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ON PARSHAS PINCHAS - 5756

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Torah Weekly - Pinchas

"Ohr Somayach <ohr@jer1.co.il>" * TORAH WEEKLY * Highlights of the Weekly Torah Portion with "Sing, My Soul!" thoughts on Shabbos Zemiros Parshas Pinchas

Summary

Hashem tells Moshe to inform Pinchas that he will receive Hashem's "covenant of peace" as reward for his bold action -- executing Zimri and the Midianite princess Kozbi. Hashem commands Moshe that the people must maintain a state of enmity with the Midianim because they allured the Jewish People to sin. Moshe and Elazar are told to count the Jewish People. The Torah lists the names of the families in each of the Tribes. The total number of males eligible to serve in the army is 601,730. Hashem instructs Moshe how to allot the Land of Israel to the Bnei Yisrael. The number of the families of the Levites is recorded. The daughters of Tzofchad file a claim with Moshe: In the absence of a brother, they request their late father's portion in the Land. Moshe asks Hashem what the ruling is in this case, and Hashem tells him that the daughters' claim is just. The Torah teaches the laws and priorities which determine the order of an inheritance. Hashem tells Moshe to ascend a mountain and view the Land that the Jewish People will soon enter, although Moshe himself will not enter. Moshe asks Hashem to designate the subsequent leader of the people, and Hashem selects Yehoshua bin Nun. Moshe ordains Yehoshua as his successor in the presence of the entire nation. The Parsha concludes with special teachings of the service in the Beis Hamikdash.

Commentaries

War and Peace "...a covenant of peace." (25:12) It may seem ironic that the reward for a violent killing should be "a covenant of peace." The word in Hebrew "Shalom" not only means peace, but also connotes completeness and perfection -- any peace which lacks completeness and perfection is not really peace. And just as there can only be One Completeness and One Perfection, so too there can only be one real peace -- Hashem's peace, for only "He who makes peace in His exalted realms, He will make peace for us and for all of Israel..." If something is immoral, then appeasement is not peace and doesn't

lead to peace. On the other hand, an act of zealotry divorced of pure intentions can be a crime in itself. For this reason the Torah points out that Pinchas acted "for his G-d" -- i.e., he had no motivation whatsoever other than to do the will of the Almighty. Only when intentions are entirely pure can zealotry lead to "a covenant of peace." (Based on the Ohr Yoel) Helping Daddy "By avenging My vengeance..." (25:11) 'He expressed the anger that was Mine to show.' -- Rashi When you ask your three-year old son to help you set the table for Shabbos, and he manfully steers the kiddush cup up onto the Shabbos table, you get a tremendous feeling of nachas. You certainly don't gain anything from his help, except of course, enormous pleasure. You could have just as easily done what he did at the same time as you brought in the rest of the plates and th cutlery. But you gave him a job all of his own! Rashi explains the meaning of the expression "he avenged My vengeance" to mean: "He expressed the anger that was Mine to show." It was specifically because Pinchas did something that was really Hashem's to do that he merited such a great reward. The same idea applies to tzedaka, charity. Turnus Rufus once asked Rabbi Akiva how it was that "If Hashem loves the poor why doesn't He feed them?" Rabbi Akiva answered that the poor give us more than we give them -- for through giving them tzedaka, they save us from gehinnom (purgatory). Rabbi Akiva was saying that, of course, it's Hashem's 'job' to feed the poor but He allows us to feed them instead. And by doing 'Hashem's job for Him,' we earn a far greater reward. We are like the little boy setting the table for Shabbos. Of course, Hashem can feed the poor Himself, but He gives us t job to do, even though, we're really not 'helping' Him at all. (Rabbi Moshe Feinstein zt"l)

Curtain Call "By avenging My Vengeance" (25:11) When Zimri, prince of the tribe of Shimon, committed an act of gross indecency with Cozbi, princess of Moav, everyone including Moshe was frozen in disbelief. Everyone, that is, except Pinchas. Pinchas didn't hesitate to avenge Hashem's honor and execute the pair. The Midrash tells "that because of Moshe's hesitation, no man knows the place of his burial." What can one thing possibly have to do with the other? Why did Moshe's hesitation mean that his burial place is unknown? The reason is as follows: Skeptics claim that Moshe couldn't have been as great as the Torah's description of him. For if had he been so great, if he had really gone up to Heaven and spoken face-to-face with the Divine Presence he should have merited eternal life. Instead of dying a human death, he should have ascended alive to Heaven like Chanoch and Eliyahu. So, claim the skeptics, the Torah of Moshe must be nothing more than a panegyric of self-glorification. This claim, however, is laughable. For if Moshe had wanted to write himself a fictitious final scene, he could certainly have written something like "And Moshe ascended to Heaven alive in a fiery chariot." That would have been a real curtain-closer! But what does it say in the Torah? "And Moshe died..." Can there be a stronger proof of the Torah's truth than those few prosaic words: "And Moshe died..."? How easy it would have been for Moshe to write himself a glorious supernatural exit to rival the biggest Hollywood blockbuster -- and add immeasurably to the luster of his memory! However, the strength of this proof relies on one other factor -- no-one knows Moshe's burial place! Because, if it were known, then Moshe could never have claimed that he ascended to Heaven alive -- his grave would be there for all to see. Now we can understand the words of the Midrash: "Because of Moshe's hesitation, no man knows his burial place." If Moshe had stepped in and executed Zimri, had he "avenged the vengeance of Hashem," necessarily he would have merited the reward that Pinchas in fact received -- an eternal life without death. But if Moshe had lived forever, he would never have been able to confound the skeptics and prove the truth of the Torah by those few words "And Moshe died..." (Bircas Hashir)

Haftorah: Yirmiyahu 1:1-2:3 "Thus says Hashem: 'I remember for your sake the kindness of your youth, the love of your bridal days, your following after Me in the wilderness in a land not sown. Israel is sacred to Hashem, the first of His grain; all who devour him shall bear his guilt, evil shall come upon them' -- the word of Hashem." (2:2-3)

Once there was a sensitive lad, who spent all his days in study and refining his character. While still at a tender age, he was captured by bandits and forced to live amongst them. At first, he was repulsed by their coarseness, and clung to his original demeanor. However, as the weeks lengthened into

years and no sign of rescue came, slowly but surely he began to degenerate to the level of his captors, and eventually he was indistinguishable from them. When the Jewish People are finally redeemed from exile, the nations that have oppressed them will be held to account, not just for their own misdeeds against Israel, but also for Israel's transgressions, for had it not been for the company the Jewish People kept in exile, they would still be on the same spiritual level that they were on when they were in the desert. That is the meaning of these verses: 'I remember for your sake the kindness of your youth, the love of your bridal days, your following after Me in the wilderness in a land not sown.' I remember, says Hashem, how you were when you followed after Me through the wilderness, before you were exiled amongst the nations. At your root you are holy, and if you have sinned it is because of the atmosphere you have imbibed during the long night of exile. The three Haftorahs which are read in the Three Weeks (between 17th Tammuz and 9th Av) are called the "three of affliction." They detail the dire consequences that will befall Israel if they do not return to Hashem. Nevertheless, each of these three Haftorahs end on a note of optimism, expressing the confidence that Hashem never forgets His people even in the deepest and darkest exile. (Adapted from Kochav M'Yaakov in Mayana shel Torah)

Sing, My Soul! Insights into the Zemiros sung at the Shabbos table throughout the generations. Mah Yedidus - "How Beloved..."

"We shall inherit the estate of Yaakov, An estate without limits"

One who honors the Sabbath by properly enjoying it, says Rabbi Yochanan in the name of Rabbi Yossi (Shabbos 118) will be granted an estate without limits like the one which Hashem promised to Yaakov Avinu. Rabbi Yehuda in the name of the Sage Rav says that his reward will be the fulfillment of all his desires. At first glance these two rewards may seem to differ. But they are actually complementary. A man who has a hundred dollars, says the Talmud, wants two hundred. Fulfillment of one's desire only gives birth to another. In order for the Sabbath celebrator to be rewarded with the fulfillment of all his desires, he must be given an estate with no limits at all.

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This edition is dedicated to the memory of Mrs Ruth Koschland

PINCHAS - Zealotry by Rabbi Levi Sudak - Director of Lubavitch of Edgware

This week's Sidra opens with praise for Pinchas, about whom we learned last week that he took the law into his own hands and killed the adulterous Zimri and Kozbi. We are now taught, that as a result of his zealotry, Pinchas is rewarded to become a Cohen. Two questions arise: The episode of Pinchas principally takes place in last week's Sidra, this week's Sidra deals with many other subjects. Why devote the title of this Sidra to Pinchas? The 'Law of the Zealot' is one that cannot be instructed. The conditions for claiming immunity under the 'Law of Zealotry' are indeed very strict. (The People tried to condemn Pinchas on this very point, by showing that he did not act out of zeal for G-d but out of his own bad habit - Rashi Devarim 25:11). Surely, the Torah is not seeking to encourage us into zealotry, particularly with a lure that we may become crowned as a Cohen? What lesson can I derive from the praise for Pinchas? Obviously, the fact that the Sidra opening is devoted to the episode of Pinchas tells me that there is a lesson in zealotry that applies to me even in the twentieth century. More so, when we are told of the acclaim with which Hashem marked Pinchas for eternity, the example of zealotry is even more exciting. But, is zealotry an applaudable attribute? The Hebrew for Zealotry comes from the root Kanei, this is the expression which the Torah uses in the Law of Sotah (Devarim 5:1-35). The Talmud at the beginning of Tractate Sotah (2:2-3) debates the virtue of this zeal, with a considerable opinion that it is not a desired behaviour. Have all the examples of zealotry resulted in good? In response to G-d's question: "What are you doing here, Elijah?" Elijah

answered, "I have been very zealous for the Lord G-d of Hosts, for they have forsaken..." (1 Kings 19:9-10). Our Rabbis tell us that he was rebuked for this attitude (Tana D'vei Eliyahu Zuta 8:3). As we replace the Torah in the Ark, we pronounce together the passage: "Its ways are ways of pleasantness", Surely, the Torah is not expecting each and every one of us to take up the cause of zealotry? A closer look at the contents of the Sidra this week, reveals a different message. The episode of Pinchas: National census; Dividing the inheritance of the Land of Israel; Daughters of Zelaphchad; Moses' ascent to Mount Avarim; Appointing Joshua as the next leader; Order of the Divine Service. Each aspect on its own, reflects a yearning for greater purpose. Combined, these subjects display an aspiration for higher dimension of holiness. Indeed, when mentioning Pinchas, the Torah adds "in that he was zealous for my sake". The Torah attests, Pinchas was not embracing zealotry, rather his concern was G-dliness. (In his true essence he embodies kindness, this is the attribute of the Cohen - Ish Hachessed (see Rashi Devarim 20:29). The message of this week's Sidra must therefore be an overall aspiration for greater purpose and increased holiness. For this one should not require a special reminder, this should be our second nature'. However, sometimes we do need a special call. There is occasion for emulating Pinchas, and going that 'extra mile' for the sake of G-d. This can be reflected in our individual actions to beautify our Shuls and schools, by seeing that they are kept clean and respectful, as well as assuring that they are well attended. This can also be reflected in our devoting time for communal (often thankless) matters. Above all, this can be reflected in our commitment to the spiritual future of our next generation. The energy that we devote to their Cheder Classes; Children's Service; Youth Clubs; and of course Torah education at school, are all deeds of 'zealotry'. Our Rabbis declare that Pinchas and Elijah are the same (see Rashi - Bava Metzia 114b). Is it not interesting that the last passage in Prophets (Malachi 2:34) refers to Elijah, stating "he will turn the heart of the children to the fathers, and the heart of the fathers to the children?"

Torah Studies - Pinchas B"H Torah Studies Adaptation of Likutei Sichos by Rabbi Dr. Jonathan Sacks Chief Rabbi of Great Britain
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PINCHAS

The beginning of the Sidra describes G-d's reward to Pinchas for his zealotry in avenging Zimri's insolence in bringing a heathen woman into the camp of the Israelites.

Rashi, in his commentary, seems to be troubled by an apparently unnecessary repetition of the genealogy of Pinchas, which states that he was the son of Elazar the son of Aaron the priest. This has already been stated only a few verses earlier, and Rashi concludes that its purpose here, in our Sidra, is not simply to inform us of Pinchas' ancestry, but to defend him from a criticism that the Israelites were urging against him, that he was the grandson of Jethro, who had once been an idol-worshipper, and that he had inherited some of Jethro's pagan inclinations.

The details of Rashi's account, however, raise a number of difficulties, which are investigated in the Sichah.

Its central theme is the concept of zealotry itself. Is religious zeal to be encouraged or criticized? Is it the result of pride and ostentation or genuine devotion? What should be our response when we suspect someone's motives for his religious behavior?

The Sichah ends by confronting these difficult and yet vitally important questions.

THE COMPLAINT OF THE TRIBES

"And the L-rd spoke to Moses, saying: Pinchas, the son of Elazar, the son of Aaron the priest, has turned My wrath away."

Rashi, commenting on this genealogy, says: "Because the tribes spoke disparagingly of him, (saying) 'Have you seen this grandson of Puti the father of whose mother used to fatten calves for idolatrous sacrifices, and he dared to slay a prince of one of Israel's tribes!' Therefore, the Torah comes and connects his genealogy with Aaron."

This malicious talk of the Israelites was based on the fact that Pinchas' father, Elazar, had married a daughter of Putiel, who is identified with Jethro, the father-in-law of Moses, who at one time had been an idol-worshipper.

Now what is there in the simple statement of Pinchas' ancestry to suggest to Rashi this elaborate explanation?

The answer is that we had already been told, only a few verses previously, who Pinchas' father and grandfather were. Since there is no unnecessary repetition in the Torah, there must be some further reason for restating it here. Therefore Rashi is forced to conclude that Pinchas was being criticized in terms of his ancestry (his descent from Jethro) and that the Torah intends to emphasize the distinction of his family tree (his descent from Aaron). Nonetheless, there are still some features of Rashi's explanation that need understanding.

Granted, for example, that Pinchas was being criticized, how does Rashi infer that "the tribes" in general were a party to the complaint?

Surely it is more likely that it was only the tribe of Simeon, whose prince, Zimri, Pinchas had killed. Indeed the other tribes had been severely distressed by Zimri's act of bringing a Midianite woman into the camp; as Rashi says, "they all burst out weeping" at that moment. And as a result of Pinchas' zealousness, they all benefited, because "the pestilence was restrained from the children of Israel." They had every reason to praise him. Why then does Rashi say they criticized him?

Secondly, their criticism was based on the fact that Jethro was his maternal grandfather. Now according to the Midrash and to Rashi himself Jethro's idolatry was such that "he left no idol unworshipped by him."

The tribes therefore had this comprehensive indictment available to them. Why did they seize only on the fact that he had "fattened calves" for idolatrous sacrifice?

Thirdly, the Biblical verse connects Pinchas' lineage to "Elazar the son of Aaron the priest." But Rashi says only, "Torah comes and connects his genealogy with Aaron." Why does he omit mention of Aaron's priesthood, and of Elazar who was at that time High Priest of Israel?

Finally, the whole purpose of the tribes' disparaging remarks about Pinchas' ancestry is unclear. The object of their scorn was Pinchas, himself, for having killed Zimri for bringing a heathen woman into the camp. Now either they did not know the law that "he who has intercourse with a heathen woman, zealous people may attack him," in which case they should have accused Pinchas of murder; or, they thought that Pinchas did not come into the category of "zealous people," in which case they should have accused him of having ulterior motives for his act.

The only alternative is that they knew both the law and the fact that Pinchas was zealous, and if this were true, they should have had no grounds for complaint whatever. So, in any case, reference to Jethro, his maternal grandfather, seems quite irrelevant to the issue at hand.

The Motive of the Israelites

The answer to these difficulties lies in the realization that the tribes, in disparaging Pinchas, were seeking to defend the honor of Israel and of Moses.

Zimri had brought the Midianite woman into the camp "before the eyes of Moses and before the eyes of all the congregation of the children of Israel." And of all these people, only Pinchas had the zeal to rise and avenge this profanation of G-d. Certainly the rest of the Israelites knew the law as well as Pinchas, for it had been transmitted to "the whole people" together. And without a doubt, Moses knew it, because Pinchas said to him, "I have received it as a tradition from you."

Pinchas' solitary response had brought shame upon Israel and upon Moses. This is why they tried to cast doubt on the purity of Pinchas' motives.

What they did was to accuse him of a streak of cruelty, inherited from his grandfather Jethro, as contributing a share in his zealous act.

This is why they seized on Jethro's practice of fattening calves for sacrifice, for it is the supreme cruelty to appear to be acting for someone's benefit - feeding him well - only for the sake of the ultimate slaughter.

The Israelites' defense was this: Why did only Pinchas rise and take vengeance into his hands. Because he was animated also by cruelty, not only by conscience. We were not so cruel. Therefore we hesitated. And this is why Rashi includes all the tribes in the disparagement. Only the tribe of Simeon were concerned to defend Zimri's honor, but all the tribes were concerned to

defend the honor of Moses and of the Jewish People.

THE MOTIVE OF PINCHAS

Now we can see the precise point of the Torah at this stage repeating the genealogy of Pinchas, that he was the "son of Elazar, the son of Aaron the priest." It is to show that in his act, Pinchas was not the "grandson of Jethro" but only the "grandson of Aaron": In other words that he was not driven at all by cruelty but only by a burning religious zeal. And Rashi tacitly points out to us that in this phrase, the crucial words are "the son of Aaron." The emphasis of the Torah is not simply that Pinchas was the son of Elazar, who was first the deputy High Priest, and then after Aaron's death the High Priest himself. Nor is it that Pinchas was the grandson of "Aaron the priest." Rather, the emphasis is on Aaron's character aside from his priesthood, that he "pursued peace and caused love to descend between contending parties." Where contention existed between the Israelites and G-d, Pinchas sought to replace it with love, as G-d says, "Pinchas . . . has turned My wrath away from the children of Israel." This was the underlying nature of Pinchas' zealousness - a deep love of peace that he had inherited from Aaron, and a desire to remove the cause of the bitterness between G-d and His people.

Uterior and Interior Motives

In Rashi we find more than simply a literal commentary to the verses of the Torah. We find profound and general truths that have a bearing on our lives. From his understanding of this particular episode of Pinchas, we learn that when one sees a man engaged in a religious act, even though we seem to have overwhelming evidence that he is doing so for some ulterior motive, it is forbidden for us to belittle him.

Even if it is in fact true that he has ulterior motives, there is a categorical statement in the Talmud that "a man should always be preoccupied with the Torah and the commandments, even if not for its own sake, for in the course of acting for some other end he will come to do it for its own sake." The true motive will eventually displace the false one.

Indeed, the Hebrew original of this statement reads, not "in the course of" but "in the midst of."

And the deep implication is that the right motive will be found "in the midst" of the wrong one: That although a Jew may formulate ulterior motives in his mind for doing G-d's will, subconsciously, in the true depths of his being, he seeks to keep to the Torah for its own sake alone.

Furthermore, the obligation of a Jew, when he sees another doing the right act for the wrong reason, is not to dissuade him from doing the act at all; but to help him towards a true understanding of its purpose and to bring him more quickly to the state where he does G-d's will for its own sake.

This is so even when there is in reality an ulterior motive. But in fact it is never given to us to know with certainty the motives of someone else. The tribes had powerful grounds for suspecting Pinchas' motives; but G-d who "sees into the heart," testified that they were wrong.

Modesty and Pride

Someone who follows the example of the tribes may fall into a deeper error, the error of self-deception. For when someone prevents someone else from doing something which in itself is good, merely because his motives were suspect, the first person's motives may also be suspect. He may reason thus: Since I am by nature modest and self-effacing, I cannot tolerate pride, and therefore when I see someone learning Torah with conspicuous passion, or performing the commandments beyond the requirements of the Torah, which appears ostentatious, I cannot pass it by in silence. But in fact, he is wrong and the person he criticizes is right. The tribes criticized Pinchas in their wish to exonerate themselves and Moses; but it is of Pinchas that G-d says "he was zealous with My jealousy." Indeed, there may be an element of pride in this very show of modesty.

A true response to seeing someone learning with passion and fulfilling the commandments lavishly would be to be roused to a similar ardor oneself. If instead one is critical, it is almost as if one could not bear the sight of someone more virtuous than oneself.

Pirkei Avot says: "Judge all men in the scale of merit." When one has a feeling towards another person which does not accord with this maxim, then it is a feeling whose source does not lie in holiness and truth.

THE REWARD OF THE ZEALOUS

The episode of Pinchas took place while a pestilence afflicted the Israelites. And, though he was not, like Moses, a leader of his generation, nor was he

even (as yet) a priest, nonetheless by his action the pestilence was stilled, and peace was restored between the Jews and G-d: "Behold I give him My covenant of peace."

Thus, even at a time of spiritual affliction, when one sees a Jew zealous in his service of G-d, even a Jew with no claims to leadership or distinction, one must not dissuade or discourage him. For he, like Pinchas, is the bringer of true peace between G-d and His people, the peace which is the opposite of separation and exile. He is the harbinger of the Messianic Age, who "shall turn the heart of the fathers to the children, and the heart of the children to the fathers" in the ultimate and everlasting peace.

(Source: Likkutei Sichot, Vol. VIII, pp. 160-170.)

YESHIVAT HAR ETZION TALMUDIC METHODOLOGY

by Rav Moshe Taragin

The Issur for an Avel to Attend a Simcha

Tomorrow, Shiv'a Assar be-Tamuz, marks the beginning of the period known as 'bein hameitzarim - between the tragedies.' This three week period is punctuated on either end by terrible catastrophes which befell the Jewish nation during the destruction of the two Batei Mikdash. To commemorate these events, several aspects of mourning are adopted; the sequence increments in stages until it reaches its climax on Tisha be-Av. The first stage of avelut which begins on 17 Tamuz and continues until after Tisha be-Av, is marked by moderate signs and practices of avelut. It has been repeated in the name of the Rav zt"l that the scheme of these 3 weeks is patterned after the 12 month period of avelut yachid (the personal avelut kept after the passing of a parent). During this prolonged period, an avel is prohibited from two experiences - taking a haircut (an issur which lasts until his friends notice and urge him to cut his hair "ad she- yig'aru bo chaveirav"), and a prohibition from attending an event of simcha. It is precisely these two issurim which apply during this early period of three weeks. This article will examine the latter issur which pertains to this phase of avelut - the prohibition of attending an event of simcha.

The gemara in Mo'ed Katan (22b) cites the following distinction between avelut for a relative and avelut for a parent (which is more intense and longer lasting): A regular avel may attend a beit hamishteh (literally a house of party) after 30 days have elapsed, while an avel for a parent may not attend for 12 months. Upon first glance both the halakha itself as well as the disparity between regular avelut and avelut for parents each appear logical. The fundamental theme which governs any avel is that he must refrain from experiences which cause simcha. During the first week he may not shower, learn Torah or wear leather - experiences which cause enjoyment or pleasure.

The gemara in Mo'ed Katan (26b) asserts that during shiv'a an avel may not even hold a child since this will induce happiness. By extension, an avel should be forbidden from attending and participating in any event of simcha. That the duration of avelut for parents is extended and its relevant issurim longer in duration also comes as no surprise.

There emerges, however, a position which forces us to reconsider our initial impressions. Tosafot rules that an avel may attend a simcha without participating in the meal - the pivotal aspect of the joyful experience.

Clearly, this ruling accords with our previous conception of the issur, if indeed, attending such an event is forbidden since it will cause delight to the avel.

The Ramban however, in his work entitled Torat Ha'adam - (See Afterword), after citing the lenient position, concludes that an avel may not attend a simcha even if he does not participate in the actual meal or related celebrations. Evidently, the Ramban viewed this issur in different terms. By not participating in the meal, presumably this avel is not rejoicing - and yet he is forbidden. The Ramban viewed the issur in more 'formal' terms. We previously discussed the prohibition of the avel receiving actual joy - be it from learning Torah, holding a child or attending a simcha. In addition to this, an avel may not be in a SITE of simcha - even if he doesn't participate since the dominant emotion at this event is incompatible with, and is the antithesis of, his avelut. Even if he does not PERSONALLY experience simcha, he has situated himself in a site which is characterized and animated by an emotion which is diametrically opposed to his avelut.

In fact, this distinction is latent within the very syntax of the gemara. The

gemara formulates the issur as follows: "An avel may not attend the HOUSE OF MISHTEH". Why did the gemara not merely stress that an avel may not derive joy from a mishteh, or participate in that mishteh? By underscoring the issur of being found in "beit ha-mishteh," the gemara de-emphasizes the actual experience and highlights the affiliation with an event of simcha as the primary issur.

The Ramban draws an equation to this issur which very much reflects this stance. The gemara in Mo'ed Katan (14b) rules that avelut may not be conducted during a yom tov; instead it is either suspended or entirely canceled depending upon the schedule. One might question this halakha. After all, why don't we allow the avel to mourn and proscribe him from experiencing simcha of yom tov? Just because it is yom tov, it does not necessarily mean that he is happy and cannot mourn!! The Ramban declares "there is no avelut in a location of simcha." These days are already designated as days of simcha. Once this period is defined in this manner, avelut cannot be undertaken during this period. The two experiences are incompatible and avelut is delayed. Our case is similar - with one difference. In the case of yom tov because the period was already pre-defined as yom tov, avelut cannot occur. In the case of attending a simcha, since the PERSON is already designated as an avel he cannot attend a simcha so that he may preserve rather than compromise the nature of his avelut. At their root though, the two cases are similar; they each attest to the fundamental polarity between simcha and avelut.

What about an inverse case - in which the avel is experiencing simcha but does not actually attend the simcha? This idea manifests itself in two cases. Tosafot rules that one may not even partake of the meal with the waiters in their dining room. This is consistent with their position that the prohibition entails deriving joy by partaking of the meal. In this light it makes little difference where that meal was eaten. One who partakes is still deriving joy. By contrast, the Mordechai quotes Rabbenu Tuvia who determines that one may eat with the waiters. Apparently, this is not considered ATTENDING the simcha. A second case is cited in the Beiy Yosef (Yoreh De'a 391) who quotes the Roke'ach. Can we send food to the avel's house? The Beit Yosef rules that we may, reiterating the notion that the prohibition is one of associating with the simcha rather than deriving benefit from it.

Of course, there is a good degree of flexibility in these two cases. One might permit eating a 'doggie-bag' at home since one doesn't really derive any simcha from that experience. By contrast, one might forbid eating with the waiters since this does entail some form of attendance and association. In a general sense though, these two cases - eating and partaking without attending - provide an inverse to the case of attending without eating. A second factor which must be considered is the type of event which is forbidden. Tosafot rules that an avel may attend a berit mila since there is no simcha. Tosafot bases his ruling upon the gemara in Ketubot (8a) which rules that we don't add "she-hasimcha bi-me'ono," as we do during birkhat ha-mazon of a wedding. The gemara attributes this to the fact that the simcha is muted by the pain of the child. Tosafot's ruling is certainly consistent. The issur is to derive joy and in the case of mila this joy is muted. One could, however, disagree with Tosafot's extrapolation. Certainly we refrain from announcing and flaunting the simcha by reciting "she-hasimcha bi-me'ono." Such unabashedness would be outright insensitive. One cannot, however, deny that simcha DOES exist in some form. Consequently, an avel who attends does experience joy - not the kind which is displayed, but joy nonetheless!!! If, however, the issur is viewed as one of associating with an event of simcha, one has to pay close attention to the precise definition and classification of events. The seu'da of a wedding is certainly categorized as seu'dat simcha - that is after all the principal mitzva of the evening. Hence, anyone in attendance is associating with a simcha. The seu'da of mila is not a seu'dat simcha but a seu'dat mitzva - a meal held to honor the mitzva. Indeed, those who attend experience simcha but that does not automatically define the meal as seu'dat simcha or someone who attends as one who has associated with a simcha. Ironically, by adopting the second view of the issur - that the avel may not associate with an event of simcha - greater leniency might be possible in the case of mila.

Finally, we will consider the case of one who has ulterior motives for attending. The Ramban cites a Ra'avad who permits an avel to attend the

wedding of an orphan or widow who is his charge. Being that the wedding would not take place without his presence, he is allowed to attend. One might view this 'heter' as simple 'prioritization.' Given the unique circumstances, the wedding takes precedence to his avelut. However, several Rishonim (Maharam mi-Rotenberg, Mordechai) expand this leniency to include all instances in which someone attends a wedding because he has to, not because he wants to. No mention is made of the importance or significance of the wedding; in all cases such a license is granted. If, indeed, the issuer entails associating with simcha by attending, one might conceivably place great importance upon the motive for attending. Possibly, one is only associating with the simcha if he attends voluntarily. One who is forced to attend is not disrupting his avelut by associating with a simcha - his presence is out of pure exigency.

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Pinchas 'Shabbat Shalom', by Rabbi Shlomo Riskin 1994

LISTEN TO EVERY VOICE, EVEN THE SMALLEST

"Pinchas is the only one who zealously took up My cause among the Israelites and turned my anger away from them, so that I did not consume the children of Israel in my jealousy. Therefore tell him that I have given him My covenant of peace." (Num. 25:11-12) NO biblical figure is so identified with zealotry as is Pinchas. He steps forth in the closing verses of last week's portion at a particularly critical hour, when the harlotry between the Israelites and the daughters of foreign nations was proving to be a far greater danger to Jewish existence than any attempt of a sorcerer like Balak to curse the Jews could ever be. What spurs Pinchas to action is an act of fornication between a prince of Israel and a Midianite woman that takes place virtually in sight of the entire nation. Unable to contain his moral rage, and in the absence of action by anyone else (including Moses), Pinchas thrusts his spear into the couple as they lie entwined. Lest we be turned off by the horror of this spectacle, the opening verses of this week's portion - named for Pinchas himself - seem unequivocally to establish the heroism of the zealot. But not all the talmudic sages were so generous with their accolades.

There are many who protested Pinchas's action, since his swift performance - overlooking the slower path of due process and court trial - flouted a crucial element of the Mosaic system of justice. What happens at a trial, and why is it so important? And what is there about zealotry that is antithetical to justice? Essentially, a trial allows the judges to hear another side to a story, another version of reality.

No matter how balanced one considers oneself to be, the introduction of other points of view inevitably turns black-and-white sketches of events into full-fledged portraits. A fascinating law in Tractate Sanhedrin rules that in a murder trial, if all 23 judges declare a defendant guilty, he goes free.

Unlike the jury system in America, where a unanimous verdict is considered praiseworthy, in Jewish law unanimity is considered suspect.

After all, if not even one judge takes a minority position of dissent, how can we be sure the defendant was given an adequate opportunity to have his side expressed? According to the Midrash, the prophet Elijah is identified with Pinchas, since he acted zealously against the 400 prophets of Baal, killing them without trial for leading the nation astray. And Elijah receives a message from God which poetically confirms the necessity of a dissenting voice. After his victory against the heathen prophets, Elijah inexplicably desires his soul to be taken. He flees to Sinai, contemplating the futility of his prophetic mission. God commands that Elijah stand upon the mountain: "A great and strong wind rent the mountains and broke the rocks in pieces ... but the Lord was not in the wind. And after the wind an earthquake, but the Lord was not in the earthquake. And after the earthquake a fire, but the Lord was not in the fire. And after the fire, a small still voice ..." (1 Kings 19: 11-13) What are we to make of this small still voice? One approach is to consider a well-known talmudic narrative that describes how the schools of Hillel and Shammai had been disputing for three years until a bat kol from heaven was heard. (B.T. Erubin 13b) A "divine voice" is the usual translation of bat kol, but its literal meaning is "daughter of a voice," suggesting something tender, gentle; a voice which might otherwise be overlooked. And what this "small still voice" says is that the schools of Hillel and Shammai are both exponents of

the living God, but the law shall follow the school of Hillel. The sages ask: If both schools are exponents of the living God, why does the law follow Hillel? And the reply: The Hillelites are modest and gentle, and before they voice their own opinion, they express the opinion of their opponents. In effect, the message of the bat kol is the message of respect and humility toward the other opinion.

In our Oral Law, both majority and minority legal views are recorded. That is why, among all the texts available in the Jewish library, the study of Talmud is considered the classic path for an authentic understanding of our tradition. The Mishna and Gemara are not a legal compendium listing one legal decision after another, but rather a collection of living dialogues and debates. Indeed, the Mishna itself (Eduyot, Ch. 1, Mishna 5) explains that the reason for including minority opinions is because no halachic view can be nullified completely; any later Sanhedrin can choose to adopt the minority view of any earlier Sanhedrin.

Thus, retaining the minority view - in effect the pursuit of listening - is a vital force in the survival of Judaism. And, although the Torah seemingly honors Pinchas, we must remember that he is given the "covenant of peace." Ordinarily, peace is held up alongside truth (shalom v'emet). They are similar, but hardly the same. The basic difference is that, when the major interest is truth, one monolithic opinion prevails. Right is right, and wrong is wrong. There is nothing to negotiate concerning the molecular structure of oxygen. But peace is not a one-sided issue. It requires negotiation, listening to and attempting to satisfy all individuals. God does not give Pinchas a "covenant of truth" - he is, after all, zealously certain of the rightness of his cause. Instead, God teaches Pinchas the necessity of a "covenant of peace" - the ability to listen and negotiate, to hear every voice - a critical quality for a nation in pursuit of justice. Shabbat Shalom (c) The Jerusalem Post/Shlomo Riskin, 5/74/1994

"RavFrاند" List - Rabbi Frاند on Parshas Pinchas

Grandson of Aharon -- The Lover of Peace & Pursuer of Peace
Parshas Pinchas is somewhat of a sequel to the events that happened in the previous parsha [Balak]. As we all know, in parshas Balak, we learned of one of the more sordid incidents in the history of the Jewish people. A leader of one of the tribes of Israel publicly and brazenly had relations with a non-Jewish woman in front of the entire community. People were so stunned by this event that they literally did not know what to do. The pasuk [verse] tells us that Pinchas saw this and he remembered (according to the Talmud in Sanhedrin [82a]) the law which Moshe had previously taught -- that in the situation of an individual having relations with a non-Jewish woman in public, a person has the right to take the law into his own hands. Pinchas, acting on this law, killed both the man and the woman. The plague (which had broken out amongst the people) then ceased. The narration in Parshas Pinchas continues at this point: "Pinchas the son of Elazar the son of Aharon the Priest, returned my anger ... therefore I am granting him My Covenant of Peace" [Bamidbar 25:11]. Rash"i here cites a very famous Medrash explaining why the Torah goes to such great lengths to tell us the genealogy of Pinchas: Some members of the community were skeptical about the use of such brazen tactics, killing someone publicly. They cynically traced the behavior to that of his maternal grandfather, Yisro, who had, in his earlier years "fattened calves for idol worship". People began to murmur, "How does this grandson of a Priest of Idolatry have the audacity to kill a Prince of one of the tribes of Israel?" Therefore, the pasuk came and traced his genealogy to Aharon -- his paternal grandfather. Tracing Pinchas' genealogy to Aharon should not satisfy anyone. Everyone realizes that Pinchas had two grandfathers. What does it help that he was the grandson of Aharon? No one disputed that. This would not seem to mollify anyone's complaint -- that in this instance he undertook an action which reflected on his descent from a Priest of Avodah Zarah. The Sha'arei Orah, by Rav Meir Bergman, explains the answer: Everyone knew Pinchas had two grandfathers and everyone knew about genes and genetics. But, the people analyzed what had happened and they argued as follows:

We know one of his grandfathers was Aharon. However, we know that Aharon was the most peace-loving man that one could ever meet. He was

the quintessential lover and pursuer of peace. However, Pinchas had another grandfather as well. The other grandfather was an idolater who was into paganism and all that that suggests. If we are to ask, they reasoned, from who did Pinchas get this quality to get up in front of everyone and kill somebody? One thing seems certain, that he did not get this quality from Aharon, the man of peace. Which grandfather, which genes, were coming into play here? It must be the act of the grandson of a Priest of Avodah Zarah.

Therefore, the pasuk comes and says "No, that is not true!" The genes that were responsible for this action, at this time, were the genes of Pinchas the son of Elazar the son of Aharon the Priest. This is what Aharon himself would have done.

One might ask, "But would the 'Man of Peace' take a spear and spear two people publicly?" The Chasam Sofer explains that this act might not be associated with the "Lover of Peace" (Ohev Shalom), but it is associated with the "Pursuer of Peace" (Rodef Shalom).

The terminology of 'Rodef' in the expression Rodef Shalom should give us pause. It seems to have connotations that do not fit in with the context of peace. The Chasam Sofer says that, sometimes, in order to make peace, a person must be Rodef Shalom -- chase away the peace. He must, in fact, create machlokes. Sometimes the ultimate peace is only achieved through a temporary act of pursuing (i.e. -- chasing away) peace.

There are some incidents and situations in life that demand that we stand up and say "No". Sometimes you need to protest "This is not Emes [True], and I have to give up Shalom [Peace] for Emes [Truth]." Aharon is the Lover of Peace, but sometimes he also had to be the Pursuer of Peace. Here it was the Pursuer of Peace who was acting, because, ultimately, that was the way to make Peace between the Jewish People and their Father in Heaven.

The Brisker Rav, zt"l, said in the name of his father, that one would have expected that G-d's reward to Pinchas would have been "My Covenant of Zealotry". L'Havdil, if we were going to vote for who was to get the Nobel Peace Prize that year, would the candidate have been Pinchas?. That would have raised eyebrows.

One would have no problem giving Pinchas the reward for Zealotry or for Bravery, but the Nobel Peace Prize doesn't seem appropriate. The Torah therefore emphasizes, that as much as we would consider this not to be Peace, this is the real Peace. Sometimes the real Peace (of making Peace between G-d and Israel) needs to be made in ways that appear less than peaceful.

We often hear criticism of great Rabbis who take stands on an issue. People complain, "Why do they have to make machlokes? Why do they have to start up? Why can't they leave well enough alone? Is this peace? It's machlokes! It's divisiveness!"

That complaint goes all the way back to Pinchas. Just like there are people in the 1990s that question and say "Isn't Shalom more important?", in Pinchas' times there were the same people. They said then "This isn't Aharon's grandson; this is not peace; this is divisiveness; sometimes you just have to keep quiet and turn the other way!" G-d responds: "That is not the case". Sometimes the Lover of Peace has to Pursue the Peace -- chase away the tendency to let things ride and go along without protest.

Therefore, both Pinchas' act and these Rabbi's stands are not acts of division. Pinchas did not receive 'My Covenant of Zealotry'. It was not an act of Bravado. Pinchas, appropriately, received 'My Covenant of Peace'.

Of course, one has to know when to take a stand and how to take a stand. That is why we should not make such decisions. But throughout the generations, we have always had our Gedolei Olam [World Class leaders] who have known when to say "Now we need to be the Pursuers of Peace". These Gedolei Olam receive the Blessing of 'My Covenant of Peace'.

Transcribed by David Twersky; Seattle, Washington twerskyd@scn.org

YESHIVAT HAR ETZION VIRTUAL BEIT MIDRASH PROJECT
(VBM)

PARSHAT HASHAVUA PARSHAT PINCHAS
by Menachem Leibtag

Should Chumash end in Parshat Pinchas? Obviously not, yet in the middle

of this week's Parsha we find the story of the 'death' of Moshe Rabeinu and the transfer of his leadership to Yehoshua! A closer examination of the Parsha reveals many other 'parshiot' which appear to be 'out of place'.

This week's shiur examines the progression of the parshiot in Parshat Pinchas in an attempt to understand this unusual structure and its significance within Sefer Bamidbar. [Note of convention: Parsha - with a capital 'P' refers to Parshat HaShavuah. parsha - with a small 'p' refers to a parsha "ptucha" or "stumah", i.e. the paragraph like divisions in Chumash denoted by a wide blank space on a line. For general information, the division of Chumash into Parshiot HaShavuah was instituted by Chazal during the Babylonian Exile, while its division into 'parshiot' is an "halacha l'Moshe m'Sinai" - a tradition passed down from Moshe Rabeinu at Har Sinai.]

INTRODUCTION

Before we begin this week's shiur, we must briefly review our conclusion (in the shiur on Parshat Naso) regarding the overall structure of Sefer Bamidbar.

The primary theme of Sefer Bamidbar is the story of Bnei Yisrael's journey from Har Sinai towards Eretz Canaan; beginning with their preparation for that journey (chapters 1->10) and continuing with the ensuing events as they travelled through the desert (chapters 11->25). Even though this story is periodically 'interrupted' by certain parshiot of "mitzvot" (e.g. nazir, sotah, chalah, nsachim, para-aduma etc.), which may have been given to Moshe at an earlier time, nonetheless, the ongoing narrative itself has followed chronological order.

DEFINING THE PROBLEM

In the opening chapter of Parsha Pinchas, the chronological order becomes problematic. After rewarding Pinchas for his zealous act, God commands Moshe to avenge the Midyanim in battle (25:16-18). Now, logic would dictate that Chumash should continue with the story of that battle. However, the details of that war are only recorded some FIVE CHAPTERS LATER - in the middle of Parshat Matot! [See chapter 31. Compare 25:17 to 31:2 to verify that chapter 31 is the logical continuation of chapter 25.]

In those 'interim' chapters, we find some six topics, all UNRELATED to "milchemet Midyan (the war against the Midyanites). The following chart, summarizing chapters 25->31, illustrates the nature of these interim parshiot.

CHAPTER EVENT / TOPIC

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* 25 ==> "CHET BNOT MIDYAN" & GOD'S COMMANDMENT TO ATTACK MIDYAN
A) 26 The Census of the people who will inherit the Land
B) 27:1-11 The story of Bnot Tzlofchad
C) 27:12-14 Moshe Rabeinu's final day
D) 27:12-23 The transfer of leadership from Moshe to Yehoshua
E) 28->29

The laws of korbanot Tmidim and Musafim

F) 30 The laws of n'darim (vows)

* 31 ==> THE BATTLE AGAINST THE MIDYANIM

Before we can suggest a reason for this unusual structure, we must first examine each of these six 'parshiot' to show that chapters 26->30 do indeed constitute an 'interruption' of the ongoing narrative.

A) THE CENSUS - "MIFKAD HA'NACHALOT"

Immediately after Moshe is instructed to attack the Midyanites (25:16-18), the Torah continues:

"And behold after the plague, God told Moshe... take a census of Bnei Yisrael from the age twenty and up, l'BEIT AVOTAM (by their ancestral houses) all who are able to bear arms." (26:1)

Upon reading this pasuk, one usually assumes that the census is part of the preparation for the ensuing battle against Midyan. This assumption, however, is incorrect for the final pasuk of this census explicitly states the reason for conducting this census: "God spoke to Moshe saying: Among THESE shall the LAND BE APPOINTED AS SHARES, according to the listed names, the larger the group the larger the share..." (26:51-52)

Furthermore, when Bnei Yisrael actually go to battle against Midyan, God instructs them to take only one thousand soldiers from each tribe. Why would God command Moshe to conduct such a comprehensive census (over 600,000 soldiers) if only 12,000 soldiers are necessary?

[Additional proof can be deduced from the fact that the census is taken

"l'beit avotam" - by the ancestral houses. This is necessary because the Land is to be apportioned according to the size of each family clan (read 26:52 carefully). In contrast, the census taken during the second year in the desert (see Bamidbar chapters 1->2) does not mention "beit avotam", for its purpose was purely military preparation.

Note the repetition of "kol yotze tzava" (and not "l'beit avotam") in Parshat Bamidbar, and the reorganization of the camp into four 'brigades' of three tribes each. This reflects the military nature of that census. On the other hand, Parshat Pinchas emphasizes "beit avotam". Most of the names correspond to the original seventy members of Yaakov's family who first went down to Egypt (see Breishit 46:8-27), reflecting the 'family' nature of this census.]

Thus, a more precise definition of this census would be a "mifkad nachalot" - a headcount to determine who will receive an inheritance in the Promised Land. Clearly, there is no connection between this census and "milchemet Midyan"!

B) BNOT TZLOFCHAD

This incident (27:1-11) takes place immediately after the census is completed (read 27:1 carefully). The daughters of Tzlofchad complain to Moshe for they worry that their father's inheritance, and thus his name, will be forgotten.

Thus, this short 'parsha' could definitely be considered a direct continuation of the "mifkad nachalot" (chapter 26), but is definitely not connected at all to "milchemet Midyan".

C) MOSHE RABEINU'S FINAL DAY

In the next parsha, God commands Moshe to take a final glance of the Promised Land prior to his death:

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

This event should have been recorded at the very END OF CHUMASH, prior to Moshe's death, surely not in the middle of Parshat Pinchas!

[To prove that this parsha belongs at the end of Chumash, simply compare it to the last perek in Sefer Dvarim (34:1-6). Furthermore, comparing 31:2 to 27:13, proves that this commandment to Moshe must have been given AFTER "Milchemet Midyan".]

D) APPOINTING A NEW LEADER

The next parsha (27:15-23) is simply Moshe's reaction to God's commandment to ascend Har Aivarim. Moshe requests that God appoint a leader in his place. Therefore, (C) and (D) most probably belong together, but not here in the middle of Parshat Pinchas.

E) KORBANOT TMIDIM U'MUSAFIM

The next two praktik (28->29) constitute a schedule of the various korbanot Musaf which are offered daily and on special occasions. This parsha obviously does not belong here, rather in Sefer Vayikra, most probably together with the parsha describing the holidays in Parshat Emor (chapter 23).

Nonetheless, its placement in the middle of Sefer Bamidbar instead should not surprise us, for this is congruent with the unique style of Sefer Bamidbar (see shiur on Parshat Naso), where parshiot which belong in Vayikra periodically interrupt the ongoing narrative of Bamidbar. [The reason why specifically this parsha is placed here will be dealt with later in the shiur.]

F) PARSHAT NDARIM

The mitzvah of n'darim could actually be understood as a direct continuation of parshat Tmidim u'Musafim, because the final pasuk of that parsha states that these korbanot were brought IN ADDITION to "n'darim" and "n'davot" (see 29:39).

Nonetheless, it also has nothing to do with "milchemet Midyan".
WHAT'S GOING ON?

Based on our analysis, it becomes clear the Torah has intentionally 'interrupted' the story of the war against Midyan with several unrelated parshiot!

It is also interesting to note that precisely at the point where this first 'interruption' begins, we find a rare occurrence of a new 'parsha' beginning in the middle of a pasuk! [Read 26:1 carefully and look how it appears in a Tanach Koren or Chumash.] What's going on?

As usual, to answer this question, we must first determine WHERE in Chumash these parshiot do belong. Then we must explain WHY the Torah placed them here instead.

DIVIDE AND CONQUER

The six parshiot discussed above (A->F) which interrupt the story of "milchemet Midyan" can be divided into two basic categories. By dividing them as such, it will be easier to explain why they are included at this point in Sefer Bamidbar:

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

A. The census for dividing the land - "mifkad ha'nachalot" B. The complaint of Bnot Tzlofchad re: their inheritance C. Moshe's death and ...

D. the transfer of his leadership to Yehoshua.

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

E. The laws of Tmidim u'Musafim

F. The laws of "ndarim" (vows)

Using these two categories, we can find where each of these two units belong. The first category - preparation for entering the land - includes parshiot which actually belong in Sefer Bamidbar, but not here. To determine where they DO belong, we must employ once again a table, this time showing the progression of parshiot from the story of "milchemet Midyan" until the end of Sefer Bamidbar:

CHAPTER TOPIC

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31:1-54 The war against Midyan

32:1-42 The inheritance of Reuven & Gad in Transjordan

33:1-49 A SUMMARY of Bnei Yisrael's journey through the desert.

33:50-56 * The commandment to CONQUER & INHERIT Eretz Canaan.

34:1-15 * The precise BORDERS of Eretz Canaan.

34:16-29 * The tribal leaders who are to APPORTION THE LAND.

35:1-18 * The cities of the Levites for their inheritance. 35:9-34 * The cities of refuge to be set up in the land. 36:1-13 * INHERITANCE laws relating to inter-tribal marriages.

As the above table clearly shows, the topic of the final section of Sefer Bamidbar is - PREPARATION FOR ENTERING ERETZ CANAAN (33:50->36:13). Thus, there can be no doubt that the chapters 26->27 in Parshat Pinchas, which deal with this very same topic, actually 'belong' at the end of Sefer Bamidbar (in Parshat Masei). Both the "mifkad nachalot" - the census which determines who receives an inheritance (and how much) - as well as the transfer of leadership from Moshe to Yehoshua are most fitting for the conclusion of the Sefer. [In fact, 33:54 is almost identical with 26:54-56!]

CUT AND PASTE?

Based on this analysis, we can redefine our question: Why did the Torah 'take' these parshiot from Parshat Masei where they seem to belong, and 'place' them in Parshat Pinchas instead, AFTER the story of Bnei Yisrael's sin with "bnot Midyan"?

To answer this question, we must return to the special pasuk which is split between these two parshiot (26:1):

"va'yhi acharei ha'mageyfa" - and when the PLAGUE was over - [SPACE = new parsha] and God told Moshe: count..." (26:1-2)

This special pasuk suggests that there may be a connection between the census and the plague.

Rashi (26:1), aware of this problem, quotes the Midrash which explains that Bnei Yisrael are so dear to God that He counts them after every tragedy, just the shepherd counts his sheep after they have been attacked.

However, this approach of the Midrash is difficult, for it does not take into account that the Torah's explicit explanation of why the census is taken (see 26:53). Furthermore, there are many instances in the Torah when Bnei Yisrael are smitten by plagues; never do we find that God commands Moshe to take a census afterwards. Why should this plague, therefore, be any different? Finally, based on our understanding that the census is required to determine who will inherit the land (26:53-55), it would have been conducted EVEN IF there had not been a plague!

Our question remains: Why does the Torah intentionally juxtapose this census to the aftermath of the plague caused by Bnei Yisrael's sin with "Bnot

Midyan"?

One could suggest a reason based on the theme of Sefer Bamidbar.

THE LAST PLAGUE

Recall that Sefer Bamidbar describes Bnei Yisrael's journey from Har Sinai towards the Promised Land. Ideally that journey should have taken only a few weeks and the Land should have been inherited by those who left Egypt. Instead, various incidents of rebellious nature take place, culminating with "chet ha'mraglim" and the God's decree that this generation must perish in the desert. Similar incidents take place during the fortieth year, beginning with "Mei M'riva" and ending with "chet Bnot Midyan". This plague, which Bnei Yisrael suffer in the aftermath of "chet bnot Midyan", is a milestone for it marks the LAST INCIDENT of their sinful behavior recorded in Sefer Bamidbar, and thus, their LAST PUNISHMENT before entering the Land. The SURVIVORS of that plague are to become the INHERITORS of Eretz Canaan!

By interjecting the "mifkad nachalot" specifically at this point, the Torah may be underscoring that the tragic events of Sefer Bamidbar have finally come to an end. Those who survived this plague are thereby worthy of inheriting the Land.

God's commandment to Moshe to ascend "Har HaAivrim" to die can also be understood in a similar manner. The census ends with the statement that it not include any members of the first generation, save Kalev and Yehoshua (26:63-65). Therefore, the census concludes with the story of the transfer of leadership from Moshe to Yehoshua, for he will lead the new generation to conquer and inherit the Land.

TMIDIM U'MUSAFIM - WHY HERE?

Now that we have explained the first category (chapters 26- >27), we can attempt to explain why the Torah places the second category, i.e. the parsha of korbanot Tmidim u'Musafim (chapters 28->30), in this location.

As we explained above, these mitzvot actually belong in Sefer Vayikra. This phenomenon, however, should not surprise us, for this has the unique style of Sefer Bamidbar thus far (see shiur on Parshat Naso). We need only look for a thematic connection between these laws and the ongoing narrative. As before, we can redefine our question. Now, we must ask: What is the connection between the preparation for entering Eretz Canaan and korbanot Tmidim

u'Musafim? Once again, we can return to the theme of Sefer Bamidbar to suggest an answer. Recall that the first ten chapters of Sefer Bamidbar describe Bnei Yisrael's PREPARATION for their journey from Har Sinai to the Promised Land. Those chapters emphasize the intrinsic connection between the camp of Bnei Yisrael and the Mishkan. Bnei Yisrael must travel with the Mishkan, and thus the "shchina" (the Divine presence), at the center of the camp (see shiur on Parshat Bamidbar). Now, as the new generation PREPARES to enter the Promised Land, the same concept - that Am Yisrael must enter with the "shchina" in their midst - is emphasized by recording the laws of Tmidim u'Musafim at this time.

In our previous shiur on Parshat Tzaveh, we explained that the Korban Tamid (a "korban tzibur" - a collective korban/ purchased with the "machtzit ha'shekel") symbolizes Bnei Yisrael's connection with the "shchina". [In that shiur we defined the unit which describes the Commandment to build the Mishkan (Shmot chapters 25->29). That unit began with a mention of the dwelling of the "shchina" on the Mishkan: "v'asu li Mikdash, v'SHACHANTI b'tocham" (25:8) and concluded with a similar set of psukim which tie together the Korban Tamid and the concept of "shchina": "olat Tamid l'doroteichem... v'SHACHANTI btotch Bnei Yisrael, v'hayiti lachem l'Elokim" (29:42-45).]

Thus, the Korban Tamid, as presented in Sefer Shmot, symbolizes the special connection between Bnei Yisrael and the "shchina". It is this special relationship which must crystalize as Bnei Yisrael prepare to conquer and inherit their Land, and therefore, this may be the reason why the Torah elected to place the laws of Tmidim u'Musafim in this location.

Finally, one could suggest an alternative approach, a bit more midrashic (and a bit more relevant). After the Torah introduces the new leader - Yehoshua - who is now responsible to lead Bnei Yisrael into a new era, Bnei Yisrael must be reminded that the "avodat Tamid" - our daily routine of adherence to the mitzvot - is of equal importance. shabbat shalom menachem

FOR FURTHER IYUN

A. Rashi, quoting a different Midrash, offers a second explanation to the juxtaposition of the census to parshat Bnot Moav. 1. Explain the difference between these two explanations? 2. How can the chart (from the above shiur) help you understand the reason for these two explanations? 3. Do the reasons given by Rashi contradict the reason suggested in the shiur? If so, why?

B. Ideally, Moshe should have led Bnei Yisrael into Eretz Canaan. Instead, Yehoshua takes over that responsibility. Nevertheless the laws of conquering and inheriting the Land in Parshat Masei are given by God to Moshe; to give to Yehoshua. 1. Can this observation be helpful in offering an additional reason why the story of the transfer of leadership to Yehoshua takes place before Parshat Masei? 2. Note Ramban's explanation why the parsha of Moshe's "death" is written at this time (in Parshat Pinchas). What issue led Ramban to this conclusion?

C. The story of Bnei Gad & Reuven could be considered part of the nachalah section. 1. Explain why. 2. Explain why it isn't, and why it actually continues to the story of Milchemet Midyan. Pay attention to the opening words of perek 32.

How does this relate to Milchemet Midyan? 3. How does this story relate to other events in the desert, such as "chet ha'mraglim" for example. (see the N'tziv on this issue.)

D. One could suggest an explanation of the placement of the laws of n'darim in this location (in addition to the fact that it continues the laws of korbanot). This 'parsha' of the laws of n'darim is given to the "rashei ha'MATOT" (the tribal leaders). This could also relate to the following 'parsha' of "Milchemet Midyan" which was fought by all the tribes, "elef l'MATEH", or it could be connected to the story of the Reuven and Gad who PROMISED (made a vow) to lead the battle for Eretz Canaan before returning to their inheritance in

Transjordan. Another possibility is that this 'parsha' relates to an ongoing theme of Sefer Bamidbar which focuses on the tribal leaders. As this mitzvah of n'darim was given specifically to the "rashei ha'matot", it must be included in Sefer Bamidbar. [Should you ask, why should 'davka' the laws of n'darim (vows, promises etc.) be given specifically to the tribal leaders; simply recall election year and politicians, and you have an indisputable answer.]

E. Use our explanation of the importance of the korban Tamid to explain why each Korban Musaf in Parshat Pinchas concludes with the phrase "milvad Olat HaTamid ...".

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This class is dedicated in honor of the birth of Ariella Yehudit Sundel on Rosh Hodesh Tammuz. From her parents, Rob and Chana, brother, Eliezer Aryeh, and grandparents, Arthur and Gloria Sundel, Esther Kotlorova, and Michael Aberson.)

by Rabbi Joel Zeff

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In this week's parsha we read of the daughters of Tzelafchad who raised before Moshe the question of their inheritance in the Land of Israel. Since their father had no sons they were concerned that their family would not receive its due share. Moshe brought their case before the Almighty who indeed instructed that they inherit on behalf of their father's portion in Eretz Yisrael (Israel).

Midrash Sifrei suggests that Moshe, in fact, knew what the law was in the case of the daughters of Tzelafchad, but "the daughters of Tzelafchad merited that it would be said through them, for merit comes through the meritorious". The midrash is alluding to the notion that the concept behind the law which would come into being was particularly appropriate to them and exemplified by them. How so?

The Torah has granted each Jewish family a portion in Eretz Yisrael. That possession is ultimately inalienable. This is demonstrated by the law of the Jubilee (yovel) year in which land sold subsequent to its distribution is

returned to its ancestral owners every 50 years. We also find a commandment in the Torah (Lev. 25:23-34) to redeem (buy back) land, which had been sold out of financial distress, in order to return it to those family members. Furthermore, we read in Kings 1, 21 how the wicked King Ahab pressured Navot in an attempt at acquiring his field adjoining the palace. Navot replied, "The Lord forbid that I should give up to you what I have inherited from my fathers!" Navot is murdered in order to steal his field, for which Ahab merited a most severe punishment, "I will bring disaster upon you...I will cut off from Israel every male belonging to Ahab..."

The daughters of Tzelafchad demonstrated a particular attachment to Eretz Yisrael and the apple does not fall far from the tree! The Talmud (Shabbat 96) relates that Tzelafchad was identified by Rabbi Akiva as the gatherer of sticks who was put to death for desecrating Shabbat. Rabbi Yehuda ben Beteira responds that such an identification is slander. But the daughters of Tzelafchad explicitly state that their father died "from his sin"! Rabbi Yehuda ben Beteira goes on to suggest that Tzelafchad, whom he calls a tzadik, was one of the mapilim, those "illegal immigrants" who attempted to enter Eretz Yisrael after the disaster of the spies, against the explicit command of Moshe, and were killed by Amalek. Rabbi Menachem Benzion Zacks, son-in-law of Rabbi Zvi Pesach Frank, notes that "from this it is apparent that there is no slander in revealing that Tzelafchad was one of the mapilim, because the greatness of their love of the Land which they demonstrated, to the extent of endangering their lives, covered up the defect associated with the illegal immigration itself".

Tzelafchad felt a radical attachment to Eretz Yisrael. He was punished for his crime, yet extreme attachment to Eretz Yisrael is ultimately no shame. His daughters inherited from their father that same love for the land. Midrash Sifrei explains why the Torah traces the lineage of the daughters back to Yosef, "just as Yosef loved Eretz Yisrael, so did the daughters of Tzelafchad". The midrash makes this point again in a more general and fascinating way, "Rabbi Natan says, 'The strength of women is than that of men. The men said, Let us appoint a leader and return to Egypt, while the women said, Give us a portion amidst the brothers of our father'".

The message of the law of inheritance that came into being particularly through the daughters of Tzelafchad is how strong and precious our attachment to Eretz Yisrael must be - and "merit comes through the meritorious"! Let us take a lesson from the righteous daughters of a radical lover of the land.

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Moderator, Dvar Torah Project Genesis DvarTorah, Copyright (c) 1996
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"Jeffrey Gross <75310.3454@CompuServe.COM>" "Halachic Topics
Related to the Week... Parshas Pinchas SELECTED HALACHOS
RELATING TO PARSHAS PINCHAS By Rabbi Doniel Neustadt

A discussion of Halachic topics related to the Parsha of the week. For final rulings, consult your Rav. And on the Shabbos day...(28:9)

Overnight Mail on Shabbos

QUESTION: Is it permissible to send a letter or a package on Friday with instructions to deliver it on Shabbos?

DISCUSSION: Amira L'akum, giving instructions to a non-Jew to do an action which would be forbidden for a Jew to do on Shabbos, is prohibited(1). It makes no difference whether the Jew's command is given on Shabbos or before Shabbos. Accordingly, it should be forbidden to instruct a non-Jew to deliver an overnight package on Shabbos, since there are several prohibitions involved in delivering mail on Shabbos(2). When necessary, however, there is room for leniency. There are some Poskim(3) who hold that only a direct command to a non-Jew is forbidden. Instructing a non-Jew to instruct another non-Jew - Amira L'amira - is permitted. Not all Poskim agree with this leniency. Mishnah Berura(4) rules one can rely on this view only to avoid a major financial loss (Hefsed Gadol). Other Poskim(5) rule that one may rely on this view only in a case of great need (Tzorech Gadol). It follows, therefore, that one is permitted to send an

overnight letter to be delivered on Shabbos in case of great loss or great need, since the command to deliver the item is not given directly to the delivery man but to another non-Jew(6).

There are several other arguments for permitting one to have a letter delivered on Shabbos:

Firstly, the Chasam Sofer(7) rules that even those who prohibit instructing a non-Jew to instruct another non-Jew would permit it if the Jew's instructions were given before Shabbos(8).

Secondly, some Poskim(9) hold that if the second non-Jew does not know that he is doing a Melacha for a Jew, then it is clearly permitted for the Jew to instruct a non-Jew to tell another non-Jew to do a Melacha.

Thirdly, some Poskim(10) argue that mailmen do not work for the sender but for the government Postal Service, which has an interest in mail being delivered. They are not delivering the mail because the Jew asked them to do so, but because they are employees of the Service. They are not considered, therefore, as doing something for the Jew. Mail delivery is similar to garbage collection where the garbage men are not working for the homeowner but for the city government(11).

All these reasons are enough to permit a letter to be sent with instructions to deliver it on Shabbos, even when the situation is not necessarily one of averting a major loss or filling a great need. Obviously, if there is no need or urgency, one should not rely on the above arguments(12).

When a letter arrives on Shabbos, the recipient should not take it directly from the mailman's hands. Rather, he should allow the mailman to place the letter in the mailbox or in the house. The reason for this is that we do not want the Jew to inadvertently carry the letter into the house, which, if carried from a Reshus Harabim into a Reshus Hayachid constitutes a biblical prohibition(13). Possibly, therefore, if there is an Eiruv, one may take the letter directly from the mailman's hands(14). Even though the letter or package originated from outside the Techum Shabbos, it is not Muktzeh - unless it contains a Muktzeh item(15).

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FOOTNOTES:

1 This is a rabbinic prohibition. According to a minority opinion, it is considered a biblical prohibition - see Shaar Hatzion 243: 7.

2 If the overnight mail is delivered to the house together with the rest of the mail, it is permitted to be sent, since the mailman is not doing a special Melacha for the Jew - See Shu"t Chelkas Yaakov 1:65. But usually, overnight mail is delivered separately from the regular mail.

3 Chavos Yair 53.

4 307:24, quoting the Sefer Hachayim.

5 Shu"t Mahrsha"m 2:136, quoting the Shvus Yaakov 2:42.

6 Ma'harsham, ibid, and in Daas Torah 247:1; Shu"t Az Nidberu 3:36.

7 OC 60.

8 See Biur Halacha 307:2 who quotes this Chasam Sofer and comments that from the Rashba it seems that this is not so, that even during the week it is prohibited. But see Zichron Yosef 97 (quoted in Shu"t Machze Eliyahu 37) who explains that there is no contradiction between the Rashba and the ruling of the Chasam Sofer.

9 Shu"t Mishne Sachir 73 quoting the M'harshag. See also Shu"t Chasam Sofer Choshen Mishpat 185.

10 Pri Megodim 247:3 according to the explanation of Shu"t Machzei Eliyahu 37.

11 Possibly, this argument could be advanced to include employees of a private company as well.

12 See Shu"t Minchas Yitzchok 6:18 who is hesitant about permitting this, although he says that many people are lenient.

13 Mishan Berurah 307:56.

14 See Shaar Hatzion 307:66.

15 Mishnah Berura, ibid, and Biur Halacha who explains that although a letter is not a Kli and thus subject to the prohibition of Muktzeh, it is nevertheless permitted to carry since one can use a letter to cover a bottle or as a bookmark. Harav S.Z. Auerbach (printed responsum in Sefer Tiltulei

Shabbos pg. 13) rules that even nowadays one can rely on this. Not all Poskim agree to this leniency.

The Weekly Internet
P A R A S H A - P A G E
by Mordecai Kornfeld of Har Nof, Jerusalem (kornfeld@jer1.co.il)
edited by Yakov Blinder

Dedicated by Elozor and Batsheva Preil in memory of Batsheva's parents,
Chaim
Zaydel ben Dovid (Sidney) Wernick, whose first yearzeit is 14 Tammuz, and
Reva
Leah bas Yosef Wernick, whose 18th yearzeit is 17 Tammuz.

Parashat Pinchas 5756
THE SUN AND THE MOON

Hashem said to Moshe, "Take Yehoshua bin Nun -- he is a man of prophetic spirit -- and rest your hand upon him (i.e., show that he has been chosen to be your successor)... and give unto him some of your glory." (Bamidbar 27: 18-20)

"Your glory"- this refers to facial radiance (See Shemot 34:34). "Some of your glory"- and not all of it. From this we can learn that Moshe's face shone like the sun, while Yehoshua's shone like the moon. (Rashi ad. loc.)

The elders of that generation commented, "The face of Moshe shines like the sun while the face of Yehoshua only shines like the moon!" Woe to one who bears such shame; woe to one who bears such humiliation! (Gemara Bava Batra 75a)

What is meant by the analogy between the sun and the moon, and Moshe and Yehoshua? In order to attain a deeper understanding of this Aggadah, we must

first analyze the difference between Yehoshua's leadership and Moshe's leadership from the Torah's perspective.

II The Gemara in Sanhedrin relates: Moshe told Yehoshua, "You will come *with* the Bnai Yisroel into the promised land (Devarim 31:7) - the elders and you will jointly lead the people." Hashem corrected him, insisting that he tell Yehoshua, "You will *bring* the Bnai Yisroel into the land which I have promised (Devarim 31:23) -- take a stick and beat the elders until they follow your orders! There can only be one leader in each generation; there cannot be a joint leadership!" (Sanhedrin 8a)

Yehoshua would not be able to lead the Jews properly if other elders or prophets would be given a say. The concept of joint leadership was foreign to him.

In fact, Yehoshua himself expressed this attitude on another occasion. When Moshe appointed the 70 elders to their position of authority, he asked them to join him in front of the Mishkan. There he "kindled their spirits" and caused them to experience prophetic visions. Two others, Eldad and Meidad, prophesied without Moshe's help in the Israelite encampment. When Yehoshua heard of this, he came running frantically to Moshe, calling for Moshe to put an end to the prophecy of Eldad and Meidad (Bamidbar 11:26-9). For Yehoshua, it was unheard of for independent prophets to be declaring the word of Hashem simultaneously ("One leader in each generation"). He therefore took the two self-declared prophets to be phonies.

Moshe, however, saw things differently. His reaction to Yehoshua's frenzy was, "Would that Hashem would make *all* of His people into prophets by resting His spirit upon them!" As far as he was concerned, it was quite feasible for numerous prophets to lead the people jointly. In fact, Hashem explicitly told Moshe to appoint elders "That they may bear the burden of the people *together* with you" (Bamidbar 11:17). This was probably why Moshe originally instructed Yehoshua to lead *with* the elders -- just as Moshe himself had done.

III What was Moshe's secret? Why was he exempt from the rule of "One leader per generation?" Rambam describes the difference between Moshe's

prophecy and that of all other prophets:

All the other prophets received their prophecy through an angel. This is why they saw what they saw only as a metaphoric vision or a non-explicit statement (that must first be interpreted before it is understood). Moshe, however, did not receive his prophecies through an angel.... He did not see a metaphoric vision, but rather Hashem revealed His word to Moshe clearly.... [Because of his unique closeness to the Divine word,] Moshe's face radiated light and he became as spiritual as the angels. (Rambam, Yesodei HaTorah 7:6. See also the seventh of the Rambam's 8 Perakim.) The Rambam distinguishes between the prophecy of Moshe and that of all other prophets, Yehoshua among them. In the words of Chazal, "Moshe saw a clear reflection, while the others saw an ambiguous reflection" (Yevamot 49b). Why is it that a successful leadership normally requires appointing one person as the sole authority? Because each leader has his own distinct personality, and the differences between the personalities of two leaders will inevitably be expressed in their leadership decisions. Even if the leaders based their decisions on divine revelation (as was the case in the times of Yehoshua), they were still liable to have differences of opinion. This is because, as the Rambam told us, a prophet's vision was still open to interpretation. Since the prophet's own input was required, the interpretation of his prophecy was inevitably affected by his own unique personality. This is why we find that "two prophets never prophecy with an identical phraseology" (Sanhedrin 89a). Even two prophets would not be perfectly compatible leaders, since their differing personalities would be reflected in their interpretation of their prophecies. For this reason, a one-person leadership is always advised.

Moshe's leadership, however, was different. He did not merely see a vision; he heard the very words of Hashem. Because of this, he was able to "pass along" the unsullied word of Hashem to others. He kindled the prophetic spirit of the 70 elders "as one candle kindles another" (Bamidbar 11:17, and Rashi ad. loc.). Since Moshe's prophecy was the *source* of the elders' prophecy, the elders would never reach a conclusion that was contrary to Moshe's own conclusion. All of their decisions would necessarily be unanimous.

Similarly, on the occasion that Eldad and Meidad prophesied in the Israelite encampment they received the Divine Word directly from Hashem, Moshe-style. They did not simply see a vision, as did normal prophets. (This is why the two were able to prophecy with an identical phraseology, contrary to the rule cited above.) They, too, would be no threat to Moshe's leadership. Since they saw clearly the will of Hashem, they could only agree to what Moshe, who experienced the exact same prophecy, would decide. Yehoshua, on the other hand, was like any other prophet. He couldn't "bring down" prophecy for others, he could only receive his own personal prophecy which would be affected by his own personality. Therefore, he would have to lead single-handedly. For the same reason, Yehoshua didn't believe that Eldad and Meidad were true prophets. He assumed that all other prophets were like himself, and could not be granted prophecy independently of Moshe while Moshe was leader.

This explains why Moshe told Yehoshua to lead *with* the elders. Moshe thought that his student Yehoshua would lead in the same manner that he himself

did. If so, the elders could lead the generation together with him, just as they did with Moshe. Hashem, however, knew that this wasn't the case. Yehoshua wouldn't be able to "share" his perception with the elders, since he would only perceive a weak reflection of Hashem's word. Hashem therefore told Moshe, "He should take a stick and beat them until they obey!" Yehoshua must lead alone.

IV With this in mind, we can understand why the Midrash draws an analogy between Moshe & the sun and Yehoshua & the moon. The sun not only shines in the heavens, it illuminates the other bodies of the heavens as well. The moon and the planets, however, shine due to their reflection of the light of the sun. It is in this manner that Moshe resembled the sun and Yehoshua resembled the

moon. Moshe was able to be a source of prophetic illumination to others, such as the 70 elders (which is what caused his facial radiance, as Rambam mentioned).

Yehoshua, however, could only become illuminated with the divine light through a "reflection" of the original light ("an ambiguous reflection"). He could not illuminate others. (The Zohar [Shemot 215a] spells out that this is indeed the meaning of the comparison between Moshe and Yehoshua and the sun and the moon.)

It is perhaps for this reason that specifically the *elders* commented on Yehoshua's likeness to the moon. According to what we have described, the analogy between Yehoshua and the moon was evident to no one more than to the

elders. It was the elders who would suffer the consequences of Yehoshua's inferiority to Moshe. The elders that led the generation together with Yehoshua's master, Moshe, would not be able to lead together with Yehoshua. This is why it was specifically the *elders* who noted Yehoshua's deficiency and

complained about his likeness to the moon!

[Much of this article was inspired by the words of Rav Yonason Eibeshitz in "Ya'arot D'vash" (D'rush #11) and Rav Abish'l Frankfurter in "Birchat Avraham" (to Eruvin 63a).]

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DRASHA PINCHAS -- DAUGHTERS-AND-LAW

There is a fascinating sequence of events in this week's portion that is analyzed by the Medrash and expounded upon by every major Torah commentator.

At the beginning of Chapter 27, the daughters of Zelophchad appeal to Moshe. Their father died in the desert, but he was not amongst the insurgents who rebelled against Moshe during Korach's uprising. He died of his own sin and left no sons. The daughters want an inheritance in the Land of Israel.

Moshe did not remember the law and consulted with Hashem. He advised Moshe

that Zelophchad's daughters had a valid argument. They were entitled to a portion of the land that had been allotted for Zelophchad.

The ensuing section of the weekly Parsha has Hashem reminding Moshe that he

will not enter the Land of Israel. Immediately a conversation follows. In verses 15-18 Moshe pleads to Hashem, "the Lord of all spirits and flesh to appoint a man over the assembly who will go out before them and go in before

them; so they shall not be like sheep that have no shepherd."

Rashi quotes a Medrash that links the two episodes. He explains that after Moshe saw that Zelophchad's daughters were entitled to inherit the Land, he felt that the time had come to ask for the torch of leadership to be passed to his own children. This does not come to pass. Hashem tells Moshe to bestow authority to his own disciple, Joshua, who ultimately leads the Jewish Nation into Israel.

Many Biblical commentators are puzzled by the connection of the request of Zelophchad's daughters and Moshe's request. Why did the former prompt the latter?

Second, were Moshe's sons worthy of leadership or not? It seems that only after Moshe saw that Zelophchad's daughter's inherited did he say, "the time has come that I shall ask for my needs." Why would the episode or conveyance of land to Zelophchad's kin affect Moshe's opinion of his own children's leadership abilities?

The pious and humble Tzadik, Rabbi Yisroel Meir Kagan of Radin, known to all

as the Chofetz Chaim, was once riding a train to Radin. He wore a simple cap and traveled alone, and hardly anyone knew who he was. A middle-aged Jew sat

down beside him and asked him where he was going. The Chofetz Chaim answered softly, "to Radin."

The man was excited. "Do you know the saintly Chofetz Chaim? I am going to Radin just to see him!"

The Chofetz Chaim was unimpressed. "M'nyeh," he shrugged. "I don't think he is so saintly."

The visitor was so appalled that he slapped the old man and left his seat shouting. "How dare you make light of the leader of our generation!"

A week later the man came to the humble abode of the great Tzadik. Lo and behold, the old man from the train was sitting by the table in the dining room. The man collapsed in shock.

He could not stop apologizing for the incident on the train when the Chofetz Chaim halted him.

"Do not worry, you taught me a great lesson," said the sage. "One may not even slander himself."

R' Mordechai of Czernobel (d.1837) explains the connection. Moshe was concerned that the very sin that prohibited him entry into the Land of Israel would also prevent his children a chance at inheriting leadership. When Hashem told Moshe that Zelophchad's daughters shall not suffer for any

past misdeeds, he reconsidered his own situation. He realized that his problem and sin had nothing to do with his children. They should not suffer from his humility and self-effacing.

We all may get down on ourselves at one time or another. But our children look up to us. We must show that we have confidence in ourselves. The qualities that they believe we possess are those that we must pass on to them. Mordechai Kamenetzky <rmk@yoss.org> - Yeshiva of South Shore

Dedicated in loving memory of our grandmother, Betty Blum, of blessed memory

Rivka bas Nissan Leib O"H -- 17 Tamuz by Mark & Jolene Bolender and their children, Elchanan, Miriam & Lana

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"Bircas Hatorah <bircas@jer1.co.il>" Pinchas

Selected, translated and arranged by Rabbi Dov Rabinowitz

Our Sages tell us that Pinchas did not become a Cohen (priest) until he killed Zimri. The Chidushei HaRi"m expresses amazement at this, because the

Tur (Orach Chaim 128) attests that a Cohen who killed a person, even if he did so unintentionally, is disqualified from (the office of) being a Cohen. This is because the Cohanim portray the attribute of chessed (love and benevolence) as it is written "Your Urim and Your Tummim to the man of Your

chessed" (Devarim 33,8). So even if (the slaying) was legitimate, (it will disqualify the killer). And in this instance it was the opposite; Pinchas did not become a Cohen until he killed Zimri.

(We can understand this if we consider that Pinchas) did this out of his love for Yisroel, in order to atone for them, and to save the whole of Yisroel (from the affliction of the anger of HaShem - 25,8). (This is in accordance with) the character of the Cohen as the paradigm of chessed. Thus (Pinchas) became a Cohen precisely after this action. For this reason it is written "Behold I grant him My covenant of peace." (25,12) (We find similarly) in the parsha of Ki Sissa that Moshe Rabeinu commanded the Sons of Levi "and let each man kill his brother . . ." (Shmos 32,27) in order to save the congregation of Yisroel.

"Thus say (to him): behold I grant him My covenant of peace. And it will be to him and to his descendants after him, an eternal covenant of Cehuna . . ." (25, 12 & 13).

The Meshech Chochma elucidates this in the light of what the Ramba"m explains in the introduction to his commentary on the Mishna: all the promises which HaShem made to an individual could be changed (if he were to) sin. Thus (we find that) Yaakov Avinu was afraid lest (his) sin would cause (him to lose the merit required for the fulfilment of the promise of HaShem - see Rash"i on Bereishis 32,11). However, what is promised (by HaShem) through the agency of a navi (prophet) can not be changed (even if the person would) sin, provided that (the promise) was expressed as a definite statement and did not (depend) on any condition. Thus HaShem said "Pinchas . . . has removed (my wrath) . . . and I did not annihilate . . ." (25,11); (the consequences of Pinchas') action endure for all generations, since he erased the sin from the congregation of Yisroel. "Thus say . . ." (25,12) that is, you (Moshe) say to him: "And it will be to him and to his descendants after him, an eternal covenant of Cehuna . . ." (25,13); but I will not say to him, even though he was a navi, as it is written (about Pinchas) "previously, HaShem was with him." (Divrei HaYomim 1 9,20). (The reason that it had to be through Moshe Rabeinu, is that his) sin should not cause (him to lose this merit), nor (should it be lost for) any other reason. Indeed we find that even in Bayis Sheini (the second Temple) (where, in the later era, corruption and iniquity were rife among the Cohanim Gedolim - High Priests DR) the Cohanim Gedolim were descended from (Pinchas), as is recorded in the Sifri (at the end of Parshas Balak). Since (this promise) was made through Moshe, who was a navi, it endured for ever.

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PARASHAT PINCHAS
SICHA OF HARAV LICHTENSTEIN SHLIT"A

"Behold, I Give Him My Covenant of Peace" "And God spoke to Moshe saying, Pinchas the son of Elazar, son of Aharon the Kohen, has turned My anger from Benei Yisrael because he was zealous for My sake... Therefore say, Behold, I give him My covenant of peace." (Bamidbar 25:10-12) Upon reading these pesukim we are faced with the question of what possible connection there could be between the concept of peace and Pinchas's act of zealousness - an act which appears to stand in opposition to peace.

The commentaries, in dealing with this question, propose various And to top it all, Pinchas is the grandson of Aharon - the same Aharon who was known to "love peace and pursue peace," who "loved his fellow-men and brought them close to Torah." Hence we would expect that his grandson, too, would have been educated in the same spirit of peace and kind outreach, not towards acts of murder, rejection and revenge. The gemara in massekhet Sanhedrin learns from the verse, "And he GOT UP from amongst the congregation and he took a spear in his hand..." that it is forbidden to enter the Beit Midrash (study hall) carrying a weapon. In other words, Pinchas did not habitually carry a weapon; he generally spent his time in the Beit Midrash. In rising he was indeed departing from his usual manner and from the spirit in which he had been educated - the spirit of peace and truth. On the other hand, this rising also contains an element of elevation. For not everyone is capable of standing up and doing what is required when the nation is in a situation of crisis. And a close examination of the verse reveals that this was indeed the case at the time: a plague was raging amongst the nation, and the leaders were crying at the entrance to the Tent of Meeting. The scene is one of breakdown among the leadership and general despair. At such a difficult hour, only someone as great as Pinchas was able to take control of the situation. He knew that the situation required him to temporarily depart from his usual peaceful manner and to rise up to perform a radical act, which would eventually lead to calm. The granting of peace to Pinchas can now be explained in a new light. Even a person who throughout his life follows the path of peace and truth, if he should take up a spear - even for just one moment - and kill someone, then there is a danger that something within him has changed; that something of his sensitivity has been impaired. Therefore there is a need for the covenant of peace - an assurance that he will return to the

explanations. The Ibn Ezra explains: "The reason [for the promise of the covenant of peace] was so that the brothers of Zimri would not come after him, for he was the prince of his tribe...." In other words, since Pinchas had assassinated an important personage - the prince of the tribe of Shimon - there was reason to expect that the latter's blood would be avenged, and therefore God promised him His covenant of peace in order to guard him. Rashi proposes a different reason: "That he should have a covenant of peace, like someone who has special regard for a person who has done him a favor. In the same way, God rewards him here with peace." In other words, there really is no substantive connection between Pinchas's act and the covenant of peace; it is granted to him simply as a reward for his act of Kiddush Ha-Shem. We may propose a third solution, which connects both of the above explanations both from the point of view of Pinchas's character and from the point of view of the event itself.

Let us return to the end of the previous parasha, where Pinchas's deed is recorded, and let us review the event: "And behold, a man from amongst Benei Yisrael got up and brought to his brethren a Midianite woman, before Moshe and before all of the nation of Israel, and these were crying at the entrance to the Tent of Meeting. And Pinchas, the son of Elazar, the son of Aharon the Kohen, saw and rose up from amongst the congregation and took a spear in his hand. And he came after the man of Israel into the chamber, and stabbed both of them through..." (ibid. 25:6-8) A chilling scene is depicted here: a violent character appears, spear in hand, and kills a man in cold blood, without any hesitation and with no thought of a trial. Our confusion increases with the knowledge that the character involved is none other than Pinchas Ha-Kohen. Pinchas, descendant of the family of Kohanim about whom the prophet Malakhi said, "And you shall know that I have sent this commandment to you, that My covenant should be with Levi... My covenant was with him for life and for peace... The Torah of truth was in his mouth... He walked with Me in peace and uprightness... for the Kohen's lips should keep knowledge, and they should seek Torah at his mouth." (2:4-7)

The image of the Kohen is that of a man of peace and truth, who is favored by his fellows and is easy-going with them. As the Rambam explains, "Why did the tribe of Levi not merit to receive an inheritance in Eretz Yisrael and in the spoil of the land, like their brethren? Because they were separated for Divine service, to serve Him and to teach His ways of uprightness and His righteous laws to the masses." (Hilkhot Shemitta ve-Yovel 13:12).

natural and desired path, where he belongs. "Pinchas the son of Elazar - God said: It is just and fair that he should receive a reward, 'Therefore say, behold - I give him My covenant of peace.' Great is the peace that was granted to Pinchas, for the world operates only because of peace, and the entire Torah is peace, as it is written: 'Its ways are ways of pleasantness, and all its paths are peace.' And if a person arrives after a journey, we ask after his peace... We conclude the Shema with '...Who spreads his tabernacle of peace...' and the Amida, too, closes with the blessing of peace... The Birkat Kohanim (priestly blessing) also concludes with peace. Rabbi Shimon ben Chalafta said, 'There is no vessel that can contain blessing other than peace, as it is written: God will give strength to His nation; God will bless His nation with peace.'" (Bamidbar Rabba, 21:1) (Originally delivered on Shabbat Parashat Pinchas 5752. Translated by Kaeren Fish.)

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PARSHAS PINCHOS Yirmiyahu 1:1

This week begins a series of haftorah readings which reflect the deep feelings of the Jewish people during the final months of the year. The series opens with the moving visions of the prophets depicting the destruction of the Bais Hamikdash and concludes with a continuous dialogue between Hashem and His people expressing His strong desire to reunite with them. Our haftorah displays the prophet Yirmiyahu somewhat reluctant to accept Hashem's charge as spokesman to the Jewish nation. Yirmiyahu's concern centered around his youthful age coupled with his lack of experience

in speaking to the entire nation. He realized the painful nature of the pending catastrophic events threatening the Jewish people and feared that his prophetic predictions could actually endanger his life. Hashem responded that He would personally direct Yirmiyahu and protect him from all

opposing forces. Yirmiyahu then received his first prophecy which was introduced by the following words. "And Hashem sent His hand and it touched my mouth and Hashem said to me, 'Behold I've placed My words in your mouth.'" These strange words indicate a uniqueness in the nature of Yirmiyahu's prophecy and reveal that Yirmiyahu, unlike other prophets, felt compelled by the words of Hashem placed in his mouth.

In truth, we find that special significance is given to the prophetic status of Yirmiyahu. Our Chazal (in Yalkut Shimoni 256) take note of the specific expression the Torah uses when introducing the institution of prophecy. In Parshas Shoftim (Devorim 18, 15) Moshe says, "Hashem shall establish a prophet amongst you likened to myself. Hashem says, "I shall place My words in his mouth and he will convey to the Jewish people everything I command." Chazal reflect upon the words "likened to myself" used by the Torah when introducing the status of prophecy. They raise the question that the Torah itself states that no one ever achieved parallel status of prophecy to that of Moshe Rabbeinu. What then is meant by the words of Moshe

Rabbeinu "a prophet likened to myself?" Chazal answer that Yirmiyahu's unique role as a prophet of rebuke was truly parallel to that of Moshe Rabbeinu. They draw parallel lines between the life's experiences of Moshe Rabbeinu and those of Yirmiyahu. Each served a full term of forty years and was totally responsible for the ethical conduct of the entire nation. In addition, each of them faced serious opposition from their people for the hard stand they took in defending the name of Hashem. The Mahri Kra (Yirmiyahu 1:9) adds that even the phraseology used to describe their prophecy is of the exact same nature. When referring to the prophecy of Moshe Rabbeinu the Torah states, "And I shall place My words in his mouth."

This exact expression of "placing My words" is also used regarding the prophecy of Yirmiyahu. As it says, "Behold I have placed My words in your mouth." One could question the high priority that Yirmiyahu's prophecy occupies in the Torah. Why did Moshe Rabbeinu make reference to the prophet Yirmiyahu at the inception of prophecy and single him out from the other forty seven leading prophets? What was so significant about Yirmiyahu's prophecy that made it the prime focus of Moshe Rabbeinu's discussion?

In search for clarification on this point it is worthwhile to research Moshe Rabbeinu's reflections on the establishment of prophecy. In Parshas Shoftim Moshe says, "Hashem will establish a prophet in response to all that you requested from Hashem at Sinai on the day you received the Torah. You said,

'I can not continue to hear the direct voice of Hashem and I will no longer perish from seeing this great fire.'" "And Hashem responded, 'I will establish a prophet likened to you and I will place My words in his mouth.'" (D'vorim 18:16) The Ramban (ad loc.) explains that the Jewish people requested that the messages of Hashem be transmitted to them through the words of prophecy. They found it too difficult to hear the Torah directly from Hashem because of the intensity of Hashem's words. They therefore accepted upon themselves to follow the messages of all the authentic prophets regardless of the severe nature of their message. Hashem, in effect, accepted the Jewish nation's request for prophecy but reserved the right to speak to them through the prophets at any time and in the strongest of terms.

The Jewish people, in place of Hashem's intense and direct words, readily accepted this alternative along with its demanding conditions.

We now have a clear perspective regarding Moshe Rabbeinu's hidden message to the Jews. Although the Jewish people, during Moshe's era, were fully willing to listen to his prophecy this was in place of the more intense words of Hashem ringing freshly in their ears. However in later generations after the Jews would stray far from Hashem this task would become extremely

difficult. The Jewish people would be prone to silencing their prophets and restricting them from conveying their penetrating and horrifying messages.

Moshe, therefore, warned them at the outset that their agreement was eternally binding and that in later years Hashem would send them a prophet whose words of rebuke would be as piercing as those of Moshe Rabbeinu himself.

We can now appreciate the opening words of Yirmiyahu in which he portrayed himself to be compelled by the word of Hashem. It was the unpleasant role of Yirmiyahu to predict, in the most vivid form, the destruction of the Bais Hamikdash. These tidings were so penetrating that the Jewish people reacted to them as they did to the direct words of Hashem. Yirmiyahu sensed the intensity of his prophetic mission and felt as if Hashem Himself was

speaking through him to the Jewish people. He therefore felt compelled by these words to deliver them as the clearest warning possible to the Jews. In this regard Yirmiyahu was truly likened to Moshe Rabbeinu through whom

Hashem delivered His clearest messages to the people.

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