

INTERNET PARSHA SHEET ON PINCHAS - 5760

To receive this parsha sheet in Word and/or Text format, send a blank e-mail to parsha-subscribe@egroups.com, or go to <http://www.egroups.com/group/parsha>. Please also copy me at crshulman@aol.com. For archives of old parsha sheets see <http://www.egroups.com/messages/parsha>. For links to Torah on the Internet see <http://www.egroups.com/links/parsha>.

From: RABBI YISSOCHER FRAND

ryfrand@torah.org; genesis@torah.org; tapes@yadychiel.org

"RavFrاند" List - Rabbi Frاند on Parshas Pinchas -

Note: This will be the last "RavFrاند" prior to the summer break. The next class is planned for the week of Parshas Shoftim. Have a wonderful summer! These divrei Torah were adapted from the hashkafa portion of Rabbi Yissocher Frاند's Commuter Chavrusah Tapes on the weekly portion: Tape # 336, Tisha B'Av on Motzoei Shabbos. Good Shabbos!

Parshas Pinchas: Torah-Sanctioned Zealotry

In last week's parsha we learned that Pinchas turned back G-d's anger towards the Jewish people through his act of zealotry. The Halacha states that a zealot is allowed [subject to very strict conditions] to kill a "Boel Aramis" [a person who is engaged in a specific type of public sexual immorality]. As a payment to Pinchas for his act, G-d gave Pinchas His Covenant of Peace.

Many commentators are bothered by the appropriateness of this reward. A zealot is usually understood to be one who engages in arguments and controversy.

There is an interesting Rabbinic teaching which has an implied 'criticism' of Moshe Rabbeinu: "Since Moshe was passive during this incident, no one knows the location of his grave. This teaches us that a person must be as bold as a leopard, nimble as an eagle, speedy as a deer, and mighty as a lion to do the Will of his Creator."

The Medrash indicates that the anonymity of Moshe's gravesite is a punishment for the fact that he himself did not perform this act of zealotry. The Medrash itself points out that this is an example of G-d acting meticulously with the righteous, measuring their actions with precision. The ability to properly perform an act of zealotry is not something everyone can take upon themselves. The person must be at the highest spiritual level. But the Medrash here faults Moshe Rabbeinu in the context of G-d measuring the acts of the righteous "by a hair's breadth."

Rav Mordechai Gifter (Rosh Yeshiva, Telshe Yeshiva, Cleveland Ohio) emphasizes a very important point. The Torah describes Pinchas, or anyone who kills a person who is demonstrating this public immorality as a "Kanai" [zealot]. People tend to translate the word "Kanai" to mean an "extremist." Rav Gifter writes that this is incorrect. As the Rambam writes [Hilchos Dayos 1:4], Judaism does not appreciate extremism. The middle path, the "Golden Mean" is the way the Torah advises people to act. "Kanaus" is not extremism. Quoting the Sifrei, Rav Gifter defines Kanaus as the act of sublimating one's entire self to the wants of G-d, to the extent that the person is willing to give up his life, if necessary.

That is why not all of us can assume the mantle of zealotry. Torah-sanctioned zealotry is reserved for those people who are willing to make the ultimate sacrifice for G-d. When a personal agenda does not exist -- when all that exists is G-d's Honor -- then and only then are the person's actions in the category of Torah-sanctioned zealotry. If a

person's motives are not completely pure -- if there is an admixture of other motives to the act of zealotry -- then it ceases to be an approved act of Kanaus.

Consequently, it is highly appropriate that the reward for this act is the Covenant of Shalom. Shalom does not necessarily mean peace. Shalom means 'perfection', as in the word "Shalem" [complete]. When a person performs an act of zealotry, such that his will and G-d's Will become one, then he has achieved completeness [shleimus] with his Maker. The gift of Shalom = Shalem is thus highly appropriate.

Our sages say that despite the fact that Moshe Rabbeinu erred -- if we can even use that word -- by failing to assume the mantle of zealotry, Moshe repents for this passivity in next week's Parsha. We learn in Parshas Mattos of the command given to Moshe "Seek revenge for the children of Israel against the Midianites, then be gathered into your nation" [Bamidbar 31:2]. Our Rabbis infer from this linkage that Moshe had the ability to extend his lifetime. His death was dependent on his first taking revenge against the Midianites. Moshe, in effect, had a blank check. He could have taken 2 years or 5 years or 10 years to seek revenge against the Midianites.

What was Moshe's reaction? Moshe immediately went ahead and carried out the action, knowing full well that its completion would pave the way for his own imminent demise. Here, Moshe was performing the ultimate act of Kanaus. We have defined Kanaus as being able to sublimate one's own desires and being prepared to give up one's life for G-d. That is precisely what Moshe Rabbeinu demonstrates in Parshas Mattos. This is why Chazal view that incident as an atonement for his passiveness in the incident at the end of last week's parsha.

The 'Sin' Of the Father Passes Down to The Son

There is a famous comment of the Da'as Zekeinim m'Baalei haTosfos that appears in Sefer Bereshis. There is a census in this week's parsha that enumerates the various families of the Jewish nation. One pasuk [verse] contains the phrase, "Yashuv of the family of Yisvi" [Bamidbar 26:24]. Yashuv was one of the sons of Yissachar.

If we look in Parshas Vayigash, where the descendants of the tribes who went down to Egypt are listed, there is no such son of Yissachar listed. However we do find listed there that Yisachar had a son named Yov [Bereshis 46:13].

The Da'as Zekeinim makes the following enigmatic comment. There is a controversy as to how the name Yissachar (which is spelled with a double letter 'sin') is to be pronounced. Do we pronounce both 'sin's (Yisaschar) or just one of them (Yisachar)?

Prior to Parshas Pinchas, where Yisaschar's son is always called by the name Yov (without an extra 'sin'), we pronounce Yisaschar with both 'sin's. Starting here in Parshas Pinchas, we pronounce Yisachar as if it were written with only one 'sin'. What happened? Our Sages tell us that Yov complained to his father that he had the same name as an idol and he did not like the name. Therefore, his father took a 'shin' from his own name and gave it to his son, whose name became Yashuv. From this point forward we read Yisachar's name with a single 'sin'.

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

Rav Gifter says that the answer is obvious. This is a father who is trying to protect his son. Has there ever been a father who spared anything to guarantee that his son was protected? That is what parenting is all about. Nothing concerns us like the welfare of our children.

"I am not going to rely on just any old 'sin' from the Aleph-bais. I am not sure that just any 'sin' will 'do the trick'. I am giving you MY 'sin'. My name will be different. My name will be lacking something and so will I. But that does not concern me in the least - because I am a father and my son's welfare is all that counts! I insist on giving you the very

best letter - one that comes straight from my name - to make sure that you are protected."

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

Transcribed by David Twersky; Seattle, Washington twerskyd@aol.com Technical Assistance by Dovid Hoffman; Baltimore, MD dhoffman@torah.org Tapes or a complete catalogue can be ordered from the Yad Yechiel Institute, PO Box 511, Owings Mills MD 21117-0511. Call (410) 358-0416 or e-mail tapes@yadyechiel.org or visit <http://www.yadyechiel.org/> for further information. learn@torah.org <http://www.torah.org/> . Project Genesis: Torah on the Information Superhighway 17 Warren Road, Suite 2B Baltimore, MD 21208 (410) 602-1350

<http://www.kby.org/torah/parsha/pinchas.html>

COVENANT OF PEACE

Rosh Hayeshiva HARAV MORDECHAI GREENBERG, shlita

The attribute of zealousness ("kanaut"), for which the Torah praises Pinchas, is not intended to be used on a consistent basis, nor is it intended for the average person. Even regarding Pinchas, the Talmud Yerushalmi states that the tribes of Israel wanted to excommunicate him for putting Zimri to death. They were only restrained by a Heavenly voice (Bat Kol) that announced, "It shall be for him and his offspring after him a covenant of eternal priesthood" (Bamidbar 25:13), thereby connecting him to Aharon, who was known to love peace and actively pursue it.

In many instances, supposed religious "zealousness" is motivated by hate or self-interest. Throwing stones at a car on Shabbat mainly because it disturbs the Shabbat atmosphere, or because it prevents the children from playing in the streets, is not zealousness motivated by religious fervor. Rather, it is simply an issue of neighborly responsibility, a problem that the Shulchan Aruch deals with in Choshen Mishpat (which relates to monetary matters), using religious zealousness as a convenient cover to hide behind. The true religious zealot is one who is motivated only by love of G-d. Upon seeing evil, his soul is filled with anger and disgust toward the transgression to the extent that he can no longer restrain himself. In such an instance, the Torah takes his emotions into consideration, even though if he were to first consult those knowledgeable in the ways of G-d, they would advise him not to proceed.

Anyone who is not classified by Halacha as a zealot, and is suspected of acting out of personal interests, is in no way allowed to harm or even speak badly against any other Jew. This idea is expressed in the testament of R. Yaakov of Lisa, author of the Halachic work "Netivot Hamishpat." He writes: "Be very careful not to speak badly against another Jew, even if he acts in a fashion similar to that of Zimri. After all, you know that you also have done evil, and perhaps your own evil is worse than his, so how dare you speak badly about your friend!"

The Gemara (Berachot 10a) relates that when some outlaws bothered R. Meir, he prayed that they should die. His wife, Berurya, showed him the pasuk that says, "Sins ("chataim") will cease from the earth, and the wicked will be no more." (Tehillim 104:35) She said to him, "Does the Pasuk say `sinners'? No, it says `sins!'" Upon her advice, R. Meir then prayed that they might repent, which they eventually did. This illustrates that we must help those among us that are sinful to rise out of their spiritual distress through prayer, in the same way that we pray for a

person who is physically ill and unable to help himself.

R. Pinchas of Koritz similarly writes in his sermons:

One must love even the sinful, but must hate their actions. Although it is forbidden to be close to the wicked, one must still love them, so that perhaps they will return to the path of the Torah. As our Rabbis teach us regarding Aharon, "He loved peace and actively pursued peace and brought people closer to Torah." (Pirkei Avot 1:12) By loving his fellow men, Aharon brought them close to Torah, bringing them back to the correct path. Although the Gemara (Pesachim 113) says that if one sees his friend sinning, it is a mitzvah to hate him, Sefer Hatanya (ch. 32) limits this to a friend who generally observes Torah and mitzvot, yet has spurned proper rebuke. However, regarding a person with whom one is not friendly in this manner, we find in Pirkei Avot, "Hillel was fond of saying, `Be a student of Aharon - love peace ... love G-d's creatures, and bring them closer to the Torah.'" This refers even to those who are distant from Torah and the service of G-d, and for that reason are referred to merely as "creatures." They have to be drawn with bonds of love, hopefully bringing them back to serve G-d.

Similarly, the Chazon Ish writes (Yoreh De'ah 2:16):

The law of Mordidin (that certain sinners are indirectly "eliminated") is only operative when Divine Providence is clear, such as when miracles were common, and the Bat Kol (Heavenly voice) was used, and the righteous were visibly guided by Divine Providence ... However, at a time when all of this is hidden, when belief is not found amongst the commoner, ... since the whole purpose [of this law] is to improve society, it does not apply when it will not achieve any improvement. Instead, we must bring them back to the ways of the Torah using bonds of love, and to set them on the correct path as best we can.

The Ba'al Shem Tov, as well, writes (Parshat Kedoshim):

A person should train himself to judge the wicked who sin for pleasure meritoriously ... Furthermore, he should well know that this transgression exists within him also to a small degree, just that he always finds excuses to justify his own behavior. In the same way, he should try to find justification for all of his fellow Jews, because the common denominator of them all is that they are all righteous, they are all pure, and they are all worthy of receiving all blessings.

From: yossi[SMTP:ohana@netvision.net.il]

toratnechama@yerushalayim.net

The Department for Jewish Zionist Education The Jewish Agency

Weekly insights on the Parasha

with commentaries by NEHAMA LEIBOVITZ, za"l

COPING WITH ZEAL

< The beginning of our sidra concludes the story of BalaamEs malicious efforts to discredit Israel in the eyes of the Almighty, by seducing them to commit immorality. The background to this story is filled in by the following excerpt from the Talmud (Sanhedrin 106a) which discusses the subject: < Balaam said to them: Their God detests immorality . The Israelites hanker after linen garments. Let me give you some advice. Set up stalls and install in them harlots to sell them linen waresBWhen the Israelites were eating and drinking and rejoicing and strolling in the market place, she would say to him: Thou art like one of the family, sit down and choose for thyself! Gourds of Ammonite wine stood by herBSaid she to him: Wouldst thou drink a cup of wine? As soon as he had drunk it, the evil inclination burned within him and he said to her: Yield to me! She then took her idol out of her bosom and said to him: Worship this! He said to her: Am I not a Jew? Said she to him: What carest thouBmoreover I shall not yield top thee till thou has repudiated the Law of Moses thy Teacher, as it is stated (Hosea 9, 10):
⊥They went to Baal Peor, and separated themselves onto that shame; and their abominations were according as they loved .

At the end of the foregoing sidra, it is related how Pinchas stepped

into the breach to turn away the wrath of God. In his zeal for his God, he slew a man on the spur of the moment, without trial, or offering previous warning, without legal testimony being heard, and in defiance of all the procedures of judicial examination prescribed by the Torah, which in practice render a conviction well nigh impossible. His deed of summary justice, taking the law into his hands, constituted a dangerous precedent, from the social, moral and educational angle. Yet what has the Torah to comment on his action?

And the Lord spake unto Moses saying:

Pinhas the son of Eleazar, the son of Aaron the priest, hath turned My wrath away from the children of Israel, while he was zealous for My sake among them, that I consumed not the children of Israel in My jealousy. (25, 10-11)

It sounds strange that such a reward is prescribed for such a deed.

The Sages in the Jerusalem Talmud state that PinhasE deed did not meet with approval of the religious leaders of his time, that is of Moses and the elders. One of them goes so far as to say that they wanted to excommunicate him, had not the Holy Spirit leapt forth and declared:

And he shall have it, and his seed after him, even the covenant
Of an everlasting priesthood;
Because he was zealous for his God, and made an atonement
For the children of Israel.

Rabbi Baruch Epstein, the author of the Pentateuch commentary Torah Temimah interprets the attitude of the Sages in the following manner:

Such a deed must be animated by a genuine, unadulterated spirit of zeal to advance the glory of God. In the case, who can tell whether the perpetrator is not really prompted by some selfish motive, maintaining that he is doing it for the sake of God, when he has actually committed murder? That was why the Sages wished to excommunicate Pinhas, had not the Holy Spirit testified that his zeal for God was genuine.

Rabbi Kook makes a similar point in his commentary to the Prayer Book on the Birkat haminin (Blessing against the Heretics) which occurs in the weekday amida. This prayer beginning \perp For the slanderers let there be no hope \bar{B} reathes vengeance on those traitorous to their people. Curiously enough, this unusually bitter prayer was formulated in its present form by the Talmudic sage known as Samuel Ha-katan distinguished for his love of his fello creatures and whose motto, according to Pirke Avot, was enshrined in the verse (Proverbs 24,17): \perp Rejoice not when thine enemy falleth, and let not thine heart be glad when he stumbleth .

Rabbi Kook explains:

Any sage distinguished for his piety and learning is capable of formulating prayers breathing sentiments of mercy and love. But such a prayer as this one , so full of hate and condemnation

Is bound to arouse the private feelings of animosity and spite, on the part of the author, against the enemies and persecutors of his people. Such a prayer must therefore originate with one noted for the holiness and purity of character and entire lack of the passion of hatred. Such a man was Samuel Ha-katan. One could be sure that he was dominated by completely unselfish considerations and inspired by the purest of motives, and had removed from his heart all private feelings of hatred for the persecutors of his people.

Now, perhaps, it is easier to understand the connecting link between PinhasE deed, terrible in itself, and the reward prescribed by God:

Behold I give unto him my covenant of peace. (25,12)

We do not need to accept AbarvanelEs suggestion that it implied Divine protection against the next-of kin of the victim, Zimri, who was of a distinguished family, and who would, no doubt, wish to avenge his death. The covenant of peace need not be interpreted As a Divine guarantee of personal safety from molestation, but rather in the sense understood by rabbi Zvi Yehuda Berlin, the renowned principal of Volozhin Yeshiva in his commentary HaEamek Davar: The Divine

promise of a covenant of peace constitutes rather a guarantee of protection against the inner enemy, lurking inside the zealous perpetrator of the sudden deed, against the inner demoralization that such an act as the killing of a human being, without due process of law is liable to cause.

The Neziv (Naphtali Zvi Yehuda Berlin) expressed this idea in the following manner:

In reward for running away the wrath of the Holy One blessed be He, He blessed him with the attribute of peace, that he should not be quick-tempered or angry. Since, it is only natural that such a deed as PinhasE should leave in his heart an intense emotional unrest afterwards, the Divine blessing was designed to cope with this situation and promised peace and tranquility of soul.

From: Zomet Institute[SMTP:zomet@virtual.co.il] To: shabbat-zomet@vjlists.com
Subject: Shabbat-B'Shabbato: Pinchas 5760

Shabbat-B'Shabbato - Parshat Pinchas Extract from SHABBAT-B'SHABBATO, a weekly bulletin distributed free of charge in hundreds of synagogues in Israel. It is published by the Zomet Institute of Alon Shevut, Israel, under the auspices of the National Religious Party. Translated by: Moshe Goldberg To subscribe, send e-mail to: listproc@vjlists.com, with a blank subject line and the message: sub shabbat-zomet <first name> <last name> http://www.moreshet.co.il/zomet

INHERITING THE LAND IN RETURN FOR DEDICATION TO THE CAUSE
by RABBI MENACHEM LIEBTAG, Yeshivat Har-Etzion, Alon Shevut

The structure of this week's portion has raised many questions. It includes the command, "attack the Midyanites" [Bamidbar 25:17]. However, the fulfillment of this command is described much later, in the portion of Matot, after a variety of other subjects which have no connection at all to the war. These include the census (chapter 26), the request by Tzela'fchad's daughters and the transfer of leadership to Yehoshua (27), the holiday sacrifices (28-29), and the laws of vows (30).

With respect to the census, for some reason we tend to best remember the Midrash, quoted by Rashi, which implies that the purpose of the census was to know how many people survived the plague. However, the main reason for the census is stated explicitly in the Torah: "This is the count ... To these people, the land should be divided as an inheritance." [26:51,55]. That is, the census provides the basis for dividing the land among the people after it is conquered. This is related to the issue of Tzela'fchad's daughters, who complained after they discovered that they would not be given a heritage. The link to entering the land is also relevant to the transfer of leadership to Yehoshua and to the laws of sacrifices, with their emphasis on "the accompanying Mincha and the pouring of wine" (as opposed to the earlier portion of Emor, where this is not mentioned). This is all tied to the condition that "you will arrive in the land of your heritage, which I give you" [15:2]. However, the question remains: why weren't all the issues related to arrival in the land delayed until the portion of Massei, together with the other laws related to the heritage of the land?

What we should remember is that if all had gone according to the original plan, the book of Bamidbar would have only described a short journey from Mount Sinai directly to Eretz Yisrael. Instead of this, the Torah deals with sins which caused the entrance to the land to be delayed (from the portion of Beha'alotecha up to this week's portion). The last sin discussed is that of the daughters of Midyan, and the resulting plague is therefore the last punishment mentioned. After this final matter, it is possible to return to the original subject, the division of the land. Only those who survived the plague had the privilege of taking part in this heritage. And that is why this section is introduced by the headline, "It happened after the plague" [26:1].

This is also Moshe's intent in his first lecture in Devarim: "Your eyes have seen all G-d did at Ba'al Pe'or. For everybody who followed Ba'al

Pe'or was destroyed by G-d, from among your midst. BUT YOU (emphasizing: those who survived), who are dedicated to your G-d, are all alive today." [Devarim 4:3-4].

Thus, the main lesson to be learned from the structure of the portion is that as long as the dedication to the Almighty was not complete, the time had not yet come to prepare for entering the land. Only a generation which survived all the sins of the desert, and which could be addressed by the words, "you, who are dedicated to your G-d," can have the privilege of being part of the nation to enter the land.

<http://www.torahweb.org> [From last year]

RABBI YAAKOV NEUBURGER

THE INTERDEPENDENCE OF GENERATIONS

(26:53- 55) "To these [the families entering Israel under Yehoshua] the land shall be divided for an inheritance according to the number of names. To the more numerous you shall give more and to the fewer you shall give less.... Nevertheless the land shall be divided by lot according to the names of the tribes of their fathers they shall inherit"

In interpreting the pesukim above, Rashi understands that while the Torah refers to the individual's acquisition of Israel as an inheritance ("yerusha"), it in fact was far different from the laws and mechanics of inheritance that we study today. The initial system of inheritance of the land of Israel described in the pesukim is the only legacy that has the deceased receiving from those still alive. Rashi explains that the land was first divided equally amongst those entering Israel and then combined and reapportioned to their parent, i.e. the senior family member who left Mitzrayim. Finally it was equally divided between the heirs of those that labored in Mitzrayim and personally experienced the miraculous redemption. What does the Torah wish to teach us through this most unusual manner of patrimony?

The Torah is instructing us to appreciate that even the most momentous accomplishments of any single generation, even those accomplishments that seemed far beyond the reach of parents and grandparents, are the cumulative results of the efforts of several generations. There is no doubt that the Jews entering the land were a courageous and awe inspiring group. They conquered powerful nations and they witnessed the crumbling walls of Yericho. Their bitachon did not fail them and no sin of spies or a golden calf delayed their ascent. They were to be the first to enact all the laws of the Torah, from Mishkan worship to the intricate laws of tithing. If there was a generation whose families' names should be associated with the allotment of the Holy Land and the subsequent harvests of plenty, surely it should be "these" pioneers. Therefore the Torah established that they should determine the size of every family's hold on the land. Those privileged to live in Israel will forever point to that generation in explaining why they have a rolling expanse in Israel or a quaint fertile portion.

However, the Torah stresses that the generation who merited to leave Egypt, despite the decree barring their entry into Israel, are so much a part of the destiny of our nation and our land, that they too must be engraved in its very terrain. They who had suffered the pains of oppression and enslavement, who had borne witness to the greatest miracles of all, who as a group were of unparalleled prophecy, and who were marked by their unflinching devotion to follow G-d into barrenness, should not be forever judged by momentary failings, no matter how perplexing. After all, were these first settlers not ready for their mission through the yearning of the Dor Hamidbar (the preceding generation that had spent 40 years in the desert), strengthened by the faith nurturing experiences of their parents? Did not the nation as a whole need the maturation cast upon them through the suffering of their parents and were they not to absorb into their blood the faithful optimism of their mothers?

In my mind the recognition of the interplay between generations was

brought to life in a response of Rabbi Yechiel Michel Tuckazinski, one of the saintly giants of Jerusalem, to one of the burning questions of this century. He addressed himself to the secular Zionists of his day, who correctly displayed singular pride in their energies which had been selflessly invested into the forerunner and early stages of the State of Israel. They expressed that their contribution to our nation had far surpassed the accomplishments of the leadership of the "chareidim" of their time. Rabbi Tuckazinski validated their feelings of having left an immeasurable legacy. Nevertheless, he continued, none of this would ever have happened had there not been generations of Jews who kept the passionate love of Israel afire through their thrice daily yearnings for the land and its restoration.

Our own generation often takes great pride in the increased focus on mitzvah observance and Torah study that we are experiencing. Would any of this be happening if not for the visionary individuals and their selfless supporters who established yeshivot and day schools throughout the United States during a time that was altogether insensitive to the spiritual yearnings of the Jew?

This interdependence of several generations and the understanding that any attachment to Torah and Israel is grounded in the inspirations and accomplishments of earlier times is well communicated through the settling of Israel, and as such is to become an uncompromising part of our thinking.

From: RABBI RISKIN'S SHABBAT SHALOM LIST

[SMTP:parsha@ohrtorahstone.org.il]

Shabbat Shalom: Parshat Pinchas (Numbers: 25:10 - 30:1)

by Shlomo Riskin

Efrat, Israel -- Our portion this week is famous for its namesake, Pinchas, the zealot who - with one thrust of his sword - kills Zimri and Kazbi, he a prince from the house of Simon, she a Midianite princess, for flagrantly cohabiting in defiance of G-d's command. His assumption of leadership at a critical juncture in Israelite history enables G-d to halt the plague which has already taken 24,000 lives and awards him "the covenant of peace." However, strangely enough Pinchas is not deemed worthy of the mantle of leadership - an honor which G-d reserves for Joshua Ben Nun, Moses' faithful disciple. Why not Pinchas?

Furthermore, one of the more surprising elements of our Torah portion is that a large part of it is devoted to the special sacrifices the Israelites are to bring during the course of the year - two whole chapters (Numbers 28 & 29), numbering 69 verses. The Torah delineates the daily offerings, the additional Sabbath sacrifice, the New Moon offering and then all of the Festival offerings, including the High Holy Days and the Intermediate Days. What makes this especially unusual is that the cyclical days of celebration as well as the sacrifices are already mentioned in the Biblical Book of Leviticus, the Book which deals with the sacred, and seems to be startlingly out of place in the Book of Numbers, which deals with rebellions against Moses and the continuation of leadership.

To better understand the underlying message of our portion we must take note of Rashi's commentary on the introductory verse of the sacrifices: "Command the children of Israel and say to them, My offerings, the provision of my sacrifices made by fire ... for a pleasing odor to me, shall you observe to offer to me in their appointed season (Numbers 28:2)." In his desire to connect the sacrificial order to the transition in leadership; since Moses has just requested that "G-d the Lord of spirits of all flesh, appoint a man-leader over the community... (Numbers 27:16)," Rashi explains: "The Holy One blessed be He said to him (Moses), 'Instead of requesting of Me a command regarding My children, request of My children a command regarding Me!'"(Rashi 28:2) Rashi then quotes a parable from the Sifri about a queen at death's door; when she requests that her husband care for her children, the king

responds that before she commands him concerning her children, she should command them that they not rebel against him, not treat him shamefully, and not switch him for another!

Based on Rashi's explanation, I'd like to explore the ramifications of his analogy by suggesting that our portion serves as a transition point between the generation of the desert and the generation that will be entering the Land of Israel. In order to prepare for the far-reaching change about to occur, in order for the entrance into Israel to succeed, the Torah wants us to understand what difficulties lie ahead, and how they can be overcome. Herein lies the significance of the Festival sacrifices.

To a large extent, the Book of Numbers is about rebellion. In Chapter 11 (Behalotcha) the people, sick and tired of manna, complain about the lack of meat and watermelons. They hunger for the good old days in Egypt. They then rebel against the goal of the land of Israel (Shlach), preferring to stick it out in the desert, and then move into high gear by attempting to displace Moses as leader. The final act of insolence takes place at the conclusion of last week's portion of Balak, when Zimri Prince of Simon flagrantly cohabits with the Midianite Kozbi despite Moses warning against any relationship with idolaters.

With each rebellion, Moses takes action - except now when he seems to have been rendered impotent; Pinchas takes up the breach. Why doesn't Moses react?

The reason is simple. Moses also has a Midianite wife. And implicit in Zimri's action is his rebellion against and contempt for the persona of Moses, husband of the Midianite Zipporah. Clearly the period of Moses' leadership has ended. The great liberator of the Israelites, the Prince of Egypt who came from the outside - Egypt and Midian - blessedly unaffected by the impotence of a slave mentality, now finds that his very "outsiderness" prevents him from continuing as leader during the next historical phase of his nation. Moses, the man of G-d, has lost the backing of the people. The generation of the desert is over. New leadership is required for the new situation in the Land of Israel. And it cannot be the zealot Pinchas, despite how necessary his action was at the critical moment of blatant immorality. It must be a man of the people - not a zealot of G-d, but a leader of men, who will take the people in and out in accordance with the need of the hour (Numbers 27:16,17).

How can we best explain the change between the desert mentality and the Land of Israel mentality? We find that the Midrash, on the verse "...Thus says G-d, I remember in your favor the devotion of your youth, your love as a fiancée, when you went after me in the wilderness..." (Jeremiah 2:2) compares the wilderness ('bamidbar') with our engagement to G-d, and the arrival into Israel like a marriage.

As we all know, when a young man or woman become engaged, they enter into an entirely new, difficult and adventurous period of life. The engagement is a period of uncertainty, of changes, of discovering the unknown. This is precisely what happened to the Israelites in the desert -- living in a vast, strange, difficult terrain where every step of the way was burdened with uncertainty: bitter cold nights and hot searing days, harsh winds and severe sandstorms. The elements of the desert are so unpredictable, survival is so tenuous, that whoever survives knows that G-d's guiding hand made all the difference. Food and protection, manna and tabernacles most certainly emanated from G-d, because the natural habitat is anything but user-friendly. All of the various rebellions - including Korach's, were all against Moses - never against G-d. In the desert, we are all believers. Similarly, when the young woman and man meet during the engagement there is a feeling of trembling and excitement; there can be stormy separations and torrid tantrums - but there are also enraptured reunions and elevating highs. It may not be easy to be engaged, but it certainly is not boring. And passionate love remains a strong component.

Marriage is both a culmination and a "HUM-DRUMIFICATION," a relationship of comforting permanence which can turn into boring

predictability. So it is with a nation-state achieved. Survival ceases to become miracle, everyday life can be taken for -granted - and then the role of the Divine can easily be overlooked and forgotten.

Keeping the analogy of a marriage in mind, when G-d commands Moses in our portion about the festival sacrifices that are to be brought during the calendar year, the Torah is underscoring the crucial significance of how to make the 'marriage' in the Promised Land work. The G-d enthused fiery Moses will be gone, the more subdued and approachable Joshua will have taken over, daily life-challenges will give way to rhythmic calendars - what then? The Torah gives us a simple approach as to how to keep the fire-offering burning; how to retain the Divine even after the Israelites have become "normalized": daily sacrifices, the Sabbath, the new moon, and all the festivals. What is unique to the Jewish people is that the Seder is not merely an evening of commemoration but it is rather a re-living and re-experiencing of a seminal moment when an entire people felt the love of the Divine. The festivals are an attempt for married couples to re-experience passionate moments of their engagement - in order to remember why they got married in the first place!

In our own times, we see this phenomenon with the rebirth of the State of Israel. In the Diaspora, almost all Jews understand that a life without Torah is a death sentence for the community. To survive as a Jew despite one's minority and often discriminated against status in exile is a miracle that everyone recognizes. Unless you truly live committed Jewish lives in the diaspora, you will clearly not survive as Jews. This is not as obviously the case in the State of Israel. We may have come home, but the price of normalcy is that the real owner of the House is not always recognized.

Indeed, in the last 50 years, a significant portion of the leadership of Israel, involved in the day-to-day protection of the new nation, has forgotten where we came from and why we left. We no longer live in an agrarian culture where the hand of G-d and our dependency on Divine Will, is axiom. We are now in a scientific age where answers are given in scientific terms: the generals know a great deal about 18 second missiles and very little about 18 minute matzohs, where our economic elite worships at the altar of high tech rather than at the altar of a Synagogue or Study Hall.

No one ever said it would be easy to create a new Jewish state. But it is much more difficult to maintain it - along with our special uniqueness as the Bride of G-d.

Shabbat Shalom Ohr Torah Stone Colleges and Graduate Programs Rabbi Shlomo Riskin, Chancellor Rabbi Chaim Brovender, Dean To subscribe to Rabbi Shlomo Riskin's Shabbat Shalom list: send an email to <listproc@vjlists.com> with the message: 'join riskin <your name>' (e.g. join riskin David Katz) To unsubscribe: send an email to <listproc@vjlists.com> with the message: 'signoff riskin'

From: listmaster@jencom.com[SMTP:listmaster@jencom.com]
PENINIM ON THE TORAH BY RABBI A. LEIB
SCHEINBAUM Hebrew Academy of Cleveland Parshas Pinchas

Pinchas son of Elazar son of Aharon Hakohen turned back My wrath when he zealously avenged My vengeance. Behold I give him My Covenant of Peace. (25:12,11)

Kinah and shalom, jealousy and peace, vengeance and harmony, are terms that just do not seem to fit together. At first glance, one would think that they contrast one another. The Torah does not present it in this light. Pinchas acted zealously; he avenged Hashem's vengeance, and Hashem rewarded him with the Covenant of Peace. It was not, however, Pinchas' personal vengeance. Rather, he acted on behalf of Hashem. That makes a world of difference. Someone had to respond to the fact that Hashem's Name was being defamed. Pinchas saw the people's apathy.

Everyone just stood by while Zimri acted in the most reprehensible manner. This was a gross chillul Hashem, profaning of Hashem's Name, which could only be ameliorated through a Kiddush Hashem. The perpetrator, regardless of his exalted position, must be stopped in such a manner that would shock the people back into reality. Pinchas returned the crown of peace to Klal Yisrael. He returned the shalom, peace, by bringing back Klal Yisrael's sheleimus, completion. Pinchas' act of kiddush Hashem healed the rift which the chillul Hashem had caused. Klal Yisrael was once again at peace.

Pinchas risked his life when he slew Zimri. It was worth it to avenge Hashem's Name. He was also prepared to relinquish his portion in Olam Habah, World to Come, in order to save Klal Yisrael from the plague. He "bargained" with Hashem, as he implored Him not to punish everyone in response to the sinners. The Meshech Chochmah explains that these two actions - avenging Hashem's Name; and renouncing himself on behalf of Klal Yisrael -- were rooted in his genes. They were character traits he inherited from his father, Elazar, and grandfather, Aharon. Nikmas Hashem, zealotry, vengeance on behalf of the Almighty, characterized Elazar. When Aharon HaKohen died and the Clouds of Glory were taken away, the Jews moved backwards; they did not want to go further. Elazar battled them to continue on. Selflessness, a willingness to renounce oneself for the good of the People, characterized Aharon. In order to delay Klal Yisrael's sin with the Golden Calf for one more day, he was prepared to make the calf himself. He said, "Let the onus of guilt be placed on me, so that Klal Yisrael will not be destroyed." Is it any wonder the Torah mentions Pinchas' father and grandfather in delineating his pedigree. He continued where they had left off.

Not every kanai, zealot, however, is a Pinchas. There are many who are motivated by their own interests, to further their personal gain. Pinchas is, indeed, in a unique class: the true zealot, the kanai l'shem Shomayim, for Heaven's sake. How are we able to discern between the true zealot and the chameleon, the one who surreptitiously acts in the Name of Hashem, but in reality is an agent of Satan?

The Baal Shem Tov distinguishes between the two kanim that are mentioned in the Torah: Pinchas and Korach. Yes, Korach claimed the mantle of zealotry. He said that he represented the nation that was being "used" by Moshe and Aharon. They were being deprived of true leadership! What right did Moshe and Aharon have to take everything for themselves? What about the other Bnei Levi? Who said that a Kohen Gadol was necessary for a nation that was entirely holy? Yes, Korach presented himself as being sincere, as a true fighter for the honor of the people. In contrast, Pinchas acted with vengeance; he was a zealot. Obviously, Pinchas was, while Korach was not. What did each do that determined his true character?

The Torah answers our question "b'kano es kinaasi b'socham" "as he zealously avenged My vengeance among them." Pinchas did not make a new monument. He did not separate from the nation to create a new splinter group, as Korach did. Pinchas did what had to be done. Korach needed the support of an entire movement. Korach sought to undermine, to destroy, to uproot the leadership of Klal Yisrael, so that he could assume power. Not Pinchas: he saw a moral outrage, and he immediately responded. He cared about peace; he remained b'soch ha'eidah, among the people.

Kanaus catalyzes divisiveness; zealotry severs relationships; If the situation destroys the harmony and unity of a community, it is not kanaus: It is glorified machlokes, controversy. It is the Korachs of each generation who wrap themselves in talleisim of techeles and expound their love of Torah and mitzvos. The talleisim only serve to conceal their real malicious intentions.

We note another distinction between Pinchas and Korach. Pinchas acted alone. He saw an incursion into the moral fabric of Judaism, and he responded immediately. That is kanaus. Korach deliberated and

campaigns, going from place to place to gather a group of supporters who would stand by him. That is not kanaus. The kanai acts alone. He acts with urgency and immediacy. He does not search for supporters. He observes a chillul Hashem, and he acts. Korach cared about himself. He was not going to risk losing. He sought support. Pinchas' goal was l'shem Shomayim. Korach's goal was to benefit Korach.

The name of the slain Israelite man who was slain with the Midianite woman was Zimri, son of Salu, Prince of a father's house of (the tribe of) Shimon. (25:14)

Is it necessary to tell us the name of the Jewish perpetrator as well as to mention his illustrious lineage? Is there any purpose served by announcing that the one who has publicly debased himself, who flagrantly desecrated Hashem's Name, was a Nasi, a leader of shevet Shimon? Rashi states that since the Torah traces the ancestry of the tzadik Pinchas for the sake of praise, it delineates the ancestry of the evil one for disparagement. Indeed, Pinchas' act of vengeance becomes greater, his courage more significant, when we take into consideration whom it was that he killed. We still wonder whether it is necessary to include Zimri's ancestors. They are not the guilty ones. Let Zimri himself, not his ancestors, answer for Zimri.

Horav Yechezkel Levinstein, zl, feels that the Torah teaches us a profound lesson. Despite the degradation inherent in the sin, we must account for every aspect of the evil. Zimri perpetrated a terrible sin. He publicly profaned the Name of Hashem in an act that was both despicable and immoral. He will be called to task for this. He will also have to answer for besmirching his family name. He carries the onus of guilt for not living up to the position of Nasi. This is consistent with the Rambam's position in his Igeres Ha'Shemad in which he writes that Yaravam ben Nevat, the infamous choteh u'machati -- who himself sinned and caused others to sin, who split Klal Yisrael -- will have to answer to Hashem for his evil, as well as for not sitting in the sukkah. One would think that the importance of such a sin would be minimized in the light of his other, more exotic, transgressions. Not so.

There are those who think that once they have transgressed a number of serious offenses, they automatically become members of the "select" group of porkei ol Torah, those who have rejected the yoke of Torah. They assume that they will be responsible only for the "big" sins, but not for the "little" ones. They are, however, categorically wrong. Hashem will hold them in contempt for everything: from chillul Shabbos; to eating unkosher food; to wasting their time when they should have been studying Torah.

This idea disputes the position which many alienated Jews hold: that one either performs "everything" or "nothing." The Heavenly Tribunal will address the big issues, not the small ones. One who rejects everything sacred to the Jewish People, from Shabbos to tefillin, from kashrus to fidelity in marriage, does not have to concern himself with bentsching after his meal. Regrettably, this form of misguided hashkafah, philosophy, has plagued many a Jew, initiating him on a course that distances him further and further from Torah Judaism. One should never absolve himself of his lesser infractions, maintaining that they are overshadowed by the much greater ones.

The Gaon M'Vilna once walked by a house where he heard singing. He entered the house - and, to his chagrin -- he discovered a young man who had left the faith singing together with a gentile girl. The Gaon turned to his student and said, "This rasha, wicked one, will one day answer to the Heavenly Tribunal for all of his sins: from his rejection of our faith to the reason that he did not study the secrets of the Heavenly Chariot. It will not happen immediately. He will undergo significant hardship and suffering until he reaches the level of purity, when the only criticism against him will be his lack of studying kaballah, mysticism." This is the depth of Heavenly Judgement to which we are all vulnerable.

The sons of Gad according to their families: to Tzephon, the Tzephonite family; to Chagi, the Chaggite family. (26:15)

What seems to be an innocuous pasuk detailing members of shevet Gad is rendered homiletically by the Bobover Rebbe, Shlita, to be communicating a profound lesson. He cites the Maor Va'Shamesh who says that the two letters of the name Gad -- gimel, daled -- allude to the mitzvah of tzedakah, charity. The letters are a "notreikun," acronym, for two words -- "gomel dalim," - he who benefits the poor. There are two aspects to the mitzvah of tzedakah: There is the individual who gives his money quietly, without fanfare and publicity. He does not seek recognition or acclaim for his charitable deeds. There is another type of gomel dalim; he who publicizes his charitable deeds, seeking notoriety for whatever good he does.

Each of these forms of tzedakah has an advantage and a disadvantage. The former has the benefit of "hatznea leches im Hashem Elokecha," "walk humbly with Hashem your G-d." (Michah 6:8) Privacy, humility, self-effacement: These are qualities that elevate the act of giving charity. The downside of "quiet" giving is that the individual cannot serve as a paradigm for others to emulate. People follow the example of others. It would be helpful if others could follow his good deed - if only they knew. The latter individual, who gives publicly, seeking attention for his acts of kindness, will at least inspire others to follow in his path. The disadvantage of his public act is, of course, the arrogance that goes to his head -- demeaning the nobility and beauty of his act of kindness.

This is the pasuk's message: The sons of Gad - gimel, daled - hinting to the gomel dalim, has two aspects. The first is Tzephon, which in Hebrew means concealed, is a reference to the one who camouflages his act of giving. The second is Chagi, whose name is a derivative of the Hebrew word "chag," festival. His name refers to the one who gives tzedakah openly, conspicuously, for all to see and talk about. Since both names are derived from forms of the word charity, one might conjecture that they are equally in good standing. The Torah, however, places Tzephoni -- representing the inconspicuous donor who does not wish to call attention to himself - first, to teach us which one of these two forms of charity takes precedence over the other.

Moshe spoke to Hashem, saying, "May Hashem, G-d of the spirits, of all flesh, appoint a man over the Assembly, who shall go out before them. And come before them, who shall take them out and bring them in; and let the assembly of Hashem not be like sheep that have no shepherd. Hashem said to Moshe, "Take to yourself Yehoshua, son of Nun, a man in whom there is spirit. (27:16,17, 18,19)

Moshe Rabbeinu spoke to Hashem. He asked for a leader to succeed him in shepherding the Jewish People. Moshe did not simply ask; he more or less demanded a leader, so that the people should not be left alone as sheep without a shepherd. Moshe understood the nature of leadership. After all, he was the consummate leader. He knew that a leader must be patient; he must be able to be "sovel," tolerate/bear, the Jews. Moshe understood the people. He knew they could not be left alone, without guidance, without direction, without leadership. He could not leave this world until Hashem had named his successor. Ostensibly, Moshe could not pick his own successor. He felt himself to be incompetent for this selection. This act required Hashem himself, "b'chvodo u'batzmo," in His Glory. Hashem knew who could tolerate Klal Yisrael, who could patiently bear their burden, who could advise each individual Jew.

Horav Matisyahu Solomon, Shlita, explains that savlanus, patience, is not a simple character trait to master. Rashi comments on the pasuk in Bamidbar 12:3, "And the man Moshe was exceedingly humble." This means "shafel, v'savlan," humble and long-suffering. Moshe's patience was exemplary. He cites Horav Yerucham Levovitz, zl, who adds that Rashi does not mean that shafel v'savlan is the result of anivus, humility and long-suffering. Tolerance, patience, forbearance, equanimity - these

are the qualities that comprise the middah, character trait, of anavah.

This was Moshe's request of Hashem. The people needed a leader who could be sovel, tolerate, each and every Jew. Moshe, the "anav mikol adam," the most humble/tolerant man on the earth, knew what he was asking. He continued by asking for a leader "who shall go out before them and come in before them." He then seems to repeat himself when he asks, "Who shall take them out and bring them in?" Why does he make this redundant request? Horav Solomon cites the Vilna Maggid, Rav Zalmen Leib, zl, who, in his eulogy for Rav Akiva Eiger, zl, said that there are leaders who lead by virtue of their "going out before them and coming in before them." Their total demeanor in the way they act, how they "go in and go out," serves as a paradigm for others to emulate. There is also another aspect of leadership: knowing how to "take people and bring them in;" the ability to advise people how to act, how to live. Moshe asked Hashem for a leader who was patient and tolerant, who would lead by example and who could advise on, and respond to, the problems facing each individual member of his flock. Klal Yisrael should not be left as sheep without a shepherd, because it was crucial that they have a leader that met the requisite criteria.

Hashem responded to Moshe with one name: Yehoshua, "ish asher ruach bo," a man in whom there is spirit. The Alter m'Novordok, zl, explained the key for finding the individual who fit the bill, who exemplified those areas of conduct, character refinement and aptitude, one who could succeed Moshe at the helm of the Jewish people. He was to look for someone who possessed "ruach bo," the one "in whom there is spirit." Only someone who has mastery over himself can inspire and lead others. The Jewish leader must first be able to lead himself before he can lead others.

Horav Solomon sums up his thesis on leadership, noting that Moshe Rabbeinu's prayer, "And let the assembly of G-d not be like sheep that have no shepherd," was not an appeal merely for that generation. Moshe Rabbeinu implored Hashem for every generation; Klal Yisrael should never be left bereft of leadership, a leadership that is "ish asher ruach bo." This is the criterion: We have to pray that we are worthy of it.

Sponsored by Moshe Shimon and Tibor Rosenberg in memory of their father Pinchas ben Shimon Rosenberg Niftar 18 Tammuz 5719 Peninim on the Torah is in its 7th year of publication. The first five years have been published in book form. The fifth volume is available at your local book seller or directly from Rabbi Scheinbaum. He can be contacted at 216-321-5838 ext. 165 or by fax at 216-321-0588. parsha@shemayisrael.co.il <http://www.shemayisrael.co.il> Jerusalem, Israel 972-2-641-8801x

From: Yeshivat Har Etzion's Israel Koschitzky Virtual Beit Midrash [SMTP:yhe@vbm-torah.org]

SICHA OF HARAV YEHUDA AMITAL SHLIT"A

NATURE AND GOODNESS Summarized by Marc Weinberg

"Pinchas, the son of Elazar, the son of Aharon the Cohen, has turned back My wrath from Bnei Yisrael, in that he was zealous for My sake among them... Wherefore say, Behold, I give to him My covenant of peace; and he shall have it and his seed after him, the covenant of an everlasting priesthood; because he was zealous for his God, and made atonement for Bnei Yisrael." (Bamidbar 25:11-13)

Rashi, quoting the Midrash, tells us that the tribes mocked Pinchas because his mother's father (Yitro) fattened calves for idolatrous sacrifices, and yet he dared to kill a prince of a tribe of Israel (during the sin of Ba'al Pe'or). Therefore, the verse comes and connects his genealogy with Aharon: "Pinchas the son of Elazar the son of Aharon the Cohen."

What do Chazal mean by this? At first glance, one might think that Pinchas' zealous actions were rooted in foreign sources, that his impulsiveness was something he learned from the idolatrous side of the

family. Chazal are coming to tell us that his zealousness came specifically from Aharon, his other grandfather, the person who loved peace and pursued it. Pinchas cared about the welfare of the people and was willing to act on this, even to the extent of invading individual privacy, which to us nowadays is a foreign concept.

What was the culture of the worshippers of Pe'or, which Pinchas combated so zealously? Rashi explains that their manner of worship was to defecate in front of the idol. This shows us an underlying principle in the ideology of Pe'or: everything natural is beautiful; the world and man are perfect. These values appear intuitive and appealing, but it leads to the kind of immorality which the daughters of Moav demonstrated.

There is a well-known story in the Midrash Tanchuma at the beginning of Parshat Tazria. Turnus Rufus asked Rabbi Akiva, "Which actions are better, those of God or those of man?" Rabbi Akiva replied, "Those of man." Again he asked, "But surely man is not able to create heavens and earth?" Rabbi Akiva replied, "Don't ask questions about things that humans have no control over, ask questions regarding things we do have control over." So he asked, "Why is man circumcised?" Rabbi Akiva replied, "I knew you had this in mind and therefore I said man's actions are better. The proof is that a grain of wheat is not edible but a loaf of bread is."

Turnus Rufus was asking why, if God wanted circumcision, did He not create man already circumcised? Clearly, his assumption is that everything in nature is perfect. Rabbi Akiva replied that nature is far from perfect. God expects man to complete the act of creation by perfecting nature. Rabbi Akiva's ideology is the antithesis of the culture of Pe'or. Nature contains ugliness and brutality as well; it is up to man to be a partner with God in perfecting the world.

Invasion of privacy seems to be immoral, but the zealous act which Pinchas performed was a way of fighting the liberal, pluralistic culture in which everything natural is good. Pinchas is coming to show us that there are absolute values which come above a person's right to privacy.

In our day and age where indiscriminating liberalism is rampant, we should remember the zealousness of our ancestor Pinchas.

(Originally delivered on leil Shabbat Parshat Pinchas 5755 [1995].) TO SUBSCRIBE send e-mail to lists@vbm-torah.org with the following message: subscribe YHE-SICHOT <http://www.vbm-torah.org> Shiurim may be dedicated to various occasions - yahrzeits, semachot, birthdays, etc. Please e-mail yhe@vbm-torah.org for an application.

From: Yeshivat Har Etzion's Israel Koschitzky Virtual Beit Midrash [SMTP:yhe@vbm-torah.org]

This parasha series is being dedicated in memory of Michael Jotkowitz, z"l.

PARASHAT PINCHAS

In memory of HaRav Yaakov Weinberg zt"l, upon his first yahrzeit. You are sorely missed. - With much love, Rabbi Warren and Gail Kasztl and family

WERE THE DAUGHTERS OF TZELOFCHAD EARLY JEWISH FEMINISTS By RAV ELCHANAN SAMET

A.

The feminist movement in the Western world has undergone many changes during the 20th century, and even today there are several different feminine voices. Nonetheless, it would appear that there is a common idea that unites all the different voices within the movement - the demand for non-discrimination against women in our society, neither in law nor in the actual social circumstances.

Is it legitimate to view the struggle of the five daughters of Tzelofchad to inherit their father as an example of an ancient feminine struggle for equality? Can the feminist movement, in its search for roots within the Biblical world, adopt the characters of these five women and view them as harbingers of the feminine demand for equality and non-discrimination?

At first glance, the answer appears to be positive. In a world where the laws of inheritance allow only men to inherit, these five women appear and demand equal rights with men. Can there be a greater example for the demand for women's equality? Moshe stands before their revolutionary demand without an answer and brings their case before God. God, before whom all are equal, men and women alike, answers. "The daughters of Tzelofchad speak right; you shall give them a possession of inheritance among their father's brothers..." (pasuk 7).

On the other hand, conservative opponents of feminism could argue, correctly, that the daughters of Tzelofchad raise their demand only because their father does not have male children. As they say explicitly, "Our father...and had no sons...for he had no son...give us a portion" (pesukim 3-4).

In God's answer as well, he does not equate the rights of women to inherit with that of men but only gives them a portion in a case like that of Tzelofchad where there are no sons. God's answer to Moshe is: "If a man shall die without a son, you shall pass his inheritance to his daughter" (pasuk 8). So what sort of equality is this?

B.

We have to first examine the argument of the daughters of Tzelofchad. At the outset, in pasuk 3, they explain the background from which their demand arises. "Our father died in the desert and he was not in the congregation which gathered against God in the congregation of Korach, for he died in his sin, and he had no sons."

The important part of this background information is the statement that "our father died in his sin and he had no sons." Why do the daughters mention the sin of their father that was the cause of his death?

The Talmud in Bava Batra 117b derives from this that "the complainers in the congregation of Korach did not receive a portion in the land."

The question then is: What was the sin of Tzelofchad? If he did not die in one of the plagues that resulted from various sins of the people, he undoubtedly died in the general decree that followed the sin of the spies, as all of those who left Egypt died.

The Gemara (Shabbat 96b) quotes a disagreement between Rabbi Akiva and Rabbi Yehuda ben Beteira.

What was the sin of Tzelofchad? Rabbi Akiva said Tzelofchad was the woodcutter. Rabbi Yehuda ben Beteira said that he was from the ma'apilim (those who attempted to go to Israel after the Sin of the Spies without permission).

Why did they attempt to define a specific sin for Tzelofchad and not merely allow him to die as all those of that generation died, as a result of the sin of the spies? This is derived from the language of the daughters, "for he died in HIS sin." The implication is that he died as a result of a sin specific to himself. The Ramban, who declines to enumerate a specific sin for Tzelofchad, explains that the sentence "for he died" is a shortened version. The full version would read: "for he died in his sin in that he did not enter the land of Israel."

No specific sin is being mentioned here but rather an explanation, that just like all members of his generation, he, too, did not merit in his sins to enter the land of Israel. This leads to the explanation of Rav Yehuda Halevi, as quoted by his friend and contemporary, the Ibn Ezra.

"For he died in his sin" - Rav Yehuda HaLevi said: "He died in his sin is directly connected to "and he had no sons." Just as one would say today "because of his sins some calamity happened to so and so."

This explanation has a number of advantages:

1) It is not respectful for his daughters to say that Tzelofchad died for some specific sin if there is no need to enumerate what that was. It would have been sufficient for them to simply indicate he did not belong to the congregation of Korach. According to Rabbi Yehuda HaLevi, the verse does not refer to any sin of Tzelofchad. It is merely the common expression whereby any calamity is explained because of the sins of man.

2) One doesn't need to add words to the sentence as the Ramban does.

3) The trope of the verse, where a stop (etnachta) is found after the words "The congregation of Korach," would appear to support this explanation.

The explanation of Rabbi Yehuda HaLevi returns us once again to the question whether the daughters of Tzelofchad should be considered feminists. What sort of feminists would say about their father that because of his sins he had no sons but only daughters?!

C.

After the daughters of Tzelofchad explain the background to their request, they come to the main point. "Why should the name of our father be eliminated from his family because he had no son. Give us a portion within the brothers of our father" (pasuk 4).

The practical part of their demand: Give us a portion - is understood. But what is the meaning of the preceding explanation of their demand, with a

rhetorical question, "Why should the name of our father be eliminated from within his family?" Unfortunately, these words are not explained by the ancient commentators.

The name of a man is a central concept in the world of Tanakh. There are a number of closely related explanations for this word but the most important one for our purposes is: that which continues a man's existence within the human context after his death. Man's physical existence ceases with his death but his "shem," his name, his metaphorical essence, continues to exist within our world in a certain sense. A man has an existential need to anchor his existence within eternity. A man who leaves the world without any continuity, without having left a mark on anything that stays after him, suffers a grievous loss. His name and memory disappear and he is cut off all eternity. The value of his short life is negated and he is like the dust blowing in the wind.

From earliest times, this necessity has concerned man. Ancient burial customs are connected to this need. Many other things that men do in their lives are of no other purpose than to perpetuate his name after his death. One might claim that the majority of human creations, both material and spiritual, derive from the need to deal with the feeling of temporality in man's life and to ensure the continuation of his "name" after he passes away. Many cultures have suggested solutions and the parasha of the Tower of Bavel does in fact deal with one of those solutions.

How does the Israelite man in Tanakh perpetuate his name? There are two ways that are necessarily combined - by having children and by passing over to his children his ancestral portion in land. Having children as a means of continuity is understood to contemporary man as well. But having one's family inhabit one's ancestral requires some explanation.

The land that a Jew inherits in the biblical era, that he inherits from his fathers and forefathers, was not understood by him merely as a material possession nor as a means of production. Having one's children live in the same portion while continuing to work the land was understood as a means of continuing the living connection of fathers to children from generation to generation. The familial ancestral portion serves as the glue between the generations which pass over the land, as Kohelet said, "A generation comes and a generation goes, but the land always remains."

We must remember that the land was nachalat Hashem, the portion of God that was given to the forefathers in a covenant, and was conquered and divided at the time when God fulfilled His covenant with this very generation. Israel as a people is also called "God's portion." The Torah intends to create a permanent and eternal connection between the man, Israel, and the land of Israel.

When a man settles his ancestral portion, builds on it his family, and leaves it to his children after him, he succeeds in establishing "his name forever." The individual passes away but leaves a permanent mark for himself and his forefathers through his children and children's children, who will also inherit the same land. There is no greater evil in the life of such a man than if, when he passes away, he has no continuity and his name is lost. This evil can occur to a man in one of two ways - either by his being separated from his ancestral portion in one way or another, or by his death without children.

Two mitzvot are intended to prevent this evil. The mitzva of yovel and the laws dealing with the redemption of land sold for economic reasons are designed to ensure that the land should return to the family of the man whose portion it was. The mitzva of yibum is designed to provide children for one who has no children, so that "his name not be erased from Israel."

There is indeed a connection between these two mitzvot. The halakha states that a brother who performs yibum with the wife of his deceased brother, also inherits the portion in the land. This connection lies at the root of the story of Ruth and Boaz. When Boaz comes to redeem the field of Elimelech and his children who are his relatives, he states, (Ruth 4: 9-10): "You are my witnesses that I have acquired all that belongs to Machlon and Chilyon from the hands of Naomi. And also, Ruth, the Moabite, the wife of Machlon, I have acquired as a wife in order to establish the name of the deceased on his portion, so that the name of the deceased not be cut off from within his brothers and from the gate of his locale. You are my witness today."

These words of Boaz are the equivalent of the words of the daughters of Tzelofchad. Why should the name of Tzelofchad be eliminated ("gara") from within his family? The basic meaning of the root G.R.A. in Tanakh means "cut off," detached. Therefore, the daughters of Tzelofchad can say, "Why should the name of our father be cut off from within his brothers?" Why is the name cut off? Because his portion in the land is not being given to his descendants but to other relatives who are not descendants.

Tragic circumstances, whereby a man's name is cut off, could indeed happen in the ancient world. If a man died without children and for one reason or another

his wife did not perform yibum, then, indeed, his portion would be passed on to distant relatives and direct continuation of his line would be ended. Is this the case of Tzelofchad, who, in fact, has five daughters? That is exactly the argument of Tzelofchad's daughters. Our father DID leave descendants - five daughters - and those daughters are capable of continuing the familial continuity generation after generation by marrying and having children and grandchildren, all of whom will be direct descendants of Tzelofchad. They will not be without a portion. The husbands of the daughters of Tzelofchad will be the owners of the land and they will pass it on to their children.

But this will not continue "the name" of Tzelofchad because his portion in the land of God will not pass on to those direct descendants but will be given to other relatives, since the laws of inheritance recognize only male inheritors. Therefore, they ask: why should the name of our father be eliminated, be cut off, from within his family? Does not Torah strive to find a way to maintain the name of a man after his death, and should not that necessity take precedence over the laws of inheritance?

The sages present this argument in a dramatic legal dialogue (Bava Batra 119b).

Benot Tzelofchad were wise. They spoke to the hour. That is what Shmuel bar Rav Yitzchak said: This teaches us that Moshe was teaching the parasha of yibum, as it is written, Devarim 25:7, "the brothers sit together." They said to him: if we are considered as a son (for the purposes of yibum), give us the portion of the son. And if not, then our mothers should perform yibum. Immediately, "Moshe brought their case before God."

D.

Now we can return to the question that we presented at the beginning of the shiur. Should we see the struggle of the five daughters of Tzelofchad to inherit their father as an example of an ancient feminine struggle? Now that we have uncovered their motivation, as expressed by the question "Why should the name of our father be eliminated?" - it is clear that the answer is negative. They were not motivated by their own rights, and their own welfare, nor was equality of inheritance rights for women what lay at the root of their demands, but something else entirely - the concern for the name, the memory, the continuity of their father, which will continue to exist through his daughters and grandchildren who will live on the land which he received from God. These five women are not trying to bring about a revolution, not even a small one. Their arguments arise deeply from within the conceptual world of the Tanakh concerning the establishment of a man's name over his land, and they are arguing for the extension of this biblical principle and its precedence over the general laws of inheritance. In fact, their whole argument - the basic right of a man to have his name continue after his death - is deeply rooted in a patriarchal social structure. Normally, a woman leaves her father's house and his estate and joins her husband's house and his estate. Her children will be called by the name of their father and will inherit his portion and thereby establish his name for one generation. What about the woman? In several instances, the halakha states: "A man's wife is like his person" (ishto ke-gufo). This is what applies here. Her joining her husband's family makes her an integral part of that family. Her continuity is established by the settling of her children on her husband's land.

The daughters of Tzelofchad do not challenge this social structure. On the contrary, they agree with it totally. The Talmud in Bava Batra 119b makes it clear that had there been a son, they would not have argued for their own inheritance, because the need of their father for the continuity of his name would have been full satisfied.

Only in the extraordinary case of Tzelofchad who had no sons would his daughters fulfill a dual role, by joining their husbands' families while maintaining a concurrent independent status, since they also serve as inheritors for their father. Their children will inherit a double portion, continuing the name both of their maternal grandfather and of their paternal grandfather.

E.

In several of the stories of Tanakh which revolve around the need to establish a "name," we find that women are at the front of the battle. We can mention several examples. Tamar struggled to fulfill the yibum obligation in the family of Yehuda. Ruth brought about the redemption of the lands of Machlon, which will serve to maintain Machlon's name. The woman of Tekoah who comes to complain before David is also an example, even though the story she presents is, in fact, fictional. "I am a widow and my husband has died. And his servant has two sons and they have fought in the field and no one could save them and one struck the other and he died. One struck the other and killed him. And all the family rose on me and said: give us he who struck his brother that we may kill him, in return for the soul of his brother whom he killed. And we will destroy his inheritor. And they will extinguish my ember which

has been left to me so that no name will remain for my husband nor a remnant on the face of the earth" (Samuel II 13:5-7).

The daughters of Tzelofchad join this distinguished gallery, struggling for the rights of the dead man in their family to have his name be established over his portion. What is special in this story as opposed to all the previous ones I mentioned, is that here we are dealing with single daughters fighting for their fathers' name. However, there is no real difference between them and Tamar and Ruth and the other women who struggled to establish the name of men in their families.

F.

Indeed, reading the story within the biblical context, eliminates any feminine hint. On the contrary, it shows the daughters of Tzelofchad completely accepting the laws of the patriarchal society in which they live. They are not fighting for their rights as women but for the rights of their father. Nonetheless, at the root of their argument, and in its acceptance by God, there does lie a basic principle connected to the inherent equality of the sexes. The daughters of Tzelofchad point out an injustice, that because of the laws of inheritance whereby only males inherit, their father's name will be eliminated from within his family. They argue that the principle of preserving a man's name should take precedence over the laws of inheritance. We can ask why? We have already pointed out that tragic circumstances can arise whereby a man's name will be cut off, if he dies without any children and his wife cannot perform yibum. Here too, the law should be paramount, since the daughters cannot inherit, and as far as the possibility of establishing this dead man's name over his portion it is as though they do not exist. Tzelofchad will be one of those tragic cases. Why do they maintain, and why does God agree with them, that the laws of inheritance should be changed in this case. The answer is that on a basic human level, a man who has children, whether male or female, understands his circumstances (assuming he possesses common sense) as one who has in fact achieved continuity. This continuity is a fact stronger than any social order that gives precedence to one sex or the other. The contradiction between this basic human fact and the laws of inheritance creates a situation difficult to accept. A man raises a family, has children, feels that he has continued his existence and his name for the next generation, but will lose that because of a social arrangement which gives inheritance only to his sons. Those social arrangements, therefore, retreat in this case, by God's command, before the basic existential feeling of a man that, in terms of his continuity in this world, there is no significance to the difference between sons and daughters.

On the human existential level, therefore, there is an equality of value between men and women. Not always is this equality evident, because social arrangements, and the force of daily life which is based on those social arrangements, obscure it. The statement of the daughters of Tzelofchad sharpened the contradiction between the arrangements of the patriarchal society and that which is prior to any social arrangement - the basic human equality of man as created by God. In this case, the precedence of that equality over social arrangement becomes clear.

In conclusion, we should examine the statement of the Sifri on our parasha as explained by the Netziv in his commentary to the Sifri. First the words of the Sifri:

"The daughters of Tzelofchad came forward." When the daughters of Tzelofchad heard that the land was being divided among the males and not among the females, they all got together to confer. They said: The mercy of man is not like the mercy of God. The mercy of man feels more for males than for females. But He who has created the world is not that way. His mercy is for both males and females. His mercy is for all as is written: (Tehillim 145:9) "God is good to all and His mercy is for all His creations."

The Netziv comments:

It would appear that their logic was faulty because they also knew that women do not inherit wherever there is a male descendant. This does not represent a lack of mercy because the daughters will marry men and share in their inheritance. But the real explanation is as follows: There is a great sorrow for a man to see his inheritance given to strangers and his name be eliminated from the inheritance. When there is a son, the daughters are not distressed that they get it all; quite the contrary, the son represents the main portion of the father's house. But if there is no son and strangers eat the portion, it is a very great sorrow and this is the mercy (to which they referred). This is the meaning of their statement, "Why should the name of our father be eliminated?" They mention his name and his memory, for the sorrow involved that his name should not be continued over his estate.

TO SUBSCRIBE send e-mail to lists@vbm-torah.org with the following message: subscribe YHE-PARSHA Yeshiva Har Etzion's Israel Koschitzky Virtual

Beit Midrash is on the world wide web at <http://www.vbm-torah.org> Yeshiva Har Etzion Israel Koschitzky Virtual Beit Midrash Alon Shevut, Gush Etzion 90433 E-mail: Yhe@vbm-torah.org or Office@etzion.org.il

From: Ohr Somayach[SMTP:ohr@virtual.co.il] The Weekly Daf #336 Ketubot 109 - Nedarim 4

By RABBI MENDEL WEINBACH, Dean, Ohr Somayach Institutions
THE SAGES' LOVE OF THE LAND

The final pages of Mesechta Ketubot describe the great love which the Talmudic Sages had for Eretz Yisrael. Let us cite two examples:

Rabbi Chanina picked up stones that were on the road. Tosefot explains his action based on a Midrash (Tanchuma Parashat Shlach) describing this sage's journey from Babylon to Eretz Yisrael. There were no border signs in those days indicating where the Holy Land began, so Rabbi Chanina developed his own test. He picked up a stone and felt its weight. Finding it too light, he realized that he had not yet reached his destination. When he finally picked up so many stones that had substance, he realized that he was in Eretz Yisrael. He kissed those stones and recited the passage, "For Your servants desired her stones, and its dust found favor in their eyes." (Tehillim 102:5)

Rashi, however, has another interpretation which ties in with the following piece of gemara. Rabbi Chanina, he explains, was already in Eretz Yisrael and his lifting stones had a different purpose. His love of the land was so great that he was anxious to see that no one could fault it for having poor roads. He therefore went about removing stones and other obstacles from the roads.

That same sort of consideration seems to be the motive of Rabbi Ami and Rabbi Asi who, in order to find comfort in the shade, would leave the place where they were studying Torah when the sun's rays became too hot. On cold days they would move from their unheated place to where they could enjoy the warmth of the sun. They did so, explains Rashi, so that they would never have cause to complain even about the climate in Eretz Yisrael.

But wouldn't any one of us move from an uncomfortable place to a comfortable one? What is so remarkable about the behavior of these sages? The answer is that they could certainly have continued studying despite a little discomfort, while moving necessitated a loss of precious time spent in intense Torah study. They nevertheless made that sacrifice so that it should never occur to them that there was something imperfect about living in the Eretz Yisrael they so loved. * Ketubot 112b

Written and Compiled by Rabbi Mendel Weinbach General Editor: Rabbi Moshe Newman
Ohr Somayach International 22 Shimon Hatzadik Street, POB 18103 Jerusalem 91180, Israel
Tel: 972-2-581-0315 Fax: 972-2-581-2890 E-Mail: info@ohr.org.il Home Page:
<http://www.ohrmet.org>