

Potomac Torah Study Center
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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) at www.PotomacTorah.org. Thanks to Bill Landau for hosting the Devrei Torah archives.

Hamas continues to manipulate the media while pretending to negotiate with Israel. Hersh Polin Goldberg, cousin of very close friends of ours and a U.S. citizen, remains a captive. Concerns are increasing that fewer than half of the hostages may still be alive. We continue our prayers for the hostages and all our people stuck in Gaza. May Hashem enable us and our people in Israel to wipe out the evil of Hamas, protect us from violence by Hezbollah and other anti-Semites around the world, and restore peace for our people quickly and successfully.

Mazel-Tov to Rabbi Marc D. Angel on his 80th Birthday (July 25, 2024). It is an honor to include some of his words of wisdom in these pages every week.

Parshat Pinchas opens with God endorsing Pinchas' act of killing Zimri and Cozbi while they are engaged in a sexual act and worshipping an idol to a Midianite god (Baal Peor). God immediately stops the plague that He had sent to kill the Jews (starting with those closest to the fornicating couple) and tells Moshe that He is proclaiming His covenant of peace for Pinchas. Hashem also makes Pinchas a Kohen and promises that all future Kohanim Gadolim will come from Pinchas' descendants.

A major portion (two chapters) of the parsha contains the laws of Musaf, the additional sacrifices for Shabbat, Rosh Hodesh, and every holy day. Our tradition is that Hashem gave these laws to Moshe at Har Sinai, forty years prior to the events at Baal Peor. Why does the Torah present the laws of Musaf so much later? One reason is that Pinchas was not a Kohen prior to this point. Hashem appointed as Kohanim Aharon, his sons, and all future descendants born after appointing Aharon and his sons. Grandsons already alive did not automatically become Kohanim. Since Pinchas was already alive, he does not become a Kohen until he earns the position.

The Kohanim and Kohen Gadol have the major roles in performing the korbanot (sacrifices). Since God determines that every future Kohen Gadol will come from Pinchas and his direct descendants, there is a thematic link between the story of how Pinchas becomes a Kohen and a major role that only Kohanim may perform.

Rabbi David Fohrman observes that the three major story lines in the parsha all involve legacy. By earning Hashem's covenant of peace, Pinchas sets up his legacy – the father of every future Kohen Gadol. God then directs Moshe and Eleazar to take a census and divide up the land of Israel by tribe and within tribe by family. The daughters of Zelophehad come to Moshe and ask for a portion in their deceased father's name, because he died without any sons to inherit. Hashem approves and amends the law of inheritance to go to daughters when a family does not have any sons.

Hashem then tells Moshe to take Yehoshua and Eleazar up on a hill, in front of all the people, place his hands on Yehoshua, and ordain him as leader of B'Nai Yisrael, to replace Moshe. Moshe will then die, and Yehoshua will lead the people into the land.

The links to legacy for Pinchas and the daughters of Zelophehad are obvious. However, what is Moshe's legacy when there is no mention of his sons Gershom or Eliezer? Rabbi Fohrman observes that the legacy of a leader is seeing that his follower will be someone who shares his qualities and preserves his priorities. When Moshe turns to God and identifies the qualities that he wants for his follower, the qualities are personal values, and a family link is not important to him (27:15-22). In selecting Moshe's long time companion and assistant, Yehoshua, Hashem grants a legacy to Moshe.

Perhaps the first thing that most readers think of in connection with Pinchas is the question of what we are to learn from his zealotry. Rabbi Dr. Katriel (Kenneth) Brander observes that intense political disputes raise rifts in society. These heated disputes raise emotions and generate intense anger among many people. We have seen an explosion of anti-Semitic hatred all over the world, especially since October 7, and threats against our people have led to violence on college campuses, around synagogues, and in many more (public and private) locations. Political disputes have become so ugly that Donald Trump, a candidate for president of the United States, narrowly escaped death from an assassin earlier this month. Could a potential assassin cite the example of Pinchas to justify killing a candidate for high political office, if he believed that the candidate was a dangerous person?

Some of the authors I include this week raise the issue of whether we may follow Pinchas as an example of a situation when zealotry might be justified. Rabbi Zachary Truboff addresses this question directly. Chazal have studied Pinchas in great depth and have overwhelmingly concluded that his zealotry is not a mandate for repeating his actions. According to the Talmud, it took six separate miracles happening simultaneously to enable Pinchas to kill Zimri and Cozbi without performing a sin in doing so. The conditions to justify zealotry are so rare that one cannot earn an advance halachic mandate to engage in murder. Indeed, the Shulchan Aruch does not even discuss the topic. For more on this subject, see Rabbi Truboff's Dvar Torah below.

Rather than following Pinchas as an example of appropriate reaction to heated disputes and violence, Rabbi Brander hopes for new political and religious leaders who will dedicate themselves more to the mitzvot and look for policies to bring opposing groups closer together. He does not approve of beating an enemy, even an evil one, through unilateral violence.

We read Pinchas during the Three Weeks, when we remember the pain of not being able to continue our korbanot, losing our holy Temples, having our enemies desecrating the alters, and losing many of our people to exile. We have dedicated armies to protect our borders and keep our enemies away. For those of us not involved in direct fighting, let us pay more attention to Hashem's mitzvot and look toward actions of peace as our methods of making the world a better place.

My beloved Rebbe, Rabbi Leonard Cahan, z"l, always brought in memories of the past, whether good or bad, to help connect us with our heritage. May we similarly inspire our children and grandchildren so they create positive legacies for the generations that follow them.

Shabbat Shalom,

Hannah and Alan

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 and since the pandemic, despite many of its supporters having to cut back on their donations.

Please daven for a Refuah Shlemah for Hersh ben Perel Chana (Hersh Polin, hostage to terrorists in Gaza); Moshe Aaron ben Leah Beilah (badly wounded in battle in Gaza but slowly recovering), Hershel Tzvi ben Chana, Reuven ben Basha Chaya Zlata Lana, Yoram Ben Shoshana, Leib Dovid ben Etel, Avraham ben Gavriela, Mordechai ben Chaya, David Moshe ben Raizel; Zvi ben Sara Chaya, Reuven ben Masha, Meir ben Sara, Oscar ben Simcha; Chai Frumel bat Leah, Rena bat Ilsa, Riva Golda bat Leah, Sarah Feige bat Chaya, Sharon bat Sarah, Kayla bat Ester, and Malka bat Simcha, and all our fellow Jews in danger in and near Israel. Please contact me for any additions or subtractions. Thank you.

Shabbat Shalom

Hannah & Alan

Parshat Pinchas: In Search of Leadership

By Rabbi Dr. Katriel (Kenneth) Brander * © 5784 (2024)
President and Rosh HaYeshiva of Ohr Torah Stone

Dedicated in memory of Israel's murdered and fallen, the refuah shlayma of the wounded, the return of those being held hostage in Gaza, and the safety of our brave IDF soldiers.

As Israel enters the tumultuous summer of 2024, we find ourselves in the grip of protests that bring tens of thousands to the streets each week. Unlike last year's focus on judicial reform, today's demonstrations reflect a nation deeply divided over the ongoing war, the fate of hostages still held in Gaza, sharing of the military burden, and calls for new elections. The tone of the rhetoric is becoming toxic as the intensity of the protests has increased. The fact is that many people do not trust the current leadership, believing that they are more concerned with their political futures than with the fate of the country.

How can we bridge these ever growing rifts in our society while effectively addressing the existential issues that face us? What type of leader do we need in this time of profound crisis?

Perhaps the answer can be found in an examination of the leadership transition described in the second half of Bamidbar and in Devarim.

The Torah repeatedly reminds us that Moshe will not enter Eretz Yisrael. Instead, a new leader will be guiding the nation through the complex moral and strategic dilemmas that will be faced upon entering the Promised Land. Moshe's fate is initially pronounced after he strikes the rock, back in Parshat Chukat. Yet in our parsha this week, which begins in the middle of the crisis of the Jewish people engaging with Moav in acts of idolatry and orgiastic behavior, culminating with the Jewish prince Zimri performing a public lewd act with the Midianite princess Kozbi, Moshe's fate is again repeated (Bamidbar 26:65 and 27:12-14). From the rock incident to Parshat Vezot Habrachah and including this week's reading, the Torah reiterates Moshe's punishment multiple times, even though Moshe's actual passing doesn't occur until the Torah's final verses.

The repetition that Moshe will not enter the land, and that he will be succeeded as a leader highlights the fact that Moshe's striking the rock was not in and of itself so heinous a crime that it warranted so grave a punishment. Rather, as noted by the Sfat Emet (Chukat 5647), the rock episode served as a symptom of a larger systemic issue: how Moshe engaged with the second generation of Jews in the desert.

Moshe Rabeinu – Moshian shel Yisrael, the savior of Israel (Sotah 12b) – begins his own story with a display of empathy towards his enslaved brethren, whose oppression he witnessed. The generation that left Egypt had been robbed of a normal life, living under the lash of the Egyptian taskmasters, with the threat of death for disobeying orders a daily

possibility. They had their marital lives disrupted, their family lives destroyed, and their very children cast helplessly into the Nile. From the very beginning, Moshe is taken by their suffering, willing to forgive their indulgences and rebelliousness, and he defends their misdoings to God time and time again.

But the same can't be said for the second generation, the children of the enslaved, born into freedom in the desert. The only life they knew was miraculous! Their clothing grew with their bodies; their food and drink came from heaven; their pathway was miraculously lit up by the Almighty. Their challenges were minor compared to those of their parents, who suffered through backbreaking labor amid a spell of Divine silence over years of oppression.

Yet despite being blessed with all the comforts they could have ever imagined, this younger generation fails to step up to the plate, instead complaining incessantly and venting their frustrations. They demand more water; they sin at Baal Peor; they ask to stay on the eastern bank of the Jordan – and throughout all this, Moshe freezes. He falls silent, even cries, as he fails to communicate with the people and help them move forward. And at each of these occasions, God reminds Moshe that his time is up, that the time has come for new leadership. Truth be told, Moshe knows it too. In our parsha, he even addresses God directly, asking that a new leader be appointed who can better understand the particular needs of the new generation.

Moses spoke to Hashem, saying: *“Let God, Source of the breath of all flesh, appoint someone over the community who shall go out before them and come in before them, and who shall take them out and bring them in, so that God’s community may not be like sheep that have no shepherd.”*)Bamidbar 27:15-17(

The need for attentive, well-matched leadership is a perennial issue that continues to hold true today as much as it did in the Biblical wilderness. In our generation, we need leaders who are visionaries for the future of the Jewish people, including feeling the urgency with which we must find a way for all members of our society to take part in defending the homeland. Yet we need leaders that can also empathize and appreciate the difficulty in implementing such a vision. For example, when it comes to sharing the defense burden, we need national leaders who will make sure to provide conditions in the military to maximize the comfort of incoming recruits. In our generation, we also need religious leaders who are unafraid to chart new territory, albeit within the confines of halakha, in making our communal spaces welcoming to women, LGBTQ people, and others who find themselves today at the periphery of our communal tapestry. We need leaders who can encourage those who are formally observant to be deliberate about their Jewish experience while providing space for those who are serious Jews but not themselves observant. In our generation, we need Jewish leaders who celebrate individuality, who will empower our community and challenge our people, as Elie Wiesel once said, *‘to think higher and live deeper.’*

Generations ago, Yehoshua was chosen to succeed Moshe. While he inherited Moshe’s tradition, Yehoshua’s personality set him apart from his mentor. Today we face a similar transition: our rapidly evolving world demands new leadership, and throughout this ongoing conflict, we’ve witnessed the emergence of an unexpected cohort of communal leaders: our youth. This younger generation, shaped by contemporary challenges, is already stepping into roles that echo the transition from Moshe to Yehoshua.

Our youth have helped to give birth to our nation for a second time. They have been involved in its rethinking and transformation. They have been assuming civic responsibility. Not running away from the draft but, at the rate of 130%, embracing their responsibility. Many have sacrificed their lives at the very moment in which they were overflowing with promise. But to quote Yami Weiser, father of a fallen soldier and beloved Ohr Torah Stone alumnus, his son Roey *“did not fall in battle, he was elevated in battle.”*

Over the past nine months, we have seen high school students clean out hundreds of bomb shelters, engage with children who have moved to the merkaz, seeking safety from the South and the North, and for families whose parents are in miluim. Young parents who were not called up to serve spent evenings cleaning school toilets to keep the schools open in the absence of adequate staff, and students swept the floors and straightened up classrooms to make sure their schools were ready for the next day.

We must embrace and encourage this momentum, as communities and a nation, to create the opportunities and environment for our youth to be further nurtured and for their potential to continue to be actualized. For I have faith that it is they, the leaders of tomorrow, who are best suited to show us the way forward. Like Joshua, they understand the challenges of these times.

* Ohr Torah Stone is a modern Orthodox group of 32 institutions and programs. Rabbi Dr. Shlomo Riskin is the Founding Director, and Rabbi Dr. Brander is President and Rosh HaYeshiva. For more information or to support Ohr Torah Stone, contact ohrtorahstone@otsyny.org or 212-935-8672. Donations to 49 West 45th Street #701, New York, NY 10036.

I believe in Israel's Chief Rabbinate. Here's how we can ensure its legitimacy.

By Rabbi Dr. Katriel (Kenneth) Brander * © 5784 (2024)
President and Rosh HaYeshiva of Ohr Torah Stone

[ed. note: The Chief Rabbi position(s) in Israel is)are(open, because of disagreements on how best to fill the position(s). Rabbi Brander's astute discussion deserves wide circulation, so I am printing it here.]

The only time that Rabbi Joseph B. Soloveitchik visited Israel was in 1935, on a trip to seek out the position of Tel Aviv's chief rabbi. His candidacy was ultimately unsuccessful, and he returned to the United States and went on to lead the growth and development of Modern Orthodoxy.

When, as a curious student at Yeshiva University in the 1980s, I asked the Rav why he thought he lost that election all those years ago, he told me it was because of a drasha)sermon(he gave during his visit to Israel. Speaking on Shabbat in one of the preeminent synagogues in Tel Aviv, Rabbi Soloveitchik discussed how the Biblical verse "*How beautiful are the tents of Jacob, the dwellings of Israel*")Numbers 24:5(could be understood as an aspiration for Ashkenazim and Sephardim, religious and secular, to live together in the growing Jewish communities of the modern Land of Israel, soon to become a state.

"They didn't like my vision of inclusion," the Rav told me.

Whether or not his loss was because of this — or because the Rav, then a member of Agudath Israel of America, was not seen as sufficiently Zionist — his answer is haunting in its sustained truth: Today's state rabbinate is the opposite of any vision of unity. That is why the institution is increasingly unable to serve the public.

The issue is especially relevant now, as it's election season again for Israel's chief rabbis. It is still not even clear when the elections, required by law to happen by July 1, will take place. Various politicians, government ministries and rabbinate officials are only taking steps to further delay the elections in hopes of rigging the system to meet their narrow interests. Not only is this an embarrassment, but it also shows how urgent it is to make changes that restore trust in the rabbinate.

It should be taken seriously that 72% of Israelis think that Israel should not have a state rabbinate at all or it should have one in a different form, according to a recent survey from the Israel Democracy Institute. More than half of Israelis surveyed by IDI said the rabbinate should be less conservative, a view held by more than 76% of secular Israelis as well as a third of those who identify as religious.

Israel needs a rabbinate that uses halacha to serve the wide spectrum of the state's Jewish public while also playing a leadership role in the changing needs of the Diaspora. The status quo will only continue to fuel public cynicism about religion, promote divisions in society and put the state's role in the Jewish world at risk.

Above all, a functioning rabbinate would serve the diverse Israeli public, especially on the matters over which it has legal mandate: marriage, divorce and kashrut. This is not the case today: The number of people getting married through the rabbinate or its partner organizations like Tzohar, which must follow rabbinate standards for weddings, is rapidly dropping.

There are, horrifyingly, hundreds of agunot — women seeking divorce from husbands who are refusing to grant them a get, a requirement for legal divorce in Israel — and the rabbinate is not taking enough steps to help them.

Ironically, much of the Haredi population, whose political interests are served by the state rabbinate, do not even rely on them for practical matters in their own daily lives, instead operating their own religious courts and kashrut-certifying organizations. If the rabbinate continues catering only to the political interests of the Haredi and a small slice of the most conservative wing of the national religious population, it will continue to lose legitimacy not only at home but also in the Diaspora, alienating more Jews from Israel. It goes without saying that this is already the case with many secular Diaspora Jews, but it is increasingly becoming the case for Orthodox Jews — and their community leaders — as well.

There are ways within the bounds of halacha to allow Israel's state rabbinate to better serve the public. When it comes to weddings, for instance, simply being more friendly to couples, including those who do not identify as religious, would go a long way to make sure they get married under a halachic chupah. The agunah issue can also be greatly alleviated if the rabbinate would only gather the courage to use existing instruments like the heskem l'kavod hadadi, halachic prenuptial agreements, which have been endorsed by major rabbinic leaders including Rav Ovadya Yosef, Rabbi Zalman Nechamya Goldberg, Rabbi Asher Weiss and 21 roshei yeshiva from Yeshiva University. During the Yom Kippur War, Rav Ovadya Yosef spent long hours and sleepless nights working on halachic solutions for difficult agunot situations, including those women whose husbands were missing in the war, which ultimately led to him releasing nearly 1,000 women from their agunah status — showing that solutions to this challenge do indeed exist.

An effective rabbinate would also acknowledge the real spiritual needs of the population and cater to those according to Jewish law. This includes recognizing the needs and potential of women to participate in Jewish community life and leadership. At present, the rabbinate does the opposite: For example, former Sephardi Chief Rabbi of Israel Yitchak Yosef has accused women who seek accreditation for their Torah knowledge of imitating Reform Jews. Why not acknowledge and support this development and use it to support a broader engagement in Torah by a larger population?

Along similar lines, the rabbinate also made a costly mistake, losing yet more public credibility, when it blocked the creation of an egalitarian prayer space with a separate entrance away from the current Western Wall plaza — a project that the rabbi of the Kotel himself had even approved. Our sages tell us that Jerusalem was never divided into tribes like the rest of the Land of Israel because it needs to be a place that is a common area and creates peace, not division. It is time for the state rabbinate to reflect this founding Torah value and find ways, without compromising halacha, to enable a spiritual space for all Jews.

The state rabbinate also needs to respect the state and democracy. The fact that Rabbi Yosef encouraged our Haredi brothers to leave Israel rather than serve in the IDF, instead of exploring a manner in which it would be comfortable for them to serve as the recent Supreme Court ruling demands, showed that the rabbinate lacks respect for the state even as other Jewish soldiers are dying for its continued security and existence. Chief Rabbi of Jerusalem Shlomo Moshe Amar refusing to shake hands with Knesset speaker Amir Ohana at the funeral of IDF Captain Yisrael Yudkin at Har Herzl and leaving the funeral when Ohana was about to eulogize Yudkin, all because Ohana is openly gay, showed a disrespect for the fallen officer and for the personal freedom that is necessary for democracy. Rather than embracing people according to the principle of darchei noam — making sure the Torah is taught and lived with pleasantness — this type of behavior serves to further push people away from religion.

The Rav's story with the Israeli rabbinate extended beyond his unsuccessful bid for the office of rabbi of Tel Aviv. He ultimately rejected an opportunity three decades later, in the early 1960s, to run for chief rabbi of Israel, saying that the office was too administrative, ceremonial and political — another statement that still rings true today.

The Rav also underwent a transformation in the decade following his visit to Israel. He left the Agudath Israel movement, aligning himself spiritually with religious Zionism and becoming the chairman of the Central Committee of the Religious Zionists of America. He openly recognized the contributions of and importance of including non-religious Jews in the state, and he described sleepless nights and losing friendships and family relationships due to this decision.

Rabbi Soloveitchik recognized that with the establishment of the State of Israel, the needs of the Jewish people had changed — and if he wanted to continue to lead, he needed to change too.

The same is true today for the state rabbinate, which I desperately want to work. It needs to change before it is too late.

Pinchas: Seeing the Symphony

By Rabbi Label Lam © 5767 (2007)

And Moshe spoke to HASHEM, saying:

"Let HASHEM, the G-d of the spirits of all flesh, set a man over the congregation, who may go out before them, and who may come in before them, and who may lead them out, and who may bring them in; that the congregation of HASHEM not be as sheep which have no shepherd." And HASHEM said unto Moshe: "Take for yourself Yehoshua the son of Nun, a man of spirit, and press your hand upon him; and set him before Elazar the priest, and before all of the congregation; and give him a charge in their sight. And you shall place your glory honor upon him so that all the congregation of the children of Israel should accept...And Moshe did as HASHEM commanded him; and he took Yehoshua, and set him before Elazar the priest, and before all of the congregation, and he placed his hands upon him, and charged him, as the HASHEM spoke by the hand of Moshe.)Bamidbar 27:16-23(

Why was Yehoshua chosen to replace Moshe? Was he the biggest scholar in the generation? What makes someone worthy of leadership? What was his special merit?

Recently I heard the following story about Reb Elchonon Wasserman ztl. He came to the United States from Europe before the 2nd World War to collect money to support his Yeshiva in Baronovitch. He was staying in Williamsburg, Brooklyn. Someone told him about a successful Jewish clothing manufacturer in Manhattan that had many hundreds of workers but refused to give charity. Reb Elchonon took up the challenge of going to visit this businessman.

When he arrived at the workplace he was given a less than warm reception. The boss finally welcomed him into his office and anticipating the request for money, he curtly questioned him about why he had come. Reb Elchonon stood in full stature)he was a tall man(and showed him where a button on his jacket had become loose. The man was stunned and relieved and so immediately he called over one of his workers from the coat manufacturing division and following instructions, they secured all the buttons on the Rabbi's coat. Reb Elchonon graciously thanked them and he left.

A short while later it dawned on this businessman the oddity of that visit. He called for Reb Elchonon and asked him, "Did you really come all the way from Williamsburg just get a few buttons sewn on your jacket?" Reb Elchonon responded frankly, "No! I came from Baronovitch!" "Are you telling me", the manufacturer wondered, "that you came all the way from Europe just to have buttons secured on your coat?" Reb Elchonon answered question firmly, "Are you telling me that your soul made the long journey through the many heavenly layers down to this world, a much longer distance, only to sew buttons on coats?" The words penetrated the man's heart and sent Reb Elchonon back with a handsome donation.

What happened here? Was it just that Reb Elchonon, in his brilliance, had managed to push the right buttons or maybe there's another explanation as well. The Talmud in Brochos makes the following almost paradoxical statement; "It is greater to service)assist(a Talmud Scholar more than even learning from him!" Why is that so?

Wouldn't it be better to learn the writings of a great scholar rather than to help him with his bags?! The Talmud Scholar is a living symphony of Torah priorities and human sensitivities. Studying a few notes of Mozart's music would not be one part as transformational as experiencing the music itself. At the giving of the Torah, we are told that *"the nation saw the Kolos"*)sounds(. The one who assists the scholar sees in action what others only hear or understanding intellectually. There is a world to be gained from that proximity that cannot be gotten from scholarship alone.

Reb Aaron Kotler ztl. said that a person needs a *"Zechus Torah,"* a merit of Torah, to be able to give to Torah. Perhaps, even that small action earned the coat manufacturer a *"Zechus Torah"* and that gave him the merit to participate in supporting Torah.

Our sages tell us that Yehoshua was the one who would set up the tables for the Moshe's lectures. He was the designated helper that put him in constant contact with Moshe. He had the ongoing merit of **seeing the symphony**.

<https://torah.org/torah-portion/dvartorah-5774-pinchas/>

Pinchas – The Rosh Yeshiva Responds – Yerushah and Halakhic Wills

Rabbi Dov Linzer *

President and Rosh HaYeshiva of Yeshivat Chovevei Torah

"Unto these the land shall be divided for an inheritance according to the number of names"
(Bamidbar 26:53).

QUESTION – Maryland, USA **

When drafting a will, does one have to be worried about halakhic rules of yerushah (boys over girls, a double portion for the firstborn, etc.)? A suggested method for addressing this is to put one's money in a trust to go into effect a minute before death, except for a small amount to fulfill halakhic yerushah requirements. Is this or some other approach required, or can one ignore the issue altogether and draft a will designating equal portions for daughters and sons, etc.?

ANSWER

Yes, you do need to worry about yerushah requirements. The Rishonim are explicit that *dina demalkhuta* (the law of the land) does not apply here. See Rambam in *Hilkhot Nachalot* 6:1.

A person cannot bequeath an inheritance to someone inappropriate and cannot disinherit someone even though it is technically a monetary matter (mamon), because the verse says "and it shall be to the children of Israel a decree of law (chukat mishpat)," meaning that this decree (chukah) will not change and a stipulation [to evade the requirements] is ineffective – whether the decedent was healthy at the time or on their deathbed, whether orally or in writing, it has no effect.

Some, similar to the Rambam, say *dina demalkhuta* doesn't apply to yerushah because it is not a standard mamon area that can be modified by human law. To make an extreme comparison, this is similar to the unanimous view that secular divorce does not effect a halakhic divorce despite *dina demalkhuta*. Others say it doesn't work simply because the principle of *dina demalkhuta* has a more limited scope and doesn't apply in many areas.

So — yes — you have to do a halakhic will, which can be a document that goes along with your legal will. Many lawyers with frum clients know how to do this.

If you don't do this, it would effectively be gezeilah, theft. Of course, the heirs could agree to go by the will despite being entitled to a different distribution. The problem would be if they don't want to do so, for example if the male heirs want to cut out their sister. So, yes — please encourage your congregants to do this. You can have someone from the Beth Din of America, which has some expertise in the matter, come and speak about it at your shul.

* Yeshivat Chovevei Torah, Bronx, NY.

** This question is taken from a WhatsApp group in which Rabbi Linzer responds to halakhic questions from rabbis and community members.

<https://library.yctorah.org/2024/07/ryrpinchas/>

The Temptation of Zealotry

By Rabbi Zachary Truboff *

It's safe to say that zealotry is on the rise, as nearly every day brings headlines of people taking the law into their own hands when faced with situations they see as dangerous or unjust. More than anything, politics seems to be a breeding ground for zealotry. Disagreements escalate quickly, with many just a short distance from the threat of violence. Despite our discomfort with zealotry, we can't claim it has no place in the world. Reading the story of Pinchas every year forces us to confront the fact that there may be moments when violent action is not only necessary but religiously praiseworthy. As the Torah makes clear after Pinchas' killing of Zimri and Kozbi, his actions save the people from God's wrath and preserve the covenant at the very moment it appears to be coming apart.

Even so, rabbinic interpretation of the Pinchas narrative reveals the rabbis' deep discomfort with Pinchas' violence. According to the Talmud, six separate miracles occurred for Pinchas when he killed Zimri and Kozbi, implying his actions were exceptional and should not be seen as a model for others. Furthermore, the rabbis go to great lengths to limit the cases where zealotry would be allowed. Pinchas was permitted to take violent action, the Talmud explains, only as long as Zimri and Kozbi were engaged in the public sexual act. If he were to strike at them after they had separated, he would be considered a *rodef*, a dangerous pursuer, whom Zimri would be justified to kill in self-defense. Lastly, the rabbis explain that acts of zealotry cannot be authorized in advance. A rabbi is forbidden to answer when asked whether it may be permitted because *"It is halacha, but one does not teach it."*

That said, some rabbinic voices see this last detail as intended not to limit zealotry but to prove its authenticity. The first Gerer Rebbe explains that *"when a person responds in the moment without delay when seeing the sin, this is a sign that zealotry for God is in their hearts... but if they delay and go patiently to ask for a halachic ruling, this is a sign that zealotry for God's honor does not burn in their hearts, rather they have some other motivation, and therefore the rabbi should not instruct them to do it."* In his eyes, zealotry is only legitimate when it is a spontaneous response of the righteous individual who sees evil and feels compelled to act against it. If they were to pause and seek rabbinic approbation first, this would indicate that their zealotry is not pure and may be driven by other considerations. If they know in their heart of hearts that what they witness is a transgression of the highest order, they must act on it immediately.

On the one hand, there is certainly something powerful about the Gerrer Rebbe's words, for who doesn't imagine themselves intervening heroically when great evil is being done? However, one of the lessons we inevitably learn as we get older is not to be so trusting of our immediate and spontaneous reactions to things. Strong emotions often mislead us, and an intense reaction to something we see or experience tends to reveal more about ourselves than it does about what provokes us.

The key to grasping the rabbis' unique approach to zealotry revolves around the fact that one cannot receive a halachic ruling to act as a zealot. Typically, the zealot sees themselves as not acting out of personal interest but rather for God. When faced with evil, they become an instrument of divine justice, doing whatever is necessary to ensure the safety and security of the Jewish people and preserve God's honor. But the rabbis' insistence that one cannot assertively rule on such questions throws a monkey wrench into the zealot's fantasy. Since no one can give them permission for what they seek to do, they must act without the assurance that it is unquestionably *"what God wants."*

The post-Talmudic halachic tradition emphasizes this point even further. Chelkat Mechokek notes that the Shulchan Aruch does not cite the law of the zealot despite earlier halachic codes having done so, and Ein Eliyahu, a later commentary, suggests that perhaps this was done to fulfill the Talmudic injunction that one does not answer halachic questions about zealotry. If the law of the zealot were to appear in the Shulchan Aruch, the major code of Jewish law, it would be as if it were instructing the reader to fulfill it. Ein Eliyahu even goes further and proposes another reason for its absence. Perhaps the law of the zealot was left out of Shulchan Aruch, he explains, because it is no longer valid today. After the destruction of the Temple, when there is no Sanhedrin, cases of capital punishment can no longer be tried by Jewish courts, and in such circumstances, the law of the zealot may lose all legitimacy.

If we take these explanations seriously, today's zealot cannot be certain whether violence in the name of God is ever permitted. Perhaps the law no longer applies, and even if one were to find a rabbi who claims that it does, his ruling cannot be relied upon, for in transgressing the rabbinic prohibition of answering such questions, they invalidate themselves as a legitimate authority on the topic.

The result of all this is that those who act zealously on God's behalf and step into God's shoes, so to speak, are denied the satisfaction of seeing themselves as heroes. Instead, they must be open to the possibility that their actions are incorrect, perhaps even evil, and be willing to face judgment afterward for what they have done. The truth, of course, is that nearly all modern zealots are animated by a deep sense of self-righteous certainty, which only proves one thing: they are not true zealots, at least not in the Jewish sense. Rather than sanctifying God's name, they end up only profaning it.

* Jerusalem, Israel. Coordinator of the International Beit Din Institute, which seeks to educate rabbis about halakhic solutions to the agunah problem. Previously, Rabbi of Cedar Sinai Synagogue in Cleveland.

<https://library.yct Torah.org/2024/07/balak5784/>

Generosity of Spirit: Thoughts for Parashat Pinehas

By Rabbi Marc D. Angel *

As Moses's life draws to a close, he asks the Almighty to appoint a successor who will lead the people into the Promised Land. God tells him to place his hand (singular) on Joshua's head as a means of transferring authority to him in the presence of the people. But the Torah states (Bemidbar 27:23): "*He laid his hands (plural) upon him.*"

In his book, *An Adventure in Torah*, Rabbi Isaac Sassoon draws our attention to a midrash, quoted by Rashi: "*Moses showed generosity; God had said lay one hand but he laid both.*" Although it is generally forbidden to add or subtract from God's commandments, Rabbi Sassoon notes that Moses "*had no compunction allowing his generous impulse to broaden the one-hand command into a two-handed gesture*" (p. 335).

What exactly is the difference between laying one or both hands on Joshua? In either case, the public understood that leadership was being transferred. Why does the midrash view Moses's action as reflecting generosity?

The issue revolves around how we understand fulfilling our duties.

A person can meet an obligation in an accurate way but without necessarily feeling any special feeling about it. One does what one is supposed to do and no more is required. On the other hand, a person might fulfill an obligation not merely as a duty but as a meaningful gesture. If Moses had laid one hand on Joshua, that would have been fine. The deed would have been accomplished appropriately. But Moses went beyond duty; he demonstrated generosity of soul. He overflowed with a spirit of love and selflessness.

People can go through life performing correctly but perfunctorily. They say "good morning" from habit and good manners, not because their heart prods them to reach out in friendship. They do their work honestly, day by day, but without any particular enthusiasm. They "lay one hand" on their labors, not "both hands." Even in religious life, they perform the mitzvot precisely but without "generosity of spirit." They do what they have to do but no more. They pay their dues, write their charitable checks simply as duties and not as expressions of real emotional commitment.

We show "generosity" when we go beyond what is merely expected of us, when we put heart into our deeds.

And that is what Moses taught us when he laid both hands on Joshua. He truly wanted Joshua to succeed. He loved and respected his successor. He spontaneously went beyond what God had required of him.

Our lives are enriched and enlivened when we live with generosity of spirit. This is a blessing...and a challenge.

Israel and Humanity: Thoughts for Parashat Pinehas

By Rabbi Marc D. Angel *

This week's Torah portion includes a listing of the sacrifices brought on the seven days of Succoth. Our sages noticed that seventy calves were offered during the course of this holiday. Seventy, of course, is the number traditionally believed to represent all the nations in the world. The conclusion was reached: "...*Israel atones for all peoples; for seventy calves which were burned on the altar at the festival of Succoth were offered on behalf of the nations, in order that their existence might be maintained in this world...*" (Midrash Shir haShirim).

Israel prayed for the well-being of all the nations of the world! Although the nations probably did not know and did not care about Israel's concern for them, Israel prayed for them. Although few if any of the nations prayed for Israel, Israel nevertheless prayed for all the nations.

The great 19th century thinker, Rabbi Eliyahu Benamozegh, noted that Judaism is in fact the most universal religion in the world. In his book, *Israel and Humanity*, he notes that other religions tend to restrict salvation only to adherents of their faiths. By contrast, Judaism teaches that the righteous of all nations have a place in the world to come.

Judaism's universalism manifests itself in its concern for humanity at large, not merely for its own religionists. The Talmud states (*Gittin* 61A): "*Our Rabbis teach: We sustain the poor of the non-Jews along with the poor of the Jews; visit the sick of the non-Jews along with the sick of the Jews; bury the dead of the non-Jews as well as the dead of the Jews — because of the ways of peace (mipenei darkhei shalom).*"

Judaism fosters responsibility for the peace and harmony of society. Rabbi Haim David Halevy (*Asei Lekha Rav* 9:30 and 9:33) points out that our responsibility for non-Jews is not a strategy simply designed to promote our own self-interest i.e. if we are good to them, they'll be good to us. Rather, our responsibility toward non-idolaters, e.g. Christians and Muslims, is a firmly established ethical imperative in its own right.

Rabbi Benzion Uziel wrote of our responsibility for working for yishuvo shel olam (*Hegyonei Uziel*, vol. 2, p. 98), the building and settlement of society and human civilization. This involves practical action in social justice efforts, as well as research and programs that expand human knowledge and culture.

There is a tendency within the traditionally-observant Jewish community to stress the particularism of Judaism, and to downplay the universalistic elements of our tradition. While the tendency toward inwardness and isolationism may be understandable from a historical and sociological perspective, nevertheless it is a tendency which needs to be corrected. Vibrant religious Jewish life needs to look outward as well as inward.

Paul Johnson, in his *History of the Jews*, has noted the incredible contributions to the world made by Judaism and the Jewish people:

"The world without the Jews would have been a radically different place....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 a 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."

Social justice is part and parcel of traditional Judaism. Tikkun olam is a concept relevant to all Jews.

With an inspired and activist Judaism, the world can become a better place for all.

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

The Institute for Jewish Ideas and Ideals has experienced a significant drop in donations during and since 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 during its current fund raising period. Thank you.

<https://www.jewishideas.org/israel-and-humanity-thoughts-parashat-pinehas>

Pinchas – Someone Else's Zealot

By Rabbi Mordechai Rhine * © 2015

Pinchas acted most definitively. When he saw the prince of the tribe of Shimon teasing Moshe, he killed him. The prince, Zimri, had taken a Midianite princess dressed for prostitution, and teased Moshe loudly, asking, "May I be with this woman." Pinchas -- the man who acted -- is known as a "*Kanoi*," often translated as a zealot. Some people associate a zealot with being an angry person. A better description might be to describe him as a person with moral clarity.

Avraham for example lived in a world that rejected monotheism. Avraham's position to stand up for his belief in one G-d could well have been described as an act of zealotry. Indeed there were people who wished to persecute him. Yet Avraham certainly wasn't an angry person. Avraham as a person was kind, hospitable, and even pleaded the case for the city of Sedom when it was to be destroyed for its sinful ways.

The true root of the word zealous is zeal, which means to act with enthusiasm. Zeal is not destructive; it is not synonymous with lashing out at others. It is a sense of passion and a clarity regarding the difference between right and wrong.

Often, one who is uninitiated in a discipline cannot fathom why someone else would take it so seriously. A person unfamiliar with science, bacteria, and infection, for example, will find it hard to understand why the surgical staff would dress up like clowns before open heart surgery or hip replacement. The uninitiated onlooker might gawk and think the surgical team is queer, or maybe even fanatical. Yet, to someone who understands the risks of infection, and is truly concerned for the welfare of the patient, these precautions and behaviors are downright elementary.

We do not live in Biblical times. We are not called upon to manifest our loyalty to Torah as Pinchas was. Yet Biblical narratives are meant to guide us in fundamental ways. In this case to guide us regarding our clarity and enthusiasm to moral right and wrong.

A young man or young woman may find it excessively challenging to find appropriate clothing to purchase. They may find themselves going from store to store unsatisfied with the image which the available clothing would portray them. What motivates them to keep looking? It is an enthusiasm for the moral clarity that they believe in.

Likewise, as Jews we are expected to communicate with clarity even if we think our position might not be the popular view. Like most humans we strive for the formula which will bring us as close as humanly possible to utopia. As Jews we believe that the formula is found neither in wealth, nor in the freedom to act upon any impulse or whim. Not surprisingly, we believe that the closest humankind can come to utopia is to live as a family, man and woman as husband and wife, in peace, kindness, and harmony.

Wishing you and yours a wonderful Shabbos!

* Rabbi Mordechai Rhine is a certified mediator and coach with Rabbinic experience of more than 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.**

Rabbi Rhine is on vacation, so I am reprinting a Dvar Torah from his archives: <https://www.teach613.org/pinchas-someone-elses-zealot/>

Pinchas - Thinking With Your Heart Or Feeling With Your Mind

by Rabbi Yehoshua Singer * (©2022)

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.

* Savannah Kollel; Congregation B'nai Brith Jacob, Savannah, GA. Until recently, Rabbi, Am HaTorah Congregation, Bethesda, MD. Rabbi Singer will become Rosh Kollel next year.

Pinchas by Rabbi Herzl Hefter *

[Rabbi Hefter did not send in a Dvar Torah for Pinchas. Watch this space for his future Devrei Torah]

* Founder and dean of the Har'el Beit Midrash in Jerusalem. Rabbi Hefter is a graduate of Yeshiva University and was ordained at Yeshivat Har Etzion. For more of his writings, see www.har-el.org. To support the Beit Midrash, as we do, send donations to America Friends of Beit Midrash Har'el, 66 Cherry Lane, Teaneck, NJ 07666.

Dvar Torah for Phineas By Rabbi Haim Ovadia *

Who was Phineas, after whom our Parasha is named? He was the grandson of Aaron the High Priest who took action when everyone else was paralyzed with disbelief and confusion. At the end of the previous Parasha, we read of Zimri, the Israelite man who brought a Midianite woman with him to the Tabernacle. While all the spectators, Moshe included, were crying in view of this desecration, Phineas rose, took a spear, followed the two into the chamber, and killed both. His act served as a deterrent to those who thought of imitating Zimri and prompted God to forgive the Israelites and to bring the plague, sign of the Divine wrath, to a halt.

In the beginning of our Parasha, God blesses Phineas and declares a pact of peace with him. The Hebrew word for peace – שלום – displays a unique phenomenon. According to Jewish law, if any letter of the Torah scroll is split in half, the Torah scroll is rendered invalid until fixed. The one exception is in the word שלום in our Parasha. The letter vav of that word must be written, instead of one long line, in two pieces. It is called Vav Ket'i'a - the broken vav.

Why did God have to declare a pact of peace with Phineas and why is the vav of שלום broken?

There can be two answers to this question:

Sometimes, peace must be broken. If there is a union of wicked people, or an axis of evil, it must be disrupted and stopped. Just as no one in his right mind will hail a peace treaty between two terrorist organizations, so also the unity of the Israelites against God and the Torah had to be stopped.

Or, we can have an opposite conclusion, which is that peace achieved through violence is incomplete, broken.

So, which path do we take? What do we do when we face a crisis of faith or when we witness a sin about to be committed? Do we charge and attack? Do we stand by idly and contemplate the possibilities, going through all probable scenarios?

I believe that the answer is that both approaches to the broken vav should dictate the course of action. In situations of urgency or confusion, when immediate action is needed but confusion is great and there is no clear hierarchy or instructions, one must do what is necessary, but he must also be able to defend his acts.

If, for example, a wayward train speeds towards passengers on a platform, and a brave man saves them by pushing someone over the tracks, he will have to be able to prove that:

1. He was unable to jump himself and had to push someone else.
2. There was no way of saving the passengers without sacrificing one life.
3. Most importantly, he will have to prove that the person pushed was chosen randomly and he had no grudge against him.
4. And then, when all was said and done, the savior will have to live with the awareness that he had taken a life.

Most of us, hopefully, will not have to make such instantaneous life-and-death decisions, but this process also applies to what we conceive as mundane or trivial issues.

When criticizing a child, a friend, or a fellow congregant, for deviating from what we think is the religious norm, we have to ask ourselves some questions:

1. Is this the best way to approach the issue?
2. Are there any other opinions which will sanction that person's stance?
3. Am I being a zealot because I care about God and the Torah, or because of an ulterior motive, such as a grudge against the person rebuked, arrogance, or pretense?

The broken Vav in the word שלום and God's pact with Phineas remind us that these are not easy decisions and perhaps we should consider other alternatives. We should know that our decision and action might haunt us our whole life and that we will need to rely on God's help and love, His pact of peace, for healing. Is this pact guaranteed for us as it was for Phineas?

We should constantly evaluate our actions and their impact on ourselves and our circles of acquaintances, we should set our values right and be willing to take action, so when the need arises we can make the right decision without hesitation, maybe saving the lives of ones or many.

Shabbat Shalom.

* Torah VeAhava. Until recently, Rabbi, Beth Sholom Sephardic Minyan)Potomac, MD(. Faculty member, AJRCA non-denominational rabbinical school(. **Many of Rabbi Ovadia's Devrei Torah are now available on Sefaria:** <https://www.sefaria.org/profile/haim-ovadia?tab=sheets> . The Sefaria articles usually include Hebrew text, which I must delete because of issues changing software formats.

Devrei Torah from Rabbi Ovadia this year come from an unpublished draft of his forthcoming book on Tanach, which Rabbi Ovadia has generously shared with our readers. Rabbi Ovadia reserves all copyright rights to this

material.

Pinchas: 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.

* Senior Rabbi of Auckland Hebrew Congregation, Remuera)Auckland(, New Zealand. Formerly Rabbi, Congregation Knesseth Israel)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: The Tamid Offering Performed at Sinai

"This is the regular daily burnt offering, like the one performed at Mount Sinai; an appeasing fragrance, a fire-offering to God.")Num. 28:6(

- Why does the Torah stress the fact that the daily Tamid offering was performed at Mount Sinai?
- Why is this offering described as both an "appeasing fragrance" and a "fire offering"?

The 'Fragrant' Service of the Forefathers

Even before the Torah's revelation, the Jewish people merited an extraordinary closeness to God. The Sages taught that Abraham kept the entire Torah, even before it was revealed at Mount Sinai. And his descendants learned from him, continuing his legacy of holy living.

If the Jewish people already adhered to the Torah's precepts, what did the Torah's revelation at Mount Sinai accomplish?

The sanctity of Israel before Sinai was not on a permanent basis. The Midrash uses an unusual term to describe the mitzvot performed by the Forefathers. It refers to their service as *reichanit* — fragrant. What does this mean?

Their holiness contained elements of nobility and beauty, a spiritual richness and individual greatness. But their spiritual path was not firmly grounded in the world of actions. It was of a transient nature, like a passing aromatic fragrance.

The Concrete Sanctity of Sinai

At Mount Sinai, the sacred fire was etched in our souls on a practical, tangible level. We accepted the commitment to keep the Torah in action and deed: *"We will do and we will obey."* For this reason, the Torah emphasizes that the Tamid offering was performed at Mount Sinai. The daily offering epitomizes the constant, concrete sanctity that was engraved in the very essence of Israel at Sinai.

The two characterizations of the Tamid offering — as an "appeasing fragrance" and as a "fire-offering" — indicate that it combines both of these paths of holiness.

The daily offering retains the abstract beauty of the Forefathers' individual spirituality. It still exudes an "appeasing fragrance" recalling the fragrant service of the Avot.

But the Tamid also corresponds to the day-to-day, concrete sanctity of Sinai. It was a "fire-offering." Like fire, it acted upon and ignited the physical world, introducing light and holiness into the realm of action and deed.

)Adapted from *Olat Re'iyah* vol. I, pp. 131-132.(

<https://www.ravkooktorah.org/PINHAS62.htm>

Pinchas: The Lost Masterpiece (5778)

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

A true story that took place in 1995: It concerns the legacy of an unusual man with an unusual name: Mr Ernest Onians, a farmer in East Anglia whose main business was as a supplier of pigswill. Known as an eccentric, his hobby was collecting paintings. He used to go around local auctions and whenever a painting came on sale, especially if it was old, he would make a bid for it. Eventually he collected more than five hundred canvases. There were too many to hang them all on the walls of his relatively modest home, Baylham Mill in Suffolk. So he simply piled them up, keeping some in his chicken sheds.

His children did not share his passion. They knew he was odd. He used to dress scruffily. Afraid of being burgled, he rigged up his own home-made alarm system, using klaxons powered by old car batteries, and always slept with a loaded shotgun under his bed. When he died, his children put the paintings on sale by Sotheby's, the London auction house. Before any major sale of artworks Sotheby's puts out a catalogue so that interested buyers can see in advance what will be on offer.

A great art expert, Sir Denis Mahon (1910-2011), was looking through the catalogue one day when his eye was caught by one painting in particular. The photograph in the catalogue, no larger than a postage stamp, showed a rabble of rampaging people setting fire to a large building and making off with loot. Onians had bought it at a country house sale in the 1940s for a mere £12. The catalogue listed the painting as *The Sack of Carthage*, painted by a relatively little known artist of the seventeenth century, Pietro Testa. It estimated that it would fetch £15,000.

Mahon was struck by one incongruous detail. One of the looters was making off with a seven branched candelabrum. What, Mahon wondered, was a menorah doing in Carthage? Clearly the painting was not depicting that event. Instead it was portrait of the Destruction of the Second Temple by the Romans. But if what he was looking at was not *The Sack of Carthage*, then the artist was probably not Pietro Testa.

Mahon remembered that the great seventeenth century artist Nicholas Poussin had painted two portraits of the destruction of the Second Temple. One was hanging in the art museum in Vienna. The other, painted in 1626 for Cardinal Barberini, had disappeared from public view sometime in the eighteenth century. No one knew what had happened to it. With a shock Mahon realised that he was looking at the missing Poussin.

At the auction, he bid for the picture. When a figure of the eminence of Sir Dennis bid for a painting the other potential buyers knew that he must know something they did not, so they too put in bids. Eventually Sir Dennis bought the painting for £155, 000. A few years later he sold it for its true worth, £4.5 million, to Lord Rothschild, who donated it to the Israel Museum in Jerusalem where it hangs today in the memory of Sir Isaiah Berlin.

I know this story only because, at Lord Rothschild's request, I together with the then director of the national gallery, Neil MacGregor, gave a lecture on the painting while it was shown briefly in London before being taken to its new and permanent home. I tell the story because it is so graphic an example of the fact that we can lose a priceless legacy simply because, not loving it, we do not come to appreciate its true value. From this we can infer a corollary: we inherit what we truly love.

This surely is the moral of the story of the daughters of Zelophehad in this week's parsha. Recall the story: Zelophehad, of the tribe of Manasseh, had died in the wilderness before the allocation of the land. He left five daughters but no sons. The daughters came before Moses, arguing that it would be unjust for his family to be denied their share in the land simply because he had daughters but not sons. Moses brought their case before God, who told him: *"What Zelophehad's daughters are saying is right. You must certainly give them property as an inheritance among their father's relatives and give their father's inheritance to them"* (Num. 27:7). And so it came to pass.

The Sages spoke of Zelophehad's daughters in the highest praise. They were, they said, very wise and chose the right

time to present their request. They knew how to interpret Scripture, and they were perfectly virtuous.]1[Even more consequentially, their love of the land of Israel was in striking contrast to that of the men. The spies had come back with a negative report about the land, and the people had said, *“Let us appoint a [new] leader and return to Egypt”* (Num. 14:4). But Zelophehad’s daughters wanted to have a share in the land, which they were duly granted.]2[This led to the famous comment of Rabbi Ephraim Luntschitz of Prague (1550-1619) on the episode of the spies. Focussing on God’s words, *“Send for yourself men to spy out the land of Canaan”* (Num. 14:2), Luntschitz argued that God was not commanding Moses but permitting him to send men. God was saying, *“From My perspective, seeing the future, it would have been better to send women, because they love and cherish the land and would never come to speak negatively about it. However, since you are convinced that these men are worthy and do indeed value the land, I give you permission to go ahead and send them.”*]3[

The result was catastrophic. Ten of the men came back with a negative report. The people were demoralised, and the result was that they lost the chance to enter the land in their lifetime. They lost their chance to enjoy their inheritance in the land promised to their ancestors. The daughters of Zelophehad, by contrast, did inherit the land – because they loved it. What we love, we inherit. What we fail to love, we lose.

I cannot help but think that in some strange way the stories of the daughters of Zelophehad and the auction of the missing Poussin illustrate the state of Jewish identity today. For many of my contemporaries Judaism was like the story of Ernest Onian’s penchant for paintings. Judaism was something their parents had but not something that was meaningful to them. Like Onians’ children they were willing to let go of it, unaware that it was a legacy of immense value. **When we don’t fully appreciate the value of something, we can lose a treasure without ever knowing it is a treasure.** Jemphasis added[

Judaism, of course, is not a painting. It’s an identity. And you can’t sell an identity. But you can lose it. And many Jews are losing theirs. Our ancestors have given us the gift of a past. We owe them the gift of a future faithful to that past. At least we should not relinquish it simply because we don’t know how valuable it is.

The life-changing idea here is surely simple yet profound: if we truly wish to hand on our legacy to our children, we must teach them to love it. The most important element of any education is not learning facts or skills but learning what to love. What we love, we inherit. What we fail to love, we lose.

FOOTNOTES:

]1[Baba Batra 110b.

]2[Sifre, Numbers, 133.

]3[Kli Yakar to Num. 13:2.

LIFE CHANGING IDEA #38:

If we truly wish to hand on our legacy to our children, we must teach them to love it.

* 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://rabbisacks.org/covenant-conversation/pinchas/lost-masterpiece/>

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Pinchas: Looking for Leaders

By Yossy Goldman * © Chabad 2024

"I have principles, and if you don't like them, well, then I have others."

Rather unprincipled, I would say.

Standing up for one's beliefs is not always easy, and often results in challenges and disagreement. Naturally, others will prefer to deal with someone more agreeable to their own opinions and desires, even if they may be inappropriate. Regardless, leaders must be people of principle and character.

In the Torah reading of Pinchas, G d instructs Moses to prepare for the end of his life. He will not be entering the Promised Land with the nation he has shepherded through the desert for 40 years after all. And what is the very first thing Moses asks for? Nothing for himself, but he asks G d to appoint a leader to replace him. And not just any leader. He spells out the qualities of Jewish leadership; the values needed to be a true leader. He doesn't speak about leadership styles or effective management skills. He talks about integrity, commitment, devotion, faithfulness, and loyalty. And from Moses's description of the kind of leader that was needed to replace him, we can glean insights into the nature of leadership, be it communal, rabbinic, or otherwise.

"Let the L rd, the G d of the spirits of all flesh, appoint a man over the congregation, who will go forth before them and come before them, who will lead them out and bring them in, so that the congregation of the L rd will not be like sheep without a shepherd."¹

Moses began by invoking the G d of the spirits of all flesh, because a true leader will need to emulate the Almighty who knows the personality and temperament of every individual, and will, therefore, be able to tend to the needs of all — rich or poor, wise or simple.

Secondly, says Moses, we need ish, a person with strength of character, not a weak-kneed wannabe.

He will go forth before them, meaning that he will take the lead. He won't have to look over his shoulder and check the popularity polls before deciding what his policy should be. He won't simply follow the whims of the crowd but will do the right thing, regardless.

So that the people should not be like sheep without a shepherd — Moses's chief concern was the people, and that they should not feel lost or adrift after his departure. He is the ultimate faithful shepherd of Israel who tended to his flock with total commitment and devotion. And he wants to ensure that this brand of leadership continues even after he is gone.

I can think of school principals I've worked with over the years. They are leaders of their respective schools. Some are loved, some are respected, and the exceptional ones are loved and respected.

And I view the rabbinate as another paradigm of Jewish leadership. There's an old Yiddish proverb that reflects the delicate and tenuous nature of this august but vulnerable position. *"A rabbi that people don't want to get rid of is no rabbi. But a rabbi that they do get rid of is no mensch."* When you lead, not everyone will be happy with you. If every single person is happy with you, then you're probably doing something wrong, or not doing enough of what is right.

From my own experience as a rabbi of many years, I can tell you that while you may have to fight for what you believe in, you've got to choose your battles very carefully. If every little thing you disapprove of becomes a combat zone, the communal relationship will not endure. But if you do choose to fight, then you must be convinced of the justness of your position and have the energy and stamina to stand by it until the end.

In my first year as the rabbi of Sydenham Shul, I discovered a synagogue practice that was halachically incorrect. I

brought it to the attention of the lay leaders but, to my disappointment, they chose to ignore my advice. I was still a young rabbi, and this was the first test of my rabbinic leadership. I knew that if I turned a blind eye here, my stature as a rabbi who must lead the congregation in adherence to Torah principles would be severely compromised and perhaps even lost for life.

Even the synagogue constitution makes it clear that in matters of Jewish law and ritual, the rabbi's word is final. If I did nothing, I would be regarded as spineless and become a doormat forever. They argued that this was the way they had been doing things for the past 40 years and now I was looking to change a long-established tradition in the Shul. The problem was that this particular "tradition" was simply wrong. I researched the subject, and it was clear that there could be no justification for it whatsoever. As to why none of my predecessors stopped it, I can only imagine that they had bigger battles to fight. I was having sleepless nights agonizing over what I would have to do if they disregarded my recommendations.

In the end, the lay leaders convened and, thankfully, made the right decision, albeit by a slim majority. Looking back, it was a blessing in disguise which helped establish my leadership for the future decades of my tenure.

As usual, when one stands up for what is right, it ends right. But we do need to tap into our inner resources to find courage to stand strong and persevere in the face of sometimes formidable opposition. Short term, it is challenging, demanding, and tough. But in the long term, ultimately, the truth prevails.

On a recent trip to Israel I was interviewed about my life in the rabbinate. One of my central messages was that it cannot be a career; it must be a calling. If we are not passionate about bringing the flock closer to G-d, then we are in the wrong business. I'm sure you can make much more money in other professions, but Moses wasn't discussing money — he was talking morality, responsibility, leadership, and love.

FOOTNOTE:

1. Numbers 27:16-17.

* Life Rabbi Emeritus, Sydenham Shul, South Africa.

https://www.chabad.org/parshah/article_cdo/aid/5581603/jewish/Looking-for-Leaders.htm

Pinchas: A Pleasing Fire by Rabbi Moshe Wisnefsky *

G-d instructed Moses regarding the twice-daily and holiday communal sacrifices that were to be regularly offered up in the Tabernacle.

"You must offer up the second lamb in the afternoon. You must offer it up with the same grain-offering and libation as in the morning, as a fire-offering pleasing to G-d.")Num. 28:8(

The Maggid of Mezeritch interpreted the final phrase of this verse as follows:

When a person serves G-d – either through prayer, studying the Torah, or performing some commandment – with *"a fire offering,"* i.e., with warmth and enthusiasm, it is *"pleasing to G-d."*

— from *Daily Wisdom 3*

May G-d grant resounding victory and peace in the Holy Land.

Gut Shabbos,

Rabbi Yosef B. Friedman
Kehot Publication Society

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Volume 30, Issue 41

Shabbat Parashat Pinchas

5784 B"H

Covenant and Conversation

Rabbi Jonathan Sacks, z"l

Moshe's Disappointment

Hidden beneath the surface of parashat Pinchas, the Sages uncovered a story of great poignancy. Moses, having seen his sister and brother die, knew that his own time on earth was coming to a close. He prayed to God to appoint a successor:

Let the Lord, God of the spirits of all flesh, appoint a man over this community who will go out before them and come in before them, who will lead them out and bring them home. Let not the Lord's community be like sheep without a shepherd. Numbers 27:16-17

There is, though, an obvious question. Why does this episode appear here? It should surely have been positioned seven chapters earlier, either at the point at which God told Moses and Aaron that they would die without entering the land, or shortly thereafter when we read of the death of Aaron.

The Sages sensed two clues to the story beneath the story. The first is that it appears immediately after the episode in which the daughters of Tzelophehad sought and were granted their father's share in the land. It was this that triggered Moses' request. A Midrash explains:

What was Moses' reason for making this request after declaring the order of inheritance? Just this, that when the daughters of Tzelophehad inherited from their father, Moses reasoned: the time is right for me to make my own request. If daughters inherit, it is surely right that my sons should inherit my glory. Numbers Rabbah 21:14

The second clue lies in God's words to Moses immediately before he made his request for the appointment of a successor:

The Lord said to Moses, "Ascend this mountain of Abarim and gaze upon the land that I have given to the Israelites. After you have seen it, you too will be gathered to your people, like Aaron your brother..." Num. 27:12-13

The italicised words are seemingly redundant. God was telling Moses he would soon die. Why did He need to add, "like Aaron your

brother"? On this the Midrash says: This teaches us that Moses wanted to die the way Aaron did. The Ktav Sofer explains: Aaron had the privilege of knowing that his children would follow in his footsteps. Elazar, his son, was appointed as High Priest in his lifetime. To this day kohanim are direct descendants of Aaron. Moses likewise longed to see one of his sons, Gershom or Eliezer, take his place as leader of the people. It was not to be. That is the story beneath the story.

It had an aftermath. In the book of Judges we read of a man named Micah who established an idolatrous cult in the territory of Ephraim and hired a Levite to officiate in the shrine. Some men from the tribe of Dan, moving north to find more suitable land for themselves, came upon Micah's house and seized both the idolatrous artefacts and the Levite, whom they persuaded to become their priest, saying, "Come with us, and be our father and priest. Isn't it better that you serve a tribe and clan in Israel as priest rather than just one man's household?" (Judges 18:19).

Only at the end of the story (v. 30) are we told the name of the idolatrous priest: Jonathan son of Gershom son of Moses. In our texts the letter nun has been inserted into the last of these names, so that it can be read as Menasheh rather than Moses. However, the letter, unusually, is written above the line, as a superscription. The Talmud says that the nun was added to avoid besmirching the name of Moses himself, by disclosing that his grandson had become an idolatrous priest.

How are we to explain Moses' apparent failure with his own children and grandchildren? One suggestion made by the Sages was that it had to do with the fact that for years he lived in Midian with his father-in-law Jethro, who was at the time an idolatrous priest. Something of the Midianite influence re-appeared in Jonathan three generations later.

Alternatively there are hints here and there that Moses himself was so preoccupied with leading the people that he simply did not have time to attend to the spiritual needs of his children. For instance, when Jethro came to visit his son-in-law after the division of the Red Sea, he brought with him Moses' wife Tziporah and their two sons. They had not been with him until then.

The rabbis went further in speculating about the reason that Moses' own sister and brother

Aaron and Miriam spoke negatively about him. What they were referring to, said the Sages, is the fact that Moses had physically separated from his wife. He had done so because the nature of his role was such that he had to be in a state of purity the whole time because at any moment he might have to speak – or be spoken to – by God. They were, in short, complaining that he was neglecting his own family.

A third explanation has to do with the nature of leadership itself. Bureaucratic authority – authority in virtue of office – can be passed down from parent to child. Monarchy is like that. So is aristocracy. So are some forms of religious leadership, like the priesthood. But charismatic authority – in virtue of personal qualities – is never automatically handed on across the generations. Moses was a prophet, and prophecy depends almost entirely on personal qualities. That, incidentally, is why, though kingship and priesthood in Judaism were male prerogatives, prophecy was not. There were prophetesses as well as prophets. In this respect Moses was not unusual. Few charismatic leaders have children who are also charismatic leaders.

A fourth explanation offered by the Sages was quite different. On principle, God did not want the crown of Torah to pass from parent to child in dynastic succession. Kingship and priesthood did. But the crown of Torah, they said, belongs to anyone who chooses to take hold of it and bear its responsibilities. "Moses commanded us the Torah as an inheritance of the congregation of Jacob," meaning that it belongs to all of us, not just an elite. The Talmud elaborates:

Be careful [not to neglect] the children of the poor, because from them Torah goes forth... Why is it not usual for scholars to give birth to sons who are scholars?

R. Joseph said: so that it should not be said that the Torah is their inheritance.

R. Shisha, son of R. Idi said: so that they should not be arrogant towards the community.

Mar Zutra said: because they act highhandedly against the community.

R. Ashi said: because they call people asses.

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Rabina said: because they do not first utter a blessing over the Torah. Nedarim 81a

In other words, the “crown of Torah” was deliberately not hereditary because it might become the prerogative of the rich. Or because children of great scholars might take their inheritance for granted. Or because it could lead to arrogance and contempt for others. Or because learning itself might become a mere intellectual pursuit rather than a spiritual exercise (“they do not first utter a blessing over the Torah”).

However, there is a fifth factor worthy of consideration. Some of the greatest figures in Jewish history did not succeed with all their children. Abraham fathered Ishmael. Isaac and Rebecca gave birth to Esau. All twelve of Jacob’s children stayed within the fold, but three of them – Reuben, Shimon and Levi – disappointed their father. Of Shimon and Levi he said, “Let my soul not enter their plot; let my spirit not unite with their meeting” (Gen. 49:6). On the face of it, he was dissociating himself from them.[1] Nonetheless, the three great leaders of the Israelites throughout the exodus – Moses, Aaron and Miriam – were all children of Levi.

Solomon gave birth to Rehoboam, whose disastrous leadership divided the kingdom. Hezekiah, one of Judah’s greatest kings, was the father of Menasseh, one of the worst. Not all parents succeed with all their children all the time. How could it be otherwise? We each possess freedom. We are each, to some extent, who we chose to become. Neither genes nor upbringing can guarantee that we become the person our parents want us to be. Nor is it right that parents should over-impose their will on children who have reached the age of maturity.

Often this is for the best. Abraham did not become an idolater like his father Terach. Menasseh, the archetypal evil king, was grandfather to Josiah, one of the best. These are important facts. Judaism places parenthood, education and the home at the heart of its values. One of our first duties is to ensure that our children know about and come to love our religious heritage. But sometimes we fail. Children may go their own way, which is not ours. If this happens to us we should not be paralysed with guilt. Not everyone succeeded with all their children, not even Abraham or Moses or David or Solomon. Not even God himself. “I have raised children and brought them up but they have rebelled against Me” (Is. 1:2).

Two things rescued the story of Moses and his children from tragedy. The book of Chronicles (1 Chron. 23:16, 24:20) refers to Gershom’s son not as Jonathan but as Shevual or Shuvael, which the rabbis translated as “return to God”. In other words, Jonathan eventually repented

of his idolatry and became again a faithful Jew. However far a child has drifted, he or she may in the course of time come back.

The other is hinted at in the genealogy in Numbers 3. It begins with the words, “These are the children of Aaron and Moses,” but goes on to list only Aaron’s children. On this the rabbis say that because Moses taught Aaron’s children they were regarded as his own. In general, “disciples” are called “children”.[2]

We may not all have children. Even if we do, we may, despite our best endeavours, find them at least temporarily following a different path. But we can all leave something behind us that will live on. Some do so by following Moses’ example: teaching, facilitating, or encouraging the next generation. Some do so in line with the rabbinic statement that “the real offspring of the righteous are good deeds.”[3]

When our children follow our path we should be grateful. When they go beyond us, we should give special thanks to God. And when they choose another way, we must be patient, knowing that the greatest Jew of all time had the same experience with one of his grandchildren. And we must never give up hope. Moses’ grandson returned. In almost the last words of the last of the prophets, Malachi foresaw a time when God “will turn the hearts of the fathers to their children, and the hearts of the children to their fathers” (Mal. 3:24). The estranged will be reunited in faith and love.

[1] Note however that Rashi interprets the curse as limited specifically to Zimri descendant of Shimon, and Korach, descendant of Levi.

[2] See Rashi on Numbers 3:1.

[3] Rashi on Gen. 6:9.

Shabbat Shalom: Rabbi Shlomo Riskin

Fanaticism, particularly when garbed in the clothing of myopic fundamentalism, rarely evokes in us a sympathetic bent. How could it, given its association with an uncontrollable zeal and violence for the sake of heaven?

But when we turn to the opening of this week’s portion, the Torah lauds Pinchas for zealously killing a Jewish man and a Midianite woman in the very heat of their sexual passion as they recklessly defy God’s command. For responding so quickly and decisively, we read that, “God spoke to Moses saying, Pinchas, a son of Elazar and grandson of Aaron the priest, was the one who zealously took up my cause among the Israelites and turned My anger away from them... Therefore tell him that I have given him My covenant of peace...” (Numbers 25:10-12).

The Biblical summation is certainly one of praise and approbation. Indeed, Pinchas’ full genealogy is presented in this sequence; we are also given the name of his father as well as of

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his grandfather, Aaron the high priest, indicating that the Torah wants to underscore his linkage to Aaron, “lover and pursuer of peace”. Moreover, both grandfather and grandson succeeded in stopping plagues sent by the Almighty to punish the Israelites.

Aaron had been instrumental in stopping the plague that broke out after the Hebrews raised angry voices against Moses and Aaron when Korach and his rebels were swallowed up by the earth (Numbers 17:6-11). Pinchas’ act of zealotry arrested the plague which had destroyed 24,000 Israelites who engaged in immoral sexual acts with the Midianites (Numbers 25:9).

When all is said and done, the Torah wants us to look upon Pinchas not only as Aaron’s grandchild but as his direct spiritual heir.

And when Pinchas receives the Divine gift of a covenant of peace, it is clear that he is being marked eternally as a leader who fostered peace and wellbeing, rather than fanaticism and violence. How do we square this with a flagrant act of zealotry?

In order to really understand what Pinchas achieved, we must view the events leading up to Pinchas’ act. I would submit that had it not been for his quick response, nothing less than ‘war’ would have broken out and Civil War against Moses at that!

The Israelites had begun consorting with the Moabite women (Numbers Chapter 25), with harlotry leading to idolatry. They justified their actions philosophically and theologically by claiming that whatever is natural, whatever gives physical relief and good feeling, is proper and laudatory.

This is the idol called Baal Peor, who was served by everyone doing their most natural functions of excretions before the idol, testifying to a lifestyle which justifies any and every physical expression. At this point, God commands Moses to “...take the leaders and impale them publicly before God.” (Numbers 25:4). Only the leaders are targeted, but their death is to be vivid and painful, hanging in the hot sun, their dissolute flesh to be devoured by birds of prey who live on carrion.

What we have here is a repeat of the golden calf debacle which had taken place 40 years before. At that time, Moses didn’t hesitate to exact punishment. He took the idol of the golden beast, ground it to powder, mixed it with water, and called for volunteers. The Tribe of Levi killed 3,000 Israelites on that day. Moses had only to call “Whoever is with God, stand with me” and all of the Levites rallied to his side.

Forty years later, the situation is tragically and radically different. Moses directs the judges of Israel to take action; but when he speaks to them, he changes the Divine graphic description of hanging the leaders in the sun to the more diplomatic, far less aggressive, command that "...each of you must kill your constituents who were involved with Baal Peor."

And then, a devastating occurrence follows: "Behold, and one of the children of Israel came and brought... a Midianite woman in the sight of Moses and in the sight of the congregation of the children of Israel (25:6)." Who was the Jew who dared defy the Divine decree and the authority of Moses? None other than Zimri, Prince of the tribe of Simon, second in line of the tribes, between Reuven the first born and Levi, the Priests. He was obviously continuing the rebellion of Korach, demanding his rights as a descendant of the son of Jacob who preceded Levi and was now claiming an exalted position.

He chose a Kazbi, a Midianite princess – a woman with status and lineage in the Gentile world. In the face of this revolting and licentious defiance, what was the reaction of Moses the leader? "They were weeping at the Tent of Meeting" (ibid). Why was Moses rendered impotent, unable to quell this rebellion against him and his God? Because Zimri had previously gone around taunting the liberator of the Hebrew slaves: How can he forbid sexual contact with Midianite women if he himself took a Midianite wife! (B.T. Sanhedrin 82a).

The Israelite world is considerably changed from what it had been 40 years before, during the period immediately following the Golden Calf – the Jews are no longer contrite in the presence of Moses. The Israelites had been told that after the sin of the scouts, the entire generation was doomed to die in the desert. Everyone was demoralized and disappointed. For years after the exodus, no one stood up to Moses as Korach did. And now Zimri hopes to discredit Moses even before God – because of the Prophet's Midianite wife.

The Bible records: "And Pinchas saw..." (25:7). What did he see? He saw the people rebelling and he saw Moses weeping. He saw the end of the history of the children of Israel almost before it began, he saw immorality and assimilation about to smash the Tablets of Stone for the second time, without a forceful Moses with the capacity of restoring the Eternal Testimony once again.

This is when Pinchas steps in. In killing Zimri and Kazbi in the midst of their immoral act in front of all of Israel, he quells the rebellion, re-establishes Mosaic leadership and authority, enables Torah to remain supreme. Pinchas has

reinstated the covenant between God and Israel, and so he is truly worthy of the covenant of peace.

Torah.Org: Rabbi Yissocher Frand

A Paradigm Incident Which Teaches: The Ribono Shel Olam Has a Grand Plan

The pasuk at the beginning of Parshas Pinchas says: "And it shall be for him and his offspring after him a covenant of eternal priesthood, because he took vengeance for his G-d, and he atoned for the Children of Israel" (Bamidbar 25:13). As we learned in last week's parsha, Pinchas did not tolerate the travesty of a nasi (prince) of a shevet (tribe) in Yisroel brazenly committing a public act of immorality with a Midyanite Princess. He took a spear and killed them both, based on the Halacha of "A person who commits public immorality with a female from Aram, may be smitten down by a kanai (religiously zealous individual)." As a result of that act of zealotry, he was rewarded with an eternal covenant of Kehunah (Priesthood).

Rashi raises the obvious question: As a grandson of Aharon, was Pinchas not already a Kohen? Rashi answers that even though the Kehuna was already granted to Aharon's children, Pinchas was not a Kohen prior to this incident. The reason for that, Rashi says, is that Kehuna was only granted to Aharon and his sons and those descendants of these original Kohanim who would be born later. This did not include the grandchildren of Aharon who were already alive but were not anointed with Aharon and his sons, such as Pinchas son of Elazar. (Zevachim 101b)

This is an example of the exquisiteness of hashgocha (Divine providence). Consider the following: Up until this point in time, Pinchas was just a regular Levi, not a Kohen. Every single day, Pinchas saw his father serve as a Kohen. He saw his grandfather serve as a Kohen. He saw his uncle serve as a Kohen. He even saw his cousins (who were born afterward) serve as Kohanim. Pinchas, however, because of an accident of birth and this quirk in the Halacha of who is a Kohen, was not a Kohen. He could have been asking himself: What did I do wrong? Where is the justice in all this?

Remember, this went on for forty years. Aharon and his four sons became Kohanim at the beginning of the forty years in the Midbar. The incident with Zimri and Kozbi occurred at the end of their time in the Midbar, forty years later. For forty years, day in, day out, Pinchas saw this going on. Perhaps he was stewing in his juices. What is the meaning of this?

The holy Zohar says, "No. This is all part of the Ribono shel Olam's grand plan." If the Ribono shel Olam had let it happen that Pinchas had already been a Kohen—either

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because he had been born to Elazar after Elazar had received the Kehuna, or because he had been included in the original anointing—he would have lost his Kehuna at this juncture. When the incident with Zimri and Kozbi occurred and Pinchas picked up his spear and killed them, Pinchas—if he had already been a Kohen—would have invalidated himself from the Kehuna. The Halacha is that a Kohen who has killed someone (even unintentionally) is not allowed to 'raise his hands' (to offer the Priestly Blessing). (There is a dispute among the Rishonim as to whether this excludes him from all of the Avodah done by a Kohen, but he is certainly not allowed to 'Duchen').

Thus, the Zohar says, the reason the Ribono shel Olam did not make Pinchas a Kohen up until this point is because He wanted Pinchas to be a Kohen for the rest of his life. Not only that, but Tosfos (Zevachim 101) says that there were 80 Kohanim Gedolim in the first Beis HaMikdash and 300 Kohanim Gedolim in the second Beis HaMikdash who were all descendants of Pinchas. All of that was possible because Pinchas did not originally become a Kohen.

Any observer might have asked, "Where is there justice in the world?" and "Why was Pinchas dealt this raw deal and this bad hand?" Now we can understand that it was because the Ribono shel Olam knew what was going to happen. It was all part of His grand plan to specifically make Pinchas and his future descendants Kohanim and Kohanim Gedolim.

The Zohar continues – isn't it ironic that Moshe Rabbeinu, who knew almost every Halacha without exception, suddenly forgot the Halacha by Zimri and Kozbi, and did not know what to do. Why didn't Moshe Rabbeinu know what to do? It is for the same reason. If Moshe Rabbeinu knew what to do, Pinchas would not have done what he did. This was all part of the grand plan.

The take-away lesson of this is that it is common in life to be perplexed and not understand why events occur. Things don't seem to make sense, and they don't seem fair. Many times, they seem a lot worse than not fair. This incident is a paradigm to demonstrate that the Ribono shel Olam has a plan.

I would like to share three different stories. I have first-hand knowledge regarding two of these stories. I heard the third story from a reliable source. I know the people involved in the first two stories, and I received permission from one of the people to mention his name. I have not been able to verify that the person in the other story would not object to my mentioning his name, so I will relate the story anonymously.

I know a boy who went skiing, had a skiing accident, and received a severe blow to the head. He underwent an X-ray and it was discovered from the X-ray that he had a tumor, which was at the stage where it could be removed by surgery. Had they not discovered this right then, it would have been inoperable. Someone may think: Why did this happen? That is why it happened!

The second story is even more incredible. The fellow lives at the Yeshiva (Ner Yisroel, Baltimore, MD) and works there as the assistant alumni director. His name is Eli Greengart. Two or three weeks ago, they had a Shabbos Sheva Brochos in the mountains. His family went. On Friday afternoon, they realized they didn't know where his three-year-old was. Everyone was frantically looking for the toddler. Suddenly, they realized that the toddler fell into an area of the swimming pool that was ten feet deep. The child, who had apparently been in the water for four or five minutes, had already turned blue. They fished him out of the pool and helicoptered him to Westchester Medical Center. Baruch Hashem, they were able to resuscitate the child and he is now perfectly fine. This is amazing, if not a miracle.

Someone told me that both Eli Greengart and his wife are from Silver Spring, MD. Seventeen years ago there was a similar story in Silver Spring involving a two-year-old child who fell into a swimming pool. The outcome was not as fortunate. The child was in a coma for seventeen years. At the time, Eli Greengart was single and still in high school. For the four years that he was in high school, he went over to that family and gave showers to that child who was in a coma. Now, many years later, he had a similar incident and the Ribono shel Olam performed a nes for him!

It is always tricky business to go ahead and assume "cause and effect." But we can wonder... There seems to be a connection between the act of chessed he did throughout high school with a child who fell into a swimming pool and the miracle that the Ribono shel Olam performed for him.

I heard the last story, which I verified this morning, last year when I was in Europe. I called the person who told me the story to verify the details. This is not a happy ending story, but it is an incredible hashgocha story.

There was a family in Lakewood that was sitting shiva for a little child who ran out into the street and was hit by a car and was killed, lo aleinu. Another family came to be menachem avel and told the parents of this little child the following story:

They were a couple involved in kiruv. They went to some off-the-beaten-path city to do

'kiruv work. "The city had no mikveh. They took it upon themselves that they would raise the money and see to it that a mikveh was built there. They did this with great self-sacrifice, to the extent that there were months that they did not eat meat during the week to scrape together the money to finally build the mikveh. One night, when they were doing some work in the mikveh, they had a little child with them. They turned around. They didn't know where the child was, and to their horror, they discovered that the child fell into the mikveh and drowned.

The wife was inconsolable. No matter what anyone told her, she was inconsolable. They worked so hard, with such personal sacrifice, to build the mikveh. "This is Torah and this is its reward?" "No matter how many times anyone says that no one understands the ways of Hashem – how could it be?"

The husband had a dream. In the dream, the drowned child came to him and told him that he is the neshama (soul) of a Jew who went through the Spanish Inquisition and was a martyr, who rather than be converted to Christianity was killed and was buried without the benefit of a tahara (ritual bathing performed on a dead Jewish body). He was in a high place in Gan Eden but he needed a tahara in a mikveh that was built al tahrar hakodesh (in pristine purity) – the purest mikveh that could be built. His parents built that mikveh. That child with that neshama had that tahara in that mikveh. That is why it had to happen. That was their consolation, and that is what this kiruv couple told the couple in Lakewood.

Does it always work out like that? Do we always find out in our lifetimes why things like that happen? No.

Do we always connect the dots? Is it a smart idea to try to connect the dots? Not necessarily.

But the story of Pinchas—especially in light of what the Zohar and the Rishonim say—demonstrates that the wheels of hashgocha grind extremely slowly but they also grind extremely finely. The Ribono shel Olam has His calculations. "The Rock, perfect is His work, for all His ways are justice; a G-d, faithful without iniquity..." (Devorim 32:4).

Dvar Torah: Chief Rabbi Ephraim Mirvis

What would it be like without you?

A rabbi once returned to his shul after a vacation. One of his congregants said to him, "Rabbi, you should have been here to see what it's like without you!"

The rabbi took that as a great compliment. And if there is one Biblical character whose

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presence made all the difference to those around him, it was definitely Aharon HaKohen, Aaron the High Priest.

At the commencement of Parshat Pinchas we're given a genealogy of the people at a time of census and Rashi notices some changes. And he attributes the changes to the fact that a civil war had happened in the wilderness. And why did it happen? It happened because Aaron had passed away.

The Torah recounts the death of Aaron for us. He was buried in a place called Hor HaHar and the entire nation wept bitterly for him because they loved him so dearly.

In Parshat Eikev we are told that Aharon died in a place called Moserah, and that's where he was buried. So how is it possible that in one place we're told that he was buried in Hor HaHar because he died there, and in another place, that it was Moserah?

So Rabbi Shimon Schwab based on the Rashi in our parsha says as follows: Actually Aaron died in Hor HaHar and that's where he was buried, but because he was the great peacemaker of our people, his absence was felt dearly and, for the very first time, civil war raged in our midst and many people died.

Rabbi Shimon Schwab explains that Aaron's death in Hor HaHar was felt in Moserah and therefore, when the people were in Moserah it was as if Aharon had died there and that's why they were fighting against each other in Moserah.

We often notice how the presence of one person – whether in the family circle, an office setting or a community – can make all the difference, sometimes positively, and sometimes negatively.

From what we learn about Aaron, let's all ask the following question to ourselves. What kind of positive impact does our presence make wherever we are? And to what degree will we be missed when we're not there?

Dvar Torah: TorahWeb.Org

Rabbi Hershel Schachter

Inheritance and Dina De'malchusa

About forty years ago, a prominent chassidishe rebbe passed away in America. Years earlier he had purchased three cemetery plots on Har Hamenuchos - one for himself, one for his wife, and an extra one. After his death, two of his sons were arguing over which of them would have the privilege to be buried next to their father. The oldest son was in business but felt that since he was the bechor, he should be entitled to the third plot. The younger son took over his father's position as the chassidishe rebbe and he felt that because he was his

father's mimaleh mokom in the chassidus, he should be entitled to the privilege of burying buried in the third plot. When they finally agreed upon whom they would present the question to, the rov whom they asked paskened that kol ha'kodem zoche. Why should this be the psak?

In Parshas Pinchas, the Torah speaks about yerusha. The monetary assets of an individual are passed on b'yerusha to his closest relative, and only relatives from the father's side of the family are referred to as "mishpacha". The Minchas Chinuch points out, however, that the Gemara speaks of another concept called "kom tachtov" which is not identical with yerusha. When a married man dies leaving children, the surviving almana does not require chalitzah because the children are kom tachtov of the father. An eved kena'ani is considered a monetary asset of his owner, and when the owner passes away, ownership of the eved transfers via yerusha to the closest relative in the mishpacha. An eved Ivri, however, is not considered a monetary asset and therefore should not lend itself to the laws of yerusha, and yet the son does in fact take the place of the father as master of the eved Ivri. This is based on the concept of kom tachtov, and only applies to the master's son and not to his daughter. There is a view in the Yerushalmi that an ama ha'ivriya, upon the death of her owner, is transferred only to the master's daughter and not to his son. These are all details within the concept of "kom tachtov".

The Mishna in Nazir records the following halacha which R' Yochanon explains is a halacha l'Moshe miSinai: if a father and son were each a nazir, and the father set aside animals for the korbanos he must bring upon the completion of his term of nezirus but then dies before he had a chance to bring those korbanos, his son is permitted to bring those animals for his own korbanos at the termination of his period of nezirus. This is a surprising ruling; usually, korbanos have to be designated at the time of their sanctification for a specific purpose, in this case they were designated for the father's nezirus, and yet we allow the son to bring them later for his own nezirus! This halacha is also based on the concept of "kom tachtov". The Gemara in Nazir discusses a slightly more complicated case than the one in the Mishna: what if the father who was a nazir leaves two sons who are both nezirim - do they divide the korbanos designated by the father equally between the two of them, or do we say that kol ha'kodem zocheh, i.e. whichever son's nezirus ends earlier has the right to use all of the father's korbanos for his nezirus? Apparently in Europe it was an accepted practice that the rule of kol ha'kodem zocheh would be applied in such cases. The psak issued by the rov in the case we described earlier (where two brothers who both wanted to be buried next to their

father in the last available plot) was apparently based on these ideas that appear in the Gemara.

The Mishna teaches us that if a woman who is not currently married dies, her children inherit her monetary assets, but if children predecease their mother, their mother does not inherit their assets. The reason for this difference is that the relationship children have with their mother is one of "she'er basar" but is not one of "mishpacha". Only relatives from the father's side have the halachic status of "mishpacha", and yerusha only occurs when there is a relationship of mishpacha. As such, a mother does not inherit her children. Children do inherit their mother only because of the idea of "kom tachtov" - children are kom tachas their mother, but a mother is not kom tachas her children.

The laws of yerusha are very clearly spelled out in the Gemara and in the Shulchan Aruch, but unfortunately are not observed properly. There were Jewish communities in the Middle East where they assumed that even Jews should follow dina de'malchusa ("the law of the land") with respect to yerusha. In the sixteenth century, the rabbonim in Tzatz sent a young talmid chacham (Rabbi Yom Tov Tzahalon) to explain to these communities that whenever all the parties involved in a monetary issue are Jewish, we follow the Torah law as opposed to dina de'malchusa. The Rambam records a very interesting concept: we consider yerusha to be a matter of issur v'heter, based on the terminology used in the possuk in Parshas Pinchas which describes yerusha as a "chukas mishpat". As such, we should certainly not follow dina de'malchusa regarding yerusha, since dina de'malchusa only applies in areas of dinei mamanos (monetary matters) and not at all in areas of issur v'heter.

Ohr Torah Stone Dvar Torah

Leadership in Transition - Rivka Keller

"And the Lord said to Moshe, 'Go up to this mountain of Avarim and see the land that I have given to the people of Israel. And when you have seen it, you also shall be gathered to your people, as Aharon your brother was gathered...'"

The above passage, which appears in the middle of the portion of Pinchas, raises two questions:

The first concerns the placement of these verses in this particular portion. In the section preceding these verses, Moshe is engaged in taking a census of the Israelites in preparation for dividing the land among them, while addressing the case of the daughters of Tzelofchad regarding inheritance laws. Following the verses above, there is a detailed description of the daily offerings, as well as

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the special sacrifices offered on Shabbat and the festivals. It seems untimely, then, that the verses describing Moshe's ascent up the mountain to view the land of Israel, upon which he will never set foot, should be mentioned here of all places. Why does this passage appear here of all places?

The second question relates to Moshe's reaction. When God had initially decreed that Moshe and Aharon would not enter the land, their silence was quite notable. God was angry that they had struck the rock instead of speaking to it, and decreed that they would therefore not enter the land. Moshe and Aharon did not protest. A few verses later, Aharon ascends Hor HaHar where he dies in silence, still unprotesting. In a few weeks, we will read Parashat Va'etchanan where Moshe pleads with God to let him enter the land. We would expect the plea to appear here in our portion of Pinchas, when he is told to ascend the mountain of Avarim to view the land he cannot enter. And yet Moshe's reaction is quite different. Upon hearing the decree once again, instead of pleading for himself, he asks for a leader for the people: "May the Lord, the God of the spirits of all flesh, appoint a man over the congregation... so the congregation of the Lord will not be like sheep without a shepherd."

By reflecting on the preceding portions, we might find an answer to our questions.

The sin of Mei Merivah ["The waters of conflict"] comes immediately after Miriam's death, and Aharon dies shortly after. Aharon's son, El'azar, inherits the high priesthood and becomes Moshe's partner in leadership.

Next is the story of Balak. In this narrative, Moshe's leadership is absent. The events of the story take place among other nations, such that it is not a story of the Israelites per se. And yet it is still a wonder that Moshe's name does not appear at all. Similarly, when the Israelites sin with the Moabite women, Moshe's leadership is absent once again. At the end of this portion, it is Pinchas who takes the lead, stopping the plague that is raging through the camp of Israel by smiting with his spear, thus abating God's wrath.

Parashat Pinchas opens with God's approval of Pinchas' actions. For the first time since the exodus from Egypt, a complex problem within the Israelite camp is solved without Moshe's involvement.

Thus, Pinchas forges a special bond with the Almighty, and secures a place for himself in the leadership of the people of Israel, as is reflected by God's reaction to Pinchas' daring deed: "Behold, I give him My covenant of peace. It shall be for him and his descendants

after him a covenant of everlasting priesthood.”

Following this, a census of all Israelite men fit for war is conducted. Israel has transformed into a nation of warriors ready to conquer and inherit the land, as per their respective families. The daughters of Tzelofchad then demand their father's inheritance. Again, Moshe is at a loss, and God answers the query, granting the daughters their father's inheritance.

It appears from these descriptions that we are deep into a transitioning leadership, from the generation who wandered the desert to that of the children and even the grandchildren. Miriam's well and Aharon's priesthood have already been passed on; now it is Moshe's turn.

Mount Avarim [עברים, which denotes “past” and “beyond”] perhaps hints at Moshe's place—in the past [עבר]. God gently directs Moshe to ascend the mountain of מעבר and look beyond [מעבר], into the future of the people without being a part of it. The reason for this is that Moshe's leadership belongs to the עבר, the past. A glorious past, to be sure. A past in which the Israelites slaves were liberated from Egypt with great might and an outstretched arm; with a myriad of plagues, and no words. A past evolving around a generation that was redeemed from Egypt and had to be led through the wilderness, but one that would not enter the land. Therefore, you Moshe, the leader of this generation, must remain with them in the past, beyond the borders of the land, on the eastern side of the Jordan [עבר הירדן], and you shall not cross over [לעבר] the River Jordan and enter the new era with the new generation.

In the past, the people would drink from a miraculous well, Miriam's well, but after the sin at Merivah, they are capable of obtaining water themselves: “From there they went to Be'er, the well where the Lord said to Moshe, ‘Gather the people together so that I may give them water’” (Bemidbar 21:16). The Malbim explains as follows: “God gave them water directly without their having to ask, and without Moshe's intervention.”

In the recent past, a priest was needed to stop plagues by Divine command with a censer and fire (as in the story of Korach), but now the people themselves, by the stab of a dagger, can halt a plague.

The people can now seek God's guidance directly through El'azar the priest: “And he shall stand before El'azar the priest, who shall inquire for him by the judgment of the Urim before the Lord; at his word shall they go out, and at his word they shall come in, both he,

and all the children of Israel with him.” (Bemidbar 27:21).

This is a different kind of leadership than the one we have seen until now. It is more distant and less miraculous; however, it is far more autonomous.

The placement of the portion of Har Ha'avirim in the middle of Parashat Pinchas suggests that Pinchas, El'azar, and the daughters of Tzelofchad belong to the generation of the future. It signifies a transition of leadership from the generation that had left Egypt and wandered in the desert to the one that will inherit and settle the land.

If this be so, we may just have found an answer to our second question. If, indeed, this particular portion appears here because the previous leadership has loosened its hold and the time has come for a new leadership to take its place, then Moshe's reaction is quite apt, for it conveys the need for a new and worthy leadership that will be suited to shepherd the people into the new land. Moshe's reaction is both noble and humble. He knows his place, and from a deep sense of responsibility to the people, he steps aside for his successor, who is also his disciple.

“And he laid his hands upon him, and gave him a charge, as the Lord spoke by the hand of Moshe” (ibid. 27, 23). With both of his hands upon Yehoshua's head, and not as instructed, Moshe transfers his leadership to Yehoshua with generosity of heart, both his hands outstretched to hand over his greatness of spirit.

Rabbi Dr. Nachum Amsel Encyclopedia of Jewish Values*

Lotteries in Judaism - In this week's Torah Portion of Pinchas, determination, for all time, of which areas in the Land of Israel would belong to each tribe (except the Levites who received 48 cities and no land for agriculture) was through a system of lots (Numbers 26:55-56). Once again, the Torah stresses this concept by repeating the word *Goral*-lottery in consecutive verses. (Some commentaries explain that these were *two* lotteries, one for the general land that each tribe received and one for the land that each family obtained within each tribe.) Apparently, by using both a system of drawing lots on pieces of paper and the *Kohen Gadol*-High Priest's breastplate (whose letters would light up miraculously from God), the system of lots was confirmed and indisputable. That is a pretty reliable system, when God causes the lights on the Kohen's breastplate to verify the actual lottery results. But what about today, without Urim VeTumim of the Kohen? Can Jews use lotteries to determine future events or not? Can

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they gamble for fun? Is the belief in lotteries a negation of the belief in God?

Drawing to determine one's fate, playing games of chance for profit, and buying lottery tickets to win big prizes are all phenomena found in today's society. But one should not think that purchasing a Powerball lottery ticket with a potential payout of a billion Dollars is unique to, and invented by, our contemporary civilization, as these trends can be found in virtually every society over the past 2,500 years. Lotteries can be found in the Torah, and Jewish society used the lottery or lots to determine many aspects of tradition. How, indeed, does Judaism view the drawing of lots to determine one's actions? Should these methods be used in life decisions today as well? Is it ever ethical in Judaism to gamble for money? Is it permissible to legally purchase a lottery ticket, and does this purchase depend upon where and how the money will be used by the company organizing the lottery?

The Use of Lotteries in Scripture - The drawing of lots to determine future outcomes can be seen numerous times in the Torah and the Prophets. In fact, without a lottery, the Jewish people in Temple times could not have received God's atonement for their sins. Part of the very essence of the Yom Kippur Temple service, mandated by God, was to take two identical goats and then draw lots to determine which goat would be offered on the Altar and which goat would be put to death in the desert[HW1] (representing the sins of the Jewish people) (Leviticus 16:8). The importance of the lottery aspect in this ritual is stressed by using the word for lottery (*Goral*) three times in the verse.

Each week a different group of *Kohanim*-Priests and Levites would perform the service in the Tabernacle or Temple. To decide which Priest or Levite would perform which task, a lottery was held. It did not matter which Kohen or Levite was more “worthy” or who was more gifted (musically, for example). The lottery alone determined who performed which service. When one Jew sinned by taking the forbidden booty from the captured city of Jericho (I Chronicles 25:8 with Metzudat David commentary), which resulted in defeat in the next battle for the city of Ai, the guilty party did not step forward and confess his sin. Rather than simply tell Joshua who the guilty party was, God ordered that a lottery be set up, and the people filed by, one by one, until the guilty person, Achan, was discovered and punished (Joshua 7:14-20). Later on, to decide which men from all of the other Tribes would fight the Benjamites after they sinned in Geva, a lottery was used to determine who would take part in the battle (Judges 20:5-13). Similarly, to finding the sinner Achan, King Saul wanted to find the sinner before battling

the Philistines. The lottery fell upon his son, Jonathan, who then confessed his sin (I Samuel 14:41-46).

We see that even non-Jews drew lots to determine events in the Bible. The non-Jews in Jonah's boat were convinced that it was the sins of someone in the boat that caused the great storm to come, which was about to capsize the boat and kill all the people aboard. To determine who was at fault they drew lots, which fell upon Jonah, whose sin was indeed the cause of the storm (Jonah 1:4-7). And perhaps in the most famous casting of lots in the Bible, the wicked Haman drew lots to decide which day of the year to battle with and destroy the Jewish people (13th of Adar) (Esther 3:7, 9:24-26). The name of the holiday itself became Purim, the Persian word for lots. Therefore, the use of a lottery to determine the truth or how to act in the future was very significant in Scripture.

The Talmud describes two other lotteries used by the Jews in the desert, which are merely alluded to in the Torah text (Sanhedrin 17a). One was to replace the seventy elders. Similarly, 273 Firstborn (non-Levite) individuals had to be redeemed with five silver coins to be able to serve in Tabernacle (Rash on Numbers 3:50).

Lotteries in The Performance of Jewish Rituals and Jewish Law - In Jewish law, when a father died and left land to his two sons, a lottery would be used to determine which land would be inherited by which son, according to the Talmud (Bava Batra 106b). Maimonides explains this Jewish law in greater detail, saying when and why a lottery would be used - once again to ensure that everything was fair and prevent fighting among the brothers (Maimonides, Hilchot Shechainim 12:1-2). In another interesting Jewish law, the Mishna states that a parent at the Shabbat meal may conduct a lottery with his children to determine which child should receive a particular portion of food (Mishna Shabbat 23:2 with Tiferet Yisrael commentary). This is permissible when the size of each portion is the same, but the quality may differ, and the purpose is to avoid jealousy among the siblings if the parent were to simply give a different portion to each child at his or her discretion. (If the father or mother were to give portions arbitrarily, it might appear to the children that he or she had favorites.) This lottery may not be held at weekday meals since it may lead to gambling. And it is only with family that this is permitted, since everyone can accept the results in good faith. Shulchan Aruch incorporates this concept into normative Jewish law (Shulchan Aruch, Orach Chaim 322:6).

Significance of Lots in Jewish Thought -

Now that we have seen that lots and "chance" drawings can be used in normative Jewish life, how are we to understand how this works? Is God telling us that it makes no difference and that whatever happens just happens? Or are we saying that God intervenes in each lottery and causes the events or the lots to work out in a certain specific manner that He wants it to occur? And if it is the latter, then why do we not use a lottery in more circumstances in daily Jewish existence?

The classic understanding of a lottery is that it is not random. Rather, it is a direct decree from God. King Solomon implied that every result of a lottery is an express pronouncement from God (Proverbs 16:33). Rashi, in commenting on the lottery that was used to divide the Land of Israel, says that the lottery system was *Ruach HaKodesh*-The Holy Spirit of God -- i.e., a manner in which God communicated with the Jewish people (Rashi commentary to Numbers 26:54). Thus, we see that Judaism takes the lottery very seriously, and interprets the results as a Divine message. But while this idea about the lottery may have been true in the distant past, it may not hold regarding every lottery and its results today.

When Should Lots be Used in Jewish Life Today and When Is It Forbidden? -

Based on the above (that Judaism sanctions the results and God communicates through all lotteries), Jews should be using lotteries in their daily lives much more often. It would certainly relieve doubts about what constitutes right and wrong actions in daily life. And, yet, there seems to be strong resistance to using lotteries, especially to determine future events. When, then, are lotteries encouraged in Judaism and when are they forbidden, and why?

The ambivalence about using lotteries can be seen in the conflicting words of one Middle Ages Rabbi, Judah HaChasid. First, he says that if a situation at sea exists similar to that of Jonah, and it is clear that (a) all the other boats are sailing along without any problems, (b) only your boat is experiencing a storm and (c) logically, the storm must have come because of the sinful actions of someone on the boat, then it is permitted to have a lottery to determine who is guilty and who should be expelled from the boat (Rashi commentary to Numbers 26:54). Even so, the other people on the boat should not throw the person off. Instead, they should convince the person himself to jump off, or put him onto a device that can float in the sea. But then just a few chapters later, the same author describes an almost identical situation, and there says that lotteries are forbidden, both in monetary cases and certainly in life-and-death situations (Sefer Chasidim 701). He says that while lotteries could be relied upon in the times of the

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prophets, today lotteries should not be used at all. He concludes that when using lots in monetary cases, all the items in the lottery must be identical, as were the goats in the lottery used in the Temple on Yom Kippur. Thus, we see that Rabbi Judah both advocated using lotteries under very specific conditions, but also forbade using them in other circumstances.

On the other hand, Rabbi Yair Bachrach (1638-1701) states that a lottery is legitimate, as we have seen from all the examples in the Bible mentioned above, and that the results of a lottery, if done correctly, come directly from God (Responsa Chavot Yair 61). A more modern Rabbi brings all of the conflicting sources discussed above, and then seems to say that if the lottery is conducted properly, it has validity even today, but likewise, if it is not conducted according to the "rules" of a Jewish lottery, the results are invalid (Responsa Sdei Chemed 8:14). Where does this conflict arise from? While Biblical times seem to advocate the use of a lottery, there is resistance of doing so today.

The Code of Jewish Law, authored by Rabbi Yosef Caro, states that it is forbidden for a Jew to try to determine the future by using astrology *or* lots (Shulchan Aruch, Yoreh Deah 179:1). Rabbi Caro, in a different book of his, explains that the origin of this Jewish law is from the Midrash (Beit Yosef commentary on Tur, Yoreh Deah 179) h. Rabbi Caro equates using a lottery to determine future events not only with astrology but also with witchcraft and other forbidden Jewish practices. The verse mentioned as a proof is, "You shall be complete with the Lord your God." This indicates, according to Rashi, that one should rely only on God, and not try to determine any future event by any means. Rather, one must accept whatever God doles out for each human being (Deuteronomy 18:13 with Rashi commentary). Thus, Shulchan Aruch was averse to using lots in any situation relating to determining the future, equating this process with astrology. Therefore, based on this line of thinking, much later Rabbis banned the concept and the practical application of drawing lots to determine future events, including all forms of gambling for pleasure.

Rabbi Ovadia Yosef, a leading Rabbinic leader of the twentieth and twenty-first centuries, forbade using lots in our times (Responsa Yabia Omer, Section 6, Choshen Mishpat 4). He says that it is questionable whether they can be used even in money matters, but they certainly cannot be used in any situation where human life is at stake. He specifically forbids a community from using lots to choose its chief Rabbi, even if both candidates for the position agree to the process. Yet, Pitchei Teshuva (1813-1868)

writes (Responsa Yabia Omer, Section 6, Choshen Mishpat 4) that in the classic case where terrorists capture a group of Jews and threaten to kill all of them unless the group gives them one person to be killed, he allows them to draw lots to determine which person should be given over to the terrorists. Rabbi Avraham Karelitz (1878-1953) strongly disagrees (Chazon Ish, Hilchot Avodah Zara 68) and takes Pitchei Teshuva to task. He says that if a lottery were a permitted solution, then the original Tosefta that discussed this very issue would have offered this solution as a legitimate option, but it did not. He says this potential solution was not mentioned there because it is forbidden to draw lots in this situation.

Rabbi Asher Weiss, another 21st-century authority, brings in his Minchat Asher, many of the above-mentioned sources, and then rules that lots may not be used to determine or predict any future outcomes, but may be used in some limited monetary situations (Responsa Minchat Asher, Section 4, Bamidbar 72). Another modern Rabbi rules (Kovetz Tel Talpiot, Pesach 5767) that lots are forbidden based on the edict of Rabbi Shlomo Kluger (1785-1869) that all lotteries are forbidden, even to determine who will say the Kaddish prayer, and certainly regarding sickness issues (who takes priority with limited medicine) or even regarding found objects. He does, however, permit a lottery in the limited situation where only two possibilities exist, to determine if something belongs to this or that person or a specific idea. He then explains the situation where a person writes on one piece of paper "Do it" and on the other paper it says, "Do not do it," and the person wants to use these to decide whether or not he or she should do a particular action. He specifically forbids this process and says that this is exactly what Shulchan Aruch forbade. All in all, most modern Rabbis shun the use of lots today, and those who permit it only allow it in very limited circumstances.

* 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

Mizrachi Dvar Torah: Rav Doron Perez How to Argue for Heaven's Sake

The essence of the spiritual impediment, the failure which led to the destruction of the Second Temple, which we are currently mourning in the Three Weeks, is 'sinat chinam'. Our Sages point out how in interactions between people there was baseless hatred. There was an inability to legitimize the view of others, or to accept on any level any legitimacy of others.

We know in Israel, there are tremendous arguments at the moment – politically, religiously – and in communities and governments around the world there is so much debate and divisiveness.

The Kli Yakar asks how can we create unity? Using the word for heaven '–shamayim'. The Mishnah in Pirkei Avot says an argument that is for the sake of Heaven, 'lesheim shamayim', will endure. What is 'shamayim'? He says the word is made up of the words for fire, 'eish', and water, 'mayim'. No two elements could be more confrontational and divisive – water extinguishes fire, and fire vaporizes water.

However, in heaven, these two elements come together and create peace '–oseh shalom bimromav', "He who makes peace on High." It brings together all the opposing spiritual forces in the world, all are legitimate. That is what an argument for the sake of Heaven is: argue, yes. Vociferously, yes. Totally differing views, yes. But always remember 'lesheim shamayim'. G-d brings the most contrasting views, not to be only in conflict but to be complementary in ways which bring together.

In our arguments and in life, may we all be able to do it 'lesheim shamayim', for the sake of Heaven – and see the legitimate view, to find ways to bring these together that the contrast should ultimately be one which is complementary.

Rabbi Dr. Norman J. Lamm's Derashot Ledorot

1. Describe Elijah, in today's Haftorah, as wearily looking for G-d in the desert, tired of treachery of his people Israel etc. Then, read from in middle of I Kings verse 11 thru verse 13.

2. Here indeed, in a story as simple as a fable and as powerful as drama, lies the kernel of the message of Judaism for our day and all days.

The message of G-d is not in powerful winds. You cannot disseminate religion as if it were merchandise. You cannot sell G-dliness like you sell soap. Wind and sound and propaganda and advertising techniques will just not do. LO BA'RUACH HA'SHEM.

The message of G-d is not in earthquakes. Size and activity of certain kinds are no assurances of true religion. A big building does not mean a great spirit. Earth-shaking structures do not move the heavens. You get no closer to G-d through big campaigns. LO BA'RA'SH HA'SHEM.

The message of G-d is not in fire. Oratory, denunciation, zeal, artificial enthusiasm, will not produce the voice of G-d. Heat alone cannot generate closeness to G-d. Something else is needed. LO VA'EISH HA'SHEM.

Where then does the message of G-d lie? What are the optimum conditions under which a man can hear the voice of G-d moving within

Likutei Divrei Torah

him? – In the KOL DMAMAH DAKAH, in the "still, small voice." The very expression is a paradox. For if there is a voice, it is not still, and if it is still, there is no voice. Yet this is just what our Torah teaches. Like a voice, it must have individuality, personality and meaningfulness – a specific Jewish message. Yet all this must be perceived in silence. When there is silence, when all the strange noises all about us have been lowered, when we have silenced the roar of the machines, the din of radio and television, the bleating of our egos and desires, the hollow noises of our shallow nonsenses, after all the extraneous sounds have been stilled and we concentrate on the silence, then and only then can we hear G-d speaking, the voice of Religion asking the ultimate question, the one it takes a life-time to answer: MAH L'CHA FO ELIYAHU, "What doest thou here, Elijah?" What is it all about? What is the reason for my existence? Now that it's quiet, what was all the noise about? What is my purpose in life?

That question cannot be heard, much less answered, when men concentrate on the noises, on the propaganda and the superficial.

Many of us are now preparing to go away on vacations of varying length. Some of us will be at the beach, others in the country, and still others will travel.

I have no doubt that very many of us will turn our eyes heavenward and thank G-d for what we see. Some of us will look out over the vast expanses of the Atlantic, perhaps thrill at the moonbeams playing on the incessant waves, and from the depths of our heart exclaim, "Ah, G-d created a wonderful world." Others will marvel at the beautiful contours of rolling plains and hills, valleys and cliffs, rustic scenery and all kinds of wildlife, and then too conclude, "What a great G-d to create such a great world." Fine. The sentiments are noble beyond reproach. We should do more of it in the same way. It's true, G-d created all this, and it teaches you something. But you won't hear G-d's voice there. It doesn't last. The wind-swept Atlantic, the valleys, the waterfalls, the rainbows are all G-d's handiwork, but not his microphone.

I wonder how many of us will try something else. Let me say that I know that 99% won't, because it is much too difficult and much too frightening. It can drive one insane. What I refer to is the VAYALET PANA V BA'ADARTO VA'YEITSEI VA'YAAMOD PESACH HA'ME'ARAH, "he wrapped his face in his mantle, and went out and stood out in the entrance of the cave." I mean to leave the party for a while, yes – a short respite from the gin or bridge game – to go off on a side, even away from the breath-taking natural phenomena, away from all the noise, just wrap yourself in your mantle, perhaps even literally in your Tallith, and wait a while.

I dare say that it can be a terrible experience. Because in the silence and loneliness, a

question begins to crop up in your consciousness, a question so crucial to your entire being that it can shake a man to the bottom of his soul. The question seems to be a G-dly one: MAH LCHA FO? What are you doing here, what are you on this earth for, what's it all about? It's a question you're too busy to hear otherwise. But now it's audible. It's G-d's challenge. MAH LCHA FO. What's the purpose of all your toil and work and existence?

It is a question that is sharp and searching. But to hear the question is to beg the answer. Elijah gave it, this time in quiet not loud, in soft and not fiery, syllables: KANO KINAISI LA'SHEM ELOKEI TS'VAOS. I have been jealous for the Lord, G-d of Hosts. What am I doing here? I am trying to lead a G-dly life, and that is the goal, purpose and end of all. When I can hear the question and face it, then I can begin to answer it. When I can hear G-d in silence, I can begin to understand the noise – its value and lack of value. But the question cannot be heard above the daily din. When we are busy asking “what are you doing tonight?” or “do you know what so-and-so did yesterday?”, we cannot hope to hear the important question of MAH LCHA FO. We must get off to a side, wrap ourselves up in the mantle and, in the KOL DMAMAH DAKAH hear G-d Himself saying MAH LCHA FO. Then we can answer KANO KINEISI, that Torah and Jewishness are my aim and purpose in life.

This week, this Rabbi will attend the annual convention of RCA, the national organization of young Orthodox Rabbis taking pace in Detroit. It is my hope and prayer that nothing sensational will result. I hope that it will not make too many and too big headlines. I hope that we shall not emulate the wind of one national non-traditional body which recently exploded a bomb-shell about changing the KESUBAH. I hope we shall not copy the fiery zeal of the Reform Rabbinate which, having convinced itself that all Jews are good Jews is now out on campaign to proselytize gentiles and make Jews out of them – for the first time, perhaps, in Jewish history, and certainly for the first time in the N.Y. Times. No, I know that I shall not come back and report wind and earthquake and fire. G-d shuns sensation and headlines. He prefers the KOL DMAMAH DAKAH.

That is the purpose for which we meet. To quietly, in a still small voice, sum up the year's work and plan for the coming year, knowing all the while that constructive and creative work for the Jewish community and for Judaism is not accomplished by sudden splurges of noise and wind, but by slow, quiet everyday labor. I hope to be able to come back and report that we are still working on the answer to MAH LCHA FO, that we are slowly but surely progressing, that we are KANO KINEISI; we are trying in as dignified, solid and unsensational manner as possible, to build

up support for Torah in our synagogue and schools.

I know that the results will be forthcoming in the KOL DMAMAH DAKAH. For only thus can we hear and answer G-d's crucial question.

When we as Jews and as individuals can succeed in attaining that repose and silence, and hear and answer that Divine question, then we can hope to hear the rest of G-d's message: the evil kingdom shall be spoiled, and a new and good king rise in his place; and even after the Elijah's will have left the earthly scene, there will be no despair, for in his place there will come Elishas and prophets evermore, so that Torah, Judaism, Jewishness shall never wane from the human scene.



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date: Jul 25, 2024, 8:57 AM

subject: Rav Frand - Torah-Sanctioned Zealotry

Parshas Pinchas

Torah-Sanctioned Zealotry

"RavFrاند" List – Rabbi Frand on Parshas Pinchas

These divrei Torah were adapted from the hashkafa portion of Rabbi Yissocher Frand's Commuter Chavrusah Tapes on the weekly portion: Tape # 336, Tisha B'Av on Motzoei Shabbos.

This is the last shiur before the summer break. The shiur will resume in Elul. Good Shabbos!

In last week's parsha, Pinchas turned back Hashem's anger towards the Jewish people through his act of kanaus (zealotry). The Halacha states that – subject to very strict conditions – a kanai (zealot) may kill a "boel aramis" (a person who is engaged in a specific type of public sexual immorality). As a payment to Pinchas for his act, Hashem gave Pinchas His Brisi Shalom (Covenant of Peace). Many commentators are bothered by the appropriateness of this reward. A kanai is usually understood to be someone who engages in arguments and controversy. Why is peace the appropriate reward?

There is an interesting Medrash that contains an implied criticism of Moshe Rabbeinu: "Since Moshe was passive during this incident, no one knows the location of his grave. This teaches us that a person must be as bold as a leopard, nimble as an eagle, speedy as a deer, and mighty as a lion to do the will of his Creator." This Medrash indicates that the anonymity of Moshe's gravesite is a punishment for the very slight infraction of Moshe not performing this act of kanaus himself. The Medrash itself points out that this is an example of Hashem acting meticulously with the righteous, measuring their actions with precision.

Properly performing an act of kanaus is not something that just anyone can take upon themselves. The person must be at the highest spiritual level. But the Medrash here faults Moshe Rabbeinu in the context of Hashem measuring the acts of the righteous "by a hair's breadth."

Rav Mordechai Gifter (Rosh Yeshiva, Telshe Yeshiva, Cleveland Ohio) emphasizes a very important point. The Torah describes Pinchas, or anyone

who kills a person who is demonstrating this public immorality, as a "kanai". People tend to translate the word "kanai" to mean an "extremist." Rav Gifter writes that this is incorrect. As the Rambam writes (Hilchos Dayos 1:4), Judaism does not appreciate extremism. The middle path, the "golden mean" is the way the Torah advises people to act. "Kanaus" is not extremism.

Quoting the Sifrei, Rav Gifter defines kanaus as the act of sublimating a person's entire self to the wants of Hashem, to the extent that the person is willing to give up his life, if necessary. That is why not all of us can assume the mantle of kanaus. Torah-sanctioned kanaus is reserved for those people who are willing to make the ultimate sacrifice for Hashem. When a personal agenda does not exist — when all that exists is Hashem's honor — then, and only then, do we consider a person's actions to be in the category of Torah-sanctioned kanaus. If a person's motives are not completely pure — if there is an admixture of other motives to the act of kanaus — then it ceases to be an approved act of kanaus.

Consequently, it is highly appropriate that the reward for this act is the Brisi Shalom. Shalom does not necessarily mean peace. Shalom means perfection, as in the word "shalem" (complete). When a person performs an act of kanaus, such that his will and Hashem's will become one, then he has achieved shleimus (completeness) with his Maker. The gift of shalom, meaning shalem is thus highly appropriate.

The chachomim (sages) say that despite the fact that Moshe Rabbeinu erred — if we can even use that word — by failing to assume the mantle of kanaus, Moshe corrects this passivity in next week's Parsha. In Parshas Mattos, Moshe is commanded to "Seek revenge for the children of Israel against the Midianites, then be gathered into your nation" (Bamidbar 31:2). The chachomim infer from this connection between seeking revenge against Midyan and Moshe dying that Moshe had the ability to extend his lifetime. His death was dependent on his first taking revenge against Midyan. Moshe, in effect, had a blank check. He could have taken two years or five years or ten years to seek revenge against Midyan. What did Moshe do? Moshe immediately proceeded to take revenge against Midyan, knowing full well that its completion would pave the way for his own imminent demise. Here, Moshe performed the ultimate act of kanaus.

Kanaus is completely sublimating personal desires to the point that the person is prepared to even give up his life for Hashem. That is precisely what Moshe Rabbeinu demonstrates in Parshas Mattos. This is why Chazal view that incident as a kaparah (an atonement) for his passiveness during the incident at the end of last week's parsha.

The 'Sin' of the Father Passes Down to the Son to Demonstrate True Parenthood

There is a famous comment of the Da'as Zekeinim m'Baalei haTosfos that appears in Sefer Bereishis.

There is a census in this week's parsha that enumerates the various families of the Jewish nation. One pasuk (verse) contains the phrase, "Yoshuv of the family of Yishuvi" (Bamidbar 26:24). Yoshuv was one of the sons of Yissocher. However, in Parshas Vayigash, where the descendants of the shevatim (tribes) who went down to Mitzraim are listed, there is no such son of Yissocher listed. However, there is a son of Yissocher listed named Yov (Bereishis 46:13).

The Da'as Zekeinim makes the following enigmatic comment. There is a controversy as to how the name Yissocher (which is spelled with a double letter 'sin') is pronounced. Do we pronounce both 'sin's (Yissoscher) or just one of them (Yissocher)? Prior to Parshas Pinchas, where Yissoscher's son is always called by the name Yov (without an extra 'sin'), we pronounce Yissascher with both 'sin's. Starting here in Parshas Pinchas, we pronounce Yissocher, as if it were written with only one 'sin'. What happened?

The chachomim say that Yov complained to his father that he had the same name as an idol and he did not like the name. Therefore, his father took a 'sin' from his own name and gave it to his son, whose name became Yashuv. From this point forward, we read Yissocher's name with a single 'sin'.

Rav Gifter quotes a simple question (from Rav Chaim Elezari). Why was this necessary? We do not need a 'donor' in order to add a letter. Why couldn't any letter or name be added without removing it from someone

else?

Rav Gifter says that the answer is obvious. This is a father who is trying to protect his son. Has there ever been a father who spared anything to guarantee that his son was protected? That is what parenting is all about. Nothing concerns us like the welfare of our children. "I am not going to rely on just any old 'sin' from the Aleph-bais. I am not sure that just any 'sin' will do the trick. I am giving you MY 'sin'. My name will be different. My name will be lacking something and so will I. But that does not concern me in the least – because I am a father and my son's welfare is all that counts! I insist on giving you the very best letter – one that comes straight from my name – to make sure that you are protected." That is a father and that is love.

The gematria (numeric value using system of ascribing numeric values to Hebrew letters) of 'ahavah' (love) is 13 (1+5+2+5). The gematria of 'da'agah' (worry) is also 13 (4+1+3+5). Ahavah = Da'agah (Love = Worry). Every parent can appreciate this gematria. Being a parent means losing sleep, caring and worrying. It means looking at the clock, going to the window, and pulling the curtain. Why aren't they home yet? Why haven't they called? Ahava = Da'agah. This is what parenthood is all about.

Transcribed by David Twersky; Jerusalem DavidATwersky@gmail.com Edited by Dovid Hoffman; Baltimore, MD dhoffman@torah.org This week's write-up is adapted from the hashkafa portion of Rabbi Yissochar Frand's Commuter Chavrusah Series on the weekly Torah portion.

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from: Rabbi YY Jacobson <rabiyy@theyeshiva.net>

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subject: The Mission Statement of Judaism - Essay by Rabbi YY

The Mission Statement of Judaism

"One sheep you shall offer in the morning and the second sheep in the afternoon"

The Verse that Says It All

A fascinating Midrash credits an isolated verse in this week's Torah portion, Pinchas, encapsulating the quintessence of Judaism[1].

The Midrash quotes four opinions as to which biblical verse best sums up the ultimate message of Torah. One sage, by the name of Ben Azzai, believed it was the verse in Genesis[2]: "This is the book of the chronicles of man; on the day that G-d created man He created him in the image of G-d."

Another sage, by the name of Ben Zoma, holds a different verse to be more central to Jewish thought: "Hear O Israel, the Lord is our G-d, the Lord is One[3]."

A third Talmudist, Ben Nanas, chooses this verse: "You shall love your fellow man like yourself[4]." Finally, the fourth sage, Shimon, the son of Pazi, casts his pitch for the epic verse of the Torah. It is culled from the section in this week's portion that deals with the obligation during the time of the Temple to bring each day two lambs as an offering to G-d. "One sheep you shall offer in the morning and the second sheep in the afternoon[5]."

This verse, according to Shimon, the son of Pazi, is the defining verse of Judaism.

The Midrash concludes: "One of the rabbis stood on his feet and declared, 'The verdict follows the opinion of Shimon the son of Pazi!'"

The Big Question

This is strange. The first three opinions make sense. The notion that all of Judaism can be traced back to the idea that a human being reflects G-d seems right. The same can be said about the concept of a single and universal G-d, or the injunction to love our fellow man like ourselves—these ideas, introduced 3300 years ago by the Hebrew Bible, vividly embody the essential weltanschauung of Judaism and its contribution to civilization.

But how does the verse "One sheep you shall offer in the morning and the second sheep in the afternoon" represent the core essence of Torah? How can one even begin to compare the message about offering two lambs with the global and noble ideas contained in the other three opinions?

What is even more astonishing is that the final verdict in the Midrash selects this verse about the sheep as the "winner." The biblical verses dealing with love, monotheism and human dignity, the foundations of morality and civilization, did not "make it" in the contest; it is precisely this verse enjoining us to offer a lamb in the morning and a lamb in the afternoon -- that was chosen as the ultimate embodiment of Judaism!

The Depth of Perseverance

One of the most seminal Jewish thinkers in the post-medieval period was Rabbi Judah Loew (1525-1609), who was known as the Maharal and served as the Chief Rabbi of Prague. In one of his works[6] he offers a powerful answer.

What the fourth and last sage, Shimon the son of Pazi, was suggesting is that the verse that ultimately defines what it means to be a Jew is the one that speaks of unwavering consistency, "One sheep you shall offer in the morning and the second sheep in the afternoon." Every single morning and every single afternoon you shall make a sacrifice for your Creator.

The biblical declarations that reveal the philosophical depth of Torah and its grand vision for humanity—monotheism, love, human dignity—are powerful, splendid, and revolutionary. They have redefined theology, sociology, and psychology. But what makes Judaism and Jewish life unique is the unswerving commitment to live and breathe these truths day in, day out, seven days a week, 365 days a year.

I can be moved to tears by the notion of tikkun olam, of healing the world; I can preach about the ideals of human dignity, love, and peace. But the ideas and inspiration are fleeting. The real and ultimate power of Judaism is that it managed to translate the profound visionary ideals in daily routines and behaviors. Judaism always inspired its people to cultivate their relationship with G-d on a continuous basis, every day of their lives. Torah asks the human being to make daily sacrifices for truth, for love, for peace, for G-d, for family, for marriage. "One sheep you shall offer in the morning and the second sheep in the afternoon."

During exciting days and monotonous days, on bright days and bleak days—"One sheep you shall offer in the morning and the second sheep in the afternoon." In the morning, when you awake, you are called to make a sacrifice to G-d. In the afternoon, when your day is winding down, you are called, once again, to sacrifice something of your ego and insecurity for G-d. Judaism is not only about a moving Yom Kippur experience or an emotional memorial ceremony; it is something the Jew lives every moment of his life. It is the dedication of ordinary people to construct, through daily ordinary acts, a fragment of heaven on planet earth.

It is a truth the great artists grasp well: Consistency is the soil in which creativity blossoms. The mission statement of Judaism is that you are always an ambassador of the Divine, an ambassador for love, light, and hope. When your sun rises and when your sun sets, you are G-d's agent here on earth to infuse it with meaning, purpose, and harmony, creating unity out of chaos, oneness out of fragmentation, light weaved from the stuff of darkness. You may be having a good day or a bad day, you may be at peace or in the midst of a struggle, but you are, in the words of the Maharal, an "Eved Hashem," a servant, a messenger of G-d. You are a ray of infinity, working for G-d, and reflecting His oneness in the world you inhabit.

(Please make even a small and secure contribution to help us continue our work. Click here. To watch a more elaborate video presentation of this class by Rabbi YY Jacobson, please click here.)

[1] The Midrash is quoted in the introduction to Ein Yakov, compiled by Rabbi Yaakov Ben Chaviv. He writes there that he found this information recorded in the name of the Midrash, but could not discover the original source. He proceeds to present his own explanation to the Midrash. 2] Genesis 5:1. [3] Deuteronomy 6:4. [4] Leviticus 19:18. [5] Numbers 28:4. [6] Nesivos Olam vol. 2 Nesiv Ahavas Ria chapter one. (My gratitude to Rabbi Nir Gurevitch, spiritual leader of the Australian Gold Coast community. I first heard this Midrash and Maharal from Rabbi Gurevitch, when I visited his community years ago.)

The Prohibition of Sorcery

Revivim Rabbi Eliezer Melamed

According to the vast majority of Jewish sages, sorcery has the power to change things and know hidden matters, but its power is not constant * Many times they err and fail * Since it involves spiritual forces, there are many charlatans in this field * There are people who have special spiritual abilities to see and sense beyond the norm * Sorcery can harm even good and righteous people * The more a person ascends in levels of righteousness, the less power sorcerers have to harm them

In this week's Torah portion Balak, we learn about the great sorcerer Balaam, and this is an opportunity to discuss the prohibition of sorcery and its significance.

God commanded Israel not to practice any form of sorcery, as written in the Torah: "When you come to the land that the Lord your God is giving you, you shall not learn to imitate the abhorrent practices of those nations. Let no one be found among you who consigns his son or daughter to the fire, or who is an augur, a soothsayer, a diviner, a sorcerer, one who casts spells, or one who consults ghosts or familiar spirits, or one who inquires of the dead. For anyone who does such things is abhorrent to the Lord, and it is because of these abhorrent things that the Lord your God is dispossessing them before you. You must be wholehearted with the Lord your God" (Deuteronomy 18:9-15). It's worth noting that according to our Sages, the prohibition of sorcery does not apply to non-Jews.

There are two main aims of sorcery: 1) to change things in nature, such as casting a curse on a person to cause their death or make them poor. 2) To know hidden matters and future events.

Those Who Believe Sorcery is False

Some poskim believe that all the acts of sorcerers are false, as Maimonides states (Laws of Idolatry 11:16): "All these matters are falsehood and lies, and it was with these that the idolaters of old misled the nations of the lands to follow them. It is not fitting for Israel, who are wise and intelligent, to be drawn after these vanities, nor to imagine that they are of any consequence... Anyone who believes in these and similar things, thinking in his heart that they are true and words of wisdom, but that the Torah prohibited them, is nothing but a fool and lacking in reason... But those of wisdom and sound mind know with clear proofs that all these matters that the Torah forbade are not words of wisdom but emptiness and vanity that those lacking in reason were drawn after, abandoning all ways of truth because of them..." In other words, according to Maimonides, the sorcery for which an Israelite who performs it is liable to death by stoning is sorcery that many people believe the sorcerer succeeded in using to effect real changes in the world.

This is also the opinion of Rav Shmuel ben Chofni Gaon, and Rav Saadia Gaon and Rav Hai Gaon leaned towards this view, in the story of Saul's necromancer (see Radak, I Samuel 28:24). This is also the view of the Sefer HaChinuch (249), and Tiferet Yisrael (Kiddushin 4, Boaz 1). This is also the opinion of Ibn Ezra (Leviticus 19:31), who explained that Balaam knew through astrology when disasters would befall individuals and nations, and would then curse them, causing people to think that the disasters came upon them because of his curse (cited in Rabbeinu Bachya, Numbers 22:6).

The Words of our Sages Imply that Sorcery Has Power

From the words of our Sages in many places, it appears that they regarded sorcery as something real. However, according to Maimonides, their words are allegory and secret that should not be understood literally. Some explain that even Maimonides and his followers agree that there is truth in the existence of these powers (Radbaz 5:1695; Responsa Maharshal 3; Bach, Maaseh Rokeach, and others). However, since they often lie, and even when they succeed, their actions ultimately lead to failure, they considered their acts as falsehood and vanity.

It can be said that just as Maimonides explained the words of our Sages not according to their simple meaning, so too, many commentators explained Maimonides' words not according to their simple meaning.

According to Many, Sorcery Has Power

However, according to the vast majority of Jewish sages, sorcery has the power to change things and know hidden matters, but its power is not constant, and they often err and fail. As Ramban wrote (Deuteronomy 18:9):

"Many act piously regarding omens, saying that there is no truth in them at all, for who can tell the raven and the crane what will be." It's worth noting how he referred to Maimonides' position as one of piety, that out of his great piety he denied the power of sorcerers. However, Ramban continued: "But we cannot deny things that are well-known to the eyes of observers, and our rabbis also acknowledge them..." He went on to explain that unlike sorcerers, who often err and mislead, God gave us true prophets. As our Sages said (Sifrei, ibid.): "Lest you say they have something to inquire of and I have nothing? Scripture teaches, 'But as for you, the Lord your God has not allowed you to do so,'" but rather, He gave you prophets who continue the guidance of the Torah.

This is also the opinion of Recanati, Rabbeinu Bachya, Abarbanel on Deuteronomy 18; Sefer Ha'Ikarim 3:8; Ran Discourses 4, 12; Rivash 92; Radbaz 3:405; Vilna Gaon Yoreh Deah 179:13, and many others.

It is Agreed that They Often Lie

Since these are spiritual powers that are difficult to measure, there are many deceivers in this field. Some deceive themselves into thinking they have spiritual powers, some know they don't have powers and deceive people into thinking they do, and some who had powers in the past and lost them over time, but continue to deceive themselves and others that they still have powers. However, one cannot deny that there are people with special spiritual abilities to see and sense beyond the norm, and when they connect to forces of impurity, they can perform sorcery to cause events and know the future.

The Power of Speech for Good and Evil

The main power of a person to change the world for better or worse is through speech, because God created the world and sustains it through letters and speech. God created man in the 'image of God', meaning in a way that he too can act in the world and change it. Therefore, he has the ability to speak, learn and teach, and cooperate with others to add goodness and blessing to the world. Or conversely, to arouse them to evil.

Moreover, God gave man the talent to connect to higher levels above this world, through which the righteous can elevate the world and advance it, spiritually and morally. Likewise, the righteous who understand the secret of the names and letters in the Book of Creation can create things in the world through intentions and utterances of holy names and combinations of letters (though it is not advisable to do so). In contrast, sorcerers can, through intentions and utterances of impure names and incantations, change the letters and words through which abundance flows to the world, causing harm to those they wish to curse. To strengthen their sorcery, they perform various acts, such as burning incense, and the like.

Developing Sorcery through Strengthening Evil

Just as the righteous who cling to God and good traits can thereby understand the inner depth of the Torah and merit divine inspiration, and act to rectify and perfect the world, so too can the wicked who cling to evil traits, understand the roots of evil, and its ways of operation. People with spiritual talent, by connecting to forces of impurity, can receive inspiration to invent spells and sorceries capable of acting in the world. For God created this against that, and just as He created the good orders of the world, which are the foundation for good traits, such as kindness and truth, righteousness and justice, and all of them together are ten sefirot, so too, He created against this the forces of destruction, which are the foundation of evil traits, such as lust, envy and honor, and they too are ten impure sefirot. Just as in holiness one can, through prayers to God and performing mitzvot, bring blessing to the world, against this, in impurity, through incantations and acts of sorcery, one can block the flow of life. And so our Sages explained (Avot 5:19) that traits are the foundation of everything. Therefore, three things characterized the disciples of Balaam the wicked, the great sorcerer: 'An evil eye' – envious of others. 'A haughty spirit' – arrogant. 'A broad soul' – lustful. And their end is "they inherit Gehinnom and descend to the pit of destruction", as our Sages said (Avot 4:21): "Envy, lust and honor remove a person from the world."

The Power of Sorcerers Against the Righteous

Sorcery can harm even good and righteous people. Since God created the ability for man to influence what happens in the spiritual worlds, just as if a wicked person strikes a righteous person a fatal blow – the righteous person will die, so too, if the sorcerer succeeds in disrupting the channels of abundance of the righteous person, he will be harmed and die. However, the more a person ascends in levels of righteousness, the less power sorcerers have to harm him. This is because just as there are levels in holiness, so too against this, there are levels in impurity, and only if the sorcerer succeeds in connecting to a higher level in impurity than the parallel level of the righteous person in holiness, can he harm him.

The great sorcerers sought the moral weak point in those they wanted to curse, and thus could arouse accusations against them. When anger would arise against them in the upper realms, they would curse them, and their curse would take effect. Our Sages said (Berachot 7a) about Balaam the wicked who sought to accuse Israel, and at the moment when anger would be aroused against them for not behaving properly, he would curse them with a curse of destruction. However, to save Israel, during all those days, God did not become angry with Israel, and Balaam could not curse them, as he said (Numbers 23:8): “How shall I curse, whom God has not cursed? And how shall I denounce, whom the Lord has not denounced?”

Confronting Them through Faith in God

Although the forces of evil have the ability to harm the righteous, God commanded Israel not to engage in sorcery, but to cling to God and follow His ways. By doing so, they would be saved from sorcery, which will not be able to harm them. As we learned in the previous Torah portion, when snakes attacked Israel, when they lifted their eyes to heaven, they were saved (Mishnah Rosh Hashanah 3:8).

Similarly, it is told (Sanhedrin 67b) about Rabbi Chanina that a certain sorceress tried to take dust from under his feet, so that by doing so, she could cast a strong spell on him. Rabbi Chanina said to her: I am not afraid of this, “For the Lord is God; there is none else besides Him.” This does not mean he relied on a miracle that God would perform for him due to his merits, for it is not proper for a person to rely on a miracle and consider himself so righteous that God must help him. Rather, Rabbi Chanina recognized in himself that he was perfect in his faith that God governs everything, and in such a state, there is no place for sorcery to enter and intervene between him and Divine governance. Consequently, he had nothing to fear from her sorceries. And even if she succeeded in harming him, it would be through Divine providence from God for his benefit.

Rabbi Eliezer Melamed

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subject: Covenant and Conversation
COVENANT & CONVERSATION

Lord Rabbi Jonathan Sacks zt"l

Pacing Change

PINCHAS

Embedded in this week's parsha is one of the great principles of leadership. The context is this: Moses, knowing that he was not destined to lead the next generation across the Jordan into the promised land, asked God to appoint a successor. He remembered what had happened when he had been away from the Israelites for a mere 40 days. They had panicked and made a Golden Calf. Even when he was present, there were times of strife, and in recent memory, the rebellion on the part of Korach and others against his leadership. The possibility of rift or schism if he died without a designated successor in place was immense. So he said to God:

“May the Lord, the God who gives breath to all living things, appoint someone over this community to go out before them and come in before them, one who will lead them out and bring them in. Let the Lord's people not be like sheep without a shepherd.”

Num. 27:16-17

God duly chose Joshua, and Moses inducted him. One detail in Moses' request, however, always puzzled me. Moses asked for a leader who would “go out before them and come in before them, one who will lead them out

and bring them in.” That, surely, is saying the same thing twice. If you go out before the people, you are leading them out. If you come in before the people, you are bringing them in. Why then say the same thing twice? The answer comes from a direct experience of leadership itself. One of the arts of leadership – and it is an art, not a science – is a sense of timing, of knowing what is possible when.

Sometimes the problem is technical. In 1981, there was a threat of a coal miners' strike. Margaret Thatcher knew that the country had very limited supplies of coal and could not survive a prolonged strike. So she negotiated a settlement. In effect, she gave in. Afterward, and very quietly, she ordered coal stocks to be built up. The next time there was a dispute between the miners and the government – 1984-1985 – there were large coal reserves. She resisted the miners and after many weeks of strike action they conceded defeat. The miners may have been right both times, or wrong both times, but in 1981 the Prime Minister knew she could not win, and in 1984 she knew she could.

A much more formidable challenge occurs when it is people, not facts, that must change. Human change is a very slow. Moses discovered this in the most dramatic way, through the episode of the spies. An entire generation lost the chance of entering the land. Born in slavery, they lacked the courage and independence of mind to face a prolonged struggle. That would take a new generation born in freedom.

If you do not challenge people, you are not a leader. But if you challenge them too far, too fast, disaster happens. First there is dissension. People start complaining. Then there are challenges to your leadership. They grow more clamorous, more dangerous. Eventually there will be a rebellion or worse.

On 13 September 1993, on the lawn of the White House, Yitzhak Rabin, Shimon Peres, and Yasser Arafat shook hands and signed a Declaration of Principles intended to carry the parties forward to a negotiated peace.

Rabin's body language that day made it clear that he had many qualms, but he continued to negotiate. Meanwhile, month by month, public disagreement within Israel grew.

Two phenomena in the summer of 1995 were particularly striking: the increasingly vituperative language being used between the factions, and several public calls to civil disobedience, suggesting that students serving in Israel's defence forces should disobey army orders if called on to evacuate settlements as part of a peace agreement.

Calls to civil disobedience on any significant scale is a sign of a breakdown of trust in the political process and of a deep rift between the government and a section of society. Violent language in the public arena is also dangerous. It testifies to a loss of confidence in reason, persuasion, and civil debate.

On 29 September 1995 I published an article in support of Rabin and the peace process. Privately, however, I wrote to him and urged him to spend more time on winning the argument within Israel itself. You did not have to be a prophet to see the danger he was in from his fellow Jews.

The weeks went by, and I did not hear from him. Then, on Motzei Shabbat, 4 November 1995, we heard the news that he had been assassinated. I went to the funeral in Jerusalem. The next morning, Tuesday 7 November, I went to the Israeli Embassy in London to pay my condolences to the ambassador. He handed me a letter, saying, “This has just arrived for you.”

We opened it and read it together in silence. It was from Yitzhak Rabin, one of the last letters he ever wrote. It was his reply to my letter. It was three pages long, deeply moving, an eloquent restatement of his commitment to peace. We have it, framed, on the walls of my office to this day. But it was too late.

That, at critical moments, is the hardest of all leadership challenges. When times are normal, change can come slowly. But there are situations in which leadership involves getting people to change, and that is something they resist, especially when they experience change as a form of loss.

Great leaders see the need for change, but not everyone else does. People cling to the past. They feel safe in the way things were. They see the new policy as a form of betrayal. It is no accident that some of the greatest of all leaders – Lincoln, Gandhi, John F. and Robert Kennedy, Martin Luther King, Sadat, and Rabin himself – were assassinated.

A leader who fails to work for change is not a leader. But a leader who attempts too much change in too short a time will fail. That, ultimately, is why neither Moses nor his entire generation (with a handful of exceptions) were destined to enter the land. It is a problem of timing and pace, and there is no way of knowing in advance what is too fast and what too slow, but this is the challenge a leader must strive to address.

That is what Moses meant when he asked God to appoint a leader “to go out before them and come in before them, one who will lead them out and bring them in.” These were two separate requests. The first – “to go out before them and come in before them” – was for someone who would lead from the front, setting a personal example of being unafraid to face new challenges. That is the easier part.

The second request – for someone who would “lead them out and bring them in” – is harder. A leader can be so far out in front that when he turns round he sees that no one is following. He or she has gone out “before” the people, but has not “led them out.” He has led but people have not followed. His courage is not in doubt. Neither is his vision. What is wrong in this case is simply his sense of timing. His people are not yet ready.

It seems that at the end of his life Moses realised that he had been impatient, expecting people to change faster than they were capable of doing. That impatience is evident at several points in the book of Numbers, most famously when he lost his temper at Merivah, got angry with the people and struck the rock, for which he forfeited the chance of leading the people across the Jordan and into the promised land.

Leading from the front, all too often he found people not willing to follow. Realising this, it is as if he were urging his successor not to make the same mistake. Leadership is a constant battle between the changes you know must be made, and the changes people are willing to make. That is why the most visionary of leaders seem, in their lifetime, to have failed. So it was. So it always will be.

But in truth they have not failed. Their success comes when – as in the case of Moses and Joshua – others complete what they began.

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The Three Weeks

By Rabbi Yirmiyohu Kaganoff

Question #1: Nights

Is it permitted to schedule a wedding for the night of Shiva Asar BeTamuz?

Question #2: Going swimming?

I have not yet gone swimming this year. May I go during the Three Weeks?

Question #3:

May I schedule my son's upsherin during the Three Weeks?

Introduction

This article will discuss the laws and customs associated with the Three Weeks. The Three Weeks is a significant period of mourning in the Jewish calendar, dedicated to commemorating the destruction of the Beis Hamikdash in Yerushalayim. Spanning from the 17th of Tamuz to Tisha B'Av, this solemn time serves as a reminder of the tremendous losses suffered by the Jewish people and allows for reflection on the spiritual significance of the Beis Hamikdash and what we are missing by its loss. This season is referred to by the Midrash Rabbah (Eicha 1:3) as the period of Bein Hametzarim (see Eicha 1:3). In the pasuk, these words mean “in difficult times” or “in dire straits.” Referring to the season as Bein Hametzarim means that it is a difficult mourning period between the two days in which the Jewish people suffered many tragic events.

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

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, 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.

It should be noted that neither the Mishnah nor the Gemara associates any mourning practices with the Bein Hametzarim period. The Mishnah (Ta'anis 26b) mentions only a mourning period beginning on Rosh Chodesh Av by “decreasing simcha,” Mishenichnas Av mema'atim b'simcha; “Once Av enters, we decrease our happiness.” Although the Mishnah does not clarify what we must do to decrease our happiness, the Gemara (Yevamos 43a) lists four activities that are banned during these days:

1. We decrease our business activities.

2. We refrain from construction and planting intended for joyous reasons (Yerushalmi Taanis, cited by Tosafos to Yevamos 43a s.v. Milisa).

3. We do not conduct weddings.

4. We do not make a festive meal to celebrate an engagement. (Please note that this interpretation of the Gemara follows the Ramban in Toras Ha'adam and the Tur Orach Chayim 551, but is not the approach of Rashi ad loc.)

Thus, the Gemara prohibits conducting weddings during the period we call “The Nine Days,” but not during “The Three Weeks.” Refraining from making weddings during the Three Weeks developed among Ashkenazic communities, which started the period of mourning from the 17th of Tamuz (Darkei Moshe, Orach Chayim 551:5 and the Rema to Shulchan Aruch, Orach Chayim 551:2). This practice has also been accepted by many Sefardic communities. However, some Sefardic communities permit weddings until Rosh Chodesh Av, and even later, under certain circumstances (Shu't Yabia Omer 6: Orach Chayim #43).

Notwithstanding the accepted Ashkenazic custom, the Shevus Yaakov, a highly respected European, early eighteenth century authority, suggests that someone who has not yet fulfilled the mitzvah of peru urvu may marry during the Three Weeks. He compares it to a mourner who, even during the sheloshim mourning period, may marry if he has not yet fulfilled peru urvu. Following the ruling of the Shevus Yaakov, the Chayei Adam (133:11) rules that someone who has not fulfilled peru urvu may indeed marry, even during the Nine Days, although he notes that the custom is not to. The Kaf Hachayim (551:33, 101) disagrees with the Chayei Adam, citing authorities who prohibit even someone who has not yet fulfilled peru urvu from getting married during the Nine Days. It is interesting that the Kaf Hachayim concludes that a childless Ashkenazi has more basis to be lenient and marry than a childless Sefardi, since the Rema permits one to override restrictions of the Bein Hametzarim period in order to fulfill a mitzvah, whereas the Beis Yosef concludes otherwise!

The Evening of the 17th

Regarding weddings on the evening of the 17th of Tamuz, many poskim recommend having the chupah before sunset of the 16th of Tamuz to avoid the restrictions associated with the actual day of the 17th (Piskei Teshuvos 551:7 footnote 51). This is because many authorities treat the night of the 17th with the stringencies of the Nine Days (Elyah Rabbah; Shu't Chayim Sha'al #24; Biur Halacha 551:2). Similarly, when the 17th of Tamuz falls on Sunday, most poskim prohibit making a wedding on the night of the 17th (Motza'ei Shabbos). However, under extenuating circumstances, Rav Moshe Feinstein permits scheduling a wedding on the Motza'ei Shabbos of the 17th of Tamuz (Shu't Igros Moshe, Orach Chayim 1:168).

Ashkenazic custom did not ban celebrating engagements during the Three Weeks, but the Magen Avraham rules that there should be no music or dancing (Magen Avraham 551:10). Until Rosh Chodesh, it is allowed to celebrate the engagement with a festive meal, while from Rosh Chodesh onward, it should include only light refreshments (Magen Avraham 551:10; Mishnah Berurah 551:19).

Most forms of dancing are prohibited during the Three Weeks, although there are authorities who permit dancing at a sheva brachos (Magen Avraham 551:10; Elyah Rabbah 551:6; Mishnah Berurah 551:16). Listening to or playing music is generally prohibited during the Three Weeks (Shu't Igros Moshe, Orach Chayim Vol. 4:21:4; Shu't Tzitz Eliezer 15:33). However, it is permitted to play music for non-Jews or to teach music for a livelihood (Biur Halacha to 551:2). Some poskim permit taking music lessons that one intends to use for one's livelihood, provided there will be a loss of skill if one refrains from lessons (Shu't Tzitz Eliezer 16:19). This would include music practice for a professional musician or group that needs to keep its skills sharp or is preparing for a concert. Nevertheless, the Kaf Hachayim (Orach Chayim 551:41) suggests teaching that a music teacher should teach sad songs, or, even better, avoid teaching music altogether during this time.

Sefardim and the Three Weeks

The Shulchan Aruch, the main Sefardic source, makes no mention of extending mourning before Rosh Chodesh. It appears that in his day and place, there was still no observance of "Three Weeks," but only of "Nine Days." However, other Sefardic authorities mention that this practice spread to their communities (Keneses Ha'gedolah, Hagahos Tur end of 551; Ben Ish Chai, Parshas Devarim #4; Kaf Hachayim 551:33, 101). By the nineteenth century, it appears that most Sefardic communities observed the entire Three Weeks period, certainly to the extent of prohibiting weddings. For example, the Ben Ish Chai assumed that weddings are not performed the entire Three Weeks, as did the Sedei Chemed.

Frummer

If the Mishnah and Gemara permit all these activities, why did Ashkenazim create prohibitions that were stricter than those observed at the time of the Gemara?

The reason is that in the times of Chazal, the memories of the Beis Hamikdash were still very fresh in people's minds, and a shorter period of mourning was a sufficient reminder of the churban. But now, after being in an extended period of golus, we require a longer period of mourning to arouse our feelings and mourn properly for the Beis Hamikdash.

Some commentaries point out that the public mourning follows the exact opposite procedure of private mourning. Whereas private mourning moves from the more intense mourning periods to less intense, the public mourning begins with the Three Weeks, then to the Nine Days, then to the week in which Tisha B'Av occurs, then to Erev Tisha B'Av, and finally the intense mourning of Tisha B'Av itself. By gradually increasing the intensity of the mourning, we should be able to reach the appropriate sense of loss on the day of Tisha B'Av.

Reciting Shehecheyanu during the Three Weeks

Regarding the recitation of the Shehecheyanu blessing during the Three Weeks, there are three opinions among the poskim.

1. The Arizal holds that Shehecheyanu should not be recited at all during this period, not even on Shabbos. The Ari's reason for not reciting Shehecheyanu during the Three Weeks is not due to mourning, but rather because it is deemed inappropriate to recite a blessing expressing gratitude for being rejuvenated at a time that is considered highly inauspicious. This reasoning extends to Shabbos as well (Magen Avraham; Shu't Chayim Sha'al #24).
2. The Sefer Chassidim takes a middle stance, stating that Shehecheyanu should not be recited on weekdays but may be recited on Shabbos. The rationale behind this position is that laws of mourning do not apply on Shabbos, so Shehecheyanu may be recited. Some suggest an alternative approach, stating that it is a mitzvah to derive joy from the world and recite Shehecheyanu. This mitzvah takes precedence over the concern about reciting the blessing during the Three Weeks, but it is advisable to postpone it to Shabbos (Mekor Chessed commentary to Sefer Chassidim #840, based on a passage of Talmud Yerushalmi at the end of Kiddushin).
3. The Taz and the Gra maintain that Shehecheyanu may be recited even on weekdays (Orach Chayim 551:17). The Gra disagrees with the reason attributed to the Ari and maintains that there is no halachic prohibition on a

mourner to recite Shehecheyanu, and therefore no reason why we should not recite the berocha during the Three Weeks.

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).

Most halachic authorities follow the middle opinion, permitting the recitation of Shehecheyanu on Shabbos but not on weekdays (Magen Avraham, Elyah Rabbah, Chayei Adam, Mishnah Berurah). The Rema (Orach Chayim 551:2) permits reciting a Shehecheyanu on a new fruit that will not be available after Tisha B'Av. Mishnah Berurah (551:99) permits a pregnant woman or an ill person to eat a new fruit, without reciting the Shehecheyanu. It is permitted to purchase clothes that do not require a Shehecheyanu. However, this should not be done during the Nine Days.

Shehecheyanu on the night of the 17th?

Most poskim hold that one should not recite Shehecheyanu on the night of the 17th (Shu't Chayim Sha'al #24; Sedei Chemed Volume 5, pg. 277; Biur Halacha 551:2). However, Rav Moshe Feinstein contends that the mourning period does not start until the morning of the 17th, implying that one may recite a Shehecheyanu at night (Shu't Igros Moshe, Orach Chayim 1:168).

Children and Shehecheyanu

The involvement of children in the observance of the Three Weeks raises additional considerations regarding the recitation of Shehecheyanu. The question arises as to whether children, depending on their age and understanding of mourning practices, may recite Shehecheyanu during this period. If a child is old enough to appreciate the significance of aveilus (mourning), it is advisable to train him not to say Shehecheyanu during the Three Weeks. However, if a child is too young to comprehend the mourning practices, but is capable of reciting the blessing, some authorities permit him to say Shehecheyanu (Birkei Yosef, Orach Chayim 551:9).

Purchasing new items during the Three Weeks

It is questionable whether one may acquire new items, such as cars or appliances, during the Three Weeks. Rav Moshe Feinstein rules that if the purchase is for pleasure or convenience, one should wait until after the Three Weeks to buy the item. However, if the acquisition is necessary for one's livelihood, the purchase is permissible during the Three Weeks. In such cases, it is preferable to delay reciting Shehecheyanu until after the Three Weeks (Shu't Igros Moshe, Orach Chayim 3:80). Additionally, some poskim allow for the purchase of necessary appliances, such as refrigerators or washing machines, to replace items that broke during the Three Weeks (Piskei Teshuvos 551:11).

Other halachos of the Three Weeks

In addition to the specific guidelines mentioned above, there are various other halachic practices observed during the Three Weeks. Engaging in dangerous activities should be avoided, and elective surgeries are often postponed until after Tisha B'Av (see Shulchan Aruch, Orach Chayim 551:18; Piskei Teshuvos 551:1). Some individuals refrain from participating in entertaining activities, such as hikes or trips to the beach, during the Three Weeks (Sedei Chemed, Vol. 5, pg. 376:10).

Going to the beach and swimming are permitted between the 17th of Tamuz and Rosh Chodesh Av, even if it is the first time that one is going during this season, notwithstanding a common misconception to the contrary (Rav Moishe Shternbuch in Teshuvos Vehanhagos 2:263). Rav Shternbuch contends that the practice of refraining from swimming for the first time during the Three Weeks lacks a halachic basis and is not a binding custom. It is therefore permitted, without requiring hataras nedarim (nullification of vows).

Haircutting

During the Three Weeks, Ashkenazim have the custom not to shave or have a haircut (Darkei Moshe, Orach Chayim 551:5 and Rema, Orach Chayim 551:4). There are exceptions to this ruling, such as trimming one's mustache, if it interferes with eating (Ran; Shulchan Aruch, Orach Chayim 551:13). Additionally, individuals who shave every day may be permitted to shave on Fridays, during the Three Weeks, in honor of Shabbos, according to the ruling of Shu't Chasam Sofer (Yoreh Deah #348 s.v. Ve'i golach). However,

these exceptions are subject to controversy, and one should consult a rabbinic authority for guidance.

On the occasion of a bris 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). Some authorities also permit the kvatter and the sandek me'umad (also known as "amidah lebrachos") to shave and have a haircut (She'arim Hametzuyanim Bahalacha, Kuntrus Acharon 120:8), but most poskim restrict this permission to the mohel, the sandek, and the father of the baby.

While some poskim permit scheduling an upsheren (also called a chalakeh) during the Three Weeks, if it coincides with the child's birthday, the prevailing practice is to postpone it until after Tisha B'Av (Piskei Teshuvos 551:44). Similarly, there is a discussion among recent poskim regarding a bar mitzvah boy who needs a haircut during the Three Weeks. Some suggest that it may be permissible for him to have a haircut before his bar mitzvah, relying on the opinion that minors may have a haircut during this period (She'arim Hametzuyanim Bahalacha, Kuntrus Acharon 120:8).

The question of whether a woman may have her hair cut during the Three Weeks is subject to debate among halachic authorities. Many poskim rule that a woman may tweeze her eyebrows and engage in similar cosmetic activities, even during the week of Tisha B'Av (Shu't Igros Moshe, Yoreh Deah 2:137; Halichos Beisah, Chapter 25, footnote 70).

Clipping fingernails is permitted during the Three Weeks, according to all opinions.

Conclusion

The Three Weeks is a period of introspection and mourning, allowing individuals to reflect on the destruction of the Beis Hamikdash and its significance in Jewish history. Some tzaddikim make a point of reciting tikkun chatzos, wherein we mourn the galus of the Shechina, every night. The most important aspect of the Three Weeks is to focus on the tremendous loss we continue to suffer because of the destruction of the Beis Hamikdash. The prophet Yeshaya declared: "Exult with Yerushalayim and rejoice over her, all those who love her. Rejoice with her, rejoicing, all those who mourned over her" (Yeshayahu 66:10). "From here we see," says the Gemara, "that whoever mourns over Yerushalayim will merit to see her happiness, and whoever does not mourn over Yerushalayim will not merit to see her happiness" (Taanis 30b).

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Parsha Parables By Rabbi Mordechai Kamenetzky

By Rabbi Mordechai Kamenetzky

Parshas Pinchas

A View from Above

Imagine you have been the Chief Operating Officer of a major corporation. The owner and Chairman of the board spotted you some forty years back. Observing your commitment and concern during a totally different mission, he picked you to steer his fledgling group of workers into a major force in the corporate world. During your forty year tenure with the firm, you fulfilled every one of your boss's wishes with honesty and skill. You cared for the corporation and every one of its employees as if they were your offspring. The Chairman, who supplied every one of the company's needs, financial, moral, physical, and spiritual, commended you as the greatest individual that the would ever lead the corporation. But before you get to lead the company into a new phase of operation, the boss says it is time to retire.

So far so good. But then in a parting request you come into your boss's office and begin to lecture him on the qualifications of a successor. You tell him to make sure that the next corporate officer has the qualities of leadership that will be able to bring the corporation into the next millenium. Then you add the kicker. After all, you tell the boss, "you don't want to leave the company like sheep without a leader." In simple terms, it sounds like there is a word that defines the move — chutzpah.

Though it may not be a perfect parable, it seems like Moshe did just that.

After he realizes that he will not lead the Jewish people into the Land of Canaan he approaches Hashem with a request. "May Hashem the Lord of all spirits appoint a man over the assembly, who shall take them out and bring them in and let them not be like sheep that have no shepherd" (Number 27:15-18). The question is simple. How does Moshe have the gall to tell the Master Of The Universe, He who breathes life into the centipede while splitting the sea and delivering manna, the qualifications of the next leader? Out of the multitudes of earthlings that are on the planet, does the Lord need guidance in appointing a new leader of the Jewish people?

During the last months of the life of the Rebbe, Rabbi Dov Ber of Mezhriz life, the decrees against the Jews living in Russia increased many fold.

Young men were forced into the Czar's army and ripped from their families, heritage, and faith. Rebbe Elimelech of Lizhensk went to beseech Rabbi Dov Ber, the Holy Magid of Mezhriz to intercede on their behalf by praying to the Almighty to force an annulment of the Czar's dastardly decrees. "Perhaps," suggested the Rebbe Elimelech, "we should declare a communal fast led by the Magid — surely our united prayers will evoke Heavenly compassion!"

But the Rebbe Dov Ber quietly assured his disciple of an amazing secret.

"Soon I will be departing this world. There is no need to gather the community and have them deprive their weak bodies of food. I will personally approach the heavenly throne and plead for mercy from the Almighty."

Sure enough, two weeks later the Mezhritzer Maggid passed from this world. The week of shiva passed, but the decrees were not annulled. The thirty period of morning passed as well, and still no change. The conscriptions were as ferocious as ever. Rabbi Elimelech became frustrated. Didn't the Magid promise salvation?

Desperate for an answer, he went to the Magid's grave and asked him why the decrees were not abolished.

That night the Magid appeared to his disciple and revealed to him the reason that nothing had occurred.

"On earth there is one view — one that I shared with you. Like you, I also saw the decree as a most terrible event befalling our nation. But here in Heaven I see a different picture. Now I understand everything from an entirely different perspective. And frankly, the view from above is not as bleak as the view from below. In fact, I don't even see the decree as a curse. I cannot pray to annul the decree. At this point, your only salvation is to ask an earthly rabbi to help you. Only a human leader can feel the mortal pain as you and the community feel it. Only someone who sees life from your perspective can pray on your behalf."

Moshe knew that Hashem can choose whomever He wants. But he felt it was his obligation to beseech the Almighty to continue his particular legacy and direction in leading the people. Moshe wanted the appointment based on his opinion of what the Jewish nation needs, not based on a Divine choice. A ruler with the attribute of pure justice may have been harsher on the people. He would not respond to each complaint by beseeching the Almighty for a miraculous solution. The sweetened waters of marah, the deliverance of quail, the splitting of the sea, the victories over Amalek, and the healing of Miriam were all preceded by a common denominator Moshe's intervention. A different leader with a different personality may have chosen a different direction. And an immortal leader may have not felt the despair of the people. Moshe created a destiny for his people based on his humility and understanding of the plight of his fellow Jews. And he wanted a shepherd like himself to care for his sheep. Even if it meant attempting to cajole his Creator with a very human philosophy.

Good Shabbos

Rabbi Mordechai Kamenetzky

Dedicated in honor of the first wedding anniversary of Larry & Marcia Atlas by Mr. & Mrs. Larry Atlas

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from: Rabbi Chanan Morrison <chanan@ravkooktorah.org>

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subject: [Rav Kook Torah]

Pinchas: Genuine Zealotry

Rav Kook Torah

“Pinchas... zealously avenged My cause among the Israelites.... Therefore, tell him that I have given him My covenant of peace.” (Num. 25:11-12)

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

Heretics and Informers

The Talmud (Berakhot 28b) recounts a significant moment in Jewish history following the destruction of Jerusalem. Rabban Gamliel, who presided over the Sanhedrin in Yavneh, recognized the urgent need to amend the daily prayer. The Jewish people needed Divine protection against heretics and informers threatening the Jewish community.

Rabban Gamliel, however, struggled to find a scholar capable of composing such a prayer.

In the end, Shmuel 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 Shmuel HaKatan uniquely qualified for the task?

The Prayer of Shmuel HaKatan

By its very nature, prayer is a medium of harmony and understanding, imbued with kindness and love. Any scholar who has attained the appropriate spiritual level is capable of composing 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. It is natural to feel hatred towards those who seek to harm us and our community. 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 harm 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 beseech God to thwart the wicked and foil their malevolent designs.

Even when our initial motives are pure, if we are subject to the slightest feelings of animosity, naturally aroused when feeling attacked, our thoughts will be tainted by personal hatred, and our prayer will deviate from the true intent.

Only Shmuel HaKatan was a suitable candidate to compose this difficult prayer. His life’s guiding principle was “Do not rejoice when your enemy falls” (Avot 4:24). Shmuel succeeded in removing all feelings of enmity from his heart, even towards personal enemies. Only this saintly scholar was able to compose a prayer against slanderers that would reflect the feelings of a pure heart, expressing the soul’s inner aspirations for complete universal good.

Refining Zeal

From Shmuel 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 must refine the attribute of zeal, so that when it enters the realm of the holy, it will be a pure zeal for God. Since zealotry often harbors some slight influence of human failings, our powers of self-examination must determine its primary motive. We must ensure that it is not rooted in personal jealousy, which rots one’s very bones, but rather a genuine 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 and perfection (shleimut) to the world.

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Chief Rabbi Ephraim Mirvis

Chief Rabbi Mirvis

Pinchas

The best invitation you’ll ever get...

What’s the best way for us to make people to want to come to Shul? In Parshat Pinchas, the Torah reveals to us details of the major festivals and the term that is used for a festival is ‘Mikra Kodesh’.

Rav Shimshon Rafael Hirsch translates this term as being a call to holiness, it’s an invitation that Hashem extends to us, to engage with him in a spiritual and meaningful way. I’m sure that you’re just like me, when an invitation arrives in the post, there is a sense of excitement.

You can see that the envelope suggests this must be an invitation, then you open it up and you reveal its content and indeed you are being invited to do something, to come along somewhere. It is left up to you to send the RSVP and you’re looking forward to the occasion, when you have decided that you want to take advantage of the opportunity, to benefit from that experience. That is how the Torah presents our engagement with our Judaism. It’s not just the festivals, it’s not just attending Shul on a weekly or daily basis, it’s the performance of all our Torah and mitzvot, God has sent us a personal invitation. You know there was a time when people would do the right thing, out of a sense of loyalty, but today I think within our communities around the globe, most people will do the right thing because they’ve decided to of their own accord, not because they have been ‘coerced’, but because they find it appealing and it’s their decision.

We are so blessed because we have the ultimate product, it is a system of life, it’s a way of life authored by Almighty God himself, relevant to every single generation and all we need to do, is to answer that invitation in the affirmative - to pitch up, to engage. And I promise you, it will give you phenomenal deep meaning and ongoing joy in life. We’re so lucky, because it’s the best invitation you can ever get. Let’s send our RSVP now. Shabbat Shalom.

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Rabbi Yochanan Zweig

This week’s Insights is dedicated in loving memory of Yitzchak ben Avraham Andisman.

Follow the Leader

Moshe spoke to Hashem saying, “May Hashem, God of the spirits of all mankind, appoint a man over the assembly who shall go out before them and come in before them, who shall take them out and who shall bring them in” (27:15-17).

This week’s parsha includes a remarkable conversation between Moshe and Hashem about the succession plan for leadership of Bnei Yisroel after Moshe’s demise. Initially, after seeing that the daughters of Tzelafchad prevail in their quest to inherit their father’s share in Eretz Yisroel, Moshe is moved to ask Hashem if his children could succeed him as leader. However, Hashem informs Moshe that He has other intentions; namely, that Moshe’s faithful servant Yehoshua be rewarded for his service (see Rashi 27:16). Hashem then enjoins Moshe to “take to yourself Yehoshua son of Nun [...]” (27:18). Rashi (ad loc) explains that Hashem wanted Moshe to persuade Yehoshua by telling him how fortunate he was to get to lead the children of Hashem. Yet, a few verses later (27:22), when Moshe actually fulfills what Hashem had asked him to do – “Moshe did as Hashem commanded him. He took Yehoshua” – Rashi (ad loc) comments that Moshe convinced Yehoshua by informing him of the great reward for the leaders of the Jewish people in the World to Come.

Hashem had asked Moshe to tell Yehoshua how fortunate he was to be offered the ultimate leadership position of Hashem’s children, yet Moshe

basically talked to him about the retirement benefits. Why did Moshe change what Hashem had initially asked him to tell Yehoshua?

To understand what transpired we must start by examining how Moshe described the kind of person necessary for his job. Moshe makes a specific request that Hashem appoint someone who “will go out in front of them and come in before them.” Moshe then adds, “who shall take them out and who shall bring them in” (27:17). This request seems a bit contradictory; does the leader go out in front of them and come in before them, or does he take them out and bring them in?

There is a very enigmatic statement in the Gemara (Kesuvos 105b) regarding leadership (it’s one that haunts shul rabbis the world over), “Abye said – this young rabbi who is beloved by the people of his town, it is not because they think he has such fine character, it is because he doesn’t rebuke them in religious matters.” Abye’s statement is very difficult to understand: If a rabbi is beloved, it’s because he isn’t doing his job. However, the converse seems just as bad: If he is doing his job (criticizing his constituency), he will be despised. Surely, a hated rabbi cannot be considered to be doing his job properly either!

The Torah is teaching us the fundamentals of leadership. Every leader has two roles; one is to lead by example, the other is to direct the people to do what needs to be done. The primary responsibility of a leader is to inspire the people to act in a certain way; i.e. a leader needs to be relatable and charismatic enough that the people will follow his lead. They need to look up to him, want to emulate him and his way of living, and buy into his goals in order to help fulfill his vision for the community.

But a leader also has an important, albeit secondary, role: to make sure his followers are doing what they are supposed to be doing, even when they don’t want to do the right thing. This is a much harder task, as it must come from an outside force rather than an inner motivation. A leader is empowered to force his constituents to do the right thing, even when they don’t want to. Moshe’s request from Hashem reflects these two roles; “he must lead them out and lead them in,” but if they don’t want to then he must “bring them out and bring them in.” This also explains the two versions of what Moshe was to tell Yehoshua. Hashem was telling him to persuade Yehoshua by extolling the privilege of inspiring the children of Hashem through leadership. The word Rashi uses in that verse (27:18) is *l’hanhig* – to lead. When Moshe tells Yehoshua he is referring to the less pleasant aspect of leadership – criticizing and forcing the people to do what they do want to do. Rashi in that verse (27:22) uses the word *parnes* – provider. The ultimate power behind a leader is that he is their provider; which is how he can force them to do the right thing. But this is very difficult and unpleasant to do, and as Moshe tells Yehoshua, “the reward for providers of the Jewish people is in the next world.”

Just as Moshe made sure that Yehoshua would fully understand both roles of leadership, we must understand and apply these same principles to our own homes. A parent’s leadership role is primarily to inspire his children to follow in the proper way to live. The children have to look at his example and feel like they want to emulate him. A key component of this is that the parent needs to be someone whom they want to emulate. Of course, a parent has to criticize and gently redirect his children when they make mistakes. But even then, the primary goal is to make sure the children understand he is doing it out of love for them, not because he wants to control them. In this way, they will choose to follow in his path long after they have left their parents’ house.

A Will to Want Not

If a man will die and he has no son, you shall cause his inheritance to pass over to his daughter (27:8).

This week’s parsha recounts the entire incident of the daughters of Tzelafchad who wished to inherit their father’s portion in Eretz Yisroel, even though he predeceased the actual distribution of the land of Israel to the respective tribes. The issue was whether or not a daughter may inherit property from her father in a case where there were no sons.

The Sefer Hachinuch (Mitzvah 400), in his discussion of the laws of inheritance, rules that although the Torah ascribes directives in dealing with

inheritance, there is no obligation for a parent to leave an inheritance for a child. This imperative is only found in regards to the nations of the world. This seems a little difficult to understand; it is within every Jewish parent’s nature to be concerned for his child’s financial well-being, with special emphasis placed upon ensuring his child’s security even after the parent’s death. The Chinuch’s ruling seems contrary to the innate character of the Jew. What could possibly be the Chinuch’s reasoning?

A similar question can be asked on a ruling of the Talmud. The Gemara (Kesuvos 49b) states that a parent need only be concerned for the financial well-being of his child until the age of six. How can we possibly fathom a Jewish parent considering his child financially independent at the age of six? The attribute of kindness defines a Jew’s nature. Therefore, there is never any doubt that a Jewish parent will assume responsibility for his six-year-old child. Rather, the Torah is sending a profound message to the child to appreciate all that his parents are doing for him, for their financial assistance is done out of a sense of compassion, not obligation. Providing for your children is an expression of love, not a fulfillment of an obligation. Once a child begins to internalize his parents’ motivation for supporting him, it will strengthen the child’s love for his parents.

Standing on their Shoulders

The sons of Reuven: of Chanoch, the family of the Chanochite [...] (26:5). Prior to Bnei Yisroel entering Eretz Yisroel, Hashem commanded Moshe and Elazar to conduct a new census. To all the family names, the letter “hey” was added as a prefix and “yud” as a suffix. For example, the family of Chanoch was referred to as “HaChanochi.” Rashi (ad loc) explains that those letters formed the name of Hashem. The reason for this change to their names is that the nations of the world mocked the purity of the Jewish lineage.

They pointed out that Bnei Yisroel tracing their genealogy according to the tribes of their father was a fantasy. They claimed that since the Egyptians had complete control of the Jewish males (who were slaves), surely they had violated the Jewish women; leading to many Jews being descendants of the Egyptians. Therefore, Hashem attached His name to the names of the Jewish families in order to attest to the purity of Jewish ancestry.

It is difficult to understand how adding two letters to Jewish families’ names deflects the claims of the nations. The only possible answer is that Hashem had no intention of deflecting the claims of the nations. Rather, this was done to assuage the insecurities of Bnei Yisroel themselves. At this time, Bnei Yisroel were recovering from a plague that decimated a significant portion of the nation. This plague came as a punishment for their involvement in licentious behavior and acts of depravity while consorting with the daughters of Midian. These transgressions seem to indicate characteristics distinctly attributed to Egyptian nature and culture.

Consequently, these transgressions committed by Bnei Yisroel might have led some to give credence to the notion that the allegations of the nations of the world were indeed true. Therefore, Hashem lent His holy name to the Jewish families to reassure them that they were of pure lineage.

However, there is also a much deeper lesson to be learned here. We often ascribe our own failings to issues that are beyond our control, when in truth we must own our mistakes and work to improve ourselves. We tend to blame our parents or circumstances beyond our control for things that we ought to own as our responsibility. Hashem is lending His name to our lineage to tell us that our past is in His hands, but our present and future are in our own control.

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Ohr Somayach :: Torah Weekly :: Parshat Pinchas

For the week ending 27 July 2024 / 21 Tammuz 5784

by Rabbi Yaakov Asher Sinclair - www.seasonsofthemoon.com .

PARSHA INSIGHTS

Should Joe Biden Join the Rolling Stones?

“It was after the plague...” (26:1)

While Sir Mick Jagger is lithely running up and down the stage at the age of 80, President Joe Biden is tripping over his tongue, let alone his feet. True, it's a lot to do with genes: Jagger's father was a physical education instructor and he looks after himself, and — let's face it — being Joe Biden and running one of the largest countries in the world is somewhat more stressful than running up and down the stage belting out “Jumpin’ Jack Flash.” But age is an obsession in the modern world, as gallons and gallons of Botox and billions of dollars of plastic surgery attest to.

In Hebrew, the word of ‘old’ is zaken: zayn, koof, nun, which is an acronym for ‘mi sh’kana chochma,’ meaning “the one who has acquired wisdom.” In the secular vernacular, ‘old’ is an unpardonable sin remedied only by extensive plastic surgery.

Rabbi Yaakov Kaminetzky, one of the great sages of the previous generation, was once sitting in an airplane next to the head of the Histadrut, the Israeli Labor Federation. As Reb Yaakov was of advanced age, his children insisted that he travel in Business Class to minimize the rigors of the journey from America to Israel. The rest of his family traveled in Economy. As soon as the “fasten seat belt” sign went off, one of his grandchildren bounded forward and said, “Zeide, would you like a drink?” Not long afterwards, another grandchild appeared and said, “Zeide, are you comfortable? Would you like another pillow?” This grandchild was followed by another and yet another. This monotonous procession of doting grandchildren did not escape the notice of the head of the Histadrut. After the fifth grandchild made his exit, the man turned to Reb Yaakov and said, “Forgive me, Rabbi, but may I ask you a question?” “Of course,” replied Reb Yaakov. Said the man: “I couldn't help but notice the tremendous respect your grandchildren give you. I'm lucky if I get a birthday card from my grandchildren. What's your secret? Why is it that your children and grandchildren give you such respect?”

Reb Yaakov replied, “You see, we believe that we are descended from people whose spiritual greatness is almost impossible for us to imagine: Avraham, Yitzchak, Yaakov, Moshe. My rebbe (Torah teacher) used to say, without false modesty and in total sincerity that he didn't come to the ankles of his rebbe, neither in Torah learning nor in purity of character. If you asked my rebbe's rebbe about his rebbe, he would have said the same. If you extrapolate this backwards even a few generations, it becomes very difficult for us to have any idea of the greatness of the Vilna Gaon, who lived only 250 years ago, let alone of the Avot, the Patriarchs.

“Ever since that supernal moment when G-d spoke to our ancestors at Sinai, our spiritual journey has been ever downward. And this is why my children give me respect, because they see me as closer to Sinai than they. I am one generation closer to the giving of the Torah!

“You, on the other hand, believe that you share common ancestry with the ape. So why should your children respect you? You are one generation closer to the ape than they are! They see themselves as a step up the ladder of the ‘ascent of man.’ In their view, it is you who should give them respect.”

“It was after the plague...”

Rashi comments that Hashem commanded a census after the plague, like a shepherd who counts his flock after it has been ravaged by wolves. The plague was a result of the profligacy of the Jewish men with the Midianite women. That census continues down the generations. The fact that we survive against a tide of physicality is because our holy zeides and their zeides lifted their souls — instead of their faces....

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 Tzafchad (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'f'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: 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: Paro's winemaster and bakemaster. 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 leviyim 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 Leviyim, 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/protegee 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 Cana'anite 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