and the beginning of my vigor:
 pre-eminent in authority
 and pre-eminent in power.
 But, checked like water,
 you may not lead!
 When you ascended your father's bed,
 then you fouled the suckler's couch. (Genesis 49:3–4)³⁶

Gevirtz' rendering of *sh'et* as "authority" helps clarify Reuben's loss of leadership that the birthright conveyed. So does his understanding of *pa'chaz ka'mayim al-totar* as "checked like water, you may not lead!"

The reason for Reuben's loss of the birthright was an incident of filial impiety, a behavior that reflected on the nature of his character. In the blessing that Reuben received from Jacob, two contrasting lists of characteristics describe Jacob's firstborn son. The first list acknowledges Reuben's position as the son born to the birthright. Reuben was Jacob's "strength" and the beginning of Jacob's procreative "vigor." He was also, by his birthright, "pre-eminent in authority and pre-eminent in power." However, the passage then develops a contrasting list of attributes that highlights Reuben's loss of the birthright. Reuben was no longer "pre-eminent in power." He had conducted his life in such a way that he had to be "checked like water." He bore the consequences of his actions. Jacob told him, "You may not lead."

It is important to note, however, that Reuben did not lose his inheritance as a son, but only his inheritance as the firstborn. The tribe of Reuben received a portion of land, as all of Jacob's sons did, including Ephraim and Manasseh, each of whom received half of Joseph's double portion. Reuben also received a lesser blessing than the son with the birthright did. So did all of the other sons of Jacob whose inheritance was not the birthright.³⁷

Esau Lost the Birthright and the Special Blessing

The circumstances surrounding Esau's loss of the birthright explain that Esau initiated forfeiture by a deliberate decision to sell his birthright. At the time this occurred, he was hungry to the point of death, and he acted contrary to the way of God by relying on a worldly solution rather than trusting the Lord to supply his need. When he demanded that his brother give him food, Jacob responded, "First sell me your birthright." Esau said, 'I am about to die; of what use is the birthright to me?' Jacob said, 'Swear to me first.' So he swore [an oath] to him,

³⁶ Translation by Stanley S. Gevirtz, "The Reprimand of Reuben (Gen 49:3)," *Journal of Near Eastern Studies* 30 (April 1971): 98.

³⁷ It is interesting to note that Judah's blessing also contains characteristics of the birthright (Gen. 49:8–12). For example, "your father's sons shall bow down before you" and "the scepter shall not depart from Judah." However, Scripture assigns the birthright to Joseph (1 Chr. 5:1–2).

and sold his birthright to Jacob” (Genesis 25:31–33). Thus, Esau did not make a rash decision but committed in his heart to deny his birthright, which the oath that he swore to Jacob demonstrates.³⁸

The narrative discloses that the right of the firstborn son to a double portion of the inheritance also required a commitment of responsibility and submission to godly authority for leading God's people. In the culture and times of the patriarchs, members of the tribe gave obedience to their leader because he served as their priest with a direct relationship to God. Furthermore, the son with the birthright was responsible for perpetuating the family name and lineage in order for the tribe to conquer the promised land.

Esau lost not only his birthright (and its double portion of inheritance) but also his special blessing. “Esau said, ‘Is he not rightly named Jacob? For he has supplanted me these two times. He took my birthright; and look, now he has taken away my blessing.’ Then he added, ‘Have you not reserved a blessing for me?’” (Genesis 27:36). What Esau lost was the blessing reserved for the firstborn son in addition to, and certainly connected with, the inheritance of possessions that the firstborn son received in a double portion apparently to complement his position of leadership and authority.

Two things help explain Esau's loss of the blessing to which the firstborn son was entitled. First is the deceit which Rebekah committed and in which Jacob participated. This deceit was contrary to the ways of God, and Jacob expressed concern to his mother: “Perhaps my father will feel me and I shall seem to be mocking him, and bring a curse on myself and not a blessing” (Genesis 27:12). So Jacob hesitated to deceive his father as his mother had instructed because he apparently knew what was right with God, and he understood that all people receive consequences of their actions. However, his mother said to him, “Let your curse be on me, my son, only obey my word” (Genesis 27:13). Rebekah did indeed bring upon herself the consequences of her ungodly action, for she never again saw her son after he left for Padan-Aram. Jacob also had to bear the consequence of twenty years of difficult exile. Thus, the text suggests that Rebekah precipitated Esau's loss of the greater blessing by her deceit. Besides that, Esau also despised his birthright (Genesis 25:34), failing to act in a manner expected of a firstborn son.

There is a second reason Esau lost the birthright and the greater blessing. Esau had taken two Hittite women as wives, and “they made life bitter for Isaac and Rebekah” (Genesis 26:35). Later, when Rebekah convinced Isaac to send Jacob to Padan-Aram to find a wife, Rebekah said to Isaac, “I am weary of my life because of the Hittite women. If Jacob marries one of the women such as these, one of the women of the land, what good will my life be to me?” (Genesis

³⁸ The New Testament later describes Esau as *pornos*, an immoral person, and *bebelios*, vile, godless, and irreligious (Heb. 12:16), citing him as an example of behavior that defiles a person and causes him to fall from the grace of God. This paper suggests that “falling from the grace of God” is not necessarily equated with “losing one's eternal life” but may involve the nature of the inheritance.

27:46). Apparently, Esau perceived Isaac's displeasure and responded by taking a third wife who was a daughter of Ishmael (Genesis 28:6–9). He may have known the words of Abraham, who had instructed his chief servant regarding Isaac, "I will make you to swear by the Lord, the God of heaven and earth, that you will not get a wife for my son from the daughters of the Canaanites, among whom I live" (Genesis 24:3).

Therefore, before leaving for Padan-Aram, Jacob received from Isaac the greater blessing, which Isaac described to Esau: "I have already made him [Jacob] your lord, and have given him all his brothers as servants, and with grain and wine I have sustained him" (Genesis 27:37). Only the son with the birthright could have received this blessing. Not only would Jacob receive an abundance of the earth's richness in grain and wine, which signifies the double portion, but he would also be lord of his tribe.

Manasseh Lost the Birthright and the Special Blessing

The same situation of the younger son receiving the birthright and the special blessing normally reserved for the firstborn son appears again in Jacob's greater blessing to Ephraim, the younger of Joseph's two sons. When Jacob started to bless Ephraim (the younger son) with his right hand, Joseph tried to correct him: "'Not so, my father! Since this one [Manasseh] is the firstborn, put your right hand on his head.' But Jacob refused and explained, 'I know, my son, I know; he also shall become a people [a nation], and he also shall be great. Nevertheless his younger brother [Ephraim] shall be greater than he, and his offspring [the descendants of Ephraim] shall become a multitude of nations'" (Genesis 48:17–19).

The key prophetic concept is an abundance of offspring that reflects the firstborn's strength and procreative vigor. Although Manasseh was to become a people, Ephraim's offspring were to become plentiful enough for many nations. The distinction between one nation and many echoes the prophecy for Ishmael, the son of Abraham who lost the birthright ("I will make him a great nation," Genesis 17:20b), and for Abraham himself ("I will make you exceedingly fruitful; I will make nations of you," Genesis 17:6).

Conclusion

The birthright was the inheritance to which the firstborn son was entitled by virtue of the position of his birth. God declared Israel, meaning all of the children of Israel, to be His firstborn son and then redeemed them from the last plague in Egypt. Although Jewish tradition since Rashi has typically followed his understanding that Israel in Exodus 4:22 is “an expression of greatness,” this study finds ample evidence in the Hebrew Scriptures and in Jewish tradition earlier than Rashi to substantiate the meaning as the children of Israel. After redeeming the children of Israel from death in Egypt, God then offered continuing redemption by substitution of a qualified sacrificial animal.

The inheritance of the birthright was more than the commonly understood double portion of the father's possessions. The firstborn also received four additional benefits and responsibilities: a special blessing, the office of high priest to his tribe, a position of leadership and authority, and procreative power—all apparently for the role of leading God's people. However, the son born to the birthright could lose this special inheritance by failing to develop and exhibit commitment and service to God that are characteristic of priestly service and leadership in battle. When the firstborn sons lost their birthright (Ishmael, Esau, Reuben, and Manasseh), this special inheritance passed on to another son considered worthy of assuming a leadership role and procreative power (Isaac, Jacob, Joseph, and Ephraim).

After the Exodus from Egypt, God consecrated all the subsequent firstborn sons of Israel and set them apart as holy and sanctified. That God recognized sanctification only of the firstborn sons may represent metaphorically a selection process that chose those whose commitment was to obey and serve God.

It was mentioned at the beginning of this article that in Galatians 4:24 Paul points historically to conditions of slavery and freedom that affected the inheritance of the children of Israel. These conditions of slavery and freedom may relate to the finding of this study. All the children of Israel were entitled to the birthright as God's firstborn son. However, individuals could lose this privileged inheritance by failing to submit to God through the worship of service, which may be true freedom from bondage to the ways of the world. The relationship between inheritance and the conditions of slavery and freedom call for further study.

Summary

This article proposes that the nature of the inheritance by the children of Israel is more than eternal life or its alternative, eternal death. We conclude that all the children of Israel were born to the birthright to which a firstborn son was entitled. The Hebrew narrative discloses that the birthright required a commitment to serve and obey God, apparently for a future prophetic service of leadership. The Hebrew text portrays individuals losing the inheritance of the birthright, suggesting that individual children of Israel could lose the inheritance of the firstborn son. When this loss occurred, the birthright would then pass on to

another son who was worthy. Yet all the sons received an inheritance, although not all received the inheritance of the birthright.

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