

Potomac Torah Study Center

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Note: The Nine Days start Thursday evening, July 28

NOTE: Devrei Torah presented weekly in Loving Memory of Rabbi Leonard S. Cahan z"l, Rabbi Emeritus of Congregation Har Shalom, who started me on my road to learning more than 50 years ago and was our family Rebbe and close friend until his untimely death.

Devrei Torah are now Available for Download (normally by noon on Fridays) from www.PotomacTorah.org. Thanks to Bill Landau for hosting the Devrei Torah archives.

What is the first thing that comes to your mind when Pinchas approaches in the Torah cycle? I suspect that most people think of Pinchas' killing at Baal Peor and God's reaction. Some people may think of the Musaf korbanot later in the parsha. I suspect that fewer people think first of the daughters of Zelophehad, the final census of the people before entering the land, or God's instruction to Moshe to turn over leadership to Yehoshua and then climb the mountain to die.

Most years we read Pinchas during the Three Weeks (period of mourning leading up to Tisha B'Av, the date of the destruction of both Temples in Jerusalem). Zimri (son of the leader of Shimon) and Cozbi (daughter of a leader of Midian) consort in front of an idol to Baal, near the Israelite camp. Moshe apparently feels that he cannot not stop the incident, probably because his wife and father-in-law are Midianites. God shows His displeasure by sending a plague that kills Jews around them. Pinchas rises, takes a spear, and kills Zimri and Cozbi while they are engaging in a sexual act in front of the idol. The plague ends immediately, and God rewards Pinchas with a covenant of peace and a covenant of eternal priesthood – all future Kohenim Gadolim will come from Pinchas and his direct descendants.

Given the tremendous reward that God gives to Pinchas, are we to consider Pinchas as a model of Jewish behavior? Several of the Devrei Torah in this compilation note that Halacha strongly rejects the notion that anyone could use Pinchas as a model of behavior. Indeed, our tradition strongly rejects those who unilaterally shoot (execute) another individual, attack those who drive through religious neighborhoods on Shabbat or Yom Tov, hold a Bar or Bat Mitzvah by the Kotel, or engage in other behavior that those attacking consider to violate proper religious standards.

Rabbi Lord Jonathan Sacks, z"l, elaborates on the Halacha. If Zimri had turned around, he would have been justified in killing Pinchas in self defense. If Pinchas had killed Zimri and Cozbi before or after they were actively engaged in the immoral act, it would have been murder rather than divinely justified behavior. If Pinchas had asked first, any Rabbi would have said that he could not have acted to stop the plague by killing the couple. In short, Halacha is very clear that Pinchas is a model of murder rather than a directive for future action, even in an emergency. The Torah reports 24,000 Jews killed during the plague at Baal Peor. This number represents four percent of the 600,000 men in the camp or nearly one percent of the estimated three million Jews (counting women and children as well as men). According to Halacha, a plague or event that is likely to kill one to four percent of the Jews does not justify a zealous act on the order of Pinchas. Zealotry is not an approved model for behavior – almost certainly because what is proper zealotry for one person is blatant murder to many others.

A person reading only the written Torah would not see that our tradition considers Pinchas as a very rare exception and not a model for appropriate behavior, even in an emergency. Given the risk of some poorly trained individuals interpreting Pinchas improperly, I find it strange that we read from this parsha more frequently than from any other Torah portion. We read from chapters 28 and 29 on every Rosh Hodesh and every holiday – the Musaf or additional offerings that Jews brought to the Mishkan or Temple on these days. We read from Pinchas so often that most synagogues keep a Kosher Sefer Torah rolled to Pinchas at all times, to minimize the amount of time required to find the text for the Musaf offerings. (The Musaf Amediah on Shabbat also quotes 28:9-10, but we read these verses from a Sidur, not from a Torah, on Shabbat.)

The Musaf korbanot for Sukkot tie Pinchas to relations with other nations. During Sukkot, Jews would bring and sacrifice 70 parim (bulls) and 56 lambs for Musaf, all burnt offerings (given entirely to Hashem) over the course of the holiday. The 70 bulls represent the 70 nations of mankind, a tradition going back to Parashat Noach. Sacrificing from seven to thirteen bulls and seven lambs a day for a week represents a tremendous amount of meat – especially since the Jews' diet during the festivals consisted primarily of shelomim meat (shared offerings of large animals). It is difficult for a modern person to appreciate how much meat our ancestors gave to Hashem during Sukkot every year. We also have no evidence that the non-Jewish nations ever appreciated the tremendous sacrifice of meat that the Jews gave entirely to Hashem (burnt offerings) to pray for the welfare of the other nations.

The story of Pinchas earning great rewards from God may appeal to boys who read about action characters and aspire to become great heroes like them. My beloved Rebbe, Rabbi Leonard Cahan, z"l, discussed Pinchas on many occasions – and like the authors in this compilation (below), always explained that one may not follow the example of his behavior. Even a frum person may not generalize his behavior from every hero in the Torah. The written Torah is only a starting place. Hashem gave Moshe the oral as well as the written Torah, and one must study Rabbinic Judaism as well as the written Torah to understand the obligations of a Jew. May we all teach our children and grandchildren to live responsibly and to learn Halacha before acting in an extreme way. Shabbat Shalom.

Note: My close friend and mentor Rabbi Yehoshua Singer gave me very detailed and important feedback on this message. With his permission, I am including his insights as the first Dvar Torah below.

Much of the inspiration for my weekly Dvar Torah message comes from the insights of Rabbi David Fohrman and his team of scholars at www.alephbeta.org. Please join me in supporting this wonderful organization, which has increased its scholarly work during the pandemic, despite many of its supporters having to cut back on their donations.

Please daven for a Refuah Shlemah for Yehoshua Mayer HaLevi ben Nechama Zelda, Yonatan Ophir ben Ilana, Leib Dovid ben Etel, Asher Shlomo ben Ettie, Mordechai ben Chaya, Hershel Tzvi ben Chana, Uzi Yehuda ben Mirda Behla, David Moshe ben Raizel; Zvi ben Sara Chaya, Eliav Yerachmiel ben Sara Dina, Reuven ben Masha, Meir ben Sara, Oscar ben Simcha; Sharon bat Sarah, Noa Shachar bat Avigael, Kayla bat Ester, and Malka bat Simcha, who need our prayers. Please contact me for any additions or subtractions. Thank you.

Shabbat Shalom,
Hannah & Alan

Further Thoughts on Alan Fisher's Message Regarding Pinchas by Rabbi Yehoshua Singer *

[ed. Note]: Rabbi Yehoshua Singer sent me feedback on my remarks so relevant and significant that they deserve their own by-line. Note: My close friend Rabbi Yehoshua Singer sent me extensive and important comments on an earlier version of my remarks on Pinchas. His insights are so significant that they deserve wide circulation. I have not been able to reach Rabbi Singer this morning to seek his permission to share the remarks. After much internal thought, I decided to share his remarks. Please read them for his important insights and realize that he did not write them as his article, only as comments to me. I hope that he will not be upset at my sharing his comments. I do so only because of the significance of his insights and the lack of additional time before I must send out my posting.. Thank you.

- In the 2nd paragraph you briefly touch on Moshe's inaction. The Gemara in Sanhedrin 82a explains that the reason all of the leaders were crying as noted in Balak is because they forgot the halacha and didn't know what to do. One suggestion (unfortunately I forgot the source) is that Hashem miraculously made everyone forget to provide an opportunity for Pinchas to rise to the occasion.

- In the 3rd paragraph you list a variety of ways people may act with inappropriate zealotry. Over the past several weeks, I have been contemplating the meaning of working with others, true peace, etc. I continually return to a line the

Mesillas Yesharim writes in his introduction. He tells us that the essence of living life properly as a servant of G-d is engaging in activities to Strengthen the Torah and perfect the brotherhood of the community. With this model, I realize more and more than when we demonize any part of society, we may not be acting properly. This insight is in essence the lesson you are noting about Pinchas. It is not always our place to stand up for what's right -- when doing so at someone else's expense. We must know how and when to do so. Particularly during the three weeks, when we need to focus on loving our fellow Jew, it is important to find the good in others. For example, I would rephrase this paragraph to conclude: "Although we see how much Hashem values standing up for what's right and correcting the errors of society, our tradition strongly encourages us to find other avenues by which to do so. Only very rare individuals like Pinchas should react by killing or even chasing away or harming another, and even then only under very specific and rare circumstances."

- In the 4th paragraph you note that if Pinchas had asked first he would have been told not to act. The same Gemara in Sanhedrin tells us that according to Rav, Pinchas did ask first and then Moshe told him he should go ahead and be the one to kill Zimri. (Shmuel agrees that Pinchas wanted to ask, but says that he chose not to because of the need to act immediately to stop the desecration of G-d's name and the spreading of evil among the people which had already begun.) Pinchas asked if this was the correct approach for a zealot to take in dealing with Zimri. He did not ask if he was worthy of being a zealot and taking action. Asking what the correct approach is, is not a problem. The problem is asking if one is sincere and devoted enough to act, and if he can be secure that he is acting out of love and concern for G-d and for the Jewish people. If he does not feel 100% confident that he is worthy and that his motives are pure, then he is not yet on the level to take this approach.

- In the same paragraph you continue and discuss how we view Pinchas's mode of behavior. I think the way you wrote it in the beginning of the next paragraph is more clear - not that Pinchas is a model of murder, but rather that **Pinchas is simply not a model, he is the exception and not the rule**. In the same vein, I would not say that the plague only justifies a zealous act if one is indeed worthy of that title of zealot. Hashem rewarded Pinchas for killing Zimri to save everyone else. I would say that even when there is a plague and it is a dire emergency, we still consider Pinchas the exception. No emergency could ever change that. **Zealotry is always the exception and NOT the model for the public to follow**.

Lastly, the thought which I had that I believe flows from what you wrote, is that it makes great sense that we read from Pinchas so often, if we consider our rabbis' perspective on Pinchas. From the perspective of Chazal and the Gemara, it is obvious and unquestionable that we must teach the masses never even to consider following Pinchas's example. For almost everyone it is simply murder and is horrifyingly evil. As Rav Chisda says, even if one asks to confirm that he is worthy, then we know that he is not worthy. While at first this may seem strange to focus on Pinchas, the answer is the korbanos that we read. **We give the korbanos as gifts to G-d. It is our opportunity to connect with Hashem and to express our love for Him and our appreciation and recognition of all that He has given us. This connection and appreciation is the essence of Torah Judaism.** Therefore, it is not our external appearances that define us, but rather our internal motives and feelings that define us. Pinchas epitomizes this idea. Even an act as horrific as murder can be pure and noble if its motivation is a deep and true feeling of connection with and appreciation for G-d. **This feeling of connection and appreciation, however, must include an appreciation for G-d's people.** Life is not black and white. Nothing is purely evil and nothing is purely good. Therein lies the beauty of Torah. There is a unique path for every unique individual and for every unique set of circumstances within that individual's life. This leads to your closing paragraph, there are no simple, obvious answers. We need to study and have the whole picture of all that G-d has told us. Only then, can we begin to understand G-d's message and will for us as individuals.

* Am HaTorah Congregation, Bethesda, MD. Shared with permission.

Dvar Torah: Pinchas: Paradigm of Peace

by Rabbi Label Lam © 2004

"Therefore say, 'Behold! I give him My covenant of peace!'" (Bamidbar 25:12)

It's a strange thing that the "peace prize" should be offered to one who just carried out such a brutal act as Pinchas had done. Sure it was a surgical strike and it stopped the scourge of destruction that was sweeping the Jewish camp but the "peace prize"?

It is reported that a student of the sainted Chofetz Chaim came to him with a seemingly mundane question. This young man was considering a banking position. He wanted to know whether or not he should accept a seat at the window that cashed checks or the one that accepted deposits. The Chofetz Chaim had a definite opinion on the matter. He advised him strongly to plant himself in the place that was cashing the checks, reasoning that if he would be receiving money daily over decades it would misshape his personality into a taker but if he would be handing out money he would be more inclined to become a giver.

There is a principle stated by the Sefer HaChinuch that “a person is impacted by the action of what he does.” The Mesilas Yesharim says a similar idea in a slightly different way, “Outer movements awaken our internality.” For this reason so much emphasis is placed on “doing” on “performing” deeds even if the heart is not “in it” initially. We can be made to care and love by performing acts of caring and acting in a loving fashion. A hardened criminal can actually be softened by doing constant acts of kindness, and a sweet kindly Candy Striper can be made mean and callous over time by being made to perform continuous actions of cruelty.

For this reason a Doctor is advised to do some extra acts of kindness each day. Every profession has its peculiar occupational hazards, but why should a Doctor need to do “make nice” after a full day of healing? The answer is that we are impacted by the experience of what we actually do. Even though the good Doctor is helping people when administering a shot or feeling around for the point of soreness to determine whether it’s a break or a strain, still, the experience is an experience of afflicting pain, all day, sometimes. “This won’t hurt a bit...or only for a moment...” and then the torture begins.

The same applies to the fellow at the bank teller’s window. In theory the one who takes money for deposit is helping people save and the money he handles is clearly not his own, still, his experience is training him to be a taker. The one who is handing money out, although it is certainly not his own to be generous or stingy with, he is being made into a giver. Over the course of time a difference in character would be manifest.

Pinchas perhaps needed to receive a “covenant of peace” as a kind of protection from the impact of the deed that he had performed. He had just carried out an act that in any other context would be considered cruel and criminal. Regardless of his noble intentions and the ultimate good that resulted from his deed there remains a stain of bloodshed and a residue of cruelty in his system. The extra reward that Pinchas received in this instance was that he would be spared the internal consequences of the terribleness of the action he carried out. He and his children would become Cohanim, the students of and heirs to Aaron’s legacy, “Pursue peace and love peace, love people and bring them close to Torah.”

It’s reputed that the pilots that dropped bombs on Hiroshima and Nagasaki later went insane, even though it can be argued that their actions actually spared further deaths. We can appreciate how haunting life might be after such an episode. Pinchas was no less sensitive to the life of a single individual. For some lofty reason, perhaps due to the extreme purity of his intentions, he was granted the ability to transcend any trace of the tragic and even with a single act become the paradigm of peace.

Good Shabbos!

<https://torah.org/torah-portion/dvartorah-5770-balak/>

Smile! No, I Mean Really Smile! Thoughts for Parashat Pinehas

by Rabbi Marc D. Angel *

A while ago, I needed some dental work. As I was sitting in the dentist’s waiting room, I noticed a rack of brochures dealing with various dental procedures. Having a little time on my hands, I decided to look more closely at these brochures.

One of them was ominously entitled: Root Canal. On the cover was a picture of an attractive, smiling woman with perfectly straight, white teeth. Hmm! I have never met anyone who broke out into a wide smile upon learning she/he needed root canal work. Another brochure featured: Gum Disease. The cover of that brochure included four happily smiling people, all with perfect white teeth. Hmm again! I have never come across anyone who smiled upon learning she/he had gum

disease and would need lots of unpleasant and expensive dental care. And so it was with all the other brochures, each describing dental procedures, and each featuring a smiling face on the cover.

I suppose the creators of these brochures wanted to give a “positive spin” to dental work, and to make patients feel cheerful and relaxed by seeing happy people on the brochure covers. I’m not sure of the success of this strategy on others but it did not relieve my own anxieties in the least.

I know that the brochure makers would not want to show pictures of patients groaning in agony. But perhaps they could have chosen some other illustrations for their brochure covers. To show pictures of smiling people is surely misleading if not just plain false.

We realize that the people in the pictures are paid models. They aren’t really having root canal work or dreading their own gum disease. They are not portraying reality, but are participating in the creation of a positive image for p.r. purposes. But instead of convincing us to be happy, these smiling models strike us as being participants in a con job. They are not genuine. They cannot be trusted. Anyone who smiles brightly while contemplating root canal work is not someone who can be relied upon for good judgment.

This brings us to this week’s Torah portion.

Moses knows he will not be leading the Israelites into the Promised Land. He pleads with the Almighty to appoint his successor, a leader “who will go out before them and come before them, who will lead them out and bring them in, so that the congregation of the Lord will not be like sheep without a shepherd” (Bemidbar 27:17). Rashi explains that Moses is asking for a leader who will take responsibility, who will be in the front lines of battle and not sit back at home while others do the fighting. Seforno adds that the leader should not only be involved in war, but should also be personally and actively engaged in the day to day management of the people. Other commentators note that Moses is calling for a shepherd, a person who tends the flock with great care and who is held responsible for any losses.

Moses is seeking a leader who will be genuine, reliable and trustworthy. He asks for a leader who takes personal responsibility for each member of the community. He wants a real leader, not a false image of a leader. He wants a leader with an honest countenance, not one with a fake smile. He wants someone who actually believes in his mission, not someone who pretends to be a leader and goes through the charades of leadership for p.r. purposes.

Many contemporary social critics have lamented the shortage of honest, sincere, authentic leaders. Politicians are widely perceived as being self-serving egotists. Leaders in religious life, academia, the business world etc. have all fallen in esteem in the eyes of the public; they are often viewed as petty, power hungry or manipulative. Instead of being shepherds who genuinely care about their flocks, the worst among them tend to care more about their own honors and emoluments.

Happily, though, there are genuine, fine leaders in the world. We are blessed with examples of authentically sincere, hard-working and selfless individuals who put the community’s interests above their own, who are genuine shepherds rather than con artists.

God informed Moses that He would appoint Joshua as his successor. Joshua is described as a man “in whom the spirit resides.” Joshua had demonstrated the qualities of courage, the ability to stand up against the crowd, loyalty to Moses and to the entire public. He was endowed with “the spirit” i.e. integrity, authenticity, selflessness. Joshua could be trusted; he was genuine.

We often come across people who are as untrustworthy and unconvincing as the smiling faces on the cover of the root canal brochure. Less often do we meet people of the caliber of Joshua.

But it is the Joshuas of the world who we admire, respect and trust. It is they — and only they — who are worthy to be our friends and our leaders.

* Founder and Director, Institute for Jewish Ideas and Ideals.

The Institute for Jewish Ideas and Ideals has experienced a significant drop in donations during the pandemic. The Institute needs our help to maintain and strengthen our Institute. Each gift, large or small, is a vote for an intellectually vibrant, compassionate, inclusive Orthodox Judaism. You may contribute on our website jewishideas.org or you may send your check to Institute for Jewish Ideas and Ideals, 2 West 70th Street, New York, NY 10023. Ed.: Please join me in helping the Institute for Jewish Ideas and Ideals at this time.

<https://www.jewishideas.org/smile-no-i-mean-really-smile-thoughts-parashat-pinehas>

Musings on Intellectual Freedom: Blog by Rabbi Marc D. Angel

Rabbi Marc D. Angel *

I recently had some correspondence with a rabbinic colleague in which we discussed ideas relating to the role of women in halakha. I had offered some thoughts on how I imagined things would be in messianic times. He found my ideas somewhat interesting and then asked: do you have a source for them?

I replied: The source is my own thinking.

Our dialogue then reached a cordial conclusion.

I mulled over this conversation, and realized that it reflects some of the problems I have with much discussion within the Orthodox world. It is increasingly difficult to express an idea without pinning it to an “authority” or a reliable “source.” Independent thinking is not considered to be good form.

If I had told my colleague that I had found my idea in a midrash, or a classic rabbinic work, or even in the writings of an obscure kabbalist...he would have taken my words more seriously. After all, I had a source!

But shouldn't ideas be evaluated on their own merit? A statement isn't truer if someone said it a few hundred years ago, even if that someone was a great scholar and sage. A statement is not less true if it is espoused by someone today, who has no “source” to substantiate his or her views.

Yes, certainly, we have a proper tendency to give more weight to the opinion of sages such as Rambam than the opinion of a person who is far less learned than Rambam. We assume that Rambam (or other “authority”) was surely wiser and more knowledgeable than we are; if early sources didn't come up with our idea, then it must be that our idea is wrong...otherwise the previous “authorities” would have said it first.

But this line of thinking keeps us focused on the past, and doesn't allow enough freedom to break new ground, to come up with novel ideas and approaches. It has been said that reliance on the authority of Aristotle kept philosophy from developing for a thousand years; reliance on the medical teachings of Galen kept medicine from advancing for many centuries. Whether in the sciences, arts or philosophy, innovation is a key to progress. An atmosphere of intellectual freedom allows ideas to be generated, evaluated, rejected, accepted...it provides the framework for human advancement.

It is intellectually deadening to read articles/responsa or hear lectures/shiurim that are essentially collections of the opinions of early “sources” and “authorities.” Although it is vital for rabbis and scholars to be aware of the earlier rabbinic literature, it is also vital that they not be hemmed in by those opinions. One needs the intellectual freedom to evaluate sources, to accept what is deemed acceptable, to reject what is objectionable...and to offer one's own views on the topic, even if no earlier source/authority exists.

Oh yes, I have a source for these views!

Rambam wrote (Guide of the Perplexed, 2:13): “For when something has been demonstrated, the correctness of the matter is not increased and certainty regarding it is not strengthened by the consensus of all men of knowledge with regard to it. Nor could its correctness be diminished and certainty regarding it be weakened even if all the people on earth disagreed with it.” Rambam also noted (Mishneh Torah, Hilkhot Kiddush Hahodesh 17:24): “Since all these rules have been established by sound and clear proofs, free from any flaw and irrefutable, we need not be concerned about the

identity of their authors, whether they be Hebrew prophets or gentile sages.” We rely on the proofs, not on the credentials of the author.

Some years ago, I wrote an article “Orthodoxy and Diversity,” in which I expressed my concerns. “Orthodoxy needs to foster the love of truth. It must be alive to different intellectual currents, and receptive to open discussion. How do we, as a modern Orthodox community, combat the tendency toward blind authoritarianism and obscurantism?

First, we must stand up and be counted on the side of freedom of expression. We, as a community, must give encouragement to all who have legitimate opinions to share. We must not tolerate intolerance. We must not yield to the tactics of coercion and intimidation.

Our schools and institutions must foster legitimate diversity within Orthodoxy. We must insist on intellectual openness, and resist efforts to impose conformity: we will not be fitted into the bed of Sodom. We must give communal support to diversity within the halakhic framework, so that people will not feel intimidated to say things publicly or sign their names to public documents.”)Here’s the link to that article: <https://www.jewishideas.org/article/orthodoxy-and-diversity>(

When well-reasoned views are expressed, they should be evaluated fairly. Quoting “sources/authorities” does not in itself validate an opinion. Not quoting “sources/authorities” does not invalidate an opinion.

We certainly should draw on the wisdom and scholarship of others, and we should give them due credit when we learn from them and quote their words. But we should not shut off our own brains, nor feel unable to express an opinion without basing it on an earlier source. A thinking Judaism makes us better Jews...and better human beings.

* Founder and Director, Institute for Jewish Ideas and Ideals.

<https://www.jewishideas.org/blog/musings-intellectual-freedom-blog-rabbi-marc-d-angel>

Charisma: A Note on the Dangerous Outer Boundary of Spirituality

By Paul Shaviv *

For the past several years, I have contributed postings to a number of websites on the subject of the dangerously charismatic teacher in schools. The material was based on my book on Jewish school management that was published at the beginning of 2010. The section on the charismatic teacher was entitled “The Pied Piper.””j[

Tragically, between the time that the section was originally written)in 2007(and the time the book was published, a former Jewish Studies teacher at our school was arrested on very serious charges of sexual molestation and assault. His alleged offenses were committed in Israel. Following his arrest, an investigation in Toronto unearthed many issues of concern. He had exemplified many of the good and many of the bad characteristics of the charismatic teacher, especially one active in the religious life of the school. While in Toronto)as a shaliah(he had been immensely popular; had been idolized by students and by some staff; was a talented musician, much in demand locally as a singer at weddings and other community celebrations; and was also used by NCSY as a youth leader and resource. Many former students testified to the profound religious influence he had on their lives. Others — as it emerged — had far darker, tragic, and damaging memories.

The whole episode and its aftermath caused me many hours of reflection, and made me reconsider fundamentally many other encounters throughout my life with charismatic rabbis and teachers — in both personal and professional capacities. I concluded that although many good teachers and rabbis have elements of charisma in their personalities and style, the overtly charismatic personality almost always masks far more sinister agendas, and must be treated and managed with the utmost caution. The tipping point is where the personality of the teacher/rabbi is more important than the content of his message or teaching. Sadly, most readers of this article will be familiar with examples from within our own community, let alone examples from other educational and religious communities.

Where, though, are the boundaries? At what point does charisma become dangerous? In a community)and a wider world(where an elusive quality called “spirituality” is constantly sought as representing the “authentic” in the religious

quest, how can the individual, or the community, or the responsible leader, distinguish the teacher with integrity from the predator?

It can be difficult; but there are some obvious danger signs. They may be present in different combinations, and seem to have some degree of overlap with recognized patterns of cult behavior, although they are rarely so blatant. They may include, but are not limited to:

The personality of the rabbi/teacher becomes the most important part of his presence, rather than the content of what he is teaching. When people go to a shiur, or a workshop, or a lesson, to see what “X” is doing or saying — rather than what “X” is teaching — a personality cult is in the making. The same applies when their conversation is about X’s latest action, or remark, or appearance — rather than X’s “Torah.” A truly spiritual personality, in a Jewish context, is concerned to bring people to God, not to himself)more rarely — herself(.

Extreme emotional or pseudo-intellectual manipulations are being used to demonstrate that X, and only X, has “the answer.” A spiritually and intellectually honest teacher will rarely deal in absolutes.

The teachings and views of others — particularly rivals for the charismatic teacher’s popularity — are openly disparaged or undermined.

In an institutional or community setting, the followers of the charismatic rabbi/teacher become a group within a group. They do not mix with others, and see themselves as an elite.

Individuals or small groups regard themselves as favored protégés of the teacher. When they no longer uncritically accept the teacher’s philosophy or Torah, they are quickly dropped; disillusion — often accompanied by feelings of betrayal — sets in.

Counseling, advice and guidance are being given on deeply personal, perhaps intimate matters, far beyond the training and competence of the rabbi/teacher. The personalities we are describing will often invite such disclosures. There is one clear sign that should immediately raise red flags:

The rabbi/teacher teaches, or shows by behavior, that he or she is exempt from the rules that apply to others. Mesmerized followers accept that “it” — whatever “it” is — is permissible or not problematic because the rabbi/teacher has special reasons, or a special argument, or special circumstances, or special authority, to justify the behavior. Often, there is an accompanying condition: Don’t tell anyone about this, because no one else can understand.

This is most obvious in a sexual context, but any and every such instance is suspect. Are meetings and encounters taking place at times, places, and in circumstances that violate accepted norms and practices? Are improper communications passed between individuals? Are money, gifts, favors, special treatment being exchanged?

The sad list goes on. Unfortunately, in our community context, too many people who should know better willfully ignore such danger signs, arguing that the ends justify the means. The word “kiruv” frequently figures in such discussions. It takes a great deal of courage, and a great deal of conviction, to stand up against this type of activity.

We live in a time of extremes. Some of the religious leaders of our age have embarked on a battle against the world we live in. The argument that to be a loyal Jew)a “Torah Jew”(involves rejection of science and culture has to involve an emotional, not an intellectual position, and ipso facto it has to involve rejection — usually vehement rejection — of others. Parallel or analogous political positions and beliefs will generate similar behaviors. They all encourage extreme personalities. Tolerating, let alone encouraging, extreme personalities makes the group vulnerable to unhealthy influence and behavior.

We need charisma — it has an honorable history in leadership, certainly including models of Jewish leadership — but we need it to be combined with uncompromising, uncompromised, and comprehensive integrity. That integrity has to be religious, emotional, behavioral, and intellectual. But it is very difficult to be a charismatic moderate!

Ji[The character of the Pied Piper remains a seductive and sinister figure in folklore. According to legend, in 1284, 130 children mysteriously disappeared from the medieval German city of Hamelin)Hameln(. A man dressed in colorful)“pied”(clothing, and playing a pipe mesmerized the city’s children with his music. Bewitched, and entirely under his control, they blindly followed him out of the city to an unknown destination, and were never seen again.)Also by playing his pipe, he

had lured the rats that plagued the city to their deaths by drowning in the local river. The town council refused to pay him for his services. In an act of revenge, he worked his magic on the children.(The poet Robert Browning)1812–1889(immortalized the story in verse)"The Pied Piper of Hamelin"(.

* Former Director of Education at TanenbaumCHAT, the community high school of the Toronto Jewish community, since 1998. The school is the largest Jewish high school in the Diaspora, with almost 1,500 students)G9-G12(on two campuses. He subsequently served at Ramaz High School in New York, and currently is a highly regarded education consultant.

<https://www.jewishideas.org/article/charisma-note-dangerous-outer-boundary-spirituality>

Parshas Pinchas -- A Good Eye

by Rabbi Mordechai Rhine * © 2014

Moshe was nearing the completion of his career. Although he would have liked to continue and lead the Jewish people into the Land of Israel, Hashem told him that this was not to be. Instead Moshe was told, "Ascend the mountain, and look at the land which I have given to the people of Israel." What was the purpose of this "looking" which Moshe was directed to do?

There is a beautiful story about Rabbi Shlomo Zalman Auerbach of Yerusholayim in which a man who was working in Rabbi Auerbach's yeshiva informed the Rabbi that he would soon be moving to a new apartment. The Rabbi replied with a request that the man should tell him once things were finalized, but before they moved in. The man was surprised by the request, but as soon as the paperwork was completed he informed the Rabbi. Rabbi Auerbach requested that they could go together to see the apartment. And so they did.

When they got to the apartment Rabbi Auerbach asked the man to give him a tour of the apartment, slowly, one room at a time. As they entered each room, the Rabbi smiled broadly and enthusiastically. In each room he added a pleasant comment. "Ah... so this is where the children will play... This is where your wife will cook such nurturing meals... and this is where you will have your Shabbos meals." The man enjoyed the attention and the enthusiasm, but he was a bit confused as to why the Rabbi had taken the time to experience a tour of the apartment.

Rabbi Auerbach realized the man's confusion so he explained. I know that the last few years have been difficult for you. You've had some health problems, and some financial issues. The apartment you were in was too small for your family, and this too was causing much stress. I wanted to bestow an "Ayin Tova- a Good Eye", an attitude of blessing on your new home.

Most of us are more familiar with the concerns associated with "Ayin Horah -- An Evil Eye." Jewish tradition maintains, for example, that it is forbidden to gaze at someone else's harvest with jealousy as that gaze can cause serious damage. Likewise it is not recommended for a person to flaunt one's blessings as this might evoke ill will from those who are not so blessed, and can have serious ramifications.

Interestingly, in its most extreme form, the source of jealousy is really quite fascinating. The commentaries explain that when a person sees blessing by someone else, if he does not have a healthy perspective, he may begin to wish that the blessing or asset would be his. Soon he rationalizes that it really could have been his... and actually should have been his. Finally he begins to think that what his friend has really does belong to him... just that his friend took it from him.

A person who has a healthy perspective realizes that Hashem gives each person what they should have. There is no reason to look at someone else's assets and erroneously think that they were incorrectly assigned. In fact, in its most pristine form, a healthy perspective produces a person who can look at someone else's blessing and wish them only good... even in cases where they themselves also hope to be blessed in a similar way and have not yet been so blessed.

Perhaps this is the great mission placed upon Moshe to "look at the land". Moshe's task was to gaze at the land lovingly and with a sense of blessing. Despite the fact they he desperately wanted to enter the land and was not allowed to, he still was able to bestow an "Ayin Tova- A good Eye" upon the Land and upon those who would be blessed to enter it.

Wishing you and yours a wonderful Shabbos!

Rabbi Mordechai Rhine is a certified mediator and coach with Rabbinic experience of over 20 years. Based in Maryland, he provides services internationally via Zoom. He is the Director of TEACH613: Building Torah Communities, One family at a Time, and the founder of CARE Mediation, focused on Marriage/ Shalom Bayis and personal coaching. To reach Rabbi Rhine, his websites are www.care-mediation.com and www.teach613.org; his email is RMRhine@gmail.com. **For information or to join any Torah613 classes, contact Rabbi Rhine.**

<http://www.teach613.org/balak-mouth-for-hire/> Note: Rabbi Rhine is on vacation for a few weeks, and he has authorized me to reprint selected Devrei Torah from his archives during this period.

Pinchas - Thinking With Your Heart Or Feeling With Your Mind

by Rabbi Yehoshua Singer *

Parshas Pinchas opens with Hashem telling Moshe how important it was that Pinchas killed Zimri and Kozbi. They were creating an indescribable desecration of G-d's name and were bringing great harm to the Jewish people. So great was the desecration and damage that if not for Pinchas everyone could have been swept up in the evil of Zimri, and the entire nation could have been destroyed:

"Pinchas the son of Elazar the son of Aharon the Priest returned My wrath from upon the children of Israel when he avenged My vengeance among them, and I did not wipe out the children of Israel in My wrath."
(Bamidbar 25:11)

Despite the great importance for Pinchas's deed, the Gemara in Sanhedrin (82a) teaches us that most people would not be allowed to take action as Pinchas did. The Mishna teaches that when one creates such a grave desecration of G-d's name, "zealots can kill him." Rav Chisda adds that anyone who has to ask if he is allowed to act is clearly not a zealot. To be allowed to take vengeance on G-d's behalf one must have a true and complete, personal relationship with G-d, such that he feels compelled to act to protect G-d's honor and to save His people. If he has any question in his heart about the depth of his concern, then he is not a true zealot and is not allowed to avenge G-d's honor in this way.

G-d attests that Pinchas was indeed a true zealot. When he saw the great desecration to G-d's name and the threat to the Jewish people, his concern and pain overwhelmed him. He simply had to act.

Yet, the Gemara continues and tells us that this was not Pinchas's reaction. The Gemara describes the scene. Zimri gathered twenty-four thousand people, grabbed Kozbi, dragged her before Moshe and the Sanhedrin (High Court) and declared his intent to live with her despite G-d's prohibition. Moshe and the other members of the court could not remember the appropriate response. Pinchas alone remembered the law. However, seeing that his teachers and those older and greater than him didn't know what to do, Pinchas felt it would be inappropriate for him to act. He, therefore, stayed calm and did not react immediately.

The Gemara quotes two opinions as to what happened next. Rav teaches that Pinchas calmly spoke up and asked Moshe, "Great Uncle, didn't you teach us when you came down from Mount Sinai that one who engages in this act, zealots can kill him?" Moshe responded that Pinchas was indeed correct, and that since he remembered, he should be the one to act. Only then, when Moshe had both agreed with the ruling and appointed him, did Pinchas take action and kill Zimri and Kozbi. Shmuel teaches that Pinchas did not ask. Rather, Pinchas calmly thought over the matter and realized that when G-d's honor is being desecrated we do not give honor to teachers. When he realized that this rule applied to the desecration created by Zimri, then and only then did he step forth and kill Zimri and Kozbi.

According to both opinions, Pinchas clearly was not overwhelmed by his anguish and concern for G-d and the Jewish people. He stayed calm, considered his options and only acted once Torah law dictated that he should. If this is true, then how could Pinchas have been a true zealot? Why was he allowed to take action?

It is said that we sometimes think with our hearts, but it is more important to know how to feel with our minds. Our emotional reactions are directly proportional to our focus and our thoughts. The more we think about a topic, the more deeply we feel about it. The less we focus on it, the less strongly we will react. When Pinchas focused on what Zimri was doing, he felt an

undeniable need to react. However, when he first felt himself reacting, he didn't allow himself to dwell on Zimri. Instead, he controlled his emotions and focused on the relevant Torah laws instead. Only once it was appropriate did he allow himself to focus on Zimri's desecration and react. This is the true greatness of mankind – when emotions are felt with the mind.

* Rabbi, Am HaTorah Congregation, Bethesda, MD. Am HaTorah is in the process of moving. The new address for services is 5909 Bradley Blvd., Bethesda, MD.

Parshat Pinchas

By Rabbi Haim Ovadia **

[Rabbi Ovadia did not submit a Dvar Torah for this week. Watch this space for his future teachings.]

** Torah VeAhava (now SephardicU.com). Rabbi, Beth Shalom Sephardic Minyan (Potomac, MD) and faculty member, AJRCA non-denominational rabbinical school). **New: Many of Rabbi Ovadia's Devrei Torah are now available on Sefaria: <https://www.sefaria.org/profile/haim-ovadia?tab=sheets>** Hebrew quotes from the Torah, omitted here, are in Rabbi Ovadia's original in Sefaria.

From Zeal to Real: Pinchas, You and Me

By Rabbi Yonah Berman *

Zealots. Zeal. Zealotry. Zealousness. A term which is complicated and an ideal which is controversial in our tradition. It was the Zealots who, close to 2100 years ago, destroyed the granaries in Jerusalem, causing our ancestors to have to fight the Romans and ultimately lose the city to them. And it was modern zealots who, just a couple of weeks ago in that very same city, desecrated prayer books, siddurim, belonging to nonOrthodox Jews as they celebrated Bar and Bat Mitzvahs at the Kotel, a terrible chilul HaShem, a desecration of God's name.

Our tradition is not comfortable with zeal. In fact, when it comes to Pinchas, the Talmud describes how his circumstances were out of the ordinary, implying that it was only because of his unique situation that God blessed what he had done (Sanhedrin 82b). While this is one model for religious life, another is found later in our parsha.

The fifth Aliyah, which we read every Rosh Chodesh, describes the Korban Tamid. "You shall bring one lamb in the morning and one in the afternoon" (Num. 28:4). Some rabbis have suggested that this is the most important verse in the entire Torah. Forget Shema. Forget the Ten Commandments. This is it. One lamb in the morning, one in the afternoon.

But why? Why is this so important?

The Maharal of Prague, who lived in the 16th and 17th centuries, describes beautifully that this idea speaks to the sense that we are to be consistent and constant in our relationship with God. Move away from the notion of zeal and from running after some incredible, extraordinary, once in a lifetime experience. Instead, focus on how you act every single day. "One lamb in the morning and one in the afternoon." This becomes the model for when we pray (Berakhot 26b), and also reminds us of the importance of learning Torah and performing acts of gemilut hasadim, kindness, day in and day out.

As we consider our parsha and its protagonist, we recognize that additional models of religious experience exist within our tradition. As we remember and mourn the Temple's destruction in these days leading up to Tisha B'av, my berakha for us is that we be zealous about our everyday actions and about the opportunities afforded to us to learn, to Daven, to act kindly towards others, as we better ourselves, our families, our communities, and the entire world.

Let us end with that beautiful quote from Rabbi Abraham Joshua Heschel:

"A religious man is a person who holds God and man in one thought at one time, at all times, who suffers harm done to others, whose greatest passion is compassion, whose greatest

strength is love and defiance of despair."

Shabbat Shalom.

* Mashgiach, Director of Alumni Engagement and Chair of Professional Rabbinics, YCT Rabbinical School, Riverdale, NY.

When The Walls Get Breached

by Rabbi Moshe Rube* © 2021

My mind has been on walls all week.

First we receive news of the walls collapsing in Surfside. What a blow it has been to the victims, all their loved ones, and the Jewish community as we continue to wait for more news. What a blow it has been for the Birmingham Jewish community and me personally to hear that our honored friend, Gary Cohen and his brother Brad were in there and are still missing. May Hashem have mercy.

Right after that we had the Fast of Tammuz, when we remember the breach of the Jerusalem walls. This past Sunday we gathered in KI to mourn those walls as well as pray for Gary, Brad, and all the victims of Surfside.

Joy and happiness play a central part in Jewish life. But joy can dissipate when the walls come down. "There is no joy like the release of doubt," say our Sages. When the walls fall, when our carefully constructed edifice that we've built to secure ourselves in a world of change and chance tumbles down, we are exposed. We get thrown into the midst of doubt. And we pray to Hashem for guidance.

A way to taper over our new insecurity is escape. Escape into hedonism. Escape into loud and boisterous music. Escape into impulsive Amazon purchases. But during this time of the year, Judaism challenges us to take a different path.

During these weeks until Tisha B'av, we do not listen to joyous music. On the 9th of Av, Halacha enjoins us not to study Torah except for matters that relate to the mourning of the Temple. We can't even read Isaiah's prophecies of hope.

Our Torah and modern psychology know that the only way out is through. Escape does not solve a problem and can cause the wound to fester if done too long. We cannot rebuild our lives with a new and better structure until we fully immerse ourselves in our newfound insecurity.

Not for nothing do our Sages say that "Only those who mourn for Jerusalem will see it in its joy." They do not mean to say that we will be divinely punished if we don't follow the laws of mourning. Rather, they wish to communicate the simple fact that those who have not gone through the mourning process cannot reach the state of joy when we rebuild.

We know that there are many times of joy in the Jewish calendar. The holidays are only 3 months away. And I can't wait to send out emails that have more direct statements of joy soon. But this time of the year is a different time with a different focus.

So we'll keep mourning the Temple and being with the insecurity as we still wait for news from Surfside. We'll keep praying for the Temple to be rebuilt and for the success of the rescue mission. We'll make it out by going through.

Shabbat Shalom.

* Rabbi, Kneseth Israel Congregation, Birmingham, AL. The walls of a large residential building in Surfside, FL collapsed on June 24, 2021. KI member Gary Cohen and his brother Brad were among the victims of the building collapse in this building, where most of the residents were Jewish. Rabbi Rube is on vacation this week, so I am reprinting his Dvar Torah from last year. During the Three Weeks, a time of death for so many of our people, we can remember those who died a year ago.

Rav Kook Torah **Pinchas: Genuine Zealotry**

Why did God present Pinchas, the archetypical zealot, with a covenant of peace? What was the nature of this covenant?

The Prayer of Shemuel HaKatan

The Talmud (Berachot 28b) recounts that Rabban Gamliel, who headed the Sanhedrin in Yavneh after the destruction of Jerusalem, saw the need to make an addition to the daily prayer. The Jewish people needed heavenly protection against heretics and informers. But Rabban Gamliel had trouble finding a scholar capable of composing such a prayer.

In the end, Shemuel HaKatan ('Samuel the modest') agreed to formulate the prayer, called Birkat HaMinim. Why was it so difficult to find a scholar to author this prayer? What made Shemuel HaKatan so qualified for the task?

By its very nature, prayer is a medium of harmony and understanding, full of kindness and love. Any scholar on an appropriate spiritual level is capable of writing prayers that are fitting for a holy and wise nation.

A prayer decrying slanderers and heretics, however, touches upon powerful emotions of hostility and anger. We naturally feel hatred towards our foes and the enemies of our people. To compose a fitting prayer against enemies requires an individual who is utterly pure and holy, one who has succeeded in eliminating all hatred and petty resentments from his heart. In order that such a prayer will be pure, its sole intention must be to limit the damage and correct the evil caused by the wicked, as they impede the world's spiritual and ethical progress. It is for the sake of this pure, unselfish motive that we plead that God vanquish the wicked and foil their evil plans.

Even though one's initial motives are pure, if he is subject to even the slightest feelings of animosity that are naturally aroused when one feels attacked, his thoughts will be tainted by personal hatred, and his prayer will deviate from the true intent. Only Shemuel HaKatan was a suitable candidate to compose this difficult prayer. His life's motto was "Do not rejoice when your enemy falls" (Avot 4:24). Shemuel succeeded in removing all feelings of enmity from his heart, even for personal enemies. Only this saintly scholar was able to compose a prayer against slanderers that would convey the feelings of a pure heart, expressing the soul's inner aspirations for complete universal good.

Refining Zeal

From Shemuel HaKatan we see that zealotry is not a simple matter. Zeal must be carefully refined to ensure that it is truly for the sake of heaven. As Rav Kook explained in Orot HaKodesh (vol. III, p. 244):

"We need to refine the attribute of zeal, so that when it enters the realm of the holy, it should be a pure zeal for God. Since zealotry often contains some slight influence of human failings, our powers of self-examination must determine its primary motive. We must ensure that it is not based on personal jealousy, which rots one's very bones, but rather a zeal for God, which provides a covenant of peace."

When God gave Pinchas a covenant of peace, He affirmed that Pinchas' act of zealotry — defending the Jewish people from idolatrous influences — was performed with pure motives. Only God could testify as to the purity of Pinchas' zeal, that he had acted solely for the sake of Heaven, without any admixture of pettiness or personal animosity. Pinchas' zeal was the product of his burning love for God, an expression of his desire to bring true peace (shalom) and perfection (shleimut) to the world.

(Gold from the Land of Israel, pp. 275-277. Adapted from Olat Re'iyah vol. I, p. 278.)

https://www.ravkooktorah.org/PINCHAS_65.htm

Moral vs. Political Decisions (Pinchas 5780)

By Lord Rabbi Jonathan Sacks, z”l, Former Chief Rabbi of the U.K.*

The coronavirus pandemic raised a series of deep moral and political issues.[1] How far should governments go in seeking to prevent its spread? To what extent should it restrict people’s movements at the cost of violating their civil liberties? How far should it go in imposing a clampdown of businesses at the cost of driving many of them bankrupt, rendering swathes of the population unemployed, building up a mountain of debt for the future and plunging the economy into the worst recession since the 1930s? These are just a few of the many heart-breaking dilemmas that the pandemic forced on governments and on us.

Strikingly, almost every country adopted the same measures: social distancing and lockdown until the incidence of new cases had reached its peak (Sweden was the most conspicuous exception). Nations didn’t count the cost. Virtually unanimously, they placed the saving of life above all other considerations. The economy may suffer, but life is infinitely precious and saving it takes precedence over all else.

This was a momentous victory for the value first articulated in the Torah in the Noahide covenant: “He who sheds the blood of man, by man shall his blood be shed, for in the image of God He created man” (Gen. 9:6). This was the first declaration of the principle that human life is sacred. As the Sages put it, “Every life is like a universe. Save a life and it is as if you have saved a universe.”[2]

In the ancient world, economic considerations took precedence over life. Great building projects like the Tower of Babel and the Egyptian pyramids involved huge loss of life. Even in the 20th century, lives were sacrificed to economic ideology: between six and nine million under Stalin, and between 35 and 45 million under Chinese communism. The fact that virtually all nations, in the face of the pandemic, chose life was a significant victory for the Torah’s ethic of the sanctity of life.

That said, the former Supreme Court judge Jonathan Sumption wrote a challenging article in which he argued that the world, or at least Britain, had got it wrong.[3] It was overreacting. The cure may be worse than the disease. The lockdown amounted to subjecting the population to house arrest, causing great distress and giving the police unprecedented and dangerous powers. It represented “an interference with our lives and our personal autonomy that is intolerable in a free society.” The economic impact would be devastating. “If all this is the price of saving human life, we have to ask whether it is worth paying.”

There are, he said, no absolute values in public policy. As proof he cited the fact that we allow cars, despite knowing that they are potentially lethal weapons, and that every year thousands of people will be killed or maimed by them. In public policy there are always multiple, conflicting considerations. There are no non-negotiable absolutes, not even the sanctity of life.

It was a powerful and challenging piece. Are we wrong to think that life is indeed sacred? Might we be placing too high a value on life, imposing a huge economic burden on future generations?

I am going to suggest, oddly enough, that there is a direct connection between this argument and the story of Pinchas. It is far from obvious, but it is fundamental. It lies in the difference – philosophical and halachic – between moral and political decisions.[4]

Recall the Pinchas story. The Israelites, having been saved by God from Bilam’s curses, fell headlong into the trap he then set for them. They began consorting with Moabite women and were soon worshipping their gods. God’s anger burned. He ordered the death of the people’s leaders. A plague raged; 24,000 died. A leading Israelite, Zimri, brought a Midianite woman, Cozbi, and cohabited with her in full view of Moses and the people. It was the most brazen of acts. Pinchas took a spear and drove it through them both. They died, and the plague stopped.

Was Pinchas a hero or a murderer? On the one hand, he saved countless lives: no more people died because of the plague. On the other hand, he could not have been certain of that in advance. To any onlooker, he might have seemed simply a man of violence, caught up in the lawlessness of the moment. The parsha of Balak ends with this terrible ambiguity unresolved. Only in our parsha do we hear the answer. God says:

"Pinchas, son of Eleazar, son of Aaron the Priest, has turned back My anger from the Israelites by being zealous among them on My behalf, so that I did not wipe out the Israelite people in My zeal. Therefore say: I am making with him My covenant of peace." Num. 25:11-12

God declared Pinchas a hero. He had saved the Israelites from destruction, showed the zeal that counterbalanced the people's faithlessness, and as a reward, God made a personal covenant with him. Pinchas did a good deed. Halachah, however, dramatically circumscribes his act in multiple ways. First, it rules that if Zimri had turned and killed Pinchas in self-defence, he would be declared innocent in a court of law.[5] Second, it rules that if Pinchas had killed Zimri and Cozbi just before or after they were engaged in cohabitation, he would have been guilty of murder.[6] Third, had Pinchas consulted a Bet Din and asked whether he was permitted to do what he was proposing to do, the answer would have been, No.[7] This is one of the rare cases where we say Halachah ve-ein morin kein: "It is the law, but we do not make it known." And there are many other conditions and reservations. The Torah resolves the ambiguity but halachah reinstates it. Legally speaking, Pinchas was on very thin ice.

We can only understand this by way of a fundamental distinction between moral decisions and political decisions. Moral decisions are answers to the question, "What should I do?" Usually they are based on rules that may not be transgressed whatever the consequences. In Judaism, moral decisions are the province of halachah.

Political decisions are answers to the question, "What should we do?" where the "we" means the nation as a whole. They tend to involve several conflicting considerations, and there is rarely a clear-cut solution. Usually the decision will be based on an evaluation of the likely consequences. In Judaism this sphere is known as mishpat melech (the legal domain of the king), or hilchot medinah (public policy regulations).[8] Whereas halachah is timeless, public policy tends to be time-bound and situational ("a time to kill and a time to heal, a time to tear down and a time to build").

Were we in Pinchas' position, asking, "Should I kill Zimri and Cozbi?" the moral answer is an unequivocal 'No.' They may deserve to die; the whole nation may be eyewitnesses to their sin; but you cannot execute a death sentence without a duly constituted court of law, a trial, evidence and a judicial verdict. Killing without due process is murder. That is why the Talmud rules Halachah ve-ein morin kein: if Pinchas had asked a Bet Din whether he were permitted to act as he intended, he would be told, No. Halachah is based on non-negotiable moral principle, and halachically you cannot commit murder even to save lives.

But Pinchas was not acting on moral principle. He was making a political decision. There were thousands dying. The political leader, Moses, was in a highly compromised position. How could he condemn others for consorting with Midianite women when he himself had a Midianite wife? Pinchas saw that there was no one leading. The danger was immense. God's anger, already intense, was about to explode. So he acted – not on moral principle but on political calculation, relying not on halachah but on what would later be known as mishpat melech. Better take two lives immediately, that would have been eventually sentenced to death by the court, to save thousands now. And he was right, as God later made clear.

Now we can see exactly what was ambiguous about Pinchas' act. He was a private individual. The question he would normally have asked was, "What shall I do?", to which the answer is a moral one. But he acted as if he were a political leader asking, "What shall we do?" and deciding, based on consequences, that this would save many lives. Essentially, he acted as if he were Moses. He saved the day and the people. But imagine what would happen anywhere if an ordinary member of the public usurped the role of Head of State. Had God not endorsed Pinchas' action, he would have had a very difficult time.

The difference between moral and political decisions becomes very clear when it comes to decisions of life and death. The moral rule is: saving life takes precedence over all other mitzvot except three: incest, idolatry and murder. If a group is surrounded by gangsters who say, "Hand over one of you, or we will kill you all," they must all be prepared to die rather than hand over one.[9] Life is sacred and must not be sacrificed, whatever the consequences. That is morality; that is halachah.

However, a king of Israel was permitted, with the consent of the Sanhedrin, to wage a (non-defensive) war, even though many would die as a result.[10] He was permitted to execute a non-judicial death sentence against individuals on public policy grounds (le-takken ha-olam kefi mah she-ha-sha'ah tzerichah).[11] In politics, as opposed to morality, the sanctity of life is a high value but not the only one. What matters are consequences. A ruler or government must act in the long-

term interests of the people. That is why, though some will die as a result, governments are now gradually easing the lockdown provisions once the rate of infection falls, to relieve distress, ease the economic burden, and restore suspended civil liberties.

We have moral duties as individuals, and we make political decisions as nations. The two are different. That is what the story of Pinchas is about. It also explains the tension in governments during the pandemic. We have a moral commitment to the sanctity of life, but we also have a political commitment, not just to life but also to “liberty and the pursuit of happiness.”[12] What was beautiful about the global response to Covid-19 was that virtually every nation in the world put moral considerations ahead of political ones until the danger began to recede.

I believe that there are moral and political decisions and they are different. But there is a great danger that the two may drift apart. Politics then becomes amoral, and eventually corrupt. That is why the institution of prophecy was born. Prophets hold politicians accountable to morality. When kings act for the long-term welfare of the nation, they are not criticised. When they act for their own benefit, they are.[13] Likewise when they undermine the people’s moral and spiritual integrity.[14] Salvation by zealot – the Pinchas case – is no solution. Politics must be as moral as possible if a nation is to flourish in the long run. [emphasis in the original]

FOOTNOTES:

[1] This essay was written on 11 Iyar 5780, 5 May 2020. Things will have moved on since, but the issues raised here are of general significance and not always fully understood.

[2] Mishnah, Sanhedrin 4:4.

[3] Jonathan Sumption, ‘Coronavirus lockdown,’ Sunday Times, 5 April 2020.

[4] Too little has been written about this. For one collection of essays, see Stuart Hampshire (ed.), Public and Private Morality, Cambridge University Press, 2012.

[5] Sanhedrin 82a.

[6] Sanhedrin 81b.

[7] Sanhedrin 82a.

[8] See especially R. Zvi Hirsch Chajes, Torat Nevi'im, ch. 7, Din Melech Yisrael.

[9] Tosefta Terumot 7:20.

[10] Shavuot 35b.

[11] Rambam Hilchot Melachim 3:10.

[12] The Jewish equivalent is: Life, liberty and the pursuit of holiness.

[13] The classic cases are Nathan and David, 2 Samuel 12; Elijah and Ahab, 1 Kings 21.

[14] The standard biblical term for this is “They did evil in the eyes of the Lord,” an expression that occurs more than 60 times in Tanach.

* Note: because Likutei Torah and the Internet Parsha Sheet, both attached by E-mail, normally include the two most recent Devrei Torah by Rabbi Sacks, I have selected an earlier Dvar.

https://www.rabbisacks.org/covenant-conversation/pinchas/moral-vs-political-decisions/#_ftnref6

G-d Has Faith in What You Will Become

By Aharon Loschak * © Chabad 2022

News of a bear market has rocked the nation as of late, causing much economic panic. Millions, even billions, of dollars are lost in an instant, and for those with large investments on the line, it's a scary time to be alive.

But then there are those select few who rejoice at such a turn of events. Why? Because they're comfortable enough to play the long game and wait out the storm.

So what do they do? They come in and buy up shares at record low prices. They buy, for they see the future, when the market will inevitably rebound and they can cash out on their investment.

It's a risky business, but for those with disposable income and a keen eye to what will be as opposed to what is now, it can be a veritable gold mine.

Shabbat and the Festivals

A major chunk of Parshat Pinchas is devoted to detailing the various sacrifices offered on each of the festivals, namely the additional "mussaf" sacrifice. Beginning with Rosh Chodesh and then through all the festivals like Passover and Rosh Hashanah, we get a snapshot of the entire calendar.

But before the Torah kicks off the list, it also mentions the weekly Shabbat offering:

And on the Sabbath day . . . This is the burnt offering of each Sabbath on its Sabbath, in addition to the continual burnt offering and its libation.¹

Which immediately prompts the question, why is Shabbat mentioned here amid all the festivals, and at the beginning of the list, no less?² While it's easy to think that Shabbat is quite similar to the festivals, it really isn't. The festivals mark particular events, and are entirely contingent upon the calendar months of the year. Shabbat, by contrast, marks the story of Creation itself, and has nothing to do with the calendar, but the days of the week.

Treatment Based on Future Events

All Jewish festivals are rooted in our nation's landmark story — the Exodus. Beginning with the obvious example of Passover, the other festivals are also based on continued chapters of that same story: Shavuot at Sinai, and Rosh Hashanah, Yom Kippur, and Sukkot further in the desert.

There are many themes to the Exodus, and multiple reasons it holds such a prominent place in our collective identity. One such theme centers on the worthiness — or lack thereof — of the people at the time. By all accounts, the people living in Egypt were far from saints.

In fact, according to the Kabbalists, there are 50 "gates of impurity," and the people had sunk into the 49th one.³ Had they stayed one moment longer, they would have fallen into the abyss, irredeemable and lost forever. It was precisely for this reason that when the time came, they were whisked out of Egypt in the middle of the night like a house on fire — for had they stayed a moment longer, it would have been too late.⁴

Indeed, the Midrash⁵ relates that when G d took the people out, the prosecuting angels protested, "Hey, what makes these guys any better than their Egyptian lords? They're both idolaters!"

So why did G d redeem the people? What was our saving grace?

In two words: future performance. G d saw the Israelites' future performance, how they would march to Sinai and accept His Torah and keep it for thousands of years thereafter. Based on this promise of stellar behavior, the Jews earned their ticket out of Egypt.

Creation and Exodus: Magnanimity Based on Future Performance

When you think about it, the story of Creation carries the very same theme. After all, prior to creation there couldn't possibly have been anything or anyone worthy of being created. So why did G d bestow such kindness to us lowly creatures and do us the favor of bringing us into existence?

Like the Exodus, it was based on future performance. In those moments before Creation, G d (so-to-speak) envisioned the world that would be and the great worth its inhabitants would earn as they went along. That was enough for Him to go ahead with the plan and bring this big, beautiful universe into existence.

And that's why Shabbat comes at the beginning of the holiday list, because they all affirm the same thing: That G d is ready to bestow kindness upon His Creations, not only based on past performance, but on future promises.⁶

The Future Starts Right Now

This is quite an invigorating idea. G d doesn't only love you and treat you based on your current performance or your track record. He's willing to treat you based on how you'll behave in the future.

It's very easy to get overwhelmed by your own past. Say you aren't exactly the next Moses or Sarah, and if you're honest with yourself, your resume is quite stained. When you think about who you are and all the mistakes you've made, it can be depressing. "How can I hope for a better life? How can I possibly think that I deserve anything good when I know that I really don't deserve it?"

While such thoughts can sound noble and oh-so-brutally honest, more often than not they only serve to drag you down. After all, why try to be better if you don't deserve better? Let life just run its natural course, and "it will be what it will be."

Such thinking doesn't do anyone any good. So think about the Jews in Egypt: They didn't deserve it either, but G d whisked them out of Egypt anyway. Not because He checked the rap sheets of every Jew in Egypt and found some redeeming qualities (there were none). Nope. The Jews didn't deserve redemption by any stretch.

Yet G d was generous, loving, and incredibly redeeming. Because He believed in the Jews He was about to redeem. He believed that somewhere down the line, they would be awesome.

You, too, can be awesome. Starting right now. And that's what G d really cares about. Good things are in store for you, because your future starts right now.⁷

FOOTNOTES:

1. Numbers 28:9-10.
2. This question is posed in the Midrash, see Yalkut Shimoni, Torah 643:23.
3. Zohar Chadash, beginning of Parshat Yitro.
4. See Tanya, ch. 31.
5. Shemot Rabbah 21:7.
6. Thus, when we lift our wine glasses during the Shabbat day Kiddush, we proclaim, "As a commemoration of the Exodus." Many ask, what exactly about Shabbat commemorates the Exodus? Well, the answer is simple: On Shabbat, we recall how G d was so kind as to look at our future performance and create a beautiful world. This indeed commemorates the majesty of the Exodus, when G d rescued an undeserving people not based on their current merits, but their future ones.
7. This essay is based on Be'er Mayim Chayim, Numbers 14:19.

* Writer, editor, and rabbi, in Brooklyn, N.Y., and editor of JLI's popular Torah Studies program.

Our Deepest Connection With G-d

By Rabbi Moshe Wisnefsky *

The Land Will Be Divided

"The land will be divided among these 601,730 Israelites as an inheritance, first according to the number of their names and then according to their fathers' estates ..." (Numbers 26:53)

OUR DEEPEST CONNECTION WITH G-D

The Land of Israel was divided in three ways:

- by population, i.e., the larger the tribe, the more land it received,
- by lot, which was G-d's hand at work, and
- through inheritance, by which the father's estates were passed down to their children.

These three methods mirror the three different facets of our relationship with G-d:

- We are connected to G-d in a service-reward relationship. This mirrors the logical division of the land by population
- We were chosen by G-d to be His people, regardless of how well we live up to our side of our contractual relationship with Him. This mirrors the division of land by lot, which is not dictated by logic.
- We are connected to G-d because we are part of Him; since we are part of G-d, He does not even need to choose us. This mirrors the division of the land by inheritance, for an heir inherits his parents automatically; he does need to earn his inheritance, nor does his parent need to choose him as their heir.

All three facets of our relationship with G-d are important, but in the Messianic future our inheritance-relationship with G-d will become paramount.

** From Daily Wisdom*

Rabbi Yosef B. Friedman
Kehot Publication Society
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on the occasion of his first yearzeit

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Shabbat Parashat Pinchas

5782 B"H

Covenant and Conversation

Rabbi Jonathan Sacks, z"l

Lessons of a Leader

The parsha of Pinchas contains a masterclass on leadership, as Moses confronts his own mortality and asks God to appoint a successor. The great leaders care about succession. In parshat Chayei Sarah we saw Abraham instruct his servant to find a wife for his son Isaac, so that the family of the covenant will continue. King David chose Solomon. Elijah, at God's bidding, appointed Elisha to carry on his work.

In the case of Moses, the Sages sensed a certain sadness at his realisation that he would not be succeeded by either of his sons, Gershom or Eliezer.[1] Such is the case with Keter Torah, the invisible crown of Torah worn by the Prophets and the Sages. Unlike the crowns of priesthood and kingship, it does not pass dynastically from father to son. Charisma rarely does. What is instructive, though, is the language Moses uses in framing his request:

"May the Lord, God of the spirits of all flesh, choose a person over the congregation who will go out before them and come in before them, who will lead them out and bring them in, so that the congregation of the Lord will not be like sheep without a shepherd." (Num. 27:16)

There are three basic leadership lessons to be learned from this choice of words. The first, noted by Rashi, is implicit in the unusually long description of God as "the Lord, God of the spirits of all flesh." This means, Rashi explains, "Master of the universe, the character of each person is revealed to You, and no two are alike. Appoint over them a leader who will bear with each person according to their individual character." [2]

The Rambam says that this is a basic feature of the human condition. Homo sapiens is the most diverse of all life forms. Therefore co-operation is essential – because we are each different, others are strong where we are weak and vice versa – but cohesion is also difficult, because we each respond to challenges in different ways. That is what makes leadership necessary, but also demanding:

This great variety, and the necessity of social life, are essential elements in human nature. But the well-being of society demands that there should be a leader able to regulate

the actions of each person; they must complete every shortcoming, remove every excess, and prescribe for the conduct of all, so that the natural variety should be counterbalanced by the uniformity of legislation, and the order of society be well established.[3]

Leaders respect differences but, like the conductor of an orchestra, integrate them, ensuring that the many different instruments play their part in harmony with the rest. True leaders do not seek to impose uniformity. They honour diversity.

The second hint is contained in the word ish, "a person" over the congregation, to which God responds, "Take for yourself Joshua, a person [ish] of spirit (v. 18). The word ish here indicates something other than gender. This can be seen in the two places where the Torah uses the phrase ha-ish Moshe, "the man Moses":

One is in Exodus: The man Moses was highly respected [gadol me'od, literally "very great"] in the land of Egypt, in the eyes of Pharaoh's servants and the people. (Ex. 11:3)

The second is in Numbers: Now the man Moses was very humble [anav me'od], more so than anyone else on the face of the earth (Num. 12:3)

Note the two characteristics, seemingly opposed – great and humble – both of which Moses had in high degree (me'od, "very"). This is the combination of attributes Rabbi Yochanan attributed to God himself:

"Wherever you find God's greatness, there you find His humility." [4] Here is one of his proof-texts: "For the Lord your God is God of gods and Lord of lords, the great God, mighty and awesome, who shows no partiality and accepts no bribes. He defends the cause of the orphan and the widow, and loves the stranger residing among you, giving them food and clothing" (Deut. 10:17-18).

An ish in the context of leadership is not a male but rather, someone who is a mensch, a person whose greatness is lightly worn, who cares about the people others often ignore, "the orphan, the widow and the stranger," who spends as much time with the people at the margins of society as with the elites, who is courteous to everyone equally and who receives respect because they give respect.

The real puzzlement, however, lies in the third clause: "Choose a person over the congregation who will go out before them and come in before them, who will lead them out and bring them in." This sounds like saying the

same thing twice, which the Torah tends not to do. What does it mean?

The Torah is hinting here at one of the most challenging aspects of leadership, namely timing and pace. The first phrase is simple: "who will go out before them and come in before them." This means that a leader must lead from the front. They cannot be like the apocryphal remark of one British politician: "Of course I follow the party. After all, I am their leader." [5]

It is the second phrase that is vital: "who will lead them out and bring them in." This means: a leader must lead from the front, but he or she must not be so far out in front that when they turn around, they find that no one is following. Pace is of the essence. Sometimes a leader can go too fast. That is when tragedies occur.

To take two very different examples: when Margaret Thatcher was Prime Minister she knew she was going to have to confront the miners' union in a long and bitter struggle. In 1981 they went on strike for a pay rise. Mrs Thatcher immediately made enquiries about the size of coal stocks. She wanted to know how long the country could survive without new supplies of coal. As soon as she discovered that stocks were low, she in effect conceded victory to the miners. She then, very quietly, arranged for coal to be stockpiled. The result was that when the miners went on strike again in 1983, she resisted their demands. There was a prolonged strike, and this time it was the miners who conceded defeat. A battle she could not win in 1981 she was able to win in 1983.

The very different example was that of Israeli Prime Minister Yitzhak Rabin. The peace process he engaged with the Palestinians between 1993 and 1995 was deeply controversial, within Israel and beyond. There was some support but also much opposition. The tension mounted in 1995. In September of that year, I wrote an article in the press giving him my own personal support. At the same time, however, I wrote to him privately saying that I was deeply worried about internal opposition to the plan, and urging him to spend as much time negotiating with his fellow Israeli citizens – specifically the religious Zionists – as with the Palestinians. I did not receive a reply.

On Motsei Shabbat, 4 November 1995, we heard the news that Prime Minister Rabin had

In loving memory of
Dr. Allen Gaisin, z"l,
on the occasion of his third yearzeit

In memory of Scott Leitner, a"h

been assassinated at a peace rally by a young religious Zionist. I attended the funeral in Jerusalem. Returning the next day, I went straight from the airport to the Israeli ambassador to sit with him and talk to him about the funeral, which he had not been able to attend, having had to stay in London to deal with the media.

As I entered his office, he handed me an envelope, saying, "This has just arrived for you in the diplomatic bag." It was Yitzhak Rabin's reply to my letter – one of the last letters he ever wrote. It was a moving reaffirmation of his faith, but tragically by the time it was delivered he was no longer alive. He had pursued peace, as we are commanded to do, but he had gone too fast for those who were not yet prepared to listen.

Moses knew this himself from the episode of the spies. As Maimonides says in *The Guide*, [6] the task of fighting battles and conquering the land was just too much for a generation born into slavery. It could only be done by their children, those born in freedom. Sometimes a journey that seems small on the map takes forty years.

Respect for diversity, care for the lowly and powerless as well as the powerful and great, and a willingness to go no faster than people can bear – these are three essential attributes of a leader, as Moses knew from experience, and as Joshua learned through long apprenticeship to the great man himself.

[1] That is the implication of the statement that "Moses long to die as did Aaron," Sifrei, Pinchas, 136, s.v. vayomer.

[2] Rashi to Num. 27:16, based on Tanchuma, Pinchas, 11.

[3] Maimonides, *The Guide for the Perplexed*, book 2 chapter 40.

[4] From the liturgy on Saturday night. The source is *Pesikta Zutreta*, Eikev.

[5] This statement has been attributed to Benjamin Disraeli, Stanley Baldwin and Alexandre Auguste Ledru-Rollin.

[6] *The Guide for the Perplexed*, Book 3, chapter 32.

Shabbat Shalom: Rabbi Shlomo Riskin

"Do battle against the Midianites and smite them. They are your enemies because of the plot which they plotted against you concerning the incident involving Pe'or and the incident involving Kozbi the daughter of the Prince of Midian, their sister, who was slain on the day of the plague in the incident involving Pe'or." (Numbers 25:17-18)

Why did Pinchas kill Kozbi? Was it because of her immoral sexual seduction of an Israelite, Zimri ben Salou, or because she and her Midianite clan worshipped the idol Pe'or? Rashi (ad loc.) is aware of the ambiguity of the verse, and suggests that the end-goal of the Midianites, and the reason for which they sent their daughters to tempt the Israelite men, was to get the Israelites to worship Pe'or.

And, in fact, there does seem to be a strong linkage between blatant sexual immorality among Jew and gentile, and worship of Pe'or as the mother of all idolatries. But what exactly is the central nature of the transgression here? Sexual immorality between Jew and gentile, or Pe'or idolatry?

I would argue that a careful reading of Pinchas' act clearly emphasizes a fusion of two intermingled transgressions. In last week's Torah portion, the introduction to the story of public cohabitation begins:

"And the Israelites dwelt in Shittim, and began to whore after the daughters of Moab. And it happened that the Israelite nation served their idols... and Israel became joined to Ba'al Pe'or; the anger of God waxed hot against Israel," (ibid., v. 1-3)

What was the sin? Was it whoring, or the idolatry of Pe'or? Clearly, it was both together! This notion of the fusion of sins appears in our rabbinic commentaries. Bil'am is identified as "ben Beor" (ibid., 22:5) which might be identified with Pe'or, son of the idol Pe'or. And when the narrative continues to describe how "Balak took Bil'am to the top of Mount Pe'or" (ibid., 23:28), Rashi comments, "Balak was a great magician, and he saw that the Israelites would eventually be punished because of Pe'or," which apparently applies to idolatry.

However, when the Talmud describes the evil counsel that Bil'am offered the nations who wished to vanquish Israel, the picture presented is one of sexual seduction by the young gentile women (Sanhedrin 106a). It would seem that the sin was an idolatry linked to sexual abandon, both transgressions joined together.

In order to truly understand this, as well as to understand the idolatrous nature of our own society today, we must attempt to understand the nature of Pe'or idolatry. The Mishnah (Sanhedrin 7:6) teaches that Pe'or was worshipped by defecating in front of his graven image, the kind of "appetizing" religious cult which one would think hardly could attract masses of adherents.

Yet apparently Pe'or was very popular, at least for Midianites and Moabites. Yes, defecation is a perfectly normal human function, and the individual who relieves himself genuinely feels relieved! Hence, goes this thought, that is exactly how god is to be served! "Do whatever is natural to do, do whatever makes you feel good".

Is this not merely a cultural precursor to much of contemporary, postmodern, ego-centric, hedonistic thought toward life?! Discipline and consistency have become the "hobgoblin of little minds," and self-expression takes precedence over duty to family, to country, and to ideals. It is a mindset that grants individuals

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the right not only to their own opinion but also to make up their own facts.

This is the very antithesis of the Biblical directive (at the predawn of human history in the Garden of Eden) for self-control and self-limitation – not eating forbidden fruit and defining good and evil based on God's objective Divine will, not on one's subjective, instinctive desires.

Pe'or denies absolute morality. For Pe'or, the human is no different from animal; he is a creature of instinct, who may defecate publicly just as animals defecate publicly, and he has no innate responsibility – not even before God.

What was the greater crime, worshipping Pe'or or indulging in public fornication? In truth, they are one and the same. Pe'or teaches that if one feels like fornicating, one fornicates when and with whom one wishes to do it. After all, sex has nothing to do with love and sanctity, and everything to do with a natural physical urge, much more in line with defecation than a sacred union.

Rabbinical voices such as Menachem Meiri (13th Century Spain) were absolutely correct: idolatry has less to do with theology and much to do with the "disgusting, immoral practices" of those who follow the teachings of the likes of Pe'or. Zimri ben Salou was not only expressing his desire; he was rebelling against Moses, against God, and against the very foundation of Torah.

The Person in the Parsha Rabbi Dr. Tzvi Hersh Weinreb Zealotry and Tolerance

Jewish people teach Jewish values to their children, and to all who wish to be informed about their faith. If one is asked "Should I or should I not?" we generally respond with clear and certain advice: "Yes, you should", if the value is a positive one, or "No, you should not", when the value in question demands inaction.

Strangely, however, there is one positive value in our religion to which we are not to respond "Yes, go and do it." I speak of the value of zealotry.

Zealous acts are noble acts in our tradition. This is illustrated in the story begun in the last week's Torah portion and concluded this week in the parsha named for the zealot Pinchas (Numbers 25:10-30:1).

Pinchas confronted a Jewish prince named Zimri in an act of idolatrous promiscuity with a Midianite woman named Kozbi. He "took a spear in his hand... And thrust both of them through, the man of Israel, and the woman through her belly." For this he is commended by the Almighty Himself, who says, "Pinchas... was very zealous for My sake... Therefore... I give unto him My covenant of peace..."

Because he was zealous for his God, and made atonement for the children of Israel."

Clearly, zealotry is a divinely approved positive value. Yet, I ask you, dear reader, suppose you had witnessed such an immoral and defiant act about to take place and would come to ask me, your Rabbi, whether or not you should take up a spear and thrust it through the two sinners. Would I be permitted to encourage you to emulate Pinchas?

The Talmud, in a passage in Tractate Sanhedrin 82a, tells us that Moses himself was uncertain as to whether this act of taking human lives was permissible. Pinchas acted on his own. Indeed, the Talmud clearly states that if someone comes to inquire as to whether or not to commit such an act of extreme zealotry, he should not be instructed to do so. I, as a Rabbi, would have to discourage you from taking up the spear and taking the lives of even the most blatant of sinners.

Yet, elsewhere in the Bible and in postbiblical writings, we find others besides Pinchas who performed similar acts of zealotry. One of them is the prophet Elijah whose story is read in other years in the haftarah for this week's parsha (I Kings 18:46-19:21). Elijah, whom our sages equate with Pinchas, says of himself, "I have been very zealous for the Lord...The children of Israel have forsaken thy covenant..."

Yet another famous example is the High Priest Matityahu, whom we all recall from the story of Hanukkah. Of him we read, "Matityahu saw a Jewish man about to offer a sacrifice on an alien altar in the presence of the entire congregation, and he was zealous, and swiftly slaughtered the man...and smashed the altar to bits; thereby, he was zealous on behalf of the Torah just as Pinchas had done to Zimri." (Maccabees I: 1:45-50)

What a paradox! Three great heroes of the Jewish people, all praised highly for their zealotry. And yet, if any of us today were to inquire of a Jewish rabbi of the highest rank, or of a Jewish court, as to whether he could emulate them and zealously harm a sinner, he would not receive permission to do so.

It is apparent that such acts of zealotry are limited to those whose motives are of the purest order, and who are moved by their sincere desires to restore the glory of God when it is publicly profaned. Zealotry is not for every man.

This is a most timely lesson. There are many members of the Jewish people today who are stirred by feelings of righteous indignation to protest actions and statements that, to them, seem blasphemous, immoral, or just plain wrong. But they dare not act, and certainly not act violently, against those actions or statements. They must first be certain that their motives are as pure and authentic as were the

motives of Pinchas, Elijah, and Matityahu. And none among us can be so certain of our motives!

Our times call for a different approach entirely. Today, we must conform to an almost opposite Torah value; namely, tolerance.

Tolerance is preferable to zealotry. This is a lesson which can be found in the very text which tells of Pinchas' zealotry. After he commits his violent act, the Almighty concludes His statement of approval with the gift of "My covenant of peace." Many of our commentaries, notably that of the Netziv, emphasize that this covenant was given to Pinchas as a kind of corrective, as a way of demonstrating that, although zealotry is sometimes warranted, the ultimate Jewish value is peace.

For individuals who are sincerely motivated to be zealous, there is a helpful perspective which is recommended. That perspective encourages us to find holiness buried within heresy, and sanctity somewhere in the midst of sin. When human faults can be seen as transient aberrations which cloud so much that is good and noble, zealotry fades into the background, and kindness and compassion prevail.

This perspective is expressed so eloquently in the poetic words of Rabbi Abraham Isaac Kook, in his brief collection, *Midot HaRayah*, page 84. I am indebted to my good friend, Yaakov Dovid Schulman, himself an eloquent and poetic soul, for providing me with a translation of this passage:

Tolerance: When tolerance of points of view comes from a heart that is pure and cleansed of all evil, that tolerance is not liable to chill the flame of holy feelings containing simple faith—which is the source of all life. Instead, that tolerance broadens and magnifies the foundation of heaven-directed fervor.

Tolerance is armed with a very great faith. Ultimately, it realizes the complete impossibility of a soul being emptied of all holy life. This is because the life of the living God fills all life. And so, even where actions come out in a destructive fashion, where points of view collide into heresy, there still must be—in the midst of the heart, in the depth of the soul—the living light of hidden holiness. And this is apparent in the good aspects that we find in many corners, even on those ravaged avenues touched by heresy and corroded by doubt. From the midst of this great, holy knowledge and faith comes tolerance, which encircles everything with a thread of kindness.

"I will assemble Jacob, all of you!" (Micah 2:12) Words to remember, especially today.

Torah.Org: Rabbi Yissocher Frand

Parshas Pinchas contains the Korbonos of the Yomim Tovim, preceded by the Korban Tamid – the (twice) daily offering. The pasuk says

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"Command Israel and say to them... This is the fire offering that you shall offer to Hashem — year old unblemished lambs, twice a day, an eternal burnt offering. The one lamb you should offer in the morning, and the second lamb you shall offer in the evening. [Bamidbar 28:2-4].

The week began with Shiva Asar B'Tamuz, the 17th of Tamuz. Chazal say that five things happened to our forefathers on the 17th of Tamuz. The reason we fast on this day is to commemorate those five terrible things. The Gemara in Taanis lists the five things: The Tablets were broken (when Moshe descended from Mt. Sinai and saw the people worshipping the Golden Calf); the Korban Tamid stopped being brought; the Outer Wall of the City of Jerusalem was breached; Apostomas (the Roman General) publicly burned a Sefer Torah; and he erected an idol in the Beis HaMikdash. These are the five terrible things that happened on the 17th of Tamuz.

If we were asked to rank these five events in terms of their seriousness, which event would you pick to be number five (i.e. – the least catastrophic)?

I heard an observation from Rav Aharon Lichtenstein, zt"l, that at first glance the suspension of the Korban Tamid does not seem to be as tragic as the other four events. We lost the Luchos that were written by the "Finger of Elokim"; the city wall was breached—this was the beginning of the end of the Jewish Commonwealth. Putting up an idol in the Beis HaMikdash and burning the Torah were unspeakable insults to our religion. But the suspension of the Tamid did not mark the total end of the Service in the Beis HaMikdash at that point. What was the tragedy of the Bitul haTamid which caused it to be listed with the other four catastrophic events? Apparently they are all equally great tragedies.

Rav Aharon Lichtenstein explains this based on an incredible Medrash that the Maharal brings in his *Nesivos Olam* (Nesiv Ahavas Rei'ah, Perek Aleph). I quoted this Medrash at a Siyum HaShas. Many people asked me where the Medrash was. Ironically, I cannot find this Medrash — which is not that impressive a statement. However, what I mean is the computer cannot find this Medrash either! However, the Maharal brings this Medrash, and he mentions that it can be found in the author's introduction to the *Ein Yakov*. If the *Ein Yakov* brings the Medrash, and the Maharal brings the Medrash, I trust it — even though I cannot locate the original source. Earlier generations possessed Medrashim that we no longer have.

The Medrash quotes various Tannaim, who each bring a pasuk which, in their opinion, encapsulates all of the Torah: Ben Zoma cites his view of the pasuk which defines the Torah: Shema Yisrael Hashem Elokeinu Hashem Echad (Hear O Israel the L-rd Our G-d the L-

rd is One). Ben Nanas cites the pasuk “V’Ahavta L’Rei’acha Kamocha” (Love your neighbor as yourself). Shimon ben Pazzi claims that there is an even more fundamental and all-encompassing pasuk: “Es ha’keves ha’echad ta’aseh ba’boker, v’es ha’keves ha’sheni ta’aseh bein ha’arbayim” (The one lamb you should make in the morning, and the one lamb you should make in the evening.).

The pasuk that is the essence of Torah—which encompasses the entirety of Torah according to Shimon ben Pazzi—is the pasuk which commands us to bring the daily Korban Tamid, morning and evening. We can readily understand Ben Zoma’s pasuk as being a candidate for the Torah’s most fundamental principle. Monotheism is clearly a fundamental Jewish belief. We can accept Ben Nanas’ pasuk as being the fundamental principle underlining all interpersonal interactions. But never would I pick “Es ha’keves ha’echad ta’aseh ba’boker, v’es ha’keves ha’sheni ta’aseh bein ha’arbayim”! What did Shimon ben Pazzi have in mind?

The Maharal, in his *Nesivos Olam*, explains that the essence of Divine Service, the essence of being a Servant of the Ribono shel Olam, is consistency: Day in, Day out; Day in; Day out! Every single day, without exception. This shows my TOTAL devotion to the Almighty—every single day without a stop. Rain, sleet, snow, hail, no matter what, “Here I am!” Torah is about being an Eved HaShem, and being an Eved HaShem entails constant and unbroken service.

The Korban Tamid never stopped—Yom Kippur, Erev Pesach, Pesach. There was never a vacation. There was always a Korban Tamid.

That was the tragedy of the Bitul HaTamid that occurred on the 17th of Tamuz. Once the streak is broken, once the continuity is interrupted, then everything begins to dissipate and fall apart. That is why this indeed WAS the beginning of the end. From the time they built the Mishkan—through Nov, Givon, Shilo, and all the years of the Beis HaMikdash—every single day, morning and evening, they ALWAYS brought the Korban Tamid. When that stopped, it was the beginning of the end.

You can understand the context in which I mentioned this Medrash at the Siyum HaShas. That is what Daf Yomi is. Day in, day out, every single day—whether it is Erev Pessach or Yom Kippur or whatever it is. It must get done. This is what Divine Service is all about. That is why Ben Pazzi singles this out as the most fundamental pasuk in Torah. The Medrash, in fact, concludes that the Halacha follows Ben Pazzi. This is indeed the most definitive pasuk in the Torah—One calf you should bring in the morning and one calf you should bring in the evening.

Dvar Torah: Chief Rabbi Ephraim Mirvis

It’s one of the best invitations you’ll ever get. Parshat Pinchas includes within it details of our major festivals, and the Torah calls them by the term ‘mikra kodesh’ (e.g. Bamidbar 28:18). Indeed we include this term in the kiddush that we make on our festivals. But what does ‘mikra kodesh’ mean?

Rav Shimshon Refael Hirsch translates the term as ‘a call to holiness’, an invitation to join God on these festive days.

If we relate to our festivals as an opportunity to respond to a special invitation, I believe it can have a transformative impact on our attitude. Of course, why should we keep the Yamim Tovim? It’s because God has commanded us to. It is a mitzvah d’oraitah, an imperative from the Torah. But in addition to that, it’s a ‘mikrah kodesh’. Hashem extends an invitation to join Him on the special day.

When you receive an invitation in the post I am sure that, like me, you recognise from the envelope that this is an invitation and you wonder: Who is it from? What is the occasion? You open it up full of anticipation, you read the details and then as the days draw near to the event itself you’re filled with excitement. That is how we need to relate to our Yamim Tovim. Each one of our festive days carries with it an opportunity to practise special mitzvot, and of course there are various regulations regarding what we can and can’t do on the day, but the most important element of the day’s proceedings for us must be a spiritual opportunity. Hashem has invited us to join Him. He is the Host of the event, at which we can raise the levels of kedusha for ourselves, within our homes and in our lives in an extraordinary way.

It’s only with a keen sense of excitement and enthusiasm that we can enable ourselves and members of our families to appreciate these red letter days on our calendar as being something extraordinary. Let’s never forget the fact that they’re called ‘mikrah kodesh’, an invitation arrives from Hashem Himself in order to enable us to have a life changing experience. It’s probably the best invitation you’ll ever get.

Rabbi Dr. Nachum Amsel Encyclopedia of Jewish Values*

Taking the Law into Your Own Hands

Logically, in order for human beings to live in a free society and not destroy each other, there has to be a system of law, and everyone must agree to abide by these laws, but can change an unjust law through the political system. Those who break the law should and are punished. This is the ideal in theory and practice, and the general Jewish view as well. When human beings decide to take the law into their own hands, God disapproves. The classic Torah narrative is the story of the generation of Noah, when people decided to disregard law

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and take the wives of neighbors and forcibly steal objects by force, according to their desires. God sees that the world cannot continue to exist in such a manner, and destroyed His creation with the Flood, in order to "start over" with Noah and family (Genesis 6:1-13 with Rashi commentary). There seemed to be an analogous situation (to a lesser degree) later in history, where Jews were condemned because they ignored the law, and "everyone did what was right in their eyes" prior to appointing a king (Judges 21:25). Rabbi Chanina rules that Jews should pray for the welfare of the King, symbolizing the government and rule of law, for without it, stronger people would "swallow up their neighbors" (and especially Jews, as history has taught us) (Mishne Avot 3:2). This practice is followed until today in almost every synagogue in the world each Shabbat morning. So, it seems, taking the law into one's own hands is always forbidden. But in this week's Parsha, we read of an incident (that actually began in last part of last week's Parsha, continuing into this week's Parsha), where Pinchas acts on this own to defy the law and is praised after killing two people. What happened?

In the story of the Midianite woman who committed sexual intercourse with the Prince of the tribe of Simon, Pinchas, the son of the High Priest, in order to defy God publicly, Pinchas, reacting to an act that embarrassed the Jewish people and their God, "took the law into his own hands" and killed them both, thereby stopping the plague (which had killed 24,000 people) (Numbers 25:6-9). Based on God's own words, Pinchas did the right thing, and was rewarded handsomely for this courageous act (Numbers 25:10-13). Was this indeed the right thing to do, to take the law into one's own hands and kill two people? Was this a one-time action taken by a great man, or are there implications for us today? Although the Torah praises Pinchas' reaction, the Talmud (Jerusalem Talmud, Sanhedrin 48b) seems to condemn this type of reaction, saying that Pinchas was about to be excommunicated for what he did, and it was only the Divine intervention in this unique case that saved Pinchas. In all other cases, however, it seems that this type of reaction would be punishable. This opinion disagrees with the generally accepted positive reaction to Pinchas' act in the Jewish community and in Jewish sources. This was a desecration of God's name in public, and Pinchas believed he could not let this continue publicly, and felt he was obligated to do something about it.

What about us? May we react similarly to Pinchas if there is a public desecration of God? Thus, if there attack or an action, witnessed publicly by thousands of people, which desecrates God's name, may we also react violently and take the law into our own hands like Pinchas? The is an actual ruling in Jewish law on this question by Rambam, based on the Talmud and post-Talmudic discussion.

According to Maimonides (Hilchot Issurei Biah 12:4-5), if there is indeed a public desecration of God's name, a violent reaction by an individual to quell this activity would be acceptable under three conditions: 1) the reaction to the attack must take place in the heat of passion, while the act is being committed and not later, after cold reflection

2) If permission to respond is asked of the Rabbinic or government authorities (even during the attack), the person will be denied permission and he or she may not respond 3) If the original attacker kills the Jew responding, that attacker is not guilty of murder. We see, therefore, that under certain conditions, a Jew may be able to respond and take the law into his or her own hands. If that is the only way to stop the desecration of God's name.

We have assumed, until now that the laws of the government are basically just, but that is not always the situation, as we know throughout history and even today. When many fundamental laws of a society are unfair, may people then also take the law into their own hands, by refusing to follow the law, or by peacefully protesting?

Civil Disobedience - During the past eighty years, the idea of civil disobedience as a political tool has been widely and successfully used. This form of protest, specifically passive resistance, has achieved spectacular results in India, leading up to her independence, in the effort of Black Americans to achieve equality in the 1960's, and, to some degree, the Arab Spring of recent years. There are some today who practice civil disobedience in many countries, including Israel. What is the Jewish view of this practice? Is it permitted or even demanded in certain situations? If it is justified, in which circumstances should it be used?

We must first define civil disobedience: the refusal to obey certain immoral laws, for the purpose of influencing government policy, often through non-violent resistance. There are numerous sources in the Bible as examples of passive resistance. When Pharaoh told the midwives to let Jewish male babies die, they did not listen and ignored the order, choosing instead to fear God instead of Pharaoh and let the babies live (Hilchot Issurei Biah 12:4-5). When King Saul ordered his guards to kill the Jewish Priests in the city of Nov, they refused (Samuel I 22:16-17). When the prophet Daniel was forbidden to pray by the king, he ignored the order and prayed anyway, which is why he was thrown into the lion's den (Daniel 6:7-14). Unlike the first two cases, however, Daniel's action differs in two respects. The midwives and guards refused to actively do an immoral action, and, thus, did nothing, while Daniel took a positive action in defiance of the king. In addition, Pharaoh and Saul asked to do inhumane acts between man and man, while Daniel's "prohibition" was an action between man and God. Since all three cases are brought in Jewish sources without any apparent

distinction, we can conclude, therefore, that from a Jewish perspective, it makes no difference if the sin is active or passive, or whether the sin is man to God or man to man (it should be noted that every man-to-man harms God as well, since man is created in God's image).

In a seemingly unrelated Mitzvah-commandment, the Torah itself anticipates civil disobedience on a certain level and attempts to avoid it. When forming an army, the Torah allows certain categories of soldiers not to join (Deuteronomy 20:5-8). One of the categories of the soldier who is asked to return home and not fight is the soldier who is "weak of heart." The Mishna (Mishnah Sotah 8:5-6), according to one opinion, explains this to be a person who does not feel he can fight, unable to stand in the heat of battle and cannot stand to see a drawn sword. Some commentaries have interpreted this not to signify people who are physically weak, but, rather, those who cannot fight because they are morally opposed to fighting in battle, what we would call today conscientious objectors. The Torah, anticipating this group of people, gave them the option not to fight and to be sent home without penalty, according to these commentaries. Therefore, the Torah does recognize the right (in potential) to object to military force.

All of these examples seem to point to a clear Jewish view that opposes immoral government action, wherever it may be found, and allows people to "take the law into their own hands" by refusing to obey it. However, the fundamental concept discussed above, of strengthening a government to ensure rule of law, seems to clash with this concept of civil disobedience. How can we justify both concepts as normative Jewish practice? It seems that a strong government is necessary and may even be more essential than protesting a government's immorality regarding certain laws, which weakens the government. How, then, should Judaism deal with these conflicting goals -- keeping the government strong and also disobeying the government when it is acts immorally? A further difficulty is inherent in this issue because once people decide to act against the government for what they believe are moral reasons, who is to determine what legitimate disobedience is, and what is illegitimate? Everybody always thinks their cause is moral. How, then, should we determine when civil disobedience is called for and when it is not?

It is difficult to arrive at an accurate definition when civil disobedience is or is not legitimate in Jewish thought (one might conclude logically that when law a particular law harms many more people that it helps, then this is an unethical law, but perhaps not). However, in one area, which encompasses most of law and behavior by man, there is a clear mandate to disobey, whether it be a Jewish or non-Jewish government: violating any aspect of the Torah.

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Maimonides says (Maimonides, Hilchot Melachim 3:9) that if the king asks a person to violate a Torah law, even a simple Mitzvah, one may violate the king's decree. The logic is the same as used when a parent asks a child to violate any part of the Torah: if the teacher (God) asks a student to do something and the student (parent, police or king) asks you to do the opposite, who should you listen to? (Kiddushin 42b) Obviously, God's laws take precedence over any human king. In areas where there is no well-defined guideline, it is not clear when to disobey the government. There is also a concept of Dina Demalchuta Dina, that in areas that the Torah does not discuss, the law of the non-Jewish government becomes obligatory for a Jew to follow as Jewish law as well. But if a Torah law is violated by observing a governmental law, then this concept obviously does not apply, and a Jew is obligated to "protest" by not keeping this law. Thus, any time a Torah law is violated, a Jew must disobey the government and not keep that law.

Should a Jew keep a just law of the non-Jewish government, even if it can potentially hurt Jews? There is the example of this in the Talmud (Niddah 61a), where Rabbi Tarfon refused to violate the (non-Jewish) government law of harboring criminals. When a Jewish person came to him and asked Rabbi Tarfon to hide him from the government, Rabbi Tarfon refused, because, according to most commentaries, Rabbi Tarfon was afraid that the man was indeed a murderer, and it was be forbidden to hide him. Thus, we see that Rabbi Tarfon refused to defy the government, even to save a fellow Jew's life, since he believed the government law system, and law about harboring criminals, to be just.

We must add that when people defy the law and "take the law into their own hands", they are usually punished for such actions, no matter how moral their actions may be. Pinchas undoubtedly expect to be punished or killed for his stopping the desecration of God's name, but was willing to risk his life, rather than do nothing and stand idly by God's public desecration. The midwives were indeed punished, as the Torah indicates (Exodus 2:21, with Rashi and Rashbam commentaries), as were Gandhi and Martin Luther King, when they peacefully violated civil law, in their paths to successfully change their societies.

*** This column has been adapted from a series of volumes written by Rabbi Dr. Nachum Amsel "The Encyclopedia of Jewish Values" available from Urim and Amazon. For the full article or to review all the footnotes in the original, contact the author at nachum@jewishdestiny.com**

OU Devar Torah

Growth through Discomfort

Dr. Erica Brown

We grow only through discomfort. When we are comfortable, there's no reason to change. The book of Proverbs helps us appreciate the

voices of those who make us feel uncomfortable with ourselves: “He who criticizes a man will in the end find more favor than he who flatters him” (Proverbs 28:23). We all love compliments. They make us feel special and connected to the person who offers them. But Proverbs tells us to be wary of the flatterer, the person who gives us too many compliments. We will do better with the person who offers us solid criticism that can help us grow and change in the future, than with one who offers us the fleeting luxury of a feel-good moment. How well do you take criticism? How well do you give it?

The book of Proverbs contains many descriptions of the wise man and the foolish one, comparing and contrasting them, praising one and criticizing the other. One of the most meaningful differences between the wise person and the fool is how they each take criticism. “Do not criticize the fool for he will hate you. Correct the wise man, and he will love you” (ibid. 9:8).

To understand why wisdom requires criticism, we have to think about the nature of rebuke. To do so, we turn to the very first verses of Deuteronomy, to the parasha of Devarim, the Torah portion that is always read during the Three Weeks. The Hebrew word “devarim” means “words” or “things.” In fact, words are things, giving the translation double weight. Many will shrug off an abuse of language with the simple dismissal, “It’s just words,” but Jewish tradition, from its semantic roots, treats words as having the concreteness of objects. They are our intellectual and emotional currency; they exist in the world. They are not wind or air that circulates lightly among us. They have weight and measure. Selecting the right words, the right context in which to use those words, and the right people to whom to say them is the better part of wisdom, especially when it comes to giving criticism.

When it comes to the things that we have to say, but don’t always want to say, we look to Moses for advice. We open the book of Words/ Things and read the following verses: “These are the words that Moses addressed to all Israel on the other side of the Jordan. Through the wilderness, in the Arabah, near Suph, between Paran and Tophel, Laban, Hazeroth, and Di-Zahab, it is eleven days from Horeb to Kadesh-Barnea by the Mount Seir route. It was in the fortieth year, on the first day of the eleventh month, that Moses addressed the Israelites...” (Deuteronomy 1:1–3). Rashi adds layers of nuance to what seems like a typical biblical introduction, merely offering us the place and time of events. Moses, he contends, gathered everyone together so that there was no one absent who could later say that Moses spoke and no one contended with him. In other words, when everyone is present at a speech and hears the same words, there can be argument over interpretation but no refutation. Everyone knows who spoke up in debate. Rashi cites this ancient midrashic reading

because the verse says “to all Israel,” an expression which is surprisingly rare in describing Moses’ audience. The actual words, “See, you are all here; he who has anything to say in reply, let him reply,” is a remarkably democratic position. If Moses is going to chastise the Israelites for a difficult past, let all be present to hear it so that anyone can counter, if anyone dares.

All of the complicated place names that may mean little to later readers are locations where the Israelites sinned. Rashi surmises that the audience would have well understood the significance – and implicit shame – in the mention of these specific stops along the way; the text does so subtly, Rashi observes, to protect the honor of the Israelites. While we may not be able to recall the import of these places, we can understand the significance that names embody. Consider how we can immediately conjure images of freedom just by naming a few cities: Gettysburg, Selma, Philadelphia, Boston, Jamestown.

Why does Moses gather everyone together in the last year of this wearying journey? Any number of possibilities come to mind. He could be preparing them for life in the Promised Land, giving over laws that they have not had to keep thus far, but that would be critical as they neared the land – such as laws related to war, to agriculture and to the formation of a government – all matters that are discussed in this last of the five books. He could review history and offer his perspective on the past, which is certainly one way that this farewell speech is understood. He could be preparing final words of inspiration, since he knows that he will not be making the last leg of the journey.

Rashi believes that Moses, following in the footsteps of Jacob, Joshua, Samuel and David, gathered everyone together to rebuke them before he took leave of this world. There is something harsh and grating in this idea, that the last words of a beloved and beleaguered leader to his followers are words of chastisement. The Sifrei, the midrashic compilation on Deuteronomy, presents four reasons why people offer rebuke on their deathbeds: in order to criticize once rather than repeatedly; the shame of the person criticized is mitigated by the fact that this is a final meeting; to prevent the person who is rebuked from harboring a grudge against the rebuker; in order that they may part in peace.

Each of these reasons aims at clearing a path so the relationship can move forward. The last words someone utters are profoundly impactful, and stay embedded in the receiver’s mind, precisely because they are the last ones. If you were to hear criticism again and again it would wash over you without really making a soulful mark. Sincere and thoughtful feedback not only fulfills the biblical command, “You shall not hate your brother in your heart; you shall surely rebuke your friend” (Leviticus

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19:7), it also helps clear the barriers that stand in the way of a relationship. Rather than a final parting with the mystery of words unsaid, a last-ditch effort at advice and guidance can be its own meaningful legacy, a gift from the person who is leaving us forever.

Although Maimonides tells us how best to give difficult feedback – softly, in private and for the good of the person and not for our own good (Laws of Character 6:7) – we all still struggle with hearing it well and not putting up our defenses. Rabbeinu Bahya ben Asher, the thirteenth-century Spanish scholar, writes in his introduction to Deuteronomy that Moses gathered everyone together to leave his ethical last will and testament, even though not all in the group were willing to listen:

It is well known that most rebukes [sic] are directed at the average person, the masses; the masses have different views, are not homogeneous... Seeing that all these people do not have minds of their own, they do not easily accept rebukes [sic] seeing that what one person likes another dislikes. What is pleasing to one person is unacceptable to others.

When in the presence of many people, it is always easy to believe that the rabbi offering up a heated sermon, or an angry boss at a staff meeting, is talking to or about someone else.

Rabbeinu Bahya quotes two Talmudic passages to validate his reading. One states that younger scholars are preferred over older ones because the younger scholars are less critical. It’s easier to be popular if you make people feel good than if you make people feel challenged. The other reflects the words of Rabbi Tarfon: “I wonder if there exists in this generation anyone who knows how to accept rebuke.”

The way that we give and receive criticism is often shaped by culture, community expectations and societal norms. When we are defensive, we lose a whole avenue to introspection that can help us develop and grow in our sensitivity and thoughtfulness to others. Think of the helpful words of a mentor, a supervisor, or someone who took your last performance review seriously and gave you feedback that might not have been comfortable to hear but helped you become a better professional. Or the friend who you thought insulted you, but actually helped you become a better parent. There’s the word your wife said that offended you, but that made you see that you weren’t treating one of your children with the proper respect. Every day we receive messages about ourselves. Every once in a while, someone cares enough to tell us what they see. Correct the wise person and he will love you...

Kavana for the Day - Part one: Ask someone who is close to you either professionally or personally for feedback about something very specific. Listen carefully and prompt with

questions. Think afterwards about what they said, how it made you feel, and what you're going to do about it.

Part two: Think of a relationship that has suffered because you have not been telling someone what you really think. Find a way to give respectful feedback that shows love and concern. How did you do?

Excerpted from Erica Brown's In the Narrow Places: Daily Inspiration for the Three Weeks, co-published by OU Press and Maggid Books

Ohr Torah Stone Dvar Torah

A Peaceful Encounter?

Rachel Blumenthal

Sidrat Pinchas takes us on a long journey, beginning with Hashem's promise to Pinchas that he will always have peace through the census of the nation, to land inheritance, and ending with the Mussaf (celebration) offerings.

At first glance, the Sidra appears to take us on a series of twists and turns as the Sefer comes to a close.

A nice, compact way of tying together the loose ends is by counting the people, as the Sefer reminds us that the nation is "על-יְרֵדוֹן" (on the banks of the Jordan River, across from Jericho) (26:3). Just as the Sefer begins with a census, so too, the Sefer will end with a census.

However, perhaps the unifying theme of the stories in the Sidra are not to tie up loose ends, but rather to give words of Chizuk (empowerment).

The Sidra strangely begins after Pinchas acts in zeal and kills the sinners, an act we read about last week, in the Sidra of Balak.

So, why would this Sidra begin with the promise that Hashem is giving to Pinchas after all the actions occurs?

The Pasuk (25:12) reads:

"הִנֵּנִי נָתַן לְךָ אֶת בְּרִיתִי שְׁלוֹם."

"Behold, I am giving to him my covenant of peace."

After the nation ceases from its wrong doings and the plague ends, Hashem promises Moshe that Pinchas and his family will always be the beneficiaries of peace.

Strangely enough, this ברית שלום is not a concept with which we are familiar. In fact, it appears only three more times in the entire Tanakh – once in Yeshayahu and twice in Yechezkel.

In Yeshayahu 54:10, we read about better days: when those who are barren will have children, when uninhabitable lands will be inhabitable, and when we will rejoice Hashem. We will also receive the blessing "וְבְרִית שְׁלוֹמִי לֹא תִמּוּט" ("and the covenant of my peace will not be

removed")—to have the covenant of peace beside us.

In Yechezkel 34, Hashem laments the shepherds who help themselves but not others. The helpless need help, says Hashem, and He will be the One to help them. His sheep, the nation, will be the recipients of "וְבְרִיתִי לָהֶם בְּרִית שְׁלוֹם" ("the binding with them of the covenant of peace") (34:25).

In an enigmatic passage in Yechezkel, we read of the "Dry Bones" prophecy. At the end of the prophecy, Yechezkel is to tell the people that "וְבְרִיתִי לָהֶם בְּרִית שְׁלוֹם" ("the binding with them of the covenant of peace") (37:26).

To bring this back to our Sidra, what is this "ברית שלום"? What is it exactly that Hashem is promising Pinchas?

At first blush, the promise is to give Pinchas and his family peace forever—peace from its enemies. As the Chizkuni says, Hashem is giving Pinchas the Bracha that he should withstand the hatred from the families of Zimri and Kasbi.

Perhaps, says the Chatam Sofer, Hashem is blessing Pinchas with the lineage of Kahuna, priesthood (stemming from the saying in Pirkei Avot that Aharon, the first Kohen Gadol, is peace).

But, with our close reading of "ברית שלום" in the other instances in Tanakh, the suggestions of the Chizkuni and Chatam Sofer do not seem plausible.

How could it be that Yeshayahu is blessing the nation with peace from the families of Zimri and Kasbi? How could it be that Yechezkel is blessing the dry bones with a strong priestly lineage?

The Netzi"v offers another view, which passes the test of the other instances. With regard to Pinchas, he says that as a reward for his actions, Pinchas is being blessed with the Middah (attribute) of Shalom (peace).

While it was a part of Pinchas's nature to act with zeal and to wipe out injustice and wrongfulness in a moment, Hashem is blessing Pinchas to act with peace in the future. That no matter where life takes him, whether it be a census of the people or an argument about land inheritance, he should act with Shalom.

The Sidra begins not with the actions of Pinchas but, rather, with Hashem's blessing to Pinchas that as he progresses on his journey throughout the desert and into the land that is promised to be our homeland, to always act with peace.

And while the journey of Sidrat Pinchas is perhaps winding and complex, we take with us the ברית שלום—to act with peace and loving kindness.

Likutei Divrei Torah

Dvar Torah: TorahWeb.Org

Rabbi Hershel Schachter

Aveilus on Erev Shabbos and Yom Tov

The Torah discusses the dinim of the moadim in three different parshiyos: Emor, Pinchas, and Re'eh. In Iarshas Emor we read about the issue of melocha. In Parshas Pinchas we learn about the korbanos musafim, and in Parshas Re'eh we read about the particular mitzvos that are unique to each of the yomim tovim.

In the second half of Parshas Pinchas the Chumash lists off all the various yomim tovim, and includes Chag haPesach and Chag haMatzos as two different yomim tovim. The afternoon of Erev Pesach is the time of hakorvas korban Pesach, which constitutes a yom tov known as Chag haPesach. What we call Chag haPesach, but the Torah refers to as Chag haMatzos, starts on the fifteenth of Nissan and lasts for seven days. Even though the Chumash only mentions the mitzvah of simcha in connection with Sukkos, the Torah she'b'al peh has established that it applies to all Shalosh Regalim, and even to Rosh Hashanah and Yom Kippur. Regarding Chag haPesach, i.e. erev Pesach after chatzos, there is a dispute amongst the rishonim whether there is a chiyuv simcha. The din is well known that if one is in the midst of aveilus or shiva when yom tov arrives, the chiyuv simcha of yom tov cancels the remainder of shiva. If one is in the middle of sheloshim when yom tov arrives, then yom tov cancels the remainder of sheloshim. Because we have a rule that whenever there is a slight safeik in hilchos aveilus we follow the lenient position, the Remah (Yoreh Deah) paskens that when chatzos arrives on erev Pesach, the yom tov of Chag haPesach cancels shiva or sheloshim and there is no need to wait until Chag haMatzos arrives.

The mishna tells us that although one does not observe aveilus on chol hamoed, nevertheless, one does rip kriya. The gemorah explains this is true because kriya is not part of the laws of aveilus. Pursuant to this, while the accepted opinion in Shulchan Aruch is that unlike other mitzvos, we are not mechanech children before bar mitzvah in the observance of aveilus, nonetheless there is chinuch for the mitzvah of tearing kriya, because kriya is not an element of nihug aveilus. The gemorah even says that if the one who lost a relative is an infant so young that he does not even understand anything about death, we tear a little bit of a kriya just to demonstrate to the menachamim what a tragedy has occurred.

After the destruction of the second Beis Hamikdash, the tanaim introduced three levels of ripping kriyah upon witnessing different aspects of the churban: kriya on the Beis Hamikdash in the state of churban, on Yerushalayim in the state of churban, and on arei Yehudah in the state of churban. The Magen Avraham points out that these three forms of kriya are unlike the law of kriya when

a person dies. These are an aspect of aveilus, and therefore would not apply on chol hamoed or to a child before bar mitzvah.

Erev Pesach in the afternoon has the same din with respect to aveilus as chol hamoed. Therefore, if one visits the Kosel ha'Maaravi on erev Pesach in the afternoon, he would not tear kriya. Based on this din, many have the mistaken impression that on every erev Shabbos and on every erev yom tov after chatzos, one would not tear kriya when visiting the Kosel, but this is clearly a mistake. The Pischei Teshuva in the very end of Yoreh Deah mentions that many have the practice that on every erev Shabbos and every erev yom tov after chatzos, one does not observe shiva. This, however, is clearly a mistake and a carryover from erev Pesach after chatzos.

Torah.Org Dvar Torah
by Rabbi Label Lam

We Sweeten Each Other

HASHEM spoke to Moshe, saying: Pinchas the son of Eleazar the son of Aaron the Kohen has turned My anger away from the Children of Israel by his zealously avenging Me among them, so that I did not destroy the children of Israel because of My zeal. Therefore, say, "I hereby give him My covenant of peace." (Bamidbar 25:10-12)

This always fascinates me. Pinchas gets a peace prize. It's so counter intuitive. He does what would seem like a brutish act from the observer's seat but he is rewarded for creating peace. We can only conclude that the Torah's definition of peace is not limited to what we imagine.

Peace, we know, is not just the absence of war. We know all too well how unfriendly a "cold war" can be on an international and an interpersonal level as well. It may not be all out war at this moment but the tensions are high and the two sides are not wishing well for each other. It's not pleasant at all, and war is always imminent. All one side has to do is to cross a boundary, even innocently, and the fights begin. Someone was trying to negotiate peace between two men and he got one to say, "I'll make up with you if you make up with me!" The other one bristled at the offer and said, "There you go starting up again!" This cannot be called peace!

Sometimes I hear the word peace being bantered around mixed with calls for unity. While the sentiment is very nice and it sounds soothing to the ear, all too often it is accompanied by a demand for lowering standards and compromising on principles. In this way the call to peace is really like a teddy bear on the front of a Mack truck. It looks all cuddly and kind but the real message is the one that is coming to flatten spiritual growth or any achievement that challenges another's feeling of self-assuredness. I'll keep a little bit of Shabbos if you'll eat a little pork and then

everyone can be happy. No one wins with that approach. It creates neither peace nor unity.

Rav Hirsch said, "For peace is not a father of truth; peace is a child of truth. Win the people for truth, inalienable truth that can never be sold, not even for the price of peace, when sacred causes are involved, and then true everlasting peace will follow of itself."

What then is peace? Peace is the harmonizing of differing elements. How so? King Solomon said about the Torah, "All its ways are ways of pleasantness and all its paths are paths of peace!" We say every night before reciting the SHEMA. based on the verse, "Blessed are You HASHEM King of the Universe Who forms light and creates darkness, makes peace, and creates everything." HASHEM makes peace! HASHEM's name is SHALOM – our sages tell us. Shalom – Peace has to include HASHEM or it is only a word game, a hollow phrase, an empty file. The path of peace must be able to accommodate a man and himself, man and other men, and man and G-d! HASHEM must be invited to the table, and Torah is the arbiter. It is based on raising, not lowering standards, meeting at the highest common denominator and not the lowest.

While stepping away from a Shiva call the other day, I wished the traditional blessing, "May HaMakom comfort you amidst all the mourners of Tzion and Yerushalayim." I took an extra minute to explain why I think the name HaMakom is employed here. HASHEM is HaMakom – literally The Place. We are in HASHEM. He is The Place! From a child's perspective when a parent leaves the room there is a sense of panic because the myopic perception of "out of sight out of mind" suddenly kicks in. The child does not have enough experience to understand that mom went into another room. Death is no different!

A parent may leave our room, our realm, but they are always under the watchful and caring eye of HASHEM. No one disappears completely from HASHEM. No one is completely lost.

SHALOM is HASHEM's name. Opposites are reconciled ultimately by HASHEM. He makes everything. Everything is coming from a primary source. There can be no disunity and lack of peace with HASHEM. Our earthly job is to harmonize without being homogenized. A baritone and a tenor can make beautiful music together if they respectfully cooperate. Their voices can enrich one another. "All Israel are guarantors one for another", the Talmud says. The word guarantors "Areivim" can also mean sweeten, as well, if we learn how, we sweeten each other.

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Weekly Internet Parsha Sheet

Pinchas 5782

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Rabbi Wein's Weekly Blog

This week's Torah portion warns us not to be swept away by current culture, media, and societal popularity, and by those who are quick to condemn others for their thoughts and actions.

When Pinchas killed Zimri and his consort, he was roundly criticized and threatened by the those in Jewish society because of this act of zealotry. When this act occurred, society considered it to be wrong, harmful, and worthy of criticism. Later, in the full light and perspective of the time, this act was not only acceptable, but the obvious path necessary, and, in fact, heroic.

Pinchas' critics mentioned the fact that his own pedigree was uncertain, since, although he was the grandson of Aaron, he was also a product of a woman who was of Midianite origin. Moshe himself was married to a daughter of Yitro the high priest of Midian and did nothing. By what right, then, did Pinchas take it upon himself to commit this double killing?

Implicit in this is the accusation as to who made him the zealot, the enforcer, so to speak, of God's will. This was a usurpation of power and status that he arrogated to himself. In short, Pinchas was not to be seen as a hero or as a holy person. But, rather, he was considered the impetuous upstart that committed a double killing without proper sanction or legality. The Torah records that heaven itself intervened to set the record straight, and to clearly support and justify the behavior and actions of Pinchas.

There are so many times in history that this story has repeated itself, albeit always under different circumstances. History turns temporary heroes, beloved in their time, into eternal villains when judged by later historical facts and occurrences. History can also rehabilitate people and ideas that were once scorned, held up to ridicule and contempt, and show how the original judgment, event or person was faulty.

There have been many movements and personalities in the history of the Jewish people who achieved temporary fame and popularity, but who are completely forgotten in the long view that history grants us. And many who were criticized, called obstructionists and out of touch with society, have proven to be prescient and heroic in retrospect.

We are always quick to judge, especially when we have our own preconceived ideas as to what is or what should be. We can look back and see the mistakes of previous generations, of physical and spiritual tragedy within the Jewish world. Yet, somehow, we also continue today to allow our own personal biases to affect our judgment of events, leaders, and ideas. This is one of the most fundamental ideas that we can learn from the reading of this week. It is especially relevant to our current society and its challenges.

Shabbat shalom

Rabbi Berel Wein

Elijah and the Still, Small Voice

PINCHAS

Rabbi Jonathan Sacks

Then the word of the Lord came to him: 'Why are you here, Elijah?' He replied, I am moved by the zeal for the Lord, God of Hosts...' The Lord said to him, 'Go out and stand on the mountain in the presence of the Lord, for the Lord is about to pass by.' Then a great and powerful wind tore the mountains apart and shattered the rocks before the Lord. But the Lord was not in the wind. After the wind was an earthquake, but the Lord was not in the earthquake. After the earthquake came a fire. But the Lord was not in the fire. And after the fire – a still, small voice.

I Kings 19:9-12

In 1165, an agonising question confronted Moroccan Jewry. A fanatical Muslim sect, the Almohads, had seized power in Morocco and was embarking on a policy of forced conversion to Islam. The Jewish community was faced with a choice: to affirm Islamic faith or die. Some chose martyrdom. Others chose exile. But some acceded to terror and

embraced another faith. Inwardly, though, many of the 'converted' continued practising Judaism in secret. They were the anusim, conversos, Crypto-Jews, or as the Spanish were later to call them, the marranos.

To other Jews, they posed a formidable moral problem. How were they to be viewed? Outwardly, they had betrayed their community and their religious heritage. Besides, their example was demoralising. It weakened the resolve of Jews who were determined to resist, come what may. Yet many of the Crypto-Jews still wished to remain Jewish, secretly fulfilling the commandments and, when they could, attending the synagogue and praying.

One of the converted addressed this question to a Rabbi. He had, he said, converted under coercion, but he remained at heart a faithful Jew. Could he obtain merit by observing in private as many of the Torah's precepts as possible? Was there, in other words, hope left for him as a Jew? The Rabbi's reply was emphatic. A Jew who had embraced Islam had forfeited membership in the Jewish community. He was no longer part of the house of Israel. For such a person to fulfil the commandments was meaningless. Worse, it was a sin. The choice was stark and absolute: to be or not to be a Jew. If you choose to be a Jew, you should be prepared to suffer death rather than compromise. If you choose not to be a Jew, then you must not seek to re-enter the house you deserted.

We can respect the firmness of the Rabbi's stance. He set out, without equivocation, the moral choice. There are times when heroism is, for faith, a categorical imperative. Nothing less will do. His reply, though harsh, is not without courage. But another Rabbi disagreed.

The name of the first Rabbi is lost to us, but that of the second is not. He was Moses Maimonides, the greatest Rabbi of the Middle Ages. Maimonides was no stranger to religious persecution. Born in Cordova in 1135, he had been forced to leave, along with his family, some thirteen years later when the city fell to the Almohads. Twelve years were spent in wandering. In 1160, a temporary liberalisation of Almohad rule allowed the family to settle in Morocco. Within five years he was forced to move again, settling first in the land of Israel and ultimately in Egypt.

Maimonides was so incensed by the Rabbi's reply to the forced convert that he wrote a response of his own. In it, he frankly disassociates himself from the earlier ruling and castigates its author whom he describes as a 'self-styled sage who has never experienced what so many Jewish communities had to endure in the way of persecution'.

Maimonides' reply, the Iggeret ha-Shemad ('Epistle on Forced Conversion'), is a substantial treatise in its own right.^[1] What is striking, given the vehemence with which it begins, is that its conclusions are hardly less demanding than those of the earlier response. If you are faced with religious persecution, says Maimonides, you must leave and settle elsewhere. 'If he is compelled to violate even one precept it is forbidden to stay there. He must leave everything he has and travel day and night until he finds a spot where he can practise his religion.'^[2] This is preferable to martyrdom.

Nonetheless, one who chooses to go to their death rather than renounce their faith 'has done what is good and proper'^[3] for they have given their life for the sanctity of God. What is unacceptable is to stay and excuse oneself on the grounds that if one sins, one does so only under pressure. To do this is to profane God's name, 'not exactly willingly, but almost so'.

These are Maimonides' conclusions. But surrounding them and constituting the main thrust of his argument is a sustained defence of those who have done precisely what Maimonides has ruled they should not do. The letter gives Crypto-Jews hope. They have done wrong. But it is a forgivable wrong. They acted under coercion and the fear of death. They remain Jews. The acts they do as Jews still win favour in the eyes of God. Indeed doubly so, for when they fulfil a commandment it cannot be to win favour of the eyes of others. They know that when they act as

Jews they risk discovery and death. Their secret adherence has a heroism of its own.

What was wrong in the first Rabbi's ruling was his insistence that a Jew who yields to terror has forsaken their faith and is to be excluded from the community. Maimonides insists that it is not so. 'It is not right to alienate, scorn and hate people who desecrate the Sabbath. It is our duty to befriend them and encourage them to fulfil the commandments.' [4] In a daring stroke of interpretation, he quotes the verse, 'Do not despise a thief if he steals to satisfy his hunger when he is starving.' (Proverbs 6:30) The Crypto-Jews who come to the synagogue are hungry for Jewish prayer. They 'steal' moments of belonging. They should not be despised but welcomed.

This epistle is a masterly example of that most difficult of moral challenges: to combine prescription and compassion. Maimonides leaves us in no doubt as to what he believes Jews should do. But at the same time he is uncompromising in his defence of those who fail to do it. He does not endorse what they have done. But he defends who they are. He asks us to understand their situation. He gives them grounds for self-respect. He holds the doors of the community open.

The argument reaches a climax as Maimonides quotes a remarkable sequence of midrashic passages whose theme is that prophets must not condemn their people, but rather defend them before God. When Moses, charged with leading the people out of Egypt, replied, 'But they will not believe me' (Exodus 4:1) ostensibly he was justified. The subsequent biblical narrative suggests that Moses' doubts were well founded. The Israelites were a difficult people to lead. But the Midrash says that God replied to Moses, 'They are believers and the children of believers, but you [Moses] will ultimately not believe.' (Shabbat 97a)

Maimonides cites a series of similar passages and then says: If this is the punishment meted out to the pillars of the universe, the greatest of the prophets, because they briefly criticised the people – even though they were guilty of the sins of which they were accused – can we envisage the punishment awaiting those who criticise the conversos, who under threat of death and without abandoning their faith, confessed to another religion in which they did not believe?

In the course of his analysis, Maimonides turns to the Prophet Elijah and the text that usually forms this week's haftarah. Under the reign of Ahab and Jezebel, Baal worship had become the official cult. God's prophets were being killed. Those who survived were in hiding. Elijah responded by issuing a public challenge at Mount Carmel. Facing four hundred of Baal's representatives, he was determined to settle the question of religious truth once and for all.

He told the assembled people to choose one way or another: for God or for Baal. They must no longer 'halt between two opinions.' Truth was about to be decided by a test. If it lay with Baal, fire would consume the offering prepared by its priests. If it lay with God, fire would descend to Elijah's offering.

Elijah won the confrontation. The people cried out, 'The Lord, He is God.' The priests of Baal were routed. But the story does not end there. Jezebel issues a warrant for his death. Elijah escapes to Mount Horeb. There he receives a strange vision, as seen at the beginning of this week's essay. He is led to understand that God speaks only in the 'still, small voice'.

The episode is enigmatic. It is made all the more so by a strange feature of the text. Immediately before the vision, God asks, 'What are you doing here, Elijah?' and Elijah replies, 'I am moved by zeal for the Lord, the God of Hosts....' (I Kings 19:9-10). Immediately after the vision, God asks the same question, and Elijah gives the same answer (I Kings 19:13-14). The Midrash turns the text into a dialogue:

Elijah: The Israelites have broken God's covenant.

God: Is it then your covenant?

Elijah: They have torn down Your altars.

God: But were they your altars?

Elijah: They have put Your prophets to the sword.

God: But you are alive.

Elijah: I alone am left.

God: Instead of hurling accusations against Israel, should you not have pleaded their cause? [5]

The meaning of the Midrash is clear. The zealot takes the part of God. But God expects His prophets to be defenders, not accusers. The repeated question and answer is now to be understood in its tragic depth. Elijah declares himself to be zealous for God. He is shown that God is not disclosed in dramatic confrontation: not in the whirlwind or the earthquake or the fire. God now asks him again, 'What are you doing here, Elijah?' Elijah repeats that he is zealous for God. He has not understood that religious leadership calls for another kind of virtue, the way of the still, small voice. God now indicates that someone else must lead. Elijah must hand his mantle on to Elisha.

In turbulent times, there is an almost overwhelming temptation for religious leaders to be confrontational. Not only must truth be proclaimed but falsehood must be denounced. Choices must be set out as stark divisions. Not to condemn is to condone. The Rabbi who condemned the conversos had faith in his heart, logic on his side and Elijah as his precedent.

But the Midrash and Maimonides set before us another model. A prophet hears not one imperative but two: guidance and compassion, a love of truth and an abiding solidarity with those for whom that truth has become eclipsed. To preserve tradition and at the same time defend those others condemn is the difficult, necessary task of religious leadership in an unreligious age.

[1] An English translation and commentary is contained in Abraham S. Halkin, and David Hartman. *Crisis and Leadership: Epistles of Maimonides* (Philadelphia: Jewish Publication Society of America, 1985) pp. 15-35. [2] *Ibid.*, 32. [3] *Ibid.*, 30. [4] *Ibid.*, 33. [5] *Shir ha-Shirim Rabbah* 1:6.

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For the week ending 16 July 2022 / 17 Tammuz 5782

Rabbi Yaakov Asher Sinclair - www.seasonsofthemoon.com

Parshat Pinchas

The Seeker

"And Hashem said to Moshe, 'Take to yourself Yehoshua ben Nun, a man in whom there is spirit...' " (27:18)

What is the essential ingredient of greatness?

Rabbi Chaim Shmuelevitz, zatzal, one of the great Torah scholars of the previous generation, was once visiting his uncle, Rabbi Avraham Yafin, zatzal, the Rosh Yeshiva of the Nevardok Yeshiva. As they entered the Beit Midrash (study hall), Rabbi Shmuelevitz asked Rabbi Yafin, "Who is your sharpest student?" Discreetly, Rabbi Yafin pointed out a certain pupil. "And who is the most studious?" Rabbi Yafin showed him another. "And who has the greatest breadth of knowledge?" Rabbi Yafin indicated yet a third. "And who," said Rabbi Shmuelevitz finally, "is the best student?" Rabbi Shmuelevitz was surprised when Rabbi Yafin indicated none of the previously mentioned students, but another one entirely.

"He is my best bachur (young man)," said Rabbi Yafin.

"But until now you didn't mention him," said Rabbi Shmuelevitz. "What makes him the best?"

Rabbi Yafin looked at Rabbi Shmuelevitz and said, "This one is a seeker."

In the ascent to greatness, the most precious quality that a person can have is the desire to seek, to pursue truth with ceaseless and tireless longing.

"And Hashem said to Moshe, 'Take to yourself Yehoshua ben Nun, a man in whom there is spirit....'"

The Sforno explains the phrase, "a man in whom there is spirit," to mean "prepared to receive the Light of the Face of the Living Hashem." The Sforno compares Yehoshua to the artisans who crafted the Mishkan and its vessels in the desert. About them, Hashem said, "And into the heart of all wise of heart, I have placed wisdom." (Shmot 31:6)

The closest those artisans had come to the extremely skilled work needed to construct the Mishkan was carrying cement to build Egyptian treasure-cities. How were they able, with no previous experience, to

fabricate something as beautiful, delicate and spiritually precise as the Mishkan?

To be “wise of heart” means to be prepared to receive “the Light of the Face of the Living Hashem.” It means being dissatisfied with the knowledge that one has already. It means to want more. It means to want Hashem’s radiance to illuminate our minds. Whatever those craftsmen lacked in experience was more than made up for by their overwhelming enthusiasm to build the Mishkan.

When the Torah lists the heads of the Jewish People who were sent to spy out the Land of Israel, it lists them according to their importance. Yehoshua appears fifth in that list. Hashem chose him to be the leader of the Jewish People precisely because he was a seeker and wanted more.

When Moshe ascended to the supernal realms, Yehoshua waited for him at the foot of Mount Sinai for forty days. Yehoshua took no tea breaks, no days off. Even though he could have rushed out to meet Moshe and resumed his learning as soon as Moshe returned, Yehoshua was not prepared to waste those few precious extra moments between the camp and the foot of the mountain.

Such is the nature of a seeker.

Oh, by the way, I almost forgot. That student who Rabbi Avraham Yafin described as his “best bachur” became better known as the Steipler Gaon, one of the greatest halachic arbiters of his generation.

· Source: Rabbi Chaim Shmuelevitz in Sichot Mussar, with thanks to Rabbi Mordechai Perlman and Rabbi Reuven Lauffer

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Rabbi Yissocher Frand - Parshas Pinchas Don't Be Frumer Than the Shulchan Aruch

The pasuk in this week’s parsha says, “Harass the Midianites and smite them. For they harassed you...” (Bamidbar 25:17-18). The Ribono shel Olam tells Moshe that he should take revenge from the Midianites for what they did to Klal Yisrael. The Medrash Tanchuma comments on this: “One who rises up to kill you—preemptively kill him. Rav Shimon says, ‘How do we know that someone who causes his friend to sin is worse than someone who kills his friend?’ It is because when someone kills another person, the victim still has a portion in the World-to-Come. However, when someone causes his friend to be sinful, he causes the friend to lose both this world and the next world.

The Medrash continues: Two nations approached the Jewish nation by sword (attacking us physically, but not spiritually) and two other nations approached them by attempting to entice them to sin (attacking them spiritually). Mitzrayim and Edom attacked us physically, but Amon and Moav attacked us spiritually. By the former nations we are commanded “Do not hate them” (Devorim 23:8). By the third generation following their conversion, we are allowed to intermarry with them (Devorim 23:9). However, concerning those who caused us to sin, it is written “Neither an Ammonite nor a Moavite shall enter into the Congregation of Hashem, even in the tenth generation they shall not enter into the Congregation of Hashem, forever.” (Devorim 23:4)

Ammon and Moav are on the “Enemies List” forever, because they did something far worse than trying to kill us physically. They tried to seduce us. They tried to take away our Olam HaBah. Therefore, the Ribono shel Olam rejects them eternally.

The Medrash continues and says that someone who has mercy on an Ammonite will end up suffering. He will come to shame, to wars, and to troubles. If the Torah rejects them and places them “off limits” then we are not allowed to show them kindness or to be nice to them. This is an old principle: Don’t be frumer (more religious) than the Torah. The Medrash gives an example of someone who had mercy on an Ammonite and, as a result, suffered terribly: Dovid HaMelech. As it is written: “And Dovid said I will do a kindness with Chonan son of Nachash, as his father did with me...” (Shmuel II 10:2)

Nachash was the King of Amon, and at one point he did a favor to Dovid (Shmuel I Chapter 11). Dovid HaMelech now wanted to repay the favor, so when Nachash died, he sent messengers to be Menachem Avel (extend condolence wishes to the mourner) to this Ammonite. The Medrash relates: “The Holy One Blessed be He said, ‘You have

transgressed My Word to not inquire about or be concerned about their welfare. And you showed them acts of kindness. ‘Don’t be overly righteous!’ (Koheles 7:16)”.

What happened to Dovid as a result of this gesture? We won’t go into all the details of a long and complicated story in Tanach, but to make a long story short, when the messengers of Dovid HaMelech arrived at the palace, they were treated brutally, stripped down to the waist, and half their beards were cut off to mock them.

This is the point of the Medrash: A person should only do what the Torah says, and not try to improve on the Torah’s morality. If the Torah says about the Ammonites and Moavites “Don’t seek their welfare or their benefit,” we should follow the Torah and not be more “religious” than the Word of G-d.

The sefer Oztros haTorah brings a fantastic incident: When Rav Moshe Feinstein was a Rav in Luban, Russia, there was a Jew in the city who was a moser. A moser is a person that snitches to the government against Jews. (One has to realize that this incident took place in the 1930s, under the Stalinist Government. The Communists were at their height of power and were terrible to the Jews.) There were unfortunately Jews who were members of the Communist party, and they would snitch on other Jews to get them into trouble with the Soviet authorities.

The moser died and he left a letter to the Chevra Kadisha (Burial Society) in which he confessed that he had been sinful during his life, and stated that now prior to death he regretted those actions. He bemoaned the fact that he was responsible for having Jews arrested, sent to Siberia, and killed. Out of shame and repentance, he stated that he wished to achieve kappara (atonement) after death for his actions, and hence requested of the Chevra Kadisha that they not give him a proper Jewish burial. He requested that his body be mutilated and abused. “I don’t want to have a tahara—just roll me in the gutter as a kappara for what I did in my lifetime.”

The Chevra Kadisha came to the Rav of Luban, Rav Moshe Feinstein, and showed him this “Last Will and Testament” of this Moser, and asked for his advice. Rav Moshe paskened that they were not allowed to treat a Jewish body disrespectfully, and that they had to bury him with a tahara and with all the honor and dignity accorded to any Jewish person being buried. He ruled that no person is the master over his own body, and this person had no right to make such a request. “What is going to happen to him after death is between him and the Ribono shel Olam, but we cannot take the law into our own hands and do this to another Jew because it is against the Din (Jewish law).”

The Chevra Kadisha tried to argue with Rav Moshe, repeating what an evil person this fellow was. Rav Moshe persisted: “This is what it says in Shulchan Aruch. You need to follow the Din. Don’t be frumer than the Torah.”

The Chevra Kaddisah buried the fellow, perhaps not with “full military honors,” but with normal Kavod HaMeisim (dignity due to the dead). A few days after the burial, the watchman at the cemetery reported that officers from the Russian Government came and insisted that the body be exhumed. The watchman was not in a position to tell the government officers “Sorry, we don’t do that type of thing.”

They dug up the grave. They opened the coffin. They looked at the body. They closed the coffin. And they reburied him. Before they left, the watchman asked if they could give him an explanation about what just happened. They told him what happened: Before this moser died, he sent a second letter. He sent a letter to the government stating that he could demonstrate how much the Jews hate the Communist authorities. “They are not going to give me a proper Jewish funeral because I was a friend of the government.”

Lo and behold, when they opened the coffin, they saw that he was buried k’das u’k’din (according to Jewish law) and that the allegation in the letter he sent them was in no way true. The moral of this story is: Keep what is written in Shulchan Aruch. Shulchan Aruch states what we are supposed to do. We should not try to outsmart the Shulchan Aruch, and we should not try to be frumer than the Shulchan Aruch. “Al te’hee Tzadik Harbeh” — ‘Don’t be overly righteous!’ (Koheles 7:16).

Transcribed by David Twersky; Jerusalem DavidATwersky@gmail.com

Technical Assistance by Dovid Hoffman; Baltimore, MD dhoffman@torah.org

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Pinchas - Deserved Rewards

Ben-Tzion Spitz

Obedience of the law is demanded; not asked as a favor - Theodore Roosevelt

When a person is contracted to do a job, when the work is defined, when the compensation is agreed upon and the worker does the job, then they receive the agreed-upon compensation. If the employer is gracious, they will also thank the worker. If the employer is generous and wants to show appreciation for a job well done, they may also include some type of tip or bonus, depending on the type of work and circumstances. However, as a rule, the employer pays the worker what was agreed.

The Chidushei HaRim on Numbers 25:11 explains that the Jewish people have, among the many types of relationships with God, a contractual one. God gives us life and in turn, we serve Him. If we serve Him, we are deserving of our divinely prescribed life in this world. However, it is apparently also in God's nature to go over and above the mere terms of the contract. God is generous. He is so generous that he gives us continued life and rewards, even when we aren't necessarily deserving. Nonetheless, according to the Chidushei HaRim, the basis of what we receive from God is earned by our actions, actions that are expected of us. It's our job, it's our duty and so our "salary" is based on those required actions.

Enter Pinchas. Pinchas, together with the leadership of Israel, is confronted with a scene of rebellion and promiscuousness that gives Moses pause. Pinchas realizes that to quell the rebellion he needs to immediately take matters into his own hands. He must act. He undertakes a dangerous and unsanctioned act of vigilantism and kills the rebellious ringleader and his immodest partner. Nobody commanded Pinchas to take such an act and risk himself. It turns out that Pinchas' lethal act stopped the advance of the plague that had erupted as a result of God's anger, and which killed 24,000 people in the space of a few moments. Thereafter, God goes on to describe Pinchas' reward for his actions.

The Chidushei HaRim elaborates that in this case, the rewards that Pinchas receives are truly earned. There was no bonus here. Pinchas did not need to do what he did. It was not part of any contract or prior obligation. Pinchas over-extended himself to do what he understood to be right, to do something that he felt God would want, though neither he nor anybody else had been commanded or expected to do so. That deserved its own reward beyond any contractual understanding with God.

May we always aim to do the right thing, whether it's demanded of us or not.

Dedication - On the Brit Milah and naming of our grandson, Oded Chaim Spitz. Mazal Tov! Shabbat Shalom

Ben-Tzion Spitz is a former Chief Rabbi of Uruguay. He is the author of three books of Biblical Fiction and over 600 articles and stories dealing with biblical themes.

Rabbi Shmuel Rabinowitz

Parashat Pinchas - Four Comments on Leadership

This week's Torah portion, Pinchas, describes a series of events that occurred prior to the children of Israel entering the Land of Israel. Let's focus on two of those events: the story of the request made by the daughters of Zelophehad, an unknown man from the tribe of Menashe, to receive their portion of the land in the Land of Israel; and the dialogue between G-d and Moses regarding the transfer of leadership from Moses to Joshua. We will concentrate on the comments made by the famous biblical commentator Rashi (Rabbi Shlomo Yitzchaki, northern France, 1040 – 1105) and notice how the Torah constructs for us the image of the ideal leader.

The story of the daughters of Zelophehad begins with a census of the children of Israel ahead of entering the Land of Israel and the division of portions to the tribes, families, and individuals. As was customary in those days, the census was done of the men of the family.

The daughters of Zelophehad, whose father had died, were concerned that they would be deprived of a portion of land and came to Moses to complain:

Why should our father's name be eliminated from his family because he had no son? Give us a portion along with our father's brothers.

Moses' immediate response is not written in the Torah. We are surprised to discover that he didn't know the answer so he turned to the source of biblical law: G-d:

So Moses brought their case before the Lord. (Numbers 27, 4-5)

Rashi reveals to us that it was not a coincidence that Moses didn't know the answer. "The law eluded him, and here he was punished for crowning himself (with authority) by saying, 'and the case that it too difficult for you, bring to me.'" Rashi notes a hint of arrogance in Moses' words when calling to the nation to present him with their questions and challenges. As a result, G-d reveals to all of us that even Moses, the master of prophets, does not know everything. Sometimes, even he needed to clarify a law he was not clear about.

Now, let's turn from the story of the daughters of Zelophehad to the description of the transfer of leadership. G-d turns to Moses and instructs him:

The Lord said to Moses, "Go up to this mount Abarim and look at the land that I have given to the children of Israel. And when you have seen it, you too will be gathered to your people..." (Ibid, Ibid 12-13)

This was undoubtedly a difficult message. If we expected Moses to mourn what he was told, we would be surprised at his reaction. He turns to G-d and asks Him to appoint a new leader for the nation "so that the congregation of the Lord will not be like sheep without a shepherd." Rashi points out, "This (verse comes) to let us know the virtues of the righteous, for when they are about to depart from the world, they disregard their own needs and occupy themselves with the needs of the community." As a devoted and dedicated leader, Moses put his own personal story aside and dealt with national needs.

If we pay attention to the language Moses used, we will discern two additional aspects that complete the picture:

Let the Lord, the God of spirits of all flesh, appoint a man over the congregation, who will go forth before them and come before them... (Ibid, Ibid 16-17)

The name "the G-d of spirits of all flesh" is not common in the Torah. Why did Moses choose this moniker? Rashi explains that there is a strong connection between this moniker and the personality of the intended leader. "Why is this said? He said to Him, 'Master of the universe, the character of each person is revealed to you, and no two are alike. Appoint over them a leader who will tolerate each person according to his individual character.'" A worthy leader is one who can accept all the different streams in the nation, with all their various opinions, lifestyles, and aspirations which sometimes oppose one another. A worthy leader is not the leader of a specific group, or a specific sector. He is a leader of the entire nation, someone "who will tolerate each person according to his individual character."

This brings us to the description of a leader's role: "who will go forth before them and come before them." This obscure phrase is explained by Rashi in the following manner: "Not like the kings of the (gentile) nations, who sit at home and send their armies to war, but as I did, for I fought against Sihon and Og." A worthy leader takes responsibility and marches at the head of the nation. The concept of a commander calling to his soldiers to follow him began with Moses.

Humility, dedication to the nation's needs, tolerance, and taking responsibility – all these are the traits of an ideal leader, as Rashi taught us based on the words of the Torah. These are the traits we must seek out in searching for a leader, and these are the traits we must nurture in ourselves and in the precious treasures we are responsible for nurturing – our children and pupils.

The writer is rabbi of the Western Wall and Holy Sites.

Rav Kook Torah

Matot: Beauteous Evil

The Offering of Midianite Jewelry

Rabbi Chanan Morrison

After the reprisal attack against Midian, the Israelite soldiers presented an unusual donation to the Tabernacle: gold jewelry seized from the Midianite women.

"We wish to bring an offering to God. Every man who found a gold article - an anklet, a bracelet, a ring, an earring, or a body ornament - to atone for our souls before God." (Num. 31:50)

Why did the soldiers bring this odd offering to the Tabernacle? The Talmud (Shabbat 64a) explains that they felt a need for atonement - not for improper actions - but for improper thoughts when they came in contact with the Midianite women.

Still, why not bring a more conventional offering? And why does the Torah list all of the various types of Midianite ornaments?

Some of the jewelry was of the normal variety, worn in full view, such as rings and bracelets. Other pieces, however, were of an intimate nature, worn underneath the clothes, like the kumaz, a suggestive body ornament. From the association that the Torah makes between ordinary jewelry and intimate ornaments, the Talmud derives the moral lesson that "to gaze at a woman's little finger [for enjoyment] is like staring at her undressed."

What is so terrible about enjoying a woman's natural aesthetic beauty?

The Snare of Superficial Beauty

On its own accord, beauty has intrinsic worth, and can make a positive impression on the soul. The soul gains a wonderful sense of expansiveness when it experiences aesthetic pleasures that are pure.

However, if the beauty is covering up that which is ethically repulsive, this attractiveness becomes a spiritual hazard. The external charm is but a snare, entrapping in its inner ugliness those caught in its net. In general, we only succumb to that which is morally repugnant when it is cloaked in a veneer of superficial beauty.

This was precisely the casus belli for the war against Midian. The young women of Moab and Midian enticed the men with their outer beauty, leading them to perform the vile idolatrous practices of Pe'or. The Midrash describes their method:

"When [the Israelite man] was overcome by lust and asked her to submit to him, she pulled out a statue of Pe'or from her bosom and demanded: 'First, prostrate yourself before this!'" (Sifrei 25:1; Rashi on Num. 25:2)

This phenomenon encompasses an even greater pitfall. The simple act of staring at that which is prohibited undermines the soul's healthy sense of moral rectitude and purity. If we are attracted to that which is morally repugnant, we become desensitized to the ugliness of the sin. The superficial beauty not only conceals the inner sordidness, it diminishes our loathing for it.

Even if the soul has not been sufficiently corrupted to be actually ensnared in the net of immorality, its purity has nevertheless been tainted by an attraction to that which is forbidden. For this reason, the Israelite soldiers who fought against Midian required atonement. To make amends for their spiritual deterioration, they brought a particularly appropriate offering: gold jewelry, whose shiny and glittery exterior concealed its corrupt inner core. The officers donated jewelry that is worn openly, as well as ornaments worn intimately. They recognized that both types of jewelry share the potential to desensitize the soul and damage its integrity.

(Sapphire from the Land of Israel. Adapted from Ein Eyah vol. IV, p. 116)
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Shema Yisrael Torah Network

Peninim on the Torah - Parashas Pinchas

פרשת פנחס חשב"ב

פנחס בן אלעזר בן אהרן הכהן

Pinchas ben Elazar ben Aharon HaKohen. (25:11)

When the Torah details Pinchas' lineage, it does so only up until Aharon. In other instances, while the Torah does not list ancestors all the way to the Patriarchs, it does extend to the *rosh ha'mishpachah*, head of the family. For example, Betzalel's lineage is recorded up to Yehudah, and Ohaliav's is listed up to Dan. The Torah stops short of Yaakov Avinu. Concerning Pinchas, the Torah stops with Aharon. Why

not mention Amram and Levi? [Simply, we could say that the Torah is addressing the *Kehunah* and Pinchas' relationship to it. Amram and Levi were not *Kohanim*, since *Kehunah*, the Priesthood, commenced with Aharon.] Horav Aryeh Leib Heyman, zl, suggests that the Torah underscores Aharon's name for an important reason. It imparts a vital message concerning the spiritual/ethical character of both Aharon and his grandson, Pinchas.

We are well-aware that a sudden, unusual, irregular act can indicate the pathology that lurks beneath the veil of the routine. In other words, one can routinely act modestly, with utmost humility, until he is offended, at which time he lets loose with various maledictions, because he has been insulted. People act in a certain manner only because, at the time, it serves them well. When someone or something provokes them, however, they might act differently - atypical of their nature. For example, Avraham Avinu subdued his fatherly love and compassion for Yitzchak Avinu and listened to Hashem when He commanded him to slaughter his and Sarah Imeinu's son. How do we know that this was actually not indicative of Avraham's real nature? We see this from the manner in which he carried out all of his "routine" acts of *chesed*. They were all executed under the rubric of his *yiraas Shomayim*. Avraham's acts of *chesed* were not happenstance, carried out when it was convenient and popular. He did not act kindly to assuage his ego. He was real, carrying out Hashem's command to act kindly to people. The *Akeidah*, Binding of Yitzchak, demanded of him that he go against his inherent nature by subduing his fatherly love.

Likewise, Aharon HaKohen's reputation was based on love for his fellowman, pursuing and promoting peace between men and between husband and wife. Suddenly, his grandson commits an act of zealotry, which the people viewed as wanton murder. As Aharon's grandson, it might indicate that Aharon is not as "perfect" as he is portrayed. Was Aharon really like Pinchas, or, on the contrary, was Pinchas' act of zealotry rooted in his love for *Klal Yisrael* and Hashem? The answer lies in heralding Pinchas' act of zealotry to his grandfather, Aharon, and, concomitantly, Aharon's pursuit of peace, his abiding love of Hashem. His total abdication to carrying out His will was no different than Pinchas' act of slaying the perpetrator who had profaned Hashem's Name. They were all connected.

Conversely, Pinchas' act of zealotry was not unlike Aharon's pursuit of peace. He knew that peace could only reign if the entire nation were to glorify Hashem's Name. Zimri was a perpetrator whose incursion defamed Hashem, undermined Moshe Rabbeinu, and impugned the integrity of *Klal Yisrael*. For the sake of peace, he had to be stopped. Aharon HaKohen's grandson took it upon himself to be the zealot in order to preserve peace.

בקנאו את קנאתי בתוכם

When he zealously avenged Me among them. (25:11)

The zealot acts on behalf of Hashem. After being completely certain that he has expunged every vestige of personal interest and emotion, to the point that he truly feels that he is acting only for Hashem, then he can move forward by acting zealously. The commentators question the meaning of *b'socham*, among them, and its placement at the end of the *pasuk*. It is almost as if the Torah is conveying to us the criterion for *kanaus*, jealousy: it must be *b'socham*, among them. Simply, this implies that the *kanai* should view himself as being "among them," a member of the community, a brother who is acting out of love and obligation - not anger and animus. The following vignette underscores this idea:

My nephew recently undertook a *shlichus*, mission, from the Gerrer Rebbe, Shlita, to establish a Gerrer community in Dimona, Eretz Yisrael (southern part of the country, near Arad, Yam Hamelech and Be'er Sheva). He arrived with a *Kollel* of young men with him in the role of *Rosh*, leader and guide. The community grew quickly, and, in a short while, the building which they were renting to serve as *bais hamedrash* and *shul* was no longer practical. While they had not yet located a suitable alternative, *Shabbos* services were held in a nearby *mamlachti* high school building. The *mamlachti* government schools are not *chareidi*, Orthodox, and the majority of their student body have

minimal understanding of the Torah (both letter and spirit). As a result, members of the student bodies have very little commitment to Jewish law and its traditions. Many of these students are either afraid of *chareidim* or, due to a lack of familiarity with us and our way of life, have developed an open bitterness, cultivated by years of hostile indoctrination by their leadership.

On a given Friday night following *Kabollas Shabbos* services, my nephew left *shul* late and noticed a group of teenagers playing basketball. To them, Friday night was just another night of the week. He walked over, dressed in his *chassidic* garb, sporting a *spodek* (Polish *Shtreimel*), and asked them if they would like to have some *kugel*. They could not believe that this *chareidi* Jew was addressing them as human beings. Sure, they would like some *kugel*. Perhaps, they would like to recite a *berachah*, he asked, to which most agreed. This encounter continued for a number of weeks until one of them asked to join the services. Slowly, others either joined or came afterwards for *kiddush* and *kugel*. Did they become *frum*? Will they become *frum*? We are not there yet. Their animus, however, was tempered because someone decided to employ passive *kanaus*, *b'socham*, among them – not against them.

אשר יצא לפנייהם ואשר יבא לפנייהם ואשר יוציאם ואשר יביאם ולא תהיה עדת ה' כצאן אשר אין להם רעה

Who shall go out before them and come in before them, who shall take them out and bring them in; and let the assembly of Hashem not be like sheep that have no shepherd. (27:17)

Moshe *Rabbeinu* asked Hashem to appoint his successor, presenting criteria for an effective leader, a person: who leads from the front; who takes the nation out and brings them in; who does not remain in the background. He then adds, “And let the assembly of Hashem not be like sheep that have no shepherd.” *Horav Aryeh Finkel*, *zl* (*Rosh Yeshivah* Mir/Brachfeld), wonders why Moshe had to supplement his request for a leader with a comparison to a herd of sheep who are shepherdless. Was not his request sufficient in its own right, without the added analogy about sheep? The *Rosh Yeshivah* explains that, indeed, Moshe was not referring to an analogy in order to impress upon Hashem that a competent leader was vital to the nation's stability and forward growth. Moshe sought to instill the concept in himself, to underscore the need for a strong leader that would lead, because otherwise the nation would be rudderless, much like a herd of sheep without its shepherd.

Horav Eliezer HaLevi Turk, *Shlita*, supplements this with the *Malbim's* commentary, *Ka'tzvo asher ein lahem roeh*, “Like sheep that have no shepherd.” Veritably, if for some reason the shepherd were to become lost or AWOL, the sheep would still have somewhat of a leader to guide them. The he-goat would “step in” and lead. While this may sound good on paper, the *tayash*, he-goat, is not much of a leader, because, after all is said and done, he is also a member of the herd and possesses the same level of intelligence as the other sheep. A leader must have *seichel*, be prudent, and possess common sense and intelligence. A leader must tower over his flock. In the human sphere of endeavor, a leader must be the repository of *ruach Elokim*, the spirit of Hashem, thus serving as the conduit that inspires spiritual growth. He must have the *seichel*, common sense, critical to understanding his flock and how to convey Hashem's message to them. The appropriate leader channels the *dvar Hashem*, word of G-d, through his *daas Torah*, wisdom developed and honed by the Torah. Moshe *Rabbeinu* feared that *Klal Yisrael* would appoint its own leader from among its ranks, who had similar interests, goals and objectives as they did. This would be a recipe for disaster. Hashem decided that Yehoshua was a perfect fit who could step into the shoes of his venerable *Rebbe*, Moshe, and lead the nation on the next leg of its journey.

Horav Avraham Farbstain, *zl* (*Rosh Yeshivah* Chevron), explains that herein lay Korach's contention to Moshe. He claimed that, while it is true that the nation needed leadership, once they received the Torah all together, “All the nation was holy” – In other words, they could go at it alone. It was not necessary to have a leader to lord over them. *Horav Chaim Brim*, *zl*, opines that the core principle of Korach's position concerning *Kehunah* and *malchus*, the Priesthood and monarchy, was inaccurate. His perception of these two

positions/functions in *Klal Yisrael* was viewed/based on his looking through the lens of physicality. His fallacious claims that *malchus* could be bestowed on anyone and that *Kehunah* was a position that was “dispensed” gratuitously without lineage or worthiness indicated how off base he was. Spirituality and physicality are irrevocably dissimilar and, under no circumstances, co-equal. *Rav Chaim* adds, “Anyone who is *moser nefesh*, sacrifices himself (time, energy, emotion, spirituality), for *Klal Yisrael* will be *zocheh*, merit, to achieve distinction with *siyata diShmaya*. He is valued by Hashem, because of what he has given up for His children.

ומנחתם ונסכיהם לפרים ולכבשים במספרם כמשפט

And their meal-offering and their libations for the bulls, the rams, and the lambs, in their proper numbers, as required. (29:18)

Simply, *v'niskeihem*, “and their libations,” refers to the libations of the two sheep of the *Korban Tamid*, one in the morning and one in the afternoon. *Chazal* (*Taanis* 2b) note the Torah twice departs from the singular form, *v'niska*, which is used in five *pesukim*, one time in the above *pasuk*, where it is spelled *v'niskeihem*, in the plural (with an added “*mem*” at the end of the word). Also, in *pasuk* 31, the Torah writes *U'nesachecha* with an added *yud*. To add to the equation, we note the word *k'mishpatam* (*pasuk* 33), while it says *k'mishpat* throughout the *pesukim*. All total, we have three superfluous letters: *mem*, *yud*, *mem*, which together spell the word *mayim*, water. This provides, say *Chazal*, proof that *nisuach ha'mayim* on *Succos* is *min haTorah*, a Biblically ordained *mitzvah*.

Horav Chaim Chaikin, *zl* (*Rosh Yeshivah* Aix Les Bains, France), who was a close student of the saintly *Chafetz Chaim*, quotes *Chazal* (*Berachos* 32b), who state that after the destruction of the *Bais Hamikdash*, the *Shaarei Tefillah*, Gates of Prayer, were sealed. The *Shaarei Dimah*, Gates of Tears, however, were not. What should a person do (since the Gates of Prayer are sealed)? He should weep during his prayers. Thus, his prayers will find access to Heaven via the tears that accompany his prayers. The *Rosh Yeshivah* relates that a Jew came to the *Chafetz Chaim* and said that he was in dire straits and was in need of the *tzaddik's* blessing. Would the *Chafetz Chaim* daven for him? The *Chafetz Chaim* asked the man if he had personally *davened* to Hashem. The Jew replied in the affirmative. He had prayed, but he had received no response. The *Chafetz Chaim* asked him to bring his *sefer Tehillim* to him from which he had been praying. The sage leafed through the pages and said, “Your *Tehillim* looks good: no stains; no worn-out pages; no indication that you wept during *Tehillim* recital. This is not appropriate *davening*. Wait a moment, and let me show you how to pray.”

The *Chafetz Chaim* brought a ladder, climbed up to the top of his *sefarim shank*, bookcase, and retrieved an old, worn-out, pages-swollen *Tehillim*. He opened it and showed the man the tear-stains throughout the *Tehillim*. He said, “This is my late mother's *Tehillim* in which she prayed constantly. Every one of her *tefillas* were accompanied by passionate weeping. This, my friend, is the meaning of *davening*.”

Tefillah is the act of baring one's soul in supplication to Hashem. Channah, mother of Shmuel *HaNavi*, teaches us that *tefillah* means pouring out one's heart in such fervent prayer that an unsuspecting onlooker might think that the supplicant is drunk, i.e., not in control of his/her faculties. When we think of weeping, we associate it with adult emotions. This does not mean that a child's tears are ineffective. A child who cries with *seichel*, common sense and intelligence, is certainly compelling and undoubtedly leaves an impact both on the world and in Heaven. An innocent child's pure emotions, when expressed properly, can alter a decree. Their tears are the result of a purity of heart that trumps even those of adults. The following vignette conveys the impact that a child can have.

Horav David Segal, *zl*, better known as his *nom de plume*, named after his *magnum opus*, *Turei Zahav*, *Taz*, escaped from Poland during *Tach v'Tat*, the pogroms that devastated Eastern Europe in 1648/1649. Hundreds of thousands of Jews were slaughtered by the maniacal hordes of Bogdan Chmielnicki, a Ukrainian Cossack, who led a peasant uprising against Polish rule. In every battle, the Jews are the

ones who become subject to the brunt of the destruction. This time was no different. The *Taz* and his *Rebbetzin* escaped in the nick of time, traveling far across Europe to a community that, although the residents had heard of the *Taz*, had never met him. The *Gaon* wanted to live under a cloak of anonymity so that he could devote himself to Torah study without any disturbance. He sought to retire from public exposure. For a source of income, he worked in the local kosher slaughterhouse as a *menaker*, removing the *gid ha'nashe*, sciatic nerve/sinew, and the accompanying fats from the hind portion of a cow/bull.

The *Rav* of the community where the *Taz* had taken up residence was far from erudite. Nonetheless, since this community was far from the established European Torah centers, as long as he knew more than his congregation, he qualified to serve as *rav*. Since he was unschooled in the laws of *issur v'heter*, *kashrus*, he took the easy way out. When he was presented with a question regarding the *kashrus* of a piece of meat or chicken, he would reply, "I suggest that you do not eat it. There are too many issues involved." Thus, he protected himself from rendering a non-kosher piece of meat kosher. The poor members of the community, however, could not afford to accept the stringencies arising from his lack of knowledge. The *Taz* could not tolerate this. As a result, he began to issue his *psakim*, rulings, concerning the meat. Soon, the people became aware of the brilliant *menaker* who worked in the slaughterhouse, and they all began to turn to him for his rulings. Clearly, this did not sit well with the *rav*.

In those days, *rabbanim* had a privileged relationship with the ruling government. As a result, the *Rav* had permission to punish the *Taz* for overstepping his bounds and acting as rabbinic arbiter of Jewish law, when he was only a *menaker*. He had the *Taz* placed in a sort of cage, and the members of the community would pass by and look at the sinner who had offended the *rav*. While the *Taz* was imprisoned in the cage, he noticed a young girl pass, weeping incessantly. She was carrying a dead chicken in her hands. He called out to her, "Why are you weeping?" The girl tearfully explained that her family was very poor. They had saved their pennies with the hope of purchasing a chicken, which they did. When it was slaughtered, however, a questionable blemish was discovered. She ran to the *Rav* to render his ruling concerning the chicken's *kashrus*. The *rav* replied that it was best not to eat it.

Now, they had no money and no chicken. The *Taz* asked to look at the chicken and discovered that it was kosher. Indeed, he had himself written about such a *shailah*, question, in his *Taz* commentary. Knowing that the *rav* would never accept the ruling of a "disgraced" person, he told the girl to return to the *rav* and informed him that the *Taz* rules that such a blemish is kosher. He told the girl the exact citation.

The child went to the *rav*, who was basically not a bad person – just terribly insecure. He looked up the *Taz* and acknowledged that the young girl was correct. He asked who had informed her of this *Taz*, and she told him, "The man in the cage." The *Rav* then realized that he had erred egregiously by disgracing the *gadol hador*, preeminent leader of the generation. He publicly apologized to the *Taz* and asked for his forgiveness. The *Taz*'s secret was out, his greatness revealed. His wife, who together with him, had done everything to conceal their true identities asked, "You were so careful. What provoked you to speak to the girl which led to your secret getting out?" He explained, "The girl walked by weeping unremittingly. I could not ignore a child's tears!"

Va'ani Tefillah

כי שמע ד' קול בכי – *Ki shoma Hashem kol bichyee*. For Hashem has heard the sound of my weeping.

There used to be a time when weeping came naturally and people did not suppress their tears out of embarrassment. There once was a time when weeping was commonly heard in the *shul* – especially in the *ezras nashim*, women's section. *Horav Shimshon Pincus*, *zl*, quotes *Horav Yisrael Salanter*, *zl*, who related that he remembered when women would break down in bitter weeping during *Bircas HaChodesh Elul*. David *Hamelech* teaches us that *b'chi*, weeping, is a powerful expression of a person's pain and anguish. This is especially true and effective when one cries for the honor of Heaven and the desecration of Hashem's Name. These tears have no end. Some of us express our pain

by calling out and battling those who undermine the Almighty. If they would invest their time in weeping, they would achieve greater success. When a person's prayer is accompanied by copious weeping, he merits to receive a positive response to his request. It is all in the presentation. If one truly believes, his emotion shows.

In loving memory of our parents and brother

Cy and Natalie Handler

The three-week period between Shiva Asar B'Tammuz and Tisha B'Av is kept by Klal Yisrael as a time of mourning. In this article, we will review and explain the halachos that apply during the Three Weeks. In a subsequent article, we hope to review the halachos that apply during the Nine Days that begin with Rosh Chodesh Av.

Explaining the Laws of the Three Weeks

by Rabbi Yirmiyohu Kaganoff

WHAT HAPPENED ON SHIVAH ASAR BETAMMUZ?

The Mishnah (Ta'anis 26) teaches that five tragic events occurred on the 17th day of Tammuz:

1. The *luchos* (tablets) containing the *Aseres Hadibros* were destroyed.
2. The daily *korbanos* offered in the First *Beis Hamikdash* were stopped (see Rambam, *Hilchos Ta'anis* 5:2).
3. The walls of the city of Yerushalayim were breached, leading to the destruction of the Second *Beis Hamikdash* (Ta'anis 28b).
4. The wicked *Apostomus*, a Greek officer, burned the Torah near a bridge in Eretz Yisrael, during the period of the second *Beis Hamikdash* (see Talmud Yerushalmi and *Tiferes Yisrael*).
5. An idol was placed inside the *Beis Hamikdash*. According to Rashi, this was done by the evil King *Menashe*. Others explain that this incident occurred during the Second *Beis Hamikdash* time period (Rambam, *Hilchos Ta'anis* 5:2). These two interpretations reflect two opinions recorded in the Talmud Yerushalmi.

To commemorate these tragic events, the Jewish people observe the 17th of Tammuz as a fast day (see Rosh Hoshanah 18b; Rambam, *Hilchos Ta'anis* 5:1-4). In addition, the custom developed to observe some mourning practices from this day until Tisha B'Av. This three-week season is referred to by the Midrash *Rabbah* (Eicha 1:3) as the period of *Bein Hametzarim*.

It is noteworthy that neither the Mishnah nor the Gemara associate any mourning practices with the *Bein Hametzarim* period. Rather, the Mishnah mentions that the mourning of the Tisha B'Av season begins on Rosh Chodesh Av by "decreasing *simcha*" (Ta'anis 26b). The Mishnah does not explain what activities are curtailed in order to decrease *simcha*.

The Gemara (Yevamos 43a, as explained by the Ramban and Tur; cf. Rashi, who understands the Gemara differently) refers to four activities that are prohibited during this period, presumably to manifest this decreasing of *simcha*:

1. Business activity is decreased. (There is a dispute among *poskim* what types of business activity are intended; see Mishnah *Berurah* 551:11.)
2. Construction and planting for a *simcha* are not done (Yerushalmi, Ta'anis, cited by *Tosafos*, Yevamos 43a s.v. *Milisa*).
3. Weddings are not conducted. (An additional reason is cited to forbid weddings during these nine days: since this is not a good season for Jews, one should postpone a wedding to a more auspicious date [Beis Yosef, *Orach Chayim* 551; Magen Avraham 551:8].)
4. One may not make a festive meal to celebrate an *erusin*. This was the approximate equivalent to our making a *tenaim* or *vort* to celebrate an engagement. The Gemara permits making the *erusin*, itself, provided one does not make a festive meal to celebrate it. It is permitted to become engaged during the Nine Days, and even on Tisha B'Av itself (Magen Avraham 551:10; Tur, quoting Rav Nissim; Shulchan Aruch, *Orach Chayim* 551:2).

Although the Mishnah and Gemara make no mention of beginning the mourning period any earlier than Rosh Chodesh Av, accepted *minhag Ashkenaz* is to begin the *aveilus* from the 17th of Tammuz. Thus, the Rema (*Darkei Moshe*, *Orach Chayim* 551:5 and *Hagahos* 551:2) reports

that Ashkenazim do not make weddings during the entire period of the Three Weeks, a practice that has become accepted by many Sefardic communities (Knesses Hagedolah; Ben Ish Chai, Parshas Devarim #4). However, many Sefardic communities permit making a wedding until Rosh Chodesh Av, and, under certain circumstances, even later (Shu't Yabia Omer 6:Orach Chayim #43. See also Sedei Chemed Vol. 5, pg. 279 #14 who states that it depends on the custom of the community.)

MAY ONE SCHEDULE A VORT DURING THE THREE WEEKS?

It is permitted to celebrate an engagement during the Three Weeks, provided there is no music or dancing (Magen Avraham 551:10). Until Rosh Chodesh, one is allowed to celebrate the engagement with a festive meal (Mishnah Berurah 551:19), but from Rosh Chodesh, one should serve only light refreshments (Magen Avraham 551:10).

IS DANCING PERMITTED DURING THE THREE WEEKS?

Most dancing is prohibited during the Three Weeks (Magen Avraham 551:10; Elyah Rabbah 551:6; Mishnah Berurah 551:16). However, there are authorities who permit dancing at a sheva brachos.

MAY ONE GET MARRIED ON THE NIGHT OF THE 17TH OF TAMMUZ?

When the 17th of Tammuz falls out during the week, one who chooses to get married on this day should begin the wedding on the daytime of the 16th. There are poskim who contend that this is permitted only under extenuating circumstances (Piskei Teshuvos 551: 7 footnote 51).

When the 17th falls out on Sunday, most poskim prohibit making a wedding on the night of the 17th (Motza'ei Shabbos), since they consider that the period of mourning begins already at night (Shu't Tzitz Eliezer 10:26). Many poskim contend that the night of the 17th should be treated even more strictly than the Three Weeks; it should be treated with the stringencies of the Nine Days (Elyah Rabbah; Shu't Chayim Sha'al #24; Biur Halacha 551:2). However, Rav Moshe Feinstein rules that, under extenuating circumstances, it is permitted to schedule a wedding on the Motza'ei Shabbos of the 17th of Tammuz (Shu't Igros Moshe, Orach Chayim 1:168).

WHAT ARE THE LAWS ABOUT HAVING HAIRCUTS AND SHAVING DURING THE THREE WEEKS?

The Mishnah (Ta'anis 26b) rules that it is prohibited to cut one's hair from the Motza'ei Shabbos preceding Tisha B'Av until Tisha B'Av. (These days are referred to as "shavua shechal bo Tisha B'Av", the week in which Tisha B'Av falls. We will refer to these days as "the week of Tisha B'Av.") This includes both shaving one's beard and getting a haircut (Ran). Thus, according to the takkanah of Chazal, it was permitted to have a haircut or shave up until a few days before Tisha B'Av. However, the Rema notes that the custom among Ashkenazim is that we do not cut our hair during the entire Three Weeks (Darkei Moshe, Orach Chayim 551:5 and Hagahos 551:4).

There are different customs among Sefardim regarding having haircuts during the Three Weeks. Shulchan Aruch, Orach Chayim (551:3) rules that it is prohibited to have a haircut only in the week of Tisha B'Av, as is recorded in the Gemara, and this is the Sefardic practice according to Rav Ovadia Yosef (Shu't Yechaveh Daas 4:36). However, other Sefardic poskim note that it is dependent on custom (Ben Ish Chai, Parshas Devorim #12).

Rav Ovadia Yosef paskens that Sefardic bachurim learning in an Ashkenazic yeshiva are permitted to shave until Rosh Chodesh. Even though most of the students in the yeshiva follow the Ashkenazic practice of not shaving during the entire Three Weeks, it is permitted for the Sefardim to follow their custom and shave (Shu't Yechaveh Daas 4:36). Although there is a general rule that a community should follow one halachic practice, this is true when the community has one rav or follows the guidance of one beis din. However, Sefardim and Ashkenazim are considered communities with different rabbonim and batei din; therefore, each community may follow its own halachically accepted practice (Yevamos 14a).

There are a few exceptions to the ruling regarding when Ashkenazim are permitted to shave or get a haircut during the Three Weeks. For example, it is permitted to trim one's mustache, if it interferes with eating (Ran; Shulchan Aruch, Orach Chayim 551:13).

Shu't Chasam Sofer (Yoreh Deah #348 s.v. Ve'i golach) rules that a person who shaves every day is permitted to shave on Friday during the Three Weeks, in honor of Shabbos. Furthermore, he also implies that someone who is very uncomfortable because of his beard stubble is permitted to shave during the Three Weeks, except for the week of Tisha B'Av (see She'arim Hametzuyanin Bahalacha 122:5). Both of these rulings are controversial, and one should not rely on them without receiving a pesak from a rav.

Rav Moshe Feinstein permits shaving during the Three Weeks, if someone may lose his job or may lose customers because he does not shave. However, if the only concern is that people will make fun of him, he is not permitted to shave. Rav Moshe Feinstein contends that when the prohibition against shaving is only because of minhag (as it is prior to the week of Tisha B'Av), there is no minhag to prohibit shaving if he will suffer financially as a result. However, if he will suffer only embarrassment or harassment, but no loss of income, he is required to remain unshaven.

In any case, shaving is prohibited during the week of Tisha B'Av not because of minhag but because of takkanas chachomim, which forbids shaving, even if one suffers financial loss (Shu't Igros Moshe, Choshen Mishpat 1:93 and Orach Chayim 4:102).

If a bris falls out during the Three Weeks, the father of the baby, the mohel and the sandek are permitted to shave or have a haircut (Shu't Chasam Sofer, Orach Chayim #158). The Chasam Sofer permits a haircut and shave even during the week of Tisha B'Av, whereas other poskim disagree and permit this only until the week of Tisha B'Av (Shu't Noda Biyehudah 1:28; Sha'arei Teshuvah; Sedei Chemed 5:278:3) or only until Rosh Chodesh (Be'er Heiteiv 551:3).

Some poskim permit a haircut or shave only on the day of the bris itself (Shu't Noda Biyehudah 1:28). According to some authorities, the kvatter and the sandek me'umad (also called "amidah lebrachos") are also permitted to shave and have a haircut (She'arim Hametzuyanin Bahalacha, Kuntrus Acharon 120:8, based on Elyah Rabbah 551:27 and Beis Meir, Orach Chayim 551). However, most poskim do not permit them to shave, and restrict the heter of shaving and haircutting in honor of the bris to the mohel, the sandek, and the father of the baby.

Adults may not give children a haircut during the week of Tisha B'Av (Shulchan Aruch, Orach Chayim 551:14). The poskim disagree whether a minor may have a haircut during the part of the Three Weeks before Shabbos Chazon. Some contend that since the prohibition against haircuts during these weeks is only a custom, children are not included (Mishnah Berurah 551:82, quoting Chayei Adam), whereas others rule that children are included (Elyah Rabbah 551:28).

Although some poskim permit scheduling an upsheren (chalahkah) during the Three Weeks, if that is when the child's birthday is, the prevalent practice is to postpone the upsheren until after Tisha B'Av (Piskei Teshuvos 551:44).

Some recent poskim have suggested that a bar mitzvah bachur who needs a haircut may have one during the Three Weeks, as long as it is not during the week of Tisha B'Av. The She'arim Hametzuyanin Bahalacha concludes that it is more acceptable, halachically, for the bar mitzvah to have a haircut the day before he turns bar mitzvah and rely on the opinion that a minor may have a haircut during the Three Weeks, before the week of Tisha B'Av (Kuntrus Acharon 120:8).

The authorities disagree as to whether a woman may have her hair cut during the Three Weeks. Mishnah Berurah rules that a woman may not have her hair cut during the week of Tisha B'Av. He suggests that it may be permitted for her to trim the hair on the temples (Mishnah Berurah 551:79). Many poskim rule that a woman may tweeze her eyebrows and perform similar cosmetic activities, even during the week of Tisha B'Av (see Shu't Igros Moshe, Yoreh Deah 2:137; Halichos Beisach, Chapter 25, footnote 70).

MAY I CLIP MY FINGERNAILS DURING THE THREE WEEKS?

It is permitted to clip fingernails during the Three Weeks, according to all opinions. There is a dispute whether one can clip nails during the week of Tisha B'Av (Magen Avraham, 551:11 permits, whereas Taz, Orach Chayim 551:13 and Elyah Rabbah 551:7 prohibit).

WHAT ARE THE HALACHOS ABOUT PLAYING AND LISTENING TO MUSIC DURING THE THREE WEEKS?

Playing or listening to music for enjoyment is prohibited during the Three Weeks (Shu't Igros Moshe, Orach Chayim Vol. 4:21:4). Many poskim prohibit listening even to recorded music (Shu't Tzitz Eliezer 15:33).

It is permitted to play music for non-Jews for *parnasah* or to teach music for *parnasah*, until the week of Tisha B'Av (Biur Halacha to 551:2 s.v. *Memaatima*, based on *Pri Megadim*). Similarly, it is permitted to take music lessons that are for *parnasah*. Some poskim permit taking lessons, if the lessons are not for pleasure and there will be a loss of skill because of the time lost (Shu't Tzitz Eliezer 16:19). However, the *Kaf Hachayim* (551:41) writes: "Those who teach music during these days should teach sad songs, and it would be even better if they did not teach any music at all."

IS SINGING PERMITTED DURING THE THREE WEEKS?

Sedei Chemed discusses this question (Volume 5, page 376:10). He feels that it is permitted, but quotes sources who seem to forbid it, and therefore is inconclusive. It is permitted to sing sad or moving songs, similar to what we sing on Tisha B'Av. Since it is uncertain that it is prohibited, one need not tell someone who is singing that he is doing something halachically wrong.

MAY ONE RECITE SHEHECHEYANU DURING THE THREE WEEKS?

There are three opinions among the poskim:

1. Shehecheyanu should not be recited during the Three Weeks, even on Shabbos (Arizal);
2. Shehecheyanu should not be recited on weekdays, but may be recited on Shabbos (Sefer Chassidim #840);
3. Shehecheyanu may be recited even on weekdays (Taz and Gra, Orach Chayim 551:17).

Most halachic authorities rule like the middle opinion, permitting shehecheyanu to be recited on Shabbos, but not on weekdays (Magen Avraham, Elyah Rabbah, Chayei Adam; Mishnah Berurah). In general, laws of mourning do not apply on Shabbos. Thus, shehecheyanu may be recited on Shabbos. (Rav Akiva Eiger rules that shehecheyanu may also be recited on Rosh Chodesh.)

An alternative approach to explain this opinion contends that it is a mitzvah to benefit from the world and make a shehecheyanu. Fulfilling this mitzvah supersedes the concern about reciting shehecheyanu during the Three Weeks—but it is appropriate to push it off to Shabbos (Mekor Chessed commentary to Sefer Chassidim #840; based on Yerushalmi at end of Kiddushin).

According to the Ari, the reason for not saying a shehecheyanu is not on account of the mourning, but because it is inappropriate to recite a blessing that we should be rejuvenated to this time, which is a very inauspicious period. This reason not to recite shehecheyanu applies even on Shabbos (Magen Avraham; Shu't Chayim Sha'al #24).

The Gra contends that no halachic source prohibits a mourner from reciting shehecheyanu. Apparently, he also disagrees with the reason attributed to the Ari.

MAY ONE RECITE SHEHECHEYANU ON THE NIGHT OF THE 17TH?

Most poskim hold that one should not (Shu't Chayim Sha'al #24; Sedei Chemed Vol. 5, pg. 277; Biur Halacha 551:2). However, Rav Moshe Feinstein contends that the mourning period does not start until morning, implying that one may recite a shehecheyanu at night (Shu't Igros Moshe, Orach Chayim 1:168).

MAY A CHILD RECITE SHEHECHEYANU DURING THE THREE WEEKS?

This depends on the age and maturity of the child. If the child is old enough to appreciate the *aveilus* that is observed, then we should train him not to say shehecheyanu during the Three Weeks. However, if he or she is not old enough to appreciate the *aveilus*, but is old enough to recite the shehecheyanu, one may allow him or her to recite the shehecheyanu (Birkei Yosef, Orach Chayim 551:9). There is no need to be concerned that the child is wishing this season to return.

Mishnah Berurah (511:99) permits a pregnant woman or an ill person to eat a new fruit without reciting the shehecheyanu.

According to all opinions, one recites a shehecheyanu when performing the mitzvos of *pidyon haben* or *bris milah* (for those who recite a shehecheyanu at a *bris*). The Rema rules that one may also recite a shehecheyanu on a new fruit that will not be available after Tisha B'Av. Otherwise, one should wait until after Tisha B'Av to eat the fruit or to buy the clothing upon which one would recite shehecheyanu. It is permitted to purchase clothes that do not require a shehecheyanu.

MAY ONE PURCHASE A NEW CAR DURING THE THREE WEEKS?

Rav Moshe Feinstein rules that if the car is being purchased for pleasure or convenience, one should wait until after the Three Weeks to buy it. If, however, it is necessary for *parnasah*, one may purchase it during the Three Weeks, but one should not recite shehecheyanu until after the Three Weeks (Shu't Igros Moshe, Orach Chayim 3:80). Some poskim permit buying any necessary appliance, such as a refrigerator or washing machine, to replace one that broke during the Three Weeks (Piskei Teshuvos 551:11).

OTHER HALACHOS OF THE THREE WEEKS

One should not engage in dangerous activities during the Three Weeks (see Shulchan Aruch, Orach Chayim 551:18). For this reason, some do not schedule elective surgery until after Tisha B'Av (Piskei Teshuvos 551:1).

One may bathe, shower, go swimming or go to the beach between the 17th of Tammuz and Rosh Chodesh Av, even if one has not gone swimming yet this season. Although people say that one may not go swimming for the first time during the Three Weeks, there is no halachic source for this practice. It is, therefore, not considered a binding custom, and it is permitted without *hataras nedarim* (Teshuvos Vehanhagos 2:263).

Some forbid hikes, trips to the beach and other entertaining activities during the Three Weeks (see Sedei Chemed, Vol. 5, pg. 376:10). Some authorities suggest not swimming in dangerous places or in water deeper than one's height (Teshuvos Vehanhagos 2:263).

FOCUS OF THE THREE WEEKS

The most important aspect of the Three Weeks is to focus on the tremendous loss we suffer because of the destruction of the Beis Hamikdash. Some *tzaddikim* make a point of reciting *tikkun chatzos*, wherein we mourn the *galus* of the Shechina, every night..

Some Sefardic communities in Yerushalayim have the custom to sit on the floor, just after midday, on each day of the Three Weeks, and recite part of *tikkun chatzos*. To further convey this mood, *Yesod Veshoreish Ha'avodah* prohibits any laughing and small talk during these weeks, just as a mourner may not engage in laughter or small talk (Sha'ar 9, Chapter 11-12).

Although we may not be on such a spiritual level, we certainly should contemplate the tremendous loss in our spiritual lives without the Beis Hamikdash. Let us pray intently for the restoration of the Beis Hamikdash and the return of the Divine Presence to Yerushalayim, speedily in our days!

Are Jews Treated Differently?

On the Ultimate Meaning of Jewish Existence

Rabbi YY Jacobson

Jerusalem

Balaam's Prose

It is fascinating that some of the most splendid prose in the Hebrew Bible emerges from the mouth of Balaam, a brilliant poet, a prophet, and an archenemy of the Jewish people, who, summoned by the Moabite king to curse Israel, ends up delivering the most poignant poetry ever uttered about the history and destiny of the Jewish people (1).

"From the top of mountains I see him from the hills I behold him; It is a people that dwells alone, And is not reckoned among the nations..."

"How beautiful are your tents, O Jacob; Your dwellings, O Israel! As winding brooks, as gardens by the river's side; like aloes which G-d has planted, like cedars beside the waters..."

"They crouch, they lie down like a lion and a lioness; who dare rouse them? Blessed is he that blesses you, And cursed is he that curses you..."

Even more interesting is the fact that the most explicit reference in the five books of Moses to Moshiach, the Jewish leader who will bring about the full and ultimate redemption, when heaven and earth will kiss and humanity will become one, is to be found in Balaam's prose: "I see it, but not now; I behold it, but it is not near. A star shall come forth from Jacob, and a scepter shall rise up from Israel..."

This is strange. The identity, nature, and calling of the Jewish people are naturally discussed throughout the Torah. Yet the most acute, potent, and finely tuned appreciation of Jewish identity is communicated through the mouth of a non-Jewish prophet who loathes Israel and attempts to destroy it. Why?

Clarity of Vision

The message, I believe, is quite clear. The Torah is teaching us that if you wish to understand who the Jew is, you must at times seek the perspective of the non-Jew. The non-Jewish individual, who is unbiased and unaffected by the "Jewish complex" and its inclination toward self-deprecation, sometimes possesses a keener appreciation of the Jew than many Jews themselves.

The non-Jewish world does not fall prey to the popular Jewish claim that we are a "normal secular people," a "cultural ethnic group" that enjoys love, money, food, and leisure as much as any good guy (gentile) in the world. It makes us uncomfortable, but consciously or subconsciously, the gentile senses that something very profound and authentic sets the Jew apart from the rest of other nations. Although he or she may not be able to put his or her finger on what exactly that otherness is, the non-Jew feels that Israel "is a people that dwells alone, and is not reckoned among the nations."

A Peculiar People

Eric Hoffer, an American social philosopher, author of the classic "The True Believer" and recipient of the Presidential Medal of Freedom, expressed Balaam's sentiments in a Los Angeles Times article decades ago.

It is tragically clear that almost nothing changed since Mr. Hoffer wrote these words in May of 1968.

"The Jews are a peculiar people: things permitted to other nations are forbidden to the Jews. Other nations drive out thousands, even millions of people and there is no refugee problem. Russia did it, Poland and Czechoslovakia did it, Turkey threw out a million Greeks, and Algeria a million Frenchmen. Indonesia threw out heaven knows how many Chinese — and no one says a word about refugees. But in the case of Israel, the displaced Arabs have become eternal refugees. Everyone insists that Israel must take back every single Arab. Arnold Toynbee called the displacement of the Arabs an atrocity greater than any committed by the Nazis."

"Other nations when victorious on the battlefield dictate peace terms. But when Israel is victorious it must sue for peace. Everyone expects the Jews to be the only real Christians in this world."

"Other nations when they are defeated survive and recover but should Israel be defeated it would be destroyed. Had Nasser triumphed last June he would have wiped Israel off the map, and no one would have lifted a finger to save the Jews."

"No commitment to the Jews by any government, including our own, is worth the paper it is written on. There is a cry of outrage all over the world when people die in Vietnam or when two Negroes are executed in Rhodesia. But when Hitler slaughtered Jews no one remonstrated with him. The Swedes, who are ready to break off diplomatic relations with America because of what we do in Vietnam, did not let out a peep when Hitler was slaughtering Jews. They sent Hitler choice iron ore, and ball bearings, and serviced his troop trains to Norway."

"The Jews are alone in the world. If Israel survives, it will be solely because of Jewish efforts."

"Yet at this moment Israel is our only reliable and unconditional ally. We can rely more on Israel than Israel can rely on us. And one has only to imagine what would have happened last summer had the Arabs and

their Russian backers won the war to realize how vital the survival of Israel is to America and the West in general."

"I have a premonition that will not leave me; as it goes with Israel so will it go with all of us. Should Israel perish the holocaust will be upon us."

Three Non-Jewish Perspectives

In his book "The Meaning of History," Nikolai Berdyaev wrote the following about the meaning of Jewish history:

"I remember how the materialist interpretation of history, when I attempted in my youth to verify it by applying it to the destinies of peoples, broke down in the case of the Jews, where destiny seemed absolutely inexplicable from the materialistic standpoint. And, indeed, according to the materialistic and positivistic criterion, this people ought long ago to have perished."

Here are the splendid words of the great Russian novelist, Leo Nikolaevitch Tolstoy, who wrote this in 1908 about the Jewish people:

"The Jew is that sacred being who has brought down from heaven the everlasting fire, and has illuminated with it the entire world. He is the religious source, spring, and fountain out of which all the rest of the peoples have drawn their beliefs and their religions. The Jew is the emblem of eternity. He, who neither slaughter nor torture of thousands of years could destroy, he who neither fire, nor sword, nor Inquisition was able to wipe off the face of the earth. He, who was the first to produce the Oracles of God. He, who has been for so long the Guardian of Prophecy and has transmitted it to the rest of the world. Such a nation cannot be destroyed. The Jew is as everlasting as Eternity itself."

And here is a passage by contemporary historian Paul Johnson:

"All the great conceptual discoveries of the intellect seem obvious and inescapable once they have been revealed, but it requires a special genius to formulate them for the first time. The Jew has this gift. To them, we owe the idea of equality before the law, both divine and human; of the sanctity of life and the dignity of the human person; of the individual conscience and so of personal redemption; of the collective conscience and so of social responsibility; of peace as an abstract ideal and love as the foundation of justice, and many other items which constitute the basic moral furniture of the human mind. Without the Jews, it might have been a much emptier place."

And, of course, the immortal words of Nineteenth-century American president John Adams:

"I will insist that the Hebrews have done more to civilize man than any other nation. If I were an atheist who believed or pretended to believe that all is ordered by chance, I should believe that chance has ordered the Jews to preserve and propagate to all mankind the doctrine of a supreme, intelligent, wise, almighty sovereign of the universe, which I believe to be the great essential principle of all morality, and consequently of all civilization."

Another Non-Jewish philosopher, Peter Kreeft, wrote these words: "The prophetic spirit of the Jew finds a meaning and a purpose in history, thereby transforming mankind's understanding of history. Their genius for finding meaning everywhere -- for example in science and in the world of nature -- can be explained in only two ways: either they were simply smarter than anyone else, or it was G-d's doing, not theirs. The notion of the chosen people is really the humblest possible interpretation of their history."

A Confession

Some years ago, in his Rosh Hashanah sermon at Temple Israel in Natick, Mass., best-selling author Rabbi Harold Kushner made this candid confession:

"This past year [of terrorism and anti-Semitism] has compelled me to come to conclusions I didn't want to come to. For all of my years as a rabbi, I have believed and I have taught that Jews were no different from other people, that Judaism was different from Christianity and Islam, but Jews had the same feelings, the same strengths, and weaknesses, the same fears, and dreams that Christians and Muslims have. I took issue with the Chabad rabbis who argued that Jewish souls are essentially different than gentile souls."

"I opposed and discouraged interfaith marriage, not because I believed that Jews were better than non-Jews but because a family with two religions was likely to raise children with no religion to avoid arguments."

"But this year has persuaded me that Jews are in fact different. I find myself compelled to face the fact that the Jew plays the role for the world that the canary used to play for the coal miners. You've read about how the miners would take canaries with them into the mines because the canaries were extremely sensitive to dangerous gases. They responded to danger before the humans did. So if the miners saw the canaries get sick and pass out, they knew that the air was bad and they would escape as fast as they could."

"That's what we Jews do for the world. We are the world's early warning system. Where there is evil, where there is hatred, it affects us first. If there is hatred anywhere in the world, it will find us. If there is evil somewhere in the world, we will become its target. People overflowing with hatred for whatever reason, including self-hatred, make us the objects of their hatred."

"This is the role we play in the world, not by choice but imposed on us by others, to be the miner's canary, to smoke out the bigots, the haters, the people who will be a menace to their communities if someone doesn't stop them, and we identify them early on by their hatred of us."

"Hitler attacked Jews before he attacked western civilization, and that should have alerted the world to what kind of person he was, but the world misread the signal. Muslim fanatics practiced their terrorist skills on Israelis before turning those skills on the rest of the world, but the world never understood the warning."

"Our job is to live as Jews were summoned to live, because we can't escape the fate of being a Jew. Generations before us have tried and failed. We can claim the destiny of being a Jew; because when we do that, we discover how satisfying a truly human life can be."

G-d's Witnesses

But why are the Jews the canaries of the world? What exactly placed the Jewish people in this position? This was well articulated by Professor Eliezer Berkovits in his book Faith After the Holocaust:

"The fear that so many different civilizations have of the Jew, the suspicion with which he is met, is utterly irrational, yet it has its justification. It is utterly irrational because it has no basis in the behavior of the Jew or in his character. It is a form of international madness when it is founded on a belief in Jewish power and Jewish intention to hurt, to harm, or to rule."

"Yet it has its justification as a metaphysical fear of the staying power of Jewish powerlessness. The very existence of the Jewish people is suggestive of another dimension of reality and meaning in which the main preoccupation of the man of "power history" is adjudged futile and futureless in the long run... As long as the Jew is around, he is a witness that G-d is around. He is the witness, whether he knows it or not, whether he consciously testifies or refuses to testify."

"His very existence, his survival, his impact, testifies to G-d's existence. That he is here, that he is present, bears witness to G-d's presence in history. There lies the origin of the satanic idea of the Final Solution. If the witness were destroyed, G-d Himself would be dead."

Embracing Ourselves

Many of our beloved brothers and sisters, young and old progressive and open-minded Jews, raised in the spirit of egalitarianism and equality, have for a long time attempted to suppress this historical truth. We have tried hard to convince ourselves and our children that we were equals with the nations of the earth; that we were seen as part of the collective family of the human race. Anti-Semitism, we told ourselves, was a relic of the past, existing in backward countries not permeated with the spirit of liberty. And if it did exist today, it is because Israel has sinned badly."

Yet the virulent anti-Semitism resurrected during the past decades across the world and the absolutely irrational obsession to demonize Israel (ten of thousands of rockets were sent into Israel with the attempt to murder as many Jews as possible, yet Israel is blamed!), is beginning to open many of our eyes. If you open almost any news website newspaper in the world or watch any television news station internationally, you can hear the message articulated 3,300 years ago by a sophisticated and spiritual non-Jew: "It is a people that dwells alone, And is not reckoned among the nations."

This is not a curse. It is a privilege, and it is a reality. We are the Divine ambassadors of love, light, hope, and truth. If we wish to thrive we must embrace this truth, acknowledged long ago by our fellow non-Jews. The world is embarrassed by Jews who are embarrassed with themselves; the world respects Jews who respect themselves. The world is ashamed of an Israel that is apologetic about its 4,000-year faith and tradition that the Holy Land is G-d's gift to the Jews."

Only when we will acknowledge our "aloneness" will we become a true source of blessing to all of humanity."

לע"נ

שרה משה בת ר' יעקב אליעזר ע"ה
ביילא בת (אריה) לייב ע"ה
אנא מלכה בת ישראל ע"ה

Parshat Pinchas: Moshe's Mysterious Protégé

by Rabbi Eitan Mayer

Parashat Balak, last week's parasha, ends with an act of entrapment: Bnei Yisrael succumb to the sexual entreaties of the enemy, Moav/Midyan, and once ensnared in the grasp of the Moabite/Midyanite women, they are all but helpless when the women invite them to participate in sacrifices to the Moabite/Midyanite gods. By participating in this worship, Bnei Yisrael add the cardinal transgression of idol worship to the lesser sin of illicit sexual union with non-Jews, and God strikes them with a plague. But instead of abating, the problem grows worse, as Zimri ben Saluh, a leader of the tribe of Shimon, publicly fornicates with a Midyanite woman. Outraged at Zimri's act, Pinhas (grandson of Aharon) is gripped by the need to act. He grabs a nearby weapon and takes immediate "vigilante" action, dispatching Zimri and his Midyanite consort to face their Maker.

Parashat Pinhas opens with Hashem's recognition of Pinhas for his act of kana'ut -- zealotry -- by which he calms the divine fury and prevents it from destroying the rest of the idolatrous nation. This story raises questions about the place of violent vigilantism in our lives, an issue often discussed in studying Parashat Pinhas and deeply pondered in the wake of the Rabin assassination. But I prefer to look at what I consider a neglected topic: the succession of Moshe by Yehoshua.

OH, YEAH . . . YEHOSHUA

Most of us are familiar with the basic outline of the Torah, including one particular fact about Moshe: that he loses his privilege to lead the people into Eretz Yisrael. Last week, in discussing Parashat Hukat, we zeroed in on the event which earns Moshe this punishment -- his disobedience at Mei Meriva. Most of us also know that Yehoshua takes over for Moshe, leading Bnei Yisrael into the Land and leading their conquest of it.

That these two facts are deeply familiar creates a sense that there is not much to be investigated here; these are things we understand well. This assumption always makes me suspicious, however, so we will be looking for the complexity which seems to always lurk under the placid surface of the facts. As usual, we will begin with questions:

- 1) Who is Yehoshua? What do we know about him prior to his accession to leadership in Moshe's place?
- 2) In what ways is Yehoshua different from and similar to Moshe?
- 3) What makes Yehoshua an appropriate successor to Moshe?
- 4) Why doesn't Moshe himself choose Yehoshua as his successor -- why is it left to Hashem to suggest Yehoshua?

A SHADOW FIGURE:

Earlier on in the Torah, Yehoshua is a minor player. He shows up sporadically, playing roles we would certainly consider odd for inclusion in the Torah if not for our knowledge that he will eventually take Moshe's place. Since we know that Yehoshua will move to center stage once Moshe takes his final bow, we consider it natural that Yehoshua appears now and again in various scenes. Imagine reading Lincoln's biography: if you didn't know he was an important president of the United States, you would probably be bored by the details of his childhood. But with his career in retrospect, these details become significant. The same is true of Yehoshua. Since we know he will one day be "president," his early life becomes important. This means we must mine Yehoshua's "cameo appearances" for what they reveal to us about him as a young man and developing leader. Fragmented, as they appear in the Torah, these episodes do not tell us much, but taken as a portrait, they may sketch a coherent picture.

YEHOSHUA THE GENERAL:

Yehoshua first appears in the Torah as a military commander. In Shemot 17:9, Moshe charges Yehoshua to select men and lead a military force against Amalek. The Torah reports that Yehoshua successfully weakens Amalek in the ensuing battle, but, as we know, Amalek remains a foe with whom later Jewish leaders (Sha'ul, Shmuel, Mordekhai and others) will contend. What is important for our purposes is that Yehoshua's first appearance in the Torah is as a military organizer and leader. Yehoshua will succeed Moshe not only as political leader of Bnei Yisrael, but also as commander-in-chief.

Since he will direct the conquest of the Land, he needs to be a capable general. The Torah provides no formal introduction for Yehoshua, but it is certainly significant that the first time we meet him, he is clad in chain mail and brandishing a sword, to borrow an Arthurian image.

Even this early on, we get what may be a hint that Yehoshua is to succeed Moshe: after the battle with Amalek, Hashem commands Moshe to memorialize in writing and to communicate to Yehoshua that He will conduct war with Amalek throughout the generations, until Amalek has been completely destroyed. The fact that Moshe is commanded to communicate this to Yehoshua may hint that the reins will be passed to him.

Alternatively, however, it could just indicate that Yehoshua, as a military leader, needs to know about Hashem's military plans. Why, after all, does Moshe command Yehoshua to put together a force and go to fight the enemy -- why doesn't he do the job himself? Either he is already too old (also hinted by his difficulty in keeping his arms raised during the battle), or he is not as skillful a general as Yehoshua. Especially if the latter is true, Hashem may want Yehoshua informed of His eternal enmity for Amalek so he will know at whom to aim the arrows as current and future military leader. It should be noted, however, that the grand style in which Hashem delivers His plan of continued aggression against Amalek sounds more like what you would tell tomorrow's leader than tomorrow's general: "For I will certainly wipe out the memory of Amalek from under the heavens . . . war for Hashem with Amalek from generation to generation!"

YEHOSHUA THE SERVANT:

In Shemot 24:13, after the broadcast of the "More-Than-Ten Commandments" at Sinai, Moshe ascends Har Sinai to receive the rest of the Torah from Hashem. Although Bnei Yisrael remain a distance from the mountain, an entourage of VIP's accompanies Moshe on his ascent: Aharon, Nadav, Avihu, and seventy elders. The entourage ascends only so far, however; at a certain point, Moshe is commanded to approach the Divine cloud alone, leaving the others below -- except for Yehoshua: "Moshe arose, and his servant [mesharet] Yehoshua; and Moshe ascended to the mountain of God."

We learn a lot about Yehoshua from this "innocent" pasuk (verse): first, he is not simply a general, he is Moshe's personal servant; second, he seems a spiritual cut above rest of the illustrious entourage, as he accompanies Moshe all the way up to the Divine cloud. Yehoshua does not enter the cloud to join Hashem with Moshe, but he does ascend to a plateau higher than everyone else.

The term "mesharet" also requires some explanation. Was Yehoshua Moshe's valet? Did he choose Moshe's cufflinks and tie, hang up his clothes, answer his tent flap?

"Mesharet" is used in several different ways in the Torah:

1) Bereshit 39:4 -- Yosef finds favor in the eyes of the Egyptian Potifar, who has purchased him from his captors; he becomes Potifar's "mesharet," appointed over his household and all of his possessions (except his wife, of course, who makes herself available to Yosef). This position does not sound much like "valet": Yosef is responsible for everything Potifar owns, not just choosing ties that match his outfits. Although there is a strong connotation of service in "mesharet," it is clearly not menial service in this case. Yosef enjoys a position of responsibility and trust, administering an important household's affairs (while assiduously avoiding other types of affairs).

2) Bereshit 40:4 -- Yosef, framed by the scorned Madame Potifar and imprisoned, is instructed to be "mesharet" two royal prisoners: Pharo's winemaster and bakermaster. Although it is not clear exactly what "service" is to be provided them, Yosef takes on the role of advisor and dream-interpreter. This again seems to indicate that "mesharet," while indicating service, does not indicate menial service.

3) Very often -- Shemot 28:35 is one example -- the service of the kohanim (priests) and leviyyim in the Mishkan (portable Temple) is referred to with the word "le-sharet"; certainly, the avoda (cultic service) is nothing menial. In fact, Moshe specifically uses this word -- "le-shartam" -- to Korah and his crew in arguing that they, as Leviyyim, have enough honor already: "You have been chosen . . . to stand before the congregation to serve them" ["le-shartam"] (BeMidbar 16:9). Certainly, Moshe would not use a word like "sharet" if it would raise in the minds of his listeners associations of butlership and valet-hood and other menial functions, since he is trying to show them that they have plenty for which to be thankful already and need no further honor.

It should be noted that there are in Tanakh uses of the word "mesharet" (and its close relatives) in contexts which do seem to indicate menial service. My point is that "mesharet Moshe" need not mean "Moshe's valet," and since we are talking about someone who has recently served as a general and who accompanies Moshe not to the bathhouse but to the summit of Har Sinai, it is difficult to believe that "mesharet Moshe" means anything but "Moshe's protegee" or "Moshe's apprentice." Yehoshua 'serves' Moshe as an intern, so to speak; a young man selected by Moshe for future greatness, he accompanies Moshe where others cannot, learning by watching and doing.

One other example in Tanakh of a similar use of "mesharet" as "protegee" or "apprentice" is the case of Eliyahu and Elisha, certainly another master/protege relationship. Just after Hashem commands Eliyahu to appoint Elisha as his successor as prophet, we hear that Elisha begins to follow Eliyahu around (as Yehoshua follows Moshe) and "va-ye-shartehu" -- "he served him." Yehoshua 'serves' Moshe the same way Elisha 'serves' Eliyahu. Both are apprentices, proteges who will succeed the master and who now train with him for that day.

Now that we have understood Yehoshua's position as Moshe's servant, one other observation becomes crucial: as Moshe is, in certain ways, separate from his people, Yehoshua shows signs of the same characteristic. The other VIP's remain below, but Yehoshua, training to be the next 'Moshe,' leaves everyone else behind and ascends with his master. Soon the Torah tells us that Moshe's face begins to glow and that he begins to wear a veil in front of his face. This veil symbolizes the disjunction between Moshe and the people: Moshe removes the veil only when speaking to Hashem or when reporting to the people what Hashem has said. At other times, he remains apart from them, veiled. The cloud Moshe enters is a similar structure -- a veil. While Yehoshua does not enter the cloud and does not wear a veil, he is also not with the people. He is in the limbo between leadership of the people and membership among them. He will never achieve Moshe's closeness to Hashem, and therefore will also never achieve Moshe's detachment from the people, but this characteristic is in him to a lesser degree (and we will see it again soon).

YEHOSHUA IN THE DARK:

Back to the scene atop Sinai: Moshe enters the mist and meets with Hashem. The people, far below, become worried at Moshe's prolonged absence and eventually panic. In their insecurity and fear, they build an idol and worship it. Hashem, angered, reports their behavior to Moshe, who breaks off the meeting with Hashem to deal with the people. As he descends the mountain, Luhot (tablets) in hand, he is joined by Yehoshua. Moshe, of course, knows what is going on, but Yehoshua, not privy to Hashem's report of the people's misbehavior, guesses at the noise he hears from the camp: "He said to Moshe, 'The sound of war is in the camp!'" Moshe bitterly responds with a correction: the people are singing in celebration of their idol, not screaming in rage, pain and fear at a military attacker. But this entire scene is strange. Why does the Torah bother including this exchange between Moshe and Yehoshua? The sole purpose of this scene seems to be to show us that Yehoshua doesn't know what's going on.

It is hard to fault Yehoshua for misinterpreting the noise he hears, but perhaps the Torah means to point up his "limbo" status: the reason he doesn't know what is going on is because he is neither here nor there. If he were with the people, he would have witnessed the tragic events (or even played a part in them, as Aharon does); if he were with Moshe, he would have heard Hashem's angry report of the people's activities. But he is in the no-man's-land between the two groups, so he remains clueless until he rejoins the camp. Alternatively, the Torah may be indicating that Yehoshua's dedication to Moshe as his apprentice sometimes leaves him in the dark: he neither observes the people firsthand, nor does he experience the revelations offered to Moshe. As we will see, other incidents seem to confirm the impression that Yehoshua sees nothing but his master Moshe -- until forced to acknowledge the larger picture.

YEHOSHUA IN SECLUSION:

The next time we hear of Yehoshua, he is in seclusion. The people have been punished for their worship of the Egel and Hashem has agreed not to destroy them, but He remains unwilling (so far) to forgive them. The Torah interrupts the extended "forgiveness negotiations" between Hashem and Moshe to describe how Moshe would leave the camp of the people in order to speak to Hashem at a special tent outside the camp. As Moshe would pass by on his way out of the camp, the people would stare after him longingly. Moshe would come to the special tent, the Divine Presence would appear there to meet him, and he would speak to Hashem.

In this context, we hear that once again, Yehoshua is not with the people: "And his protege [mesharto], Yehoshua, a young man, would never leave the tent," Shemot 33:11. Hashem is distant from the sinful people, refusing to meet with even Moshe within their camp. But Yehoshua is not only not with the people in their camp, and not only visits the special tent (like Moshe), he seems to actually live there! He spends his days cocooned in the Divine meeting place, presumably growing in the spiritual qualities which his master Moshe exemplifies. Perhaps he does not merit to enter the cloud atop Sinai with Moshe, but now, in a sort of reversal, he lives in Hashem's presence, while Moshe is only a visitor to the premises. Moshe is busy shuttling back and forth between the people and Hashem, alternately punishing the people and arguing with Hashem for their forgiveness. But Yehoshua, unsaddled by the responsibilities of leadership, takes advantage of the opportunity to be constantly in the presence of Hashem. Just as the Kohen Gadol is commanded to remain in the Mikdash even when personal tragedy strikes (e.g., a close family member dies), Yehoshua is confined to the Beit HaMikdash no matter what.

(This, by the way, sounds like a very good idea! Everyone should take some time in which he or she ignores other responsibilities and focuses solely on spiritual and religious development. This may appear selfish, but the only way we can continue to provide leadership and inspiration for ourselves and others is by taking some time to strengthen ourselves.)

YEHOSHUA PROTECTS MOSHE:

The next time we encounter Yehoshua, in BeMidbar 11:28, he has emerged from his cocoon as a more mature figure: he is described as "the mesharet of Moshe from his youth," indicating that he is no longer a youth, but that his long service to Moshe began back in his boyhood.

In this episode, Moshe is informed by a messenger that two men, Eldad and Meidad, are prophesying within the camp. Yehoshua responds with panic: "My master, Moshe, stop them/imprison them/destroy them!" [The word is "kela'em," but its meaning is ambiguous]. Yehoshua sees the prophesying of these men as a challenge to Moshe's leadership: it is one thing when Aharon or other "establishment" figures receive prophecy; that is no threat because these people are loyal to Moshe. But, as the rest of Sefer BeMidbar will confirm, Moshe has many enemies who are unhappy with his leadership and ready to challenge him. Yehoshua reads this incident as a challenge: this prophecy is a threat because it is received by people who are not under Moshe's direct control or in his camp of supporters. It is "wild" prophecy and therefore represents what may balloon into a challenge to Moshe's authority.

Despite having outgrown his "youth," it seems that Yehoshua is still less spiritually mature than his master. Moshe turns to him and says, "Are you jealous for me? Would that all of Hashem's nation could be prophets, that Hashem would place His spirit upon them!" Moshe, secure in his position and mature in his understanding of spirituality, knows that the ultimate goal is not to maintain a stranglehold on political or religious leadership, but to facilitate the growth of the nation towards Hashem. What could be a greater success than producing a nation of prophets! Yehoshua, perhaps because he has been Moshe's protege "since his youth," has become distracted from these ultimate goals by his admiration for and loyalty to his master.

But there is another possibility. Yehoshua, no longer a young man, has indeed matured. While Moshe remains focused on spiritual goals alone, Yehoshua is a military officer as well as the protege of a prophet. He has spent time cocooned in the Divine tent, but he has also spent time on the battlefield, and he knows how the common people think. He, too, believes that in a perfect world, it would be ideal for everyone to be a prophet. But in the world he sees before his eyes, he knows that unregulated prophecy will be understood by the people as a challenge to Moshe's leadership. Moshe is their link to Hashem and the source of whatever stability they have. If another prophet appears, the people will immediately question their loyalty to Moshe. Perhaps Moshe is right in the abstract, but as a practitioner of realpolitik, Yehoshua may have already surpassed his master. And indeed, it is after this story that the people begin to challenge Moshe's leadership, leading to the harsh criticism of Miryam, the spies disaster, and the Korah rebellion.

YEHOSHUA THE SPY:

BeMidbar 13 and 14 present the story of the scouts sent to Eretz Yisrael and the report they deliver to the people. Yehoshua, as we know, is one of the spies. And it is fitting that just as Yehoshua tries to protect Moshe in the story of Eldad and Meidad, Moshe seems to be trying to protect Yehoshua in this story of the spies. Just before Yehoshua departs

with the others to see the Land, Moshe changes his name from Hoshea to Yehoshua, adding the name of Hashem to his own name: "God shall save him," or "God is salvation." Perhaps Moshe feels a sense of foreboding and danger as he sends the spies off, and he adds a letter to Yehoshua's name as a prayer that he be kept safe. Although one might interpret that Moshe suspected the other spies were corrupt, it is easier to accept that Moshe simply understood that sneaking into enemy territory to spy it out was risky business. Perhaps Moshe was returning the favor to Yehoshua, protecting his protege as Yehoshua tried to protect him earlier.

STRENGTHEN HIM:

We now come to a pattern which many have noticed: Yehoshua, it seems, needs to be strengthened. Hashem commands Moshe to strengthen him; Moshe reminds the people that Yehoshua must be strengthened; the people themselves attempt to strengthen him; and Hashem Himself encourages Yehoshua to be strong (see Devarim 1:38, 3:28, 31:7, 31:23)

This is new: not a leader responsible for his people, but a people who must be responsible for their leader! Moshe, a tower of self-sufficient strength, never seems to need the people's encouragement. But somehow, Yehoshua does need that extra push.

Perhaps, though, Moshe could have used more support as well; perhaps he would not have lost his chance to lead the people into the Land if he had had more support from the people, if he had not been engulfed by criticism from all around. Perhaps he would have found it easier to bear the burden of leadership if he had not been surrounded by those who were trying to tear him down and accusing him of incompetence and arrogance. Perhaps all the talk of strengthening Yehoshua does not reflect any particular weakness in Yehoshua so much as it reflects a bitter lesson that everyone has learned through Moshe. A leader is not a detached tower of strength; a leader maintains a symbiotic relationship with his people. Even someone as great as Moshe needed strength from the people; their attacks eventually wore him down and put him so on the defensive that Hashem had to remove him from leadership. [Eliyahu, similarly, must "retire" when he becomes so bitter, his despair so deep, that he sees the people as completely corrupt and faithless, and himself as the only faithful one left.] A great lesson has been learned, and Yehoshua is told again and again that the people understand that they must strengthen him as he is told that his task is a difficult one and requires that he gird himself with strength.

A LAST MEETING:

In Devarim 31, Hashem summons Moshe and Yehoshua to the Tent so that He can command Yehoshua before Moshe dies. But once Moshe and Yehoshua arrive, Hashem speaks almost exclusively to Moshe, telling him how the people will forsake Him after Moshe's death. Almost casually, Hashem makes a short comment to Yehoshua at the end of this speech. If Hashem wants to 'complain' to Moshe about this people's bottomless capacity for faithlessness, why does He bring Yehoshua into the picture?

Perhaps Yehoshua, still a bit naive, must be inoculated against unrealistic expectations. If he knows that the people are capable of rejecting Hashem utterly, that they may abandon Him in favor of the Canaanite gods they will soon encounter, then he will be less shocked if such a thing does happen. Also, knowing that the people are likely to stray will make him better able to prevent that straying. Perhaps, then, Hashem's "commiseration" with Moshe in Yehoshua's presence is meant to shake Yehoshua out of whatever naive expectations he might still retain about the people.

NOW BACK TO OUR SHOW:

If we now move back to Parashat Pinhas, we have several questions to address:

1) Why does Hashem tell Moshe that he is now going to die, prompting Moshe to request that Hashem appoint a leader? If a leader is to be appointed, why doesn't Hashem simply command Moshe to appoint a leader?

2) Why doesn't Moshe specifically request that Hashem accept Yehoshua, his protege, as his successor?

In answer to the first question, perhaps Hashem wanted to soften the blow of succession. Simply commanding Moshe to replace himself with another man would have been harsh indeed. Instead, Hashem hints to Moshe -- "Moshe, your death is approaching . . .", allowing Moshe to be the one to bring up the idea of succession. This also gives Moshe the chance to frame the issue as a manifestation of his concern for the people: "Let not the congregation of Hashem like a flock with no

shepherd!" Indeed, it is a manifestation of his love for the people. A direct command from Hashem to replace himself might have marred the issue with the sadness by which he would have been overwhelmed.

In answer to the second question, perhaps Moshe feels too close to Yehoshua to suggest him as a candidate. Yehoshua had been Moshe's protege from his youth, always by his side; Moshe might have suspected that Yehoshua had internalized the same weaknesses which eventually compromised his own leadership. Perhaps he worried that Yehoshua was too much like him.

If so (and this is indeed completely speculation), then Moshe must be deeply gratified when Hashem Himself suggests that Yehoshua be the man: "Yehoshua, a man in whom there is spirit [ru'ah]." Moshe is comforted and relieved to see his protege, the young man on whom he pinned his hopes, take his place as the shepherd.

Shabbat shalom

Pinchas: The Sequence of Bamidbar 26-30

by Rabbi Yitz Etshalom

I. INTRODUCTION: PARASHAT T'MIDIN UMUSAFIN

Chapters 28-29 in Bamidbar present the “Mishkan-calendar” of set, public offerings, in the following order:

- A. Korban Tamid
- B. Musaf: Shabbat
- C. Musaf: Rosh Hodesh
- D. Musaf : Matzot
- E. Musaf : Bikkurim (Shavuot)
- F. Musaf : Yom T'ruah (Rosh haShanah)
- G. Musaf : Yom haKippurim
- H. Musaf: Hag Hashem (Sukkot) day 1
- I. Musaf: Hag Hashem day 2
- J. Musaf: Hag Hashem day 3
- K. Musaf: Hag Hashem day 4
- L. Musaf: Hag Hashem day 5
- M. Musaf: Hag Hashem day 6
- N. Musaf: Hag Hashem day 7
- O. Musaf: Hag Hashem day 8

Hence, this section (including its concluding verse, at 30:1) is called “Parashat T'midin uMusafin”.

The immediate oddity that strikes the reader is one of location – why is Parashat T'midin uMusafin placed near the end of Sefer Bamidbar; it's natural location would be in the middle of Sefer Vayyikra, either at the conclusion of the “Torat haKorbanot” (chs. 1-7) or in the parallel treatment of the calendar in Ch. 23. Indeed, the calendar so closely approximates that of Vayyikra 23 that it would have been an “easy fit” to integrate the two parashot by including the specific Korban of each day as an expansion of the general command “v'hikravtem isheh l'Hashem” (you shall offer a burnt-offering to Hashem).

The issue of location raises a larger question about the sequence of commands in the latter chapters of Bamidbar. Beginning from ch. 20:

- 1) Death of Miriam/Mei M'rivah (20:1-13)
- 2) Edom (20:14-21)
- 3) Death of Aharon (20:22-29)
- 4) War with K'na'ani (21:1-3)
- 5) Travels (complaints, plague, song of the well) (21:4-20)
- 6) Sichon/Og (21:21-22:1)
- 7) Balak/Bil'am (22:2-24:25)
- 8) P'or/Pinchas (25:1-15)
- 9) Command to Harass the Midianites (25:16-18)

- 10) Census (26:1-51)
- 11) Division of the Land (26:52-56)
- 12) Levite Census (26:57-65)
- 13) Daughters of Tz'lafchad (27:1-11)
- 14) Imminence of Death of Mosheh (27:12-14)
- 15) Mosheh's request re: continued leadership (27:15-23)
- 16) T'midin uMusafin (28:1-30:1)
- 17) Nedarim (vows) (30:2-17)
- 18) War with Midian (31)
- 19) Apportionment of East Bank to Gad and Reuven (32)

Understanding the rhyme behind the sequence here is a challenge; for purposes of this shiur we will confine ourselves to items 8-18. The problem is exacerbated once we note the following conundrum:

Since God commanded B'nei Yisra'el to act with enmity towards Midian (something which, one would assume, is doubly difficult for Mosheh considering that his wife and esteemed father-in-law are Midianites) in the immediate aftermath of the Midianite-inspired whoring after the Moavites and their god, why is that command interrupted (in text, if not in time), with two censuses, two passages dealing with the division of the land, God's command to Mosheh that he ascend the mountain, Mosheh's "demand" of God that He appoint a successor, T'midin and Musafin and the laws of personal vows?

This question may be asked in two fashions, depending on how strictly we apply chronological fidelity to the text.

If we assume that the events in the Torah are presented in the order in which they happened (except where impossible – compare Bamidbar 1:1 and ibid. 9:1; see Ramban at Sh'mot 18:1), then these commands were given and these interactions took place between God's command to harass the Midianites and the direct command to wage a war of vengeance against them.

If, following Ibn Ezra (Sh'mot 18:1 and elsewhere), Rashi (ibid.) and others, we make no assumption about the relationship between chronos and textus, the question becomes even stronger. Why did the Torah choose to interrupt the command regarding the war against Midian with these other passages, which may have happened at an earlier time?

II. STRUCTURE OF THE INTERVENING SECTIONS

A review of the "interrupting" passages which break up the commands regarding the war against Midian reveals a curious structure, once we utilize the Parashot of the Masoretic text as our guide:

(War against Midian)

Census of the army (12 Parashot)

Command to Divide the Land (1 Parashah)

Census of the Levi'im (1 Parashah)

Interaction with B'not Tz'laf'had (2 Parashot)

Command regarding impending death of Mosheh (1 Parashah)

Mosheh's "demand" that God appoint a successor (1 Parashah)

T'midin uMusafin (15 Parashot)

Nedarim (1 Parashah)

(War against Midian)

The “interjection” includes 16 Parashot relating to various aspects of the national census, 2 Parashot which are associated with the transfer of leadership and another 16 which deal with offerings (and vows – see the end of the Ramban’s comments at Bamidbar 30:2).

In other words, squarely placed in the middle of the “interrupting section” are the two Parashot which deal with the end of Mosheh’s leadership and the onset of Yehoshua’s.

Having identified the structure, we can see that this entire section is made up of two sub-sections (Census and T’midin) with the transfer of leadership as the fulcrum around which they revolve. As such, we would expect a single message to emerge from each of the sub-sections, a message which is somehow made clearer by the 14 verses at its axis.

Let’s begin from the inside out – from the command to Mosheh that he ascend the mountain and Mosheh’s response:

12. And Hashem said to Mosheh, Get up into this Mount Abarim, and see the land which I have given to the people of Israel.

13. And when you have seen it, you also shall be gathered to your people, as Aharon your brother was gathered.

14. For you rebelled against my commandment in the desert of Zin, in the strife of the congregation, to sanctify me at the water before their eyes; that is the water of Meribah in Kadesh in the wilderness of Zin.

15. And Mosheh spoke to Hashem, saying,

16. Let Hashem, the God of the spirits of all flesh, set a man over the congregation,

17. Who may go out before them, and who may go in before them, and who may lead them out, and who may bring them in; that the congregation of Hashem be not as sheep which have no shepherd.

18. And Hashem said to Mosheh, Take Yehoshua the son of Nun, a man in whom is spirit, and lay your hand upon him;

19. And set him before Eleazar the priest, and before the entire congregation; and give him a charge in their sight.

20. And you shall put some of your honor upon him, that the entire congregation of the people of Israel may be obedient.

21. And he shall stand before Eleazar the priest, who shall ask counsel for him according to the judgment of Urim before Hashem; at his word shall they go out, and at his word they shall come in, both he, and all the people of Israel with him, the entire congregation.

22. And Mosheh did as Hashem commanded him; and he took Yehoshua, and set him before Eleazar the priest, and before the entire congregation;

23. And he laid his hands upon him, and gave him a charge, as Hashem commanded by the hand of Mosheh.

The first thing for us to note here is that Mosheh is commanded to ascend the mountain at this point, never to return. That would mean that his glorious career has come to an end now, in Moav, just after having conducted a final census and seen to the complete disposition of the Land. This is, however, not the way that matters play out: Mosheh goes on to oversee the war with Midian, the division of the East Bank of the Jordan and to deliver a full farewell speech (Sefer D’varim). As noted above, we might posit that the command given here was given later, towards the end of Mosheh’s farewell speech – but, if that is the case, why does the text insert it here? Either way, there must be something in Mosheh’s response which somehow modifies the Divine decree and allows Mosheh to continue his leadership, if only for a short while.

III. “AS AHARON YOUR BROTHER WAS GATHERED”

Mosheh was told that he would be gathered unto his people “as Aharon your brother was gathered”. This comparison is ambiguous – does it mean that he would die in the same manner? (see Rashi ad loc.) Could it be referring to the single violation in which both Mosheh and Aharon participated that caused their premature removal from the leadership of B’nei Yisra’el?

There is yet another aspect to this comparison which will illuminate our understanding of Mosheh’s response and the evident “extension” he received as a result.

There are two basic models of leadership in T'nakh – dynamic and dynastic.

The entire book of Shoftim deals with a form of dynamic leadership whereby Hashem's response to B'nei Yisra'el's suffering and attendant calling out in pain is to inspire a new leader (invariably a member of the tribe "under fire" at the time). That leader rallies the troops to defeat the oppressor, loosen the bonds of persecution and then retains his position for life. Upon his death, however, the position becomes a void – until the next time when B'nei Yisra'el find themselves in need of salvation.

Dynastic leadership (the focus of Sefer Sh'muel), contradistinctively, establishes a built-in system where the impending death of a leader is accompanied by the appointment of a successor (usually from among the sons of the dying monarch), such that there never need be a void of leadership. See, for instance, the opening chapter of Sefer Melakhim – where the succession of David's throne is being contested while the hoary king is on his death-bed.

What sort of leadership is the lot of Aharon? It is clear that his was dynastic. For example, when he is charged with maintaining the sanctified areas and items:

And Hashem said to Aharon, You and your sons and your father's house with you shall bear the iniquity of the sanctuary; and you and your sons with you shall bear the iniquity of your priesthood. (Bamidbar 18:1)

Throughout the commands to Aharon, the phrase "Aharon uvanav" (Aharon and his sons – see, e.g. Sh'mot 27:21, Vayyikra 6:9, Bamidbar 4:5) is found with great frequency. Furthermore, in the command regarding the Parah Adumah (Bamidbar 19), given while Aharon is still alive, his son El'azar is mentioned by name as responsible for the sprinkling of the blood (vv. 3- 4).

Ostensibly, Mosheh's leadership was of a dynamic sort; he was selected to lead B'nei Yisra'el out of Mitzrayim (i.e. in response to oppression) and, now that his career was to end, there would not necessarily be a need for another leader until the next "crisis" came about. Much as the leadership operated in a post-Yehoshua Israel, the nation could have been run by a loose federation of the elders until entering the land. In other words, the position of leadership (Navi/Melekh) occupied by Mosheh was not necessarily to be constant, rather in response to need. For example, note the way that the Torah describes the appearance of later prophets:

(in response to the anticipated temptation among B'nei Yisra'el to consult soothsayers)

Hashem your God will raise to you a prophet from your midst, from your brothers, like me; to him you shall listen; According to all that you desired of Hashem your God in Horev in the day of the assembly, saying, Let me not hear again the voice of Hashem my God, neither let me see this great fire any more, that I die not. And Hashem said to me, They have well spoken that which they have spoken. I will raise them a prophet from among their brothers, like you, and will put my words in his mouth; and he shall speak to them all that I shall command him. (D'varim 18:15-18)

As such, Hashem's command that Mosheh ascend the mountain – alone – signaled the end of that glorious career and an impending void of leadership.

Although the Divine intent in the phrase "as Aharon your brother died" may have been associated with the manner of death (or the violation, as above), Mosheh extended it to relate to the manner of succession.

What was the manner of succession of Aharon's leadership?

And Hashem spoke to Mosheh and Aharon in Hor haHar, by the border of the land of Edom, saying, Aharon shall be gathered to his people; for he shall not enter into the land which I have given to the people of Israel, because you rebelled against my word at the water of Merivah. Take Aharon and El'azar his son, and bring them up to Mount Hor; And strip Aharon of his garments, and put them upon El'azar his son; and Aharon shall be gathered to his people, and shall die there. And Mosheh did as Hashem commanded; and they went up to Mount Hor in the sight of the entire congregation. And Mosheh stripped Aharon of his garments, and put them upon El'azar his son; and Aharon died there in the top of the mount; and Mosheh and El'azar came down from the mount. And when the entire congregation saw that Aharon was dead, they mourned for Aharon thirty days, all the house of Yisra'el. (Bamidbar 20:23-29)

As Rashi (quoting the Midrash Tanhuma) points out (ad loc. v. 25), Mosheh consoled Aharon that at least he could see his "crown" given to his son while he was alive (that Mosheh would never see). A critical point in this entire scene is the presence of El'azar, whose donning of the garments established an unbroken chain of Kehunah which effectively outlived the person of Aharon.

That is how Mosheh "turned" the phrase "ka'asher meit Aharon ahikhah" – that if I am to die as did my brother Aharon, I should see the inauguration of my successor while I live. Mosheh effectively turned his leadership into a potential quasi-dynasty and "steered" the Divine command from a statement of the type of death he would experience into a statement about his entire career.

As such, Mosheh's reaction is understandable. Since God commanded him to ascend the mountain and die as did his brother, Mosheh "calls Him on it" and insists that the similarity between their deaths be complete: That he see his

successor inaugurated before his death.

Hashem responded to this “request”, indicating Divine acceptance (if not favor) to the Mosaic initiative. Indeed, the mention of El’azar in the context of Yehoshua’s appointment creates the immediate association with Aharon’s death.

Compare:

21. And he shall stand before Eleazar the priest, who shall ask counsel for him according to the judgment of Urim before Hashem; at his word shall they go out, and at his word they shall come in, both he, and all the people of Israel with him, the entire congregation.

22. And Mosheh did as Hashem commanded him; and he took Yehoshua, and set him before Eleazar the priest, and before the entire congregation;

with

And Mosheh stripped Aharon of his garments, and put them upon El’azar his son; and Aharon died there in the top of the mount; and Mosheh and El’azar came down from the mount. And when the entire congregation saw that Aharon was dead...

The two cited passages share the presence of Mosheh, El’azar and “the entire congregation” (kol ha’edah), along with a mention of the priestly garb worn by El’azar, solidifying the association created by the phrase “as did Aharon your brother”.

IV. THE NEW LEADERSHIP

What changed as a result of Mosheh’s insistence on creating a quasi- dynasty?

(I refer to it as a quasi-dynasty because, in spite of the continuity of leadership, the absence of filial ascension renders it something less than a full dynasty. This may be the reason that there was no concern about Yehoshua’s children and their worthiness for the post – if he had any – since the position of “next shepherd of B’nei Yisra’el” would not be filled by a family member but by the man most fit for the job.)

To ask the question more clearly – what would have happened had Mosheh not responded as he did?

First of all, there is no reason to think that Mosheh would have had to lead the people to the point of entry in to the Land; the decree was never stated that he would have to die just before they entered (enhancing the drama and personal frustration). Witness Aharon, whose death was decreed at the same time and for the same purpose (but cf. Abravanel, D’varim 1:37) but who died at some point earlier than “the very last moment of the desert wandering”, before the East Bank of the Jordan was captured from the Emorite kings of Heshbon and Bashan.

Second, the orientation of Mosheh’s farewell would likely have been more “past-oriented”, reflecting on the Exodus and wanderings, without creating the continuity with the next stage of national existence in the Land.

Now that a succession has been established, the “rules” have changed.

Mosheh’s leadership must continue until the point where Yehoshua is ready to take over, since, under the new scheme, that leadership is to be a continuum.

Since the next “crisis” to be faced is entering the Land and disinheriting its people, that is the point at which Yehoshua is to take over; hence, Mosheh will live until that point (unlike Aharon) – taking the decree until the last minute and the final kilometer, so to speak.

As a result of that, any wars to be fought on the East Bank must now be fought under Mosheh’s leadership. Since the war with Midian was not a “crisis” but rather the result of a Divine command in response to the Midianite/Moabite treachery associated with P’or-worship, there is no need for Yehoshua to be installed at that point. In fact, Yehoshua plays no role in that war – rather, Mosheh and El’azar are the central figures in Ch. 31.

It follows, then, that the war against Midian was originally given to be carried out by B’nei Yisra’el after Mosheh’s death. Hence, they were commanded to “harass” them in Ch. 25 but that command was not given a clear form until after Mosheh was told to ascend the mountain. Since Mosheh reoriented the leadership scheme, however, he would remain through that war and, as the text states:

Avenge the people of Yisra’el of the Midianim; afterwards shall you be gathered to your people. (31:2)

V. THE CENSUS AND THE DIVISION OF THE LAND

The analysis suggested above brings us back to our original question regarding the odd placement of the Parashot of

T'midin uMusafin.

Before directly addressing the question, let's return to the Parashot of the census. One of the remarkable features of the census is the startling result: 601,730 soldiers counted just before entering the land (Bamidbar 26:51). Compare this number with the census of nearly 39 years previous: 603,550 (ibid. 1:46). Through the wandering, the dying out of an entire adult population and the raising of a new generation, born free in the wilderness – the total adult male population is nearly the same as it was at the Exodus. (Leaving aside the curiosity that the number counted on the 20th day of the 2nd year – Bamidbar 1 – is exactly the same as that some months earlier during the collection for the Mishkan [Sh'mot 38:26 – see Rashi at Sh'mot 30:16 and Ramban ad loc. v. 12]; Rav Elhanan Samet has written a comprehensive article on the problem which can be found in his Iyyunim beParashat haShavua, Parashat Bamidbar).

It might be assumed that the representative participation of each tribe remained constant – but note the changes over the 39 years in the desert:

Tribe 2nd Year 40th Year

Reuven 46,500 43,730

Shim'on 59,300 22,200

Gad 45,650 40,500

Yehudah 74,600 76,500

Yissachar 54,400 64,300

Zevulun 57,400 60,500

Ephraim 40,500 32,500

Menasheh 32,200 52,700

Binyamin 35,400 45,600

Dan 62,700 64,400

Asher 41,500 53,400

Naphtali 53,400 45,400

Total: 603,500 601,730

In spite of the severe depletion of Shim'on's soldiers (likely as a result of the plague following the P'or-worship), the marked drop-off in Ephraim's army and the significant diminution of Naphtali's fighting force, the total remains nearly the same – a bit over the "magic" number of 600,000 (see BT Berakhot 58a).

One message that emerges from the comparison of these two censuses is the consistency of B'nei Yisra'el's existence and the phenomenon of "making up for losses" accomplished by the corporate whole. To wit, people are born, people die, but corporate Israel lives on.

This message is strengthened by the census of the Levi'im, which totals 23,000 men from one month and up in the 40th year (26:62), and totals 22,000 at the beginning of the second year (3:39).

Thus, the first 12 paragraphs, as well as #14, underscore the basic message of Israelite continuity in spite of the cycle of death and birth which takes its toll on every member.

Paragraph #13 deals with the division of the Land. Note that Mosheh is somewhat excluded from the process and the division will be based not on the households headed by "live" members, rather by those who left Egypt (and are now buried between Kadesh and Moav) – again, the nation that left Egypt lives on, even if the individuals do not.

The final two parashot in this section deal with the daughters of Tz'lafhad – the inclusion here is most appropriate, as it deals with the division of the land and the loophole which needs to be closed in the case of a man who dies, leaving only daughters.

Yet there is a short phrase that is very instructive in the presentation of B'not Tz'lafhad which serves to highlight what is new about this second generation – and what they share with their forebears.

When the young women approach Mosheh with their petition, they use the phrase: Lamah Yigara' – why should (our

father's name) be left out? (27:4). This word combination appears only one other place in T'nakh. When the men come before Mosheh (at the very beginning of the second year) complaining that due to ritual impurity they are being excluded from the Korban Pesach (Bamidbar 9:7), they state Lamah Nigara' – why should we be left out?

The common phrasing here (which I addressed in the Siyyum on Sefer Bamidbar in a different vein) serves to tie the two generations together, while setting them far apart.

The generation that knew slavery, that experienced the Exodus first hand and that stood, as adults, at the foot of Sinai – continued to use Egypt as their frame of reference. When God “introduces” Himself to B'nei Yisra'el at Sinai (see Sh'mot 20:2 and, specifically, Abravanel and R. Yehudah haLevi [quoted in Ibn Ezra] ad loc. and ibid. 19:1-6), He uses the Exodus as the point of departure (pun intended) for establishing the ongoing B'rit.

The people, as well, continued to refer to Egypt – specifically in their complaints. They longed to return, even to be buried in Egypt (Bamidbar 14:2), waxed nostalgic about the free food and plenty of Egypt (while conveniently forgetting their servitude – ibid. 11:5) and so on.

The impure men of Chapter 7 feel cheated by their exclusion from the offering and ask Mosheh to find them a solution (which turns out to be the Pesach Sheni). These men long to participate in the Korban Pesach – an offering which celebrates the Exodus from Egypt.

When the daughters of Tz'la'had, raised in the desert without adult memories (if any) of Egypt, express their great desire not to be excluded, it is the Land that they long to inherit. Whereas the last generation felt its identity as “Yotz'ei Mitzrayim”, the new generation saw its raison d'être as entering the land.

The common phrase Lamah Nigara'/Yigara' serves to demonstrate the great change which has taken place over 38 years – along with the consistency which accompanies that change.

What is the nature of the consistency? A great desire to be included with the community (see the Siyyum on Sefer Bamidbar) and to fully partake in the experience of K'lal Yisra'el.

Thus, the entire section bridging the command to harass the Midianites and the command to Mosheh to ascend the mountain is defined by the constant nature of Am Yisra'el throughout the desert – at once affirming Mosheh's success as a leader and teacher, and denying the need for him to remain present, since the nation goes on regardless of the fate of the individual.

VI. T'MIDIN UMUSAFIN

The sixteen paragraphs following the “turn” in leadership are devoted to the calendar of public offerings; following the reasoning outlined above (and noting the neatly balanced number of Parashot bridging the appointment of Yehoshua and the command to wreak vengeance on Midian) we would expect some underlying message to be found in these paragraphs which associates with the common theme.

Each paragraph is imbued with significant concepts and ideas – and perhaps we will address them in a separate essay. For purposes of this analysis, however, we will simply note that which is common throughout the first fifteen – the Korban haTamid.

In 28:1-8, we are commanded to offer up one lamb in the morning and one in the afternoon, parallel or modeled after the offering at Sinai (28:6). This is the “constant Korban” which is brought daily, including Shabbat, holidays and even overriding ritual impurity (BT Menahot 72b). Each Musaf concludes with some form of the statement Al Olat haTamid – accompanying the Olat Tamid.

The constancy of worship – that each special day is framed within the contours of “Tamid” (the morning Tamid is brought before all other Korbanot and the afternoon brought after all others excepting the Korban Pesach), is something which is quite remarkable within the context of Mikdash worship. Normally, that which is special, festive etc. trumps the mundane and regular experience – but the message of the T'midin is the very opposite. The primacy of constancy as emerging from Parashat haTamid is a message which is adopted by Haza"l:

Ben Zoma says: we have found an encompassing verse: “Sh'ma Yisra'el”; Ben Nanas says: we have found an even more encompassing verse: “v'Ahavta l'Re'akha Kamokha”. Shim'on ben Pazi says: We have found a yet more encompassing verse, namely: The one lamb you shall offer in the morning...” (Maharal, quoting an otherwise unknown Midrash, Netivot Olam, Netiv Ahavat Re'a Ch. 1).

This message of constancy of worship is the ideal balance to the message identified in the 16 paragraphs dealing with the census and the land.

As such, these parashot of the power of constancy – the constancy of Am Yisra'el as a nation on the one side and the constancy of Am Yisra'el's relationship to haKadosh Barukh Hu on the other, serve to perfectly frame the dialogue between Mosheh and Hashem during which the dynamic leadership of a Shofet/Navi becomes the quasi-dynastic

leadership of a Melekh – constant and seamlessly passing to the next leader, just as his brother did on Hor haHar.

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PARSHAT PINCHAS

Should Chumash end with Parshat Pinchas?

Obviously not, yet in the middle of this week's Parsha we find the story of Moshe Rabbeinu's 'death' and the transfer of his leadership to Yehoshua (see 27:12-23).

Furthermore, a careful study of Parshat Pinchas reveals that almost all of its topics seem to belong elsewhere in Chumash.

In this week's shiur, we attempt to understand why.

INTRODUCTION

Up until Parshat Pinchas, the narrative of Sefer Bamidbar has followed in a very logical (chronological) order. However, towards the beginning of Parsha Pinchas, we uncover a serious problem in relation to the story of the war against Midyan.

Even though God's command to avenge the Midyanim is recorded towards the beginning of Parshat Pinchas, the details of that battle are not recorded until several chapters later in the middle of Parshat Matot. In the 'interim', Parshat Pinchas discusses several events that are not only unrelated, but also appear to have taken place at a later time!

After explaining this problem in a bit more detail, our shiur will attempt to explain the reason for what otherwise seems to be a very strange progression of parshiot.

[Before we begin our shiur, a note of convention:

Parsha - with a capital 'P' - refers to Parshat HaShavua, parsha (or parshia) - with a small 'p' - refers to 'parshiot' ['ptuchot' or 'stumot'] - the paragraph-like divisions in Chumash, denoted by a wide blank space on the line .]

DEFINING THE PROBLEM

Review 25:1-15, noting how Parshat Pinchas begins by completing the story of Bnei Yisrael's sin with the daughters of Midyan (from the end of Parshat Balak). First, Pinchas is rewarded for his zealous act (that saved Bnei Yisrael from a harsher punishment/ 25:10-15); and immediately afterward God commands Moshe to avenge the Midyanites:

"And God spoke to Moshe, saying: Attack the Midyanites and defeat them, for they attacked you by trickery..." (25:16-18).

Logic would dictate that Chumash should continue at this point with the story of that battle. But that's not what happens! Instead, the details of that battle are recorded only some **five** chapters later - in the middle of Parshat Matot:

"And God spoke to Moshe, saying: Avenge the Israelite people on the Midyanites...[then] Moshe spoke to Bnei Yisrael: Choose men for battle, and let them attack Midyan to avenge God's anger with Midyan..." (see Bamidbar 31:1-2 / compare with 25:16-18).

In the interim (i.e. chapters 26-30), we find several unrelated topics, as summarized in the following table:

<u>Chapter</u>	<u>Topic</u>
26:1-65	A census of the entire nation
27:1-11	The story of 'bnot Tzlofchad'
27:12-14	Moshe Rabbeinu's 'final day'
27:12-23	The transfer of leadership from Moshe to Yehoshua
28:1-30:1	Laws of korbanot - tmidim and musafim
30:2-17	The laws of nedarim (vows)

This problem usually goes unnoticed for a very simple reason. When the census begins in chapter 26, it appears to be directly connected to this commandment to avenge the Midyanim:

"And God spoke to Moshe, saying: Attack the Midyanites..." (see 25:16-18)

"And it came to pass after the plague, God told Moshe... take a census of Bnei Yisrael from the age twenty and up - by their ancestral houses, all who are able to bear arms" (see 26:1-2).

This juxtaposition leaves us with the impression that this census is necessary as part of the preparation for the ensuing battle against Midyan. However, by the time the details of that census are completed (some 60 verses later) it becomes quite clear that this "mifkad" has nothing to do with that battle. Rather, its purpose is stated explicitly:

"... This is the total number of Bnei Yisrael: 601,730. And God spoke to Moshe saying: **To these [counted people] shall the land be apportioned** - according to the listed names, the larger the group the larger the share..." (see 26:51-54).

In other words, this census will form the basis for the partition of the Land after its conquest. This observation explains why this specific census is conducted "le-beit avotam" [lit. by their ancestral houses / see 26:2] - hence it includes the specific names of the official family units, as the land will be apportioned according to the size of these family units (see 26:52).

[Note how this detail of "le-beit avotam" is the primary difference between the census here, and the census in Bamidbar chapters 1-2. There, we don't find these individual family unit names!]

Further proof that this census is totally unrelated to the war against Midyan comes from the details of that battle in Parshat Matot. Review 31:4-6, noting how God instructs Moshe to conscript only one thousand soldiers from each tribe. If only 12,000 soldiers are needed to fight Midyan, then there is certainly no need for Moshe to conduct a comprehensive census of over 600,000 soldiers!

Conclusive proof that the census in chapter 26 is taken for the sole purpose of apportioning the land (and has nothing to do with the ensuing battle against Midyan) is found in chapter 27, where we find the story of how the daughters of Tzlofchad complained that they would not receive a 'nachala' [a portion of the land]. Certainly, this has nothing to do with the war against Midyan, but everything to do with inheriting the Land!

[The final topic of chapter 27, i.e. the appointment of Yehoshua to succeed Moshe, also relates to the topic of inheriting the land, as it will become Yehoshua's responsibility to conquer and then oversee the inheritance of the land according to the tribal families.]]

Finally, chapters 28 thru 30 describe numerous laws regarding korbanot and nedarim [vows]. These laws as well certainly have no direct connection to the war against Midyan.

Only in chapter 31, Sefer Bamidbar finally returns to the details of the battle against Midyan that began back in chapter 25.

The following chart summarizes our discussion thus far and illustrates how the natural flow from chapter 25-31 is interrupted by topics A-F:

<u>CHAPTER</u>	<u>EVENT / TOPIC</u>
=====	=====
* 25 ==> GOD'S COMMANDMENT TO ATTACK MIDYAN	
A) 26	The Census of the people who will inherit the Land
B) 27:1-11	The story of bnot Tzlofchad
C) 27:12-14	Moshe Rabbeinu's final day
D) 27:12-23	The transfer of leadership from Moshe to Yehoshua
E) 28->29	The laws of korbanot - tmidim and musafim
F) 30	The laws of nedarim (vows)
* 31 ==> THE BATTLE AGAINST THE MIDYANIM	

Clearly, none of these topics relate directly to 'milchemet Midyan'. Nonetheless, the Torah records them here in Parshat Pinchas.

To understand why, we must first determine where each of these parshiot (i.e. A-F) **does** belong.

A) THE CENSUS - MIFKAD HA-NACHALOT

As we explained above, the census (in chapter 26) was taken to enable the leaders to properly apportion the land. Therefore, it's rather easy to identify where this section 'belongs', for the last three chapters of Sefer Bamidbar discuss the topic of inheriting the land (see 33:50 till the end of the book). In fact, we can pretty much pinpoint where this unit belongs by noting a rather obvious textual (and thematic) parallel. Simply review once again the concluding psukim of the census:

"Among these shall the land be apportioned as shares, according to the listed names, with larger groups **INCREASE** the share, with smaller groups **REDUCE** the share. Each is to be assigned its share according to its enrollment..." (see 26:52-54).

The note how we find almost the identical commandment in Parshat Mas'ei, when God charges Bnei Yisrael with the mission of conquering the land:

"When you cross the Jordan into the Land of Canaan... you shall take possession of the land and settle it..."

"You shall **apportion** the land among yourselves... with larger groups **INCREASE** the share, with smaller groups **REDUCE** the share... You shall have your portions according to your **ancestral tribes**..." (see 33:50-55)

[Note CAPS in both quotes to highlight parallel]

Review these psukim once again, noting how this commandment in Parshat Mas'ei is almost identical to the commandment recorded at the conclusion of the census in Parshat Pinchas (see above 26:52-54)!

Furthermore, Parshat Mas'ei continues with numerous other commandments concerning inheriting the land. [For example, the borders of Eretz Canaan that are to be conquered (see 34:1-15), the tribal leaders who will apportion the land (see 34:16-29), the cities of the levi'im and the cities of refuge (see chapter 35), etc.]

Hence, we conclude that the census in Parshat Pinchas actually 'belongs' in Parshat Mas'ei!

B) BNOT TZLOFCHAD

Note how this incident (see 27:1-11) is recorded immediately after the census [read 27:1 carefully], and most probably that is exactly when it took place. After all, the daughters of Tzlofchad's complaint stems from their worry that their father's inheritance (as promised in the census) will be lost, for they have no brothers.

Clearly, this story can be considered a direct continuation of the "mifkad ha-nachalot" (i.e. chapter 26), for it too deals with laws concerning inheriting the Land. Therefore, it too should have been recorded in Parshat Mas'ei. [In fact, the story of bnot Tzlofchad actually continues in Parshat Mas'ei - see chapter 36!]

C) MOSHE RABBEINU'S FINAL DAY

In the next parsha (27:12-14), God commands Moshe to take a final glance of the Promised Land prior to his death:

"And God told Moshe: Ascend Mount Eivrim and view the land which I am giving to Bnei Yisrael, then you will be gathered unto your people, just as Aharon was..." [i.e. the time has come for Moshe to die (see 27:12-13).

Obviously, this commandment should have been recorded at the very end of Sefer Bamidbar, or even at the end of Sefer Devarim - prior to Moshe's death; surely not in the middle of Parshat Pinchas! [To verify this, simply compare it to Devarim 34:1-6.]

Furthermore, even if this story 'belongs' in Sefer Bamidbar, it most definitely should have been recorded **after** "milchemet Midyan", for that story begins -stating explicitly:

"And God spoke to Moshe: Avenge the Midyanites... **afterward** you shall be gathered to your nation" (31:1).]

D) APPOINTING YEHOSHUA AS THE NEW LEADER

The next parshia (27:15-23) is simply Moshe's reaction to this commandment (that he must die). Therefore, Moshe requests that God appoint a leader in his place. Clearly, both of these parshiot [(C) and (D)] form a unit, but it would have made more sense to records this unit somewhere towards the end of Chumash; but definitely **not** in the middle of Parshat Pinchas!

In fact, considering that this story includes the appointment of Yehoshua as the new leader, this unit could have formed a very appropriate conclusion for the entire Sefer.

E) KORBANOT TMIDIM U-MUSAFIM

The next two chapters (28->29) constitute a schedule of the various korbanot **musaf** that are offered on special occasions in 'addition' [= musaf] to the daily **tamid** sacrifice.

Obviously, this entire unit doesn't belong here, for it has nothing to do with the ongoing narrative. Rather, it should have been recorded in Sefer Vayikra, most probably in Parshat Emor, together with the other laws of korbanot and holidays (see Vayikra chapter 23, noting how the phrase: 've-hikravtem isheh la-Hashem...' relates to the complete details found in Bamidbar chapters 28-29)

F) PARSHAT NEDARIM

In chapter 30 we find a commandment regarding the laws of "nedarim" [vows]; yet another parshia of mitzvot (as opposed to narrative). These laws could be understood as a direct continuation of the previous section - because the final pasuk of the "tmidim u'musafim" section states that these korbanot were brought **'in addition** to their **nedarim**...' (see 29:39!).

Based on this analysis, it becomes clear that the Torah has intentionally 'interrupted' the story of the war against Midyan with several unrelated parshiot! The obvious question is: **why?**

DIVIDE & CONQUER

To answer this question, we must first group these six topics (i.e. A-F above) into two basic categories.

I. PREPARATION FOR ENTERING ERETZ CANAAN (26-27)

- A. The census for dividing the land - mifkad ha-nachalot
- B. The complaint of bnot Tzlofchad re: their inheritance
- C. Moshe's death
- D. The transfer of his leadership to Yehoshua.

II. MITZVOT THAT BELONG IN SEFER VAYIKRA (28-30)

- E. The laws of tmidim u-musafim
- F. The laws of nedarim

These two categories can help us pinpoint where each of these two units belong.

The first unit (I.) contains parshiot that detail Bnei Yisrael's preparation for entering the land. As we explained above, these parshiot belong in Parshat Mas'ei. To illustrate this point, the following table shows the progression of parshiot from the story of milchemet Midyan until the end of Sefer Bamidbar:

CHAPTER	TOPIC
31:1-54	The war against Midyan
32:1-42	The inheritance of Reuven & Gad in Transjordan
33:1-49	Summary of B.Y.'s journey through the desert
33:50-56	* The commandment to conquer & inherit the Land
34:1-15	* The precise borders of Eretz Canaan.
34:16-29	* The tribal leaders who are to apportion the Land
35:1-18	* The cities of the Levites for their inheritance.
35:9-34	* The cities of refuge to be set up in the land.
36:1-13	* Laws of inheritance relating to inter-tribal marriages

This table illustrates how the final topic of Sefer Bamidbar is **preparation for entering Eretz Canaan** (i.e. 33:50-36:13).

Considering that chapters 26-27 in Parshat Pinchas discuss this very same topic, we conclude that they actually 'belong' at the end of Sefer Bamidbar.

The second unit, containing the laws of **tmidim u-musafim** and **nedarim**, clearly belongs in Sefer Vayikra. However, this phenomenon should not surprise us, for there are many other instances in Sefer Bamidbar where we find 'insertions' of a set of laws that seem to belong in Sefer Vayikra. [See our Introductory shiur to Bamidbar, where this topic was discussed in detail. Later in our shiur, we will suggest a reason why specifically these mitzvot were 'transferred' from Vayikra to Bamidbar.]

CUT AND PASTE?

Based on this distinction, we can now redefine our question: Why does the Torah 'cut' these parshiot (i.e. chapters 26 & 27) from Parshat Mas'ei (where they seem to belong), and 'paste' them instead in Parshat Pinchas - after the story of Bnei Yisrael's sin with bnot Midyan, but before they avenge the Midyanim?

Before we offer a thematic explanation, we should note a small technicality that can support our conclusions thus far.

Using a Tanach Koren (or similar), take a careful look at the opening pasuk of chapter 26, noting how there is a parshia break smack in the middle of this pasuk!

"Va-yehi acharei ha-mageifa" - when the **plague** was over - **SPACE** , [i.e. a parshia break in the middle of the pasuk] ...and God told Moshe...Take a census of Bnei Yisrael..." (see 26:1-2)

This strange 'parshia break' in the middle of the pasuk may reflect this 'interruption' of the narrative, which takes place precisely at this point, in the middle of this pasuk!

Now that we have established that the census in chapter 26 'belongs' at the end of the book, we must now search for a reason why the Torah intentionally inserted this unit specifically at this point in Sefer Bamidbar, i.e. after the plague that followed Bnei Yisrael's sin with 'the women of Moav & Midyan'.

We will suggest a reason for this juxtaposition by considering the overall theme and structure of Sefer Bamidbar.

THE LAST PLAGUE

Recall how the narrative of Sefer Bamidbar began as Bnei Yisrael prepare for their journey from Har Sinai towards the Promised Land. Ideally (i.e. had Bnei Yisrael not sinned), Sefer Bamidbar would have continued with the story of the conquest and settlement of the Land.

Even though everything seems to be going fine in the first ten chapters - i.e. up until the psukim of "va'yhi bnsoa ha'aron" (see 10:35-36) - as soon as Bnei Yisrael begin their journey (in chapter 11), everything seems to go wrong. Instead of describing what should have been, Sefer Bamidbar becomes the story of how and why Bnei Yisrael do NOT make it to the land of Israel.

Note how just about every story in Sefer Bamidbar from chapter 11 thru chapter 25 describes a rebellious act of Bnei Yisrael, followed by a terrible punishment. [For example, the "mitonnim", the "mitavim", the "meraglim", Korach and his followers, "mei meriva", the "nachash nechoshet" incident, and "chet bnot midyan".]

The sin of the "meraglim" (in chapter 13) was so severe that God swore that the first generation must perish in the desert. Then, even in the fortieth year, we find additional incidents where Bnei Yisrael sin (and are punished). For example, note the story of the 'nachash nechoshet' (see 21:4-10) and 'chet bnot Midyan' (see 25:1-6).

Even though chapters 11 thru 25 of Sefer Bamidbar are replete with stories of rebellion, punishment, and death; from chapter 26 and onward, the primary topic of Sefer Bamidbar

changes once again. Instead of stories of rebellion, now we find stories of conquest and preparation for entering the land. The following table summarizes this division of the narrative of Sefer Bamidbar into three distinct sections:

- I. 1->10 Preparation at Har Sinai to travel to Israel
- II, 11->25 What went wrong, i.e. why first generation failed
- III. 26->36 Preparation for entering the land [new generation]

From this perspective, the act of Pinchas, which stopped the plague in the aftermath of the sin with "bnot Mo'av" constitutes an important milestone in Sefer Bamidbar- for this incident was the **last** punishment in the desert. Hence, those who survived that plague are now destined to become the first **inheritors** of Eretz Canaan!

With this background, we can suggest that the Torah's 'insertion' of the census specifically at this point in the Sefer emphasizes precisely this point - that the tragic events in the desert have finally come to an end. Those who survived this plague are now worthy of inheriting the Land.

This interpretation is supported by the final statement of that census, recorded after the levi'im are counted: "These are the persons counted by Moshe...Among these there was not one of those counted by Moshe & Aharon in Midbar Sinai (chapters 1-2) ... For God had said of them: They shall die in the wilderness, not one of them survived, except Kalev ben Yefuneh and Yehoshua bin Nun" (26:63-65).

Further support is found in Sefer Devarim, in Moshe Rabbeinu's opening address to the nation. In Moshe's introductory speech (before he begins his main speech that reviews the various laws that Bnei Yisrael must keep once they enter the land / see 5:1, 5:28, 6:1 etc.), note his emphasis on this very same point:

"Your very own eyes have seen what God has done to Ba'al Pe'or, for anyone who had followed Ba'al Pe'or [i.e. chet bnot Mo'av] - God has destroyed him from your midst [via the 'mageifa']. But **you** - who have remained loyal to your God - are standing here alive to today!" (see Devarim 4:3-4). [Did you realize that this is the context of the pasuk "v'atem ha'dvakim b'Hashem Elokeichem" (that we often quote in our daily teffila)?]

FROM CENSUS TO LEADERSHIP

In a similar manner, we can explain why this census is followed by God's commandment to Moshe to ascend Har HaEivarim to die, and the story of how his leadership is transferred to Yehoshua. Considering that this census will become the basis for the 'inheritance' of the Land of Israel, we mention immediately afterward this transfer of leadership, for it will become Yehoshua's duty to lead the new generation to conquer and inherit the Land. [See further iyun section for a discussion of how Rashi relates to this point.]

TMIDIM U-MUSAFIM - WHY HERE?

Now that we have explained why the Torah moves the unit of chapters 26-27 from Parshat Mas'ei to Parshat Pinchas, we must also explain why the Torah moves chapters 28-30 (the second category) from Sefer Vayikra to Parshat Pinchas.

As we explained in our introductory shiur, Sefer Bamidbar contains numerous mitzvot that 'could have been' recorded in Sefer Vayikra. Here we find yet another example.

However, as was the case in the other instances, we must look for a thematic connection between those laws and the ongoing narrative. In other words, we must ask - what is the connection between the laws of tmidim u-musafim and Bnei Yisrael's preparation for entering Eretz Canaan?

Once again, we return to the theme of Sefer Bamidbar to suggest an answer.

Recall that the first ten chapters of Sefer Bamidbar describe Bnei Yisrael's **preparation** for their journey from Har Sinai to the

Promised Land. Those chapters emphasize the intrinsic connection between the camp of Bnei Yisrael and the mishkan. Bnei Yisrael must travel with the mishkan, and thus the 'Shchina' (the Divine presence), at the center of the camp (see shiur on Parshat Bamidbar).

Now, forty years later, as the Torah describes Bnei Yisrael's preparation for entering the Promised Land, Chumash may be emphasizing this very same point once again - by recording the laws of tmidim u-musafim in Parshat Pinchas.

One can suggest two thematic reasons:

- 1) The korban Tamid, the daily collective offering on the **mizbeiach**, together with the additional **musaf** offering on the holidays, is purchased with the 'machatzit ha-shekel', collected from each member of Am Yisrael when taking the yearly **census**!
- 2) The **tamid** offering is a symbolic daily reminder of Ma'amad Har Sinai. Recall (from our shiur on Parshat Tetzaveh) our definition of the **Shchina** unit in Shmot chapters 25-29 (the commandment to build the mishkan). That unit began with the purpose of the mishkan:

"And they shall make for Me a mikdash, ve-**shachanti** betocham - that I should **dwel**l in their midst" (25:8).

That unit concluded with the commandment to offer the daily korban tamid, whose purpose was to perpetuate the **Shchina** which dwelled on Har Sinai:

"**Olat tamid** for all generations, at the entrance of the ohel mo'ed... for there **I will meet** with Bnei Yisrael... v-**shachanti** - and I will **dwel**l among Bnei Yisrael, I will be their God..."
(see Shmot 29:42-45 compare Bamidbar 28:1-6).

A similar phrase is found in the presentation of the korban tamid in Parshat Pinchas:

"**Olat tamid**, which was instituted at **Har Sinai**..." (28:6).

Thus, the korban tamid may symbolize the special connection between God and Bnei Yisrael that must crystallize as Bnei Yisrael prepare to conquer and inherit their Land.

From this perspective, this korban **tamid** may reflect both the collective nature of Am Yisrael's relationship with God ['korban tzibbur'], together with the value of the contribution of each individual [machatzit ha-shekel].

As Yehoshua prepares to lead Bnei Yisrael into a new era, these principles of the 'avodat tamid' - collective purpose, individual responsibility, and daily routine - must serve as a guiding light for the entire nation.

shabbat shalom,
menachem

FOR FURTHER IYUN

A. The interpretation presented in the above shiur can explain why Rashi (26:1) quotes **two** Midrashim to explain why this parsha of the census is located here.

1) The first Midrash he quotes, relating to the connection between the plague and the census, explains that Bnei Yisrael are so dear to God that He counts them after every tragedy, just as the shepherd counts his sheep after they have been attacked.

However, this approach is difficult, for it does not take into account the Torah's explicit explanation that this census is to determine who will inherit the land (see 26:53). Furthermore, in the other instances when Bnei Yisrael are smitten by plagues, the Torah never records God's command Moshe to take a census. Why should this plague be any different?

2) Therefore, Rashi quotes a second Midrash comparing Moshe to a shepherd: Moshe, like a shepherd, when he took Bnei Yisrael out of Egypt he counted them, now that he is about to die, he must return the sheep to their owner. Therefore, he must count them once again.

While the first Midrash focuses on the connection between the plague and the census, the second Midrash focuses on the connection between the census and the transfer of leadership from Moshe to Yehoshua.]

B. Note the Ramban's explanation why the parsha of Moshe's 'death' is written at this time (in Parshat Pinchas).

What issue led Ramban to this conclusion?

C. The story of Bnei Gad & Reuven (chapter 32) could be considered part of the nachala section.

1. Explain why.

2. Explain why it isn't, and why it actually continues to the story of milchemet Midyan.

Pay attention to the opening words of perek 32.

How does this relate to milchemet Midyan?

3. How does this story relate to other events in the desert, such as chet ha-meraglim for example. (See the Netziv on this issue.)

D. Use our explanation of the importance of the korban tamid to explain why each korban musaf in Parshat Pinchas concludes with the phrase 'milvad olat ha-tamid ...'.

E. Compare the names of the family groups in the census in Parshat Pinchas [le-beit avotam...] to the names of the original seventy members of Yaakov's family who went down to Egypt (see Breishit 46:8-27). Can you find the significance of this parallel?

[To whom was this land first promised?]

The CHAGIM in PARSHAT PINCHAS

As you 'should' have noticed, every time that we doven MUSAF (i.e. on shabbat, rosh chodesh, & yom-tovim), we always include a quote from Parshat Pinchas.

Similarly, the Torah reading on every rosh chodesh and yom-tov is either entirely from Parshat Pinchas, or at least the 'maftir' section!

To understand why, the following shiur undertakes a simple analysis of chapters 28->29 in Parshat Pinchas.

INTRODUCTION

Even though we find several presentations of the Jewish Holidays throughout Chumash, their presentation in Parshat Pinchas is quite unique. In fact, our shiur will show how the primary topic of this unit may not even be the holidays! [It will help us understand why these holidays are 'repeated' in Sefer Bamidbar, even though they were already discussed in Parshat Emor /i.e. Vayikra 23.]

We begin our study by identifying the precise unit under discussion and its structure.

AN ORGANIZED UNIT

Just about every time that Chumash presents a unit of "mitzvot" - it begins with a very short introductory narrative - the most common form being "va'yadaber Hashem el Moshe lay'mor", or something similar.

This standard format allows us to easily identify chapters 28 & 29 as a unit, as it begins with that opening phrase (see 28:1), and the commandments continue until the end of chapter 29.

Note as well 30:1 we find what constitutes the concluding verse of this unit, for it describes Moshe's fulfillment of God's command in 28:2, that Moshe should command these laws to Bnei Yisrael!

In the opening verse God instructs Moshe (see 28:1-2): "**Command** Bnei Yisrael and tell them - keep the laws of My [daily] offerings..."

In the closing verse (see 30:1):

"And Moshe spoke to Bnei Yisrael [telling them] everything [all the laws] that God had commanded him."

[Note a very similar structure between Vayikra 23:1 and 23:44.]

This alone already indicates that all of the laws included between these opening and closing verses forms a unit. [Note how the chapter division of Chumash seems to have made a major mistake here, for 30:1 should really have been 29:40! Note how the 'parshia' break of Chazal is much more accurate (as usual) than the 'King James' chapter division! This 'mistake' probably stems from a misunderstanding of the opening pasuk of Parshat Masei, and how it connects to the last verse of Parshat Pinchas.]

As we browse through the content of chapters 28->29, it seems as though its primary topic is the holidays, for they begin in 28:16 and continue all the way until 29:39. Note as well how these holidays are presented in the order of their lunar dates, i.e. beginning with Pesach and concluding with Succot.

Nonetheless, when we consider that this unit begins in 28:1, we must assume that the first fifteen psukim share the same theme. By taking a closer look, the connection becomes rather obvious, for the first topic is the daily "olah" offering - a lamb - offered once in the morning and once in the evening (see 28:2-8). These laws are followed by the commandment to offer an 'additional' "olah" every Shabbat (see 28:9-10), and more elaborate "olah" on every Rosh Chodesh [first day of the lunar mon

Now, to determine what thematically ties this unit together, we need only list the topic of each of its individual "parshiot" in search of a logical progression:

As we will see, the progression is very logical:

PSUKIM	TOPIC / The laws of:
=====	=====
28:1-8	the DAILY korban TAMID
28:9-10	WEEKLY korban MUSAF for SHABBAT
28:11-15	MONTHLY korban MUSAF for ROSH CHODESH
28:16-25	a special korban MUSAF for CHAG HA'MATZOT
28:26-31	a special korban MUSAF for CHAG SHAUVUOT
29:1-6	a special korban MUSAF for YOM TRU'AH
29:7-11	a special korban MUSAF for YOM KIPPUR
29:12-34	a special korban MUSAF for each day of SUCCOT
--->	* [note how each day is a separate parshial!]
29:35-38	a special korban MUSAF for SHMINI ATZERET
29:39	the summary pasuk

The progression within this unit is very straightforward. We begin with the DAILY "korban tamid", followed by the WEEKLY "musaf shabbat", followed by the MONTHLY "korban rosh chodesh, followed by the YEARLY schedule of korbanot offered on the chagim, beginning with the first month, etc. It is for this reason that the FIRST pasuk of each of these 'holiday' "parshiot" begins with the precise lunar date.

THE KEY PHRASE: "AL OLAT ha'TAMID..."

As you review these parshiot, note how each parshia relates in some manner to the daily "olat tamid". The opening parshia describes it, while each and every parshia that follows concludes with the statement "al olat ha'tamid" or "milvad olat ha'tamid".

The Torah goes out of its way to emphasize that each of these korbanot are to be offered IN ADDITION to the daily OLAH offering! In fact, that is why we call the offering a 'MUSAF'! - The word "musaf" stems from the verb "l'hosif" = to add on. These special korbanot are offered in ADDITION to the daily korban TAMID, and hence their name - a korban MUSAF.

Therefore, this unit begins with the KORBAN TAMID and then continues with the detail of each korban MUSAF that is offered in

addition to the daily "olat tamid". Hence, a more precise definition for this unit would be KORBANOT TMIDIM u'MUSAFIM.

Indeed, each of the holidays are mentioned within this unit, but not because the holidays are its primary topic. Quite the contrary; the holidays are mentioned, for on each holiday an 'additional' korban is to be offered.

BETWEEN EMOR & PINCHAS

With this background, we can better understand the difference between the presentation of the chagim in Parshat Emor (see Vayikra chapter 23) and their presentation here.

In contrast to Parshat Pinchas whose primary topic is korbanot, the primary topic in Parshat Emor is the holidays. In fact, that is precisely its title: "moadei Hashem..." - God's appointed times (23:1,4)! That unit details the nature and specific laws for each holiday. For example, the prohibition to work, the need to gather ("mikraei kodesh"), and special mitzvot for each holiday, such as: offering the "omer", the "shte ha'lechem", blowing shofar, fasting, succah, lulav & etrog etc. [To verify, review Vayikra 23:1-44.]

[Btw, that parsha **does** include certain korbanot, such as those which come with the "omer" and "shte ha'lechem". But again, those korbanot are special for that day and hence, relate to the special nature of each of those holidays.]

Notice as well that each holiday in Parshat Emor includes the mitzvah of "v'hikravtem ishe la'Hashem" [you shall bring an offering to God/ see 23:8,25,27,36]. However, this commandment appears quite ambiguous for it doesn't specify which type of korban is to be offered.

Parshat Pinchas solves this ambiguity, by telling us precisely what that offering should be. To prove how, note a key summary pasuk found in Parshat Emor:

"These are God's appointed times set aside for gathering IN ORDER to offer a - ISHE LA'HASHEM -, an OLAH, MINCHA, ZEVAH, & NESACHIM, - on EACH DAY - DVAR YOM B'YOMO." (See Vayikra 23:37, compare with 23:4)

What does "dvar yom b'yomo" refer to? Most likely to the precise details for these korbanot as recorded in Parshat Pinchas! [Note Rashi on that pasuk (23:37), that is exactly what he says!] [Using computer jargon, we could say that Parshat Emor is 'indexed' to Parshat Pinchas - or, if each "v'hikravtem ishe" in Emor was in 'hyper-text', it would link to its respective URL address in Parshat Pinchas. [e.g. 23:8->28:19, etc.]

Also, if you look carefully at the names of the chagim in the opening pasuk of each parshia in Parshat Pinchas, you'll notice that each specific name reflects the primary aspect of the chag as it had already been described in Parshat Emor! [That comparison is quite straightforward, but beyond the scope of this shiur.]

With this background, the presentation of the holidays in Parshat Pinchas is quite easy to understand. Each holiday is introduced by its lunar date and name (based on its more detailed description in Parshat Emor). This introduction is followed by the complete details of the korban MUSAF for that holiday, including the type of each korban, and the number of animals that are to be offered. Other than those details (of the korban MUSAF), Parshat Pinchas does not add in any new laws for any of the "chagim".

THE INTERNAL STRUCTURE OF PARSHAT HA'MUSAFIM

Let's return now to Parshat Pinchas to take a look at the actual korbanot and what they're all about.

Even though the korban MUSAF of each holiday is presented in a separate parshia, the set of korbanot for each holidays are quite similar. Note how each set contains:

* an OLAH offering of PARIM, AYLIM, & KVASIM;

* the appropriate flour & wine offerings,

[better known as "MINCHATAM V'NISKAM";

* and a CHATAT offering of a SEIR IZIM (a goat).

The following table compares the specific korbanot of each chag. [If you have the time (and patience), I recommend that you try to work it out first on your own.]

As you review this table, note how similar most of the MUSAFIM are. However, note as well where and how they differ!

CHAG / OLAT:	PAR	AYIL	KEVES	/ SEIR	CHATAT
ROSH CHODESH	-	2	1	7	1
CHAG HA'MATZOT	2	1	7	1	
[same for all 7 days]					
SHAVUOT	- 2	1	7	1	
ROSH HA'SHANA		1	1	7	1
YOM KIPPUR	-	1	1	7	1
[same as R.H.]					
SUCCOT (day 1) -		13	2	14	1
SUCCOT (day 2) -		12	2	14	1
SUCCOT (day 3) -		11	2	14	1
SUCCOT (day 4) -		10	2	14	1
SUCCOT (day 5) -		9	2	14	1
SUCCOT (day 6) -		8	2	14	1
SUCCOT (day 7) -		7	2	14	1
SHMINI ATZERET -	1	1	7	1	

As you study this chart, note how one can easily identify certain groups of holidays. Let's organize them as follows:

GROUP ONE: [the 2-1-7-1]

Rosh Chodesh, Chag ha'Matzot, and Shavuot

Note how all three are connected to YETZIAT MITZRAYIM! [Rosh Chodesh - based on Shmot 12:1, and Shavuot can be considered the conclusion of Pesach.]

GROUP TWO: [the 1-1-7-1]

Rosh ha'Shana, Yom Kippur, and Shmini Atzeret

Note, that all three are in Tishrei! Since the first two are 'days of judgement', then we must conclude that Shmini Atzeret must also be a 'day of judgement'!

[e.g. "tiflat geshem" etc.]

GROUP THREE: [the {13->7}-2-14-1]

The seven days of Succot

This is the most interesting group, for (unlike "chag ha'matzot") even though each day of Succot is the same holiday, for some reason the number of PARIM decreases daily.

DOUBLE NATURE

In addition to this obvious division into three groups, there remains another interesting phenomenon in the above chart. For some reason, the OLAH offering on Succot seems to be DOUBLE. On every other holiday we offer one AYIL and seven KVASIM, but on each day of Succot we double that - offering TWO and FOURTEEN instead! Furthermore, in regard to the PARIM, there's an 'explosion'. Instead of either one or two, we find THIRTEEN! More puzzling is the fact that each day we bring one less.

So what's going on with the korbanot on Succot?

One could suggest that Succot should not be considered a separate category, but rather a COMBINATION of the other two. Let's explain why.

On the one hand, Succot could be included in Group One, for that group contains the other two "shalosh regalim" (i.e. Chag ha'Matzot and Shavuot). On the other hand, Succot could also be included in Group Two, for that group contains all of the other holidays that fall out in the seventh month (i.e. "chagei Tishrei"). [Thematically as well, Succot fits into both groups. On the one hand it is a thanksgiving holiday (like the holidays in Group One), where we thank God for our fruit harvest /that's why we recite the Hallel. On the other hand, it is also a time of awe (like the holidays in Group Two), for we anticipate the rainy season which

will determine the fate of the forthcoming year/& that's why we recite the "Hoshanot"].

This 'double nature' of Succot can explain why its korbanot are DOUBLE - two AYLIM instead of one; & fourteen KVASIM instead of seven. But what about the PARIM? According to this interpretation, we should only bring THREE on each day of Succot. So why do we bring and 'extra' ten on the first day, an extra nine on the second, etc.

It's rather cute, but if we add up all the 'extras', i.e. $10+9+8+7+6+5+4$ we find that we've added 49 [=7x7] PARIM. In relation to the "chagim", finding significance in the number seven (or its multiple) should not surprise us. There are many instances in Chumash when 'seven' relates to our recognition that it God who controls what we perceive as nature (see shiurim on both Parshat Breishit and on Parshat Emor).

Our recognition that God controls nature is most critical on Succot - for it sits at the junction (and 'overlap') of the agricultural year, i.e. at the end of the previous year (the autumn fruit harvest) and beginning of the new year (the upcoming rainy season).

Furthermore, should we add these 49 PARIM to the original 21 PARIM [3x7days], we find that a total of SEVENTY parim are offered during SUCCOT. Chazal point out that these seventy bulls are representative of the seventy nations of mankind. [See shiur on Parshat Noach and the 'Migdal Bavel' vort'.] [If you want to find additional meaning to the number 7 or 49 [=7x7] in relation to the 7 days of Succot in the 7th month, ask your local kabbalist. - "v'akmal".]

In summary, we have shown how what appears to be a rather monotonous list of korbanot may actually be hiding some very fundamental aspects of the "chagim". Hopefully, next time you doven MUSAF, it will make your tefilah a bit more meaningful.

shabbat shalom,
Menachem

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FOR FURTHER IYUN

1. If you are not familiar with the structure of tiflat Musaf, after the standard opening three brachot, we recite a "piyut" which describes our sorrow (& our fault) over the fact that the Bet ha'Mikdash no longer stands (e.g. "mpnei chataeinu", or tikanta shabbat..." etc.). That "piyut" concludes with our wish that the Bet ha'Mikdash will be rebuilt so that we can once again offer the korbanot - then we quote the actual korban from Parshat Pinchas and a brief description of its NESACHIM. This is followed by yet another piyut (e.g. "yismchu b'malchutcha" or "melech rachaman...") and then concludes with the bracha of "kedushat ha'yom" (e.g. "mkadesh ha'shabbat", or "yisrael v' hazmanim").

2. Note that in regard to lighting Chanuka candles, Bet Shamai's shita that we begin with eight and conclude with one is based on a comparison to PAREI ha'CHAG - i.e. the PARIM of Succot.

3. The only korban that doesn't change for any holiday is the "seir izim I'CHATAT". This korban serves as atonement for any possible sin of Am Yisrael in the Mikdash. The "seir izim" is chosen as it is symbolic of the sin of the brothers of Yosef when they used a "seir" to 'cover up' their sin. See Ramban! As its purpose is atonement, only one offering is necessary per set, and hence it is not doubled in Succot as are the other korbanot.

4. See previous shiur on Rosh Ha'shana for a more complete explanation of why Tishrei (at the beginning of the rainy season), serves as a time when all mankind is judged.

5. Note machloket between Ramban (and everyone else) concerning whether this korban MUSAF was offered in the desert or only once Bnei Yisrael entered the land. Relate it to his "shita" of "yeish mukdam u'muchar ba'Torah". [Ramban on 28:1 & on Vayikra 3:2.] Relate this to the above shiur.