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INTERNET PARSHA SHEET ON PINCHAS - 5786

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RAV SCHACHTER ON THE PARSHA

Insights and Commentary Based on the Shiurim of **Rav Hershel Schachter**. Adapted by **Dr. Allan Weissman**

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PARSHAS PINCHAS - AVEIRAH LISHMAH

פינחס בן אלעזר בן אהרן הכהן השיב את חמתו מעל בני ישראל בקנאו את קנאתי בתוכם. Pinchas son of Elazar son of Aharon HaKohen, turned back. My wrath from upon *Bnei Yisrael*, when he zealously avenged My vengeance among them. (*Bamidbar* 25:11)

Rashi, quoting the *Gemara* in *Sanhedrin* (82b), explains why the Torah mentions here that Pinchas was the grandson of Aharon HaKohen. Pinchas had a second grandfather, Yisro, who served as a “galach” for *avodah zarah*, and members of the other *shevatim* mocked Pinchas by saying, “His mother’s father is an idol-worshipper, yet he killed a *Nasi*?!” Therefore, the Torah traces his ancestry to Aharon HaKohen.

Rav Dovid Soloveitchik (*Shiurei Rabbeinu Meshulem Dovid HaLevi al HaTorah, Parshas Pinchas*) wondered how this explanation answers why it was important to mention Pinchas’ lineage. The only real question regarding Pinchas is whether he acted properly or improperly in killing Zimri. If the

Halachah L’Moshe MiSinai is that הבעל ארמית קנאין פוגעין בו “One who cohabits with an Aramean woman, zealots may kill him” (*Mishnah Sanhedrin* 81b), he was correct, regardless of his lineage. If the *halachah* does not apply in this case, his act was unlawful even if his grandfather was Aharon HaKohen!

Rav Dovid explained that the *halachah* of קנאין פוגעין בו applies only to one whose zealousness inspires him to avenge the honor of *Hashem*. In this sense, קנאין פוגעין בו is related to the concept of חטא בשביל שתזכה – “sin in order to gain.” In rare instances, we instruct a person to commit an *aveirah* if something significant will be accomplished through his sinful act (*Menachos* 48a).

The *Gemara* in *Nazir* (23b) elaborates on this notion in labeling the selfless act of Yael as an עבירה לשמה, as she offered herself to Sisera for the sake of the salvation of the Jewish People. Despite the fact that Yael (who was a married woman) engaged in illicit relations, since she did so for noble purposes, it was considered a “righteous transgression” that was worthy of great merit. The *Gemara* comments, גדולה עבירה לשמה ממצוה שלא לשמה – “A transgression committed for the sake of Heaven is greater than a *mitzvah* performed for ulterior motives.” [This is cited *l’halachah* by the *Beis Shmuel* (*Even Ha’Ezer* 178:4) in the name of the *Maharik*; see *Chochmas Shlomo*.]

The *Keren Orah* (*Nazir* 23b) writes that עבירה לשמה is permissible if it is למגדר מילתא, for the purpose of stemming widespread sinning.

With this comment, the *Keren Orah* alludes

to the related principle of The אין כח ביד חכמים לעקור דבר מן התורה – “*Chachamim* are empowered to actively suspend a Biblical law only as a temporary ruling and to curb a matter of rampant sin” (see *Yevamos* 90b). The *Rambam* (*Hilchos Mamrim* 2:4) elaborates on this idea:

אם ראו לפי שעה לבטל מצוות עשה או לעבור על מצוות לא תעשה כדי להחזיר רבים לדת או להציל רבים מישראל מלהכשל בדברים אחרים עושין לפי מה שצרכה השעה. כשם שהרופא חותך ידו או רגלו של זה כדי שיחיה כולו כך בית דין מוריים בזמן מן הזמנים לעבור על קצת מצוות לפי שעה כדי שיתקיימו כולם כדרך שאמרו חכמים הראשונים חלל עליו שבת אחת כדי שישמור שבתות הרבה.

If they [the *beis din*] saw that it was necessary to temporarily suspend a positive *mitzvah* or violate a negative *mitzvah* in order to bring people at large back to the Jewish faith or to save many Jews from transgressing in other matters, they may do what is necessary at that time. Just like a physician may amputate one’s hand or foot so that the person as a whole will live, so too, at times, *beis din* may rule to temporarily violate some of the *mitzvos* so that all of them will endure. In this vein, the *Chachamim* of the previous generations said, “Violate one Shabbos for a person so that he will keep many *Shabbosos.”

Thus, the *Rambam* understands that the source of the idea of מגדר מילתא is the *passuk* ושמרו בני ישראל את השבת, “The *Bnei Yisrael* shall observe the Shabbos” (*Shemos* 31:16), which the *Gemara* in *Yoma* (85b) expounds: חלל עליו שבת אחת כדי שישמור שבתות הרבה – “Violate one Shabbos for the sake of a person [whose life is in danger, and save his life], so that he will keep many Shabbosos.” It emerges from the *Rambam* that this *passuk* serves as the source of the principle of עבירה לשמה and the concept of חטא בשביל שתזכה.

Every legal system subscribes to the idea that, in unusual cases, the ends justify the means. The only question is which ends and which means. For example, everyone will agree that one who rushes his wife in active labor to the hospital in the middle of the night may

drive through a red light. The police would even assist him in doing this. It is recognized that those ends justify those means. This does not mean, however, that one can establish a yeshiva by taking funds from the government illegally. Those ends do not justify those means.

The *Likkutim* in the margin of *Mishnayos Yachin U'Vo'az* explains that the *Mishnah* in *Avos* (2:1) echoes this idea:

עבירה לשמה – והוי מחשב ... שכר עבירה כנגד הפסדה
"Calculate...the reward of a sin against its cost." According to this interpretation, the *Mishnah* teaches that in rare cases, a person **should** commit an *aveirah*, since the reward he receives on behalf of his virtuous intention eclipses the more minor detriment caused by the sinful action itself. If, according to his estimation, there is a definite and significant gain to be achieved by performing the *aveirah*, this benefit overshadows the adverse effects of the *aveirah*, and he may act according to the principle of חטא בשביל שתזכה *Tosfos* (*Shabbos* 4a, s.v. *v'chi*) applies this concept to the *Gemara* in *Berachos* (47b) that relates an incident involving Rabbi Eliezer, who freed his *eved Cana'ani* in order to complete a *minyan* of ten men with him. Rabbi Eliezer thereby transgressed an *issur* for the sake of fulfilling the communal *mitzvah* of *tefillah b'tzibbur*. The *Mechaber* (*Orach Chaim* 306:14; see *Bei'ur HaGr"a*) rules accordingly with regard to the permissibility of violating the *Shabbos* to save one's abducted daughter, who, it is feared, may be brought to apostasy as a consequence of her abduction. In this extreme case, we allow a person to commit an *aveirah* in order to benefit his fellow Jew. Likewise, the *Gemara* in *Ta'anis* (11a) quotes Shmuel, who teaches that whoever fasts voluntarily is called a *chotei* (sinner), much as a *nazir* is similarly labeled even though he abstained from only wine. *Tosfos* (s.v. *amar*) notes that Shmuel himself holds that under certain circumstances one is permitted to fast. This is because the *mitzvah* that he accomplishes through fasting outweighs the *aveirah* he violates through his abstinence. *Tosfos* compares this to one who observes a *ta'anis chalom* (a fast over a frightening dream) on *Shabbos*, who should then observe an additional fast on a weekday to atone for his fast on the *Shabbos* (*Ta'anis* 12b).

The *Gevuros Ari* (*Ta'anis* 11a, s.v. *amar Shmuel*) and the *Netziv* (*Meromei Sadeh*, *Ta'anis* 11a) wonder why the term *chotei* and the necessity for atonement apply in these situations. One who violates *Shabbos* for *piku'ach nefesh* (in a life-threatening situation) or who acts in accordance with the principle of עשה דוחה לא תעשה (a positive commandment overrides a prohibition) certainly does not require any atonement!

The explanation is that there is a significant difference between these cases and one who fasts voluntarily or becomes a *nazir*. In situations of *piku'ach nefesh* and עשה דוחה לא תעשה, the *aveirah* is overridden. Since no *aveirah* has been violated, there is no need for *kapparah*. However, when one volunteers to fast or to become a *nazir*, both a *mitzvah* and an *aveirah* continue to be present. Although he has the right to calculate the שכר עבירה כנגד הפסדה, and he may correctly conclude that the proper course of action is חטא בשביל שתזכה, the *aveirah* nevertheless remains in place. The act is labeled as an עבירה, and therefore a *kapparah* is necessary for that which he violated.

There is a second difference that emerges in reference to the special rule of חטא בשביל שתזכה. Although when one performs a *mitzvah* we require *kavanah*, the recognition that he thereby discharges his

obligation, what **motivates** him to perform the *mitzvah*, whether it be a desire to fulfill the *ratzon Hashem* or an ulterior motive, is generally not mandated. In fact, the *Gemara* in *Pesachim* (50b) teaches, לעולם יעסוק אדם בתורה ומצוות אף על פי שלא לשמה שמתוך שלא לשמה בא לשמה

A person should always engage in Torah study and the performance of *mitzvos* even for ulterior motives, because from Torah and *mitzvos* for ulterior motives he will eventually come to Torah and *mitzvos* for their own sake."

In contrast, in relation to the application of חטא בשביל שתזכה, the *Gemara* in *Nazir* uses the term עבירה לשמה, implying that what prompts the performance of this act is critical. The *Netziv* (*Harchev Davar*, *Bereishis* 27:9) points out that this is due to our earlier observation that the *aveirah* remains an *aveirah*. Therefore, only one who is religiously motivated and performs the *aveirah* for the sole purpose of arriving at the intended spiritual benefit may rely on the calculation of שכר עבירה כנגד הפסדה. When one engages in an act of חטא בשביל שתזכה, his motivations must be completely *l'sheim Shamayim*, without personal gain.

Rav Shlomo Kluger (*Ha'Elef Lecha Shlomo*, *Even Ha'Ezer* 120) makes a related point in reference to a man who wanted to move to Eretz Yisrael for the purpose of improving his livelihood. The *Gemara* in *Kesubos* (110b) teaches that if one spouse wishes to relocate to Eretz Yisrael from *chutz la'Aretz* and the other spouse refuses, the latter is considered to be at fault regarding the dissolution of the marriage. This point has relevance to the requirement to pay the *kesubah* upon the couple's divorce. If the wife refuses to make *aliyah*, she must accept a *get* without receiving a *kesubah*; if the husband refuses, he must release her from the marriage and pay her the sum stipulated in her *kesubah*.

In this case, however, the husband's motivation to make *aliyah*, and divorce his wife who refused to go with him, was not in order to fulfill the *mitzvah* of *yishuv Eretz Yisrael*, but instead, was due to *parnassah* related considerations. Rav Kluger rules that one spouse's right to force the other to relocate to Eretz Yisrael is only when he does so **for the sake of the mitzvah**. In other words, divorcing one's wife in order to make *aliyah* is a form of עבירה לשמה, and here, when the husband is acting *shelo lishmah*, it is forbidden for him to divorce his wife.

In a similar vein, the *Mishnah* in *Avos* (2:2) specifies, וכל העוסקים עם, "All who exert themselves for the community should exert themselves **for the sake of Heaven**." When one is involved in communal affairs, there is no well-delineated *ma'aseh mitzvah* that he performs, such that we could label his actions, in and of themselves, as *mitzvos*. A *lishmah* intent is therefore necessary to convert his act on behalf of the public welfare into a *ma'aseh mitzvah*. This is comparable to עבירה לשמה, where the act in and of itself is actually a *ma'aseh cheit*, not a *ma'aseh mitzvah* at all. Only if a person is moved by a *l'sheim Shamayim* consideration can we justify his commission of an *aveirah* under the rule of חטא בשביל שתזכה. [See *B'Ikvei HaTzon*, pp. 16-18.]

The *Netziv* (*Meishiv Davar* 1:46) extends this idea to any innovation, such as presenting *chiddushei Torah* or starting a new *minyan*. An action that is a distinct *mitzvah*, like donning *tefillin*, is always labeled as such, even if one's intent when performing it was *shelo lishmah*. However, when a new practice is introduced, if it lacks an intention of *lishmah*, there is nothing in place that first establishes the

practice as a *kiyum hamitzvah*.

There are numerous other circumstances in which the designation of a practice as a *mitzvah* is not clearly defined, and that makes the need for *lishmah* indispensable. For example, the *Chasam Sofer* (*Orach Chaim* 208, s.v. *l'hodi'a*) contends that the allowance to print *chiddushei Torah*, in the face of what ought to be a violation of transmitting *Torah SheBe'al Peh* in a written form, only applies to one who does so with sincere motives. The *Rambam* (*Hilchos Sanhedrin* 24:10) similarly specifies the requirement of pure intent with regard to a *dayan* who inflicts punishment in situations not clearly mandated by Torah law. Likewise, the *Gilyon Maharsha* (on *Shach*, *Yoreh De'ah* 246:8) rules that a new *minhag*, even if appropriate, may not be practiced if it was instituted by a *rasha*. We must assume it was established by the *rasha* with a motive that was *shelo lishmah*. [See *B'Ikvei HaTzon*, pp. 26-27.]

Given the above analysis, Rav Dovid Soloveitchik concluded that when Pinchas acted based on the principle of *קנאין פוגעין בו*, he was required to be a *kana'i l'sheim Shamayim*. If Pinchas' intentions were not completely pure, he would have had no right to kill Zimri, and his act would have been tantamount to *retzichah* (murder). This was the basis of the *shevatim*'s taunting of Pinchas. Since his grandfather was an idol-worshiper, they presumed that he must have had ulterior motives when he killed Zimri. To deflect this accusation, the Torah traces Pinchas' ancestry to his other grandfather, to indicate that he really was a *kana'i l'sheim Shamayim*. Whether Pinchas acted *l'sheim Shamayim* or not determined whether the act was proper or improper, and Pinchas' intent was related to which grandfather he patterned his actions after. Thus, Pinchas is identified as a grandson of Aharon HaKohen, known as *אוהב שלום ורודף שלום* – “loving peace and pursuing peace” (*Avos* 1:12), to teach us that Pinchas killed Zimri in keeping with the values of this grandfather. Since Pinchas acted completely *l'sheim Shamayim*, his act was permissible, and thus highly praiseworthy.

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Pinchas and the Covenant of Peace

Adapted from *Ruach Eliyahu* by Rav Elya Svei zt”l

In parshas Pinchas, after Pinchas rose up for the honor of Hashem, the Torah records the reward given to him: *הנני נותן לו את בריתי שלום*. *I give him My covenant of peace*. He is also promised *ברית כהונת עולם* *because he was zealous for his Hashem and atoned for Bnei Yisrael*.

Why was this reward given specifically to Pinchas? Moshe Rabbeinu stood again and again in the breach for Klal Yisrael. After the Chet HaEgel he said *אשר כתבתך אשר נא מספרך* *if You do not forgive their sin erase me from Your book that You have written*. Moshe saved Klal Yisrael many times. Yet the special promise of *ברית שלום* was not given to Moshe, but to Pinchas. What was unique about Pinchas's act?

Not Only Saving, But Removing the Anger

The Dubno Maggid, Rav Yaakov Kranz (1741–1804), explains that Moshe's tefillah after the Chet HaEgel saved Klal Yisrael from immediate destruction, but it did not erase the punishment entirely. Hashem said, *on the day that I make an accounting, I will bring this sin to account against them*. Chazal say, *אין לך כל פורענות ופורענות שבאה על ישראל שאין בה קצת מפרעון עוון העגל* *there is no punishment that does not contain some payment for the*

sin of the Eigel. Moshe held back the decree, but some trace of the claim remained.

Pinchas did something more. He did not merely delay the punishment. He removed the anger itself. Rashi explains *בקנאו את* *he expressed the anger that I had to express*. The anger that could have fallen from Shamayim upon Klal Yisrael was instead expressed through Pinchas's *kana'us* for kedusha. Once that anger had been expressed properly, it no longer had to descend upon the nation.

That is why the Torah says *ויכפר על בני ישראל* *he atoned for Bnei Yisrael*. Pinchas did not only save lives. He removed the claim against them. Therefore, he was worthy of *ברית שלום* and *ברית כהונת עולם*.

Revealing the Inner Kedusha of Klal Yisrael

The Sforno, Rav Ovadiah Sforno (c.1475–1550), adds another layer. Pinchas acted *בתוכם* in the midst of Klal Yisrael, before everyone's eyes. The Sforno explains that he did this *כדי שבראותם זה ולא לעיני כולם* *before everyone's eyes, so that when they saw this and did not protest, they would be atoned for*. Until then, their silence in the face of Zimri's sin could have been understood as acceptance. Pinchas revealed that this was not true. Deep down, Klal Yisrael did not agree with Zimri. Their inner self still belonged to kedusha. This is similar to what happened after the Chet HaEgel. Shevet Levi punished those who had served the Eigel. On the surface, it is difficult to understand how such an act became the source of their special *madreigah* (level). But the Meshech Chochmah, Rav Meir Simcha HaKohen of Dvinsk (1843–1926), explains that the Levi'im were far too few to overpower all of Klal Yisrael by force. If the nation had truly opposed them, they could have stopped them. The fact that no one stopped them showed that Klal Yisrael knew, deep inside, that the Levi'im were right.

So too with Pinchas. He killed a nasi of Shevet Shimon before the eyes of the nation, and no one stopped him. That showed that Zimri's act did not represent Klal Yisrael. Pinchas uncovered their true *madreigah*. He revealed that their heart was still with Hashem. This itself belongs to the role of *kehuna*. The kohen brings *kapparah* for Klal Yisrael, not only by dealing with sin, but by revealing that sin is not the deepest truth of Klal Yisrael. Therefore Pinchas, who revealed the inner kedusha of the people, was rewarded with *ברית כהונת עולם*.

Why the Reward Is Called Peace

But why is the reward called *שלום*? The Sforno explains that *בריתי שלום* means that Pinchas would be protected from opposition and destruction. Rav Elya connects this to the pasuk in Malachi, *בריתי היתה אתו החיים והשלום*, *My covenant was with him, life and peace*. Chazal also connect Pinchas with long life, and according to the view *Eliyahu is Pinchas*, he remains alive.

This needs explanation. Why are *חיים* and *שלום* joined together? What does peace have to do with life?

The Alshich HaKadosh, Rav Moshe Alshich (1508–1593), explains that the *neshamah* comes from a very high place, *הצובה מתחת כסא* *carved from beneath the Throne of Glory*. It is placed into a physical body, but the body is material and coarse. The *neshamah* naturally longs to return to its source. In Rav Elya's formulation *כל נשימה ונשימה משתוקקת להיפרד ממנו לחזור להבק בשורשה* *with every breath, it longs to separate from him and return to cleave to its*

source. Death comes because there is no complete peace between the body and the neshamah.

When a person purifies his physical life, the body no longer contradicts the neshamah. The neshamah no longer needs to escape. There can be peace between them. That peace is life. This was the level of Adam HaRishon before the chet, and the level Klal Yisrael reached at Har Sinai, when פסקה זוהמתן, *their spiritual impurity ceased*.

This was the reward of Pinchas, מדה כנגד מדה. Since he brought peace between Klal Yisrael and their Father in Shamayim, and since he restored life to Klal Yisrael, Hashem gave him חיים ושלום life and peace. His body was purified to the point that it no longer challenged the neshamah.

So שלום was not only a promise of safety. It was a promise of inner wholeness, peace within the person himself, peace between the body and the neshamah.

The Avodah of Every Person

At this point the subject is no longer only Pinchas. Pinchas shows the highest form of שלום but the same struggle exists in every person. We see this in a letter in the introduction to *Da'as Chochmah U'Mussar*, written by Rav Nochum Zev Ziv (1857–1916) (son of the Alter of Kelm) to Rav Yerucham Levovitz of Mir (c.1875–1936).

A person is made from two opposite parts. The body is קצה הגסות *the extreme of coarseness and earthiness*, drawn toward the pleasures of this world. The nefesh is חלק אלוקה ממעל *a portion from Above*, and קצה הזכות *the extreme of purity*, which cannot be satisfied by physical pleasure. The avodah of a person is to make peace between these two parts.

The goal is not for the body to remain an enemy of the neshamah.

The goal is for the body itself to become a partner in avodas Hashem. This is what Dovid HaMelech said, נפשי לך צמאה לך בשרי *my soul thirsts for You, my flesh longs for You*. Not only the nefesh thirsted for Hashem. Even Dovid's body came to long for Him.

But this peace cannot be made by simply giving the body whatever it wants. Chazal say (Suka 52b), מרעיבו שבע משביעו רעב, *if one feeds one's eiver, it becomes hungry, but if one starves is he is satisfied*. The more a person runs after every desire, the emptier he becomes. The body imagines that another indulgence will satisfy it, but the neshamah knows that this is false.

At the same time, the body is not elevated by being crushed blindly. The neshamah must guide the body with wisdom, step by step, until the body learns that its own true happiness is to become connected to kedusha. The purpose is not to destroy the body. The purpose is to make it into a כלי for avodas Hashem.

This was the high madreigah of Pinchas, who is identified with Eliyahu. His body became so purified that it could rise together with the neshamah, בסערה השמימה, *in a storm to the heavens*. This is far beyond our level, but it points to the avodah of every person, to create some measure of הגוף והנשמה שלום בין הגוף והנשמה.

Why Only Torah Can Make This Peace

The question then becomes practical. How does a person know when to allow the body something, and when to deny it? How does he know what will elevate the body, and what will only strengthen the yetzer? This cannot be left to instinct, because the body always claims that what it wants is harmless.

Rav Nochum Zev writes that this requires a very deep chochmah: חכמה הנמצאת בתורה שהיא קצה ותכלית כל החכמות

Torah, which is the ultimate end and purpose of all wisdom. Only Torah can teach a person how to make real peace between the body and the neshamah. Without Torah, a person may mistake indulgence for peace, or he may mistake harshness for kedusha. Torah gives the measure. It teaches what to bring close, what to push away, and how to train the body until it can serve Hashem together with the neshamah.

This is why the discussion of Pinchas naturally leads into the power of Torah. Pinchas received בריתי שלום because he embodied peace at its highest level. Torah gives every person the path to build that peace in his own life.

Emes and Shalom

This also explains the Midrash about the creation of man. When Hashem wanted to create Adam, the malachim divided into groups.

חסד אומר יברא שהוא גומל חסדים *Chesed said, let him be created, because he will do acts of kindness*.

אמת אומר אל יברא שכולו שקרים *Emes said, let him not be created, because he is full of falsehood*.

צדק אומר יברא שהוא עושה צדקות *Tzedek said, let him be created, because he will do acts of righteousness*.
שלום אומר אל יברא שכולו קטטה *Shalom said, let him not be created, because he is full of conflict*.

The claim of Emes was that the neshamah should not be sent into a body, because the body would pull it away from the truth of Hashem. The claim of Shalom was that man would be full of conflict, because the body and neshamah would be at war.

What did Hashem do? נטל אמת והשליכו לארץ *He took Emes and cast it to the earth*. The malachim objected, מה אתה מבזה תכסים *Master of the worlds, why are You disgracing Your royal seal?* Hashem answered, אמת מארץ תצמח, *truth will sprout from the earth*.

The mefarshim explain that Emes here refers to Torah. The malachim argued that Torah belongs in Shamayim, not on earth. Hashem answered that Torah must come down to earth, because only Torah can cause truth to grow from earthly life. Only Torah can teach man how to remain connected to emes while living in a body. The Midrash does not explicitly say how Hashem answered the claim of Shalom, that man should not be created because he is full of conflict. But the answer appears to be the same. Torah does not only make truth grow from the earth. Torah also makes שלום grow from the earth. It teaches the body and neshamah how to live together.

This brings us back to Pinchas. ברית שלום is not merely external peace, not merely safety from enemies and not merely long life. It is the inner harmony that allows life to endure. Pinchas made peace between Klal Yisrael and Hashem by revealing their hidden kedusha. In return, he was given חיים ושלום, a life in which the body no longer stood in contradiction to the neshamah.

That is the avodah that Torah opens for every person. Through Torah, even the earthy body can be joined to the higher neshamah, until both become תמימים לעבודתו יתברך, whole and complete in the service of Hashem.

From: cshulman@gmail.com

Pinchas and the Danger of Zelaotry

Adapted from

Nechama Leibowitz Iyunim B'Sefer Bamidbar.

The Trap of Bilam

Parshas Pinchas continues directly from the end of Parshas Balak. After Bilam failed to curse Klal Yisrael, he gave Balak a more dangerous weapon. If Israel could not be defeated from the outside, it could be weakened from within. Chazal describe Bilam's advice (Sanhedrin 106a): *The G-d of Israel hates immorality*. Bilam understood that znus (sexual immorality) could do what his curses could not.

The Gemara describes the trap in painful detail. Bilam advised Balak to set up stalls selling linen garments, with older women outside and younger women inside. The older woman would begin with ordinary commerce. The younger woman would then invite the Jewish man further in, speaking gently and making him feel at home. The sinning did not begin with open avodah zarah. It began with desire, a marketplace, clothing, conversation, and comfort. Then came wine. Once he drank, the yetzer hara was awakened. She would demand more from him, and when he agreed, she would bring out her idol and tell him to worship it. When he protested that he was a Jew, she answered that it did not matter. Finally, she would not leave him until he denied the Torah of Moshe.

This is the tragedy behind Baal Peor. The plan was not only to cause an aveirah, but to unravel the identity of Klal Yisrael step by step: desire to wine, wine to immorality, immorality to avodah zarah, and avodah zarah to denial of Torah itself. That is why the Navi says: *המה They came to Baal Peor and separated themselves to shame and became detestable like that which they loved* (Hoshea 9:10).

Why Pinchas Had to Act

Only against this background can we understand the opening of Parshas Pinchas. The Torah says: *פינחס בן אלעזר בן אהרן הכהן השיב את חמתו מעל בני ישראל בקנאו את קנאתי בתוכם ולא כליתי את בני ישראל בקנאתי Pinchas the son of Elazar the son of Aharon turned back My anger from Bnei Yisrael when he was zealous with My zeal among them and I did not destroy Bnei Yisrael in My zeal* (Bamidbar 25:11). Pinchas was not responding to a private sin alone. He was standing at the point where the moral, religious, and national collapse of Israel had been engineered from the outside and was now spreading inside the camp. Zimri's public act was not only personal brazenness. It was the open eruption of Bilam's plan.

Still, this does not make Pinchas' response of kanaus (zealtry) the simple answer. Pinchas acted without the normal process of beis din, without the usual framework of edim, hasraah, inquiry, and judgment. Such an act as among the most dangerous thing from a moral social and educational standpoint. Zealotry can come from the highest place, but it can also come from anger, cruelty, pride, or private hatred dressed in holy language.

Therefore, the Torah itself must testify what moved Pinchas. The phrase *when he was zealous with My zeal* tells us that Pinchas was not acting from private anger. He was carrying Hashem's zealotry. But that is precisely what no human being can easily know about another person, and perhaps not even about himself.

Not at the Will of the Sages

The Yerushalmi says a startling thing about Pinchas: *שעשה פינחס שלא Pinchas acted not according to the will of the sages*. Chachamim were not ready to approve such an act merely because it appeared zealous. The Yerushalmi says: *The sages ביקשו חכמים לנדוהו The sages sought to place him in nidui*, until Ruach Hakodesh testified

otherwise and said: *והיתה לו ולזרעו אחריו ברית כהנת עולם תחת אשר קנא It shall be for him and for his descendants after him a covenant of eternal kehuna because he was zealous for his God and atoned for Bnei Yisrael* (Bamidbar 25:13).

This is not a weakness in Pinchas. It is a warning about zealotry. A person can believe he is defending Hashem when he is really defending himself. He can imagine that he acts l'shem Shamayim when he is driven by rage, pride, or resentment. Therefore, Chachamim could not simply accept the act from the outside. It needed Divine testimony.

The Torah Temimah explains that such an act is justified only when done *with a spirit of true zeal for the honor of Hashem*. But who can know whether the kanai is free of *some side motive*? Only Ruach Hakodesh could reveal that Pinchas was *truly a kanai for the sake of Heaven*.

This is why the Torah repeats the point. Pinchas acted *בקנאו את קנאתי with Hashem's zealotry*, and *because he was zealous for his God*. The Torah is praising Pinchas, but it is also protecting us from false zealotry. Without Divine testimony, no one can easily claim that his zeal is pure.

The Heart Must Be Clean

A similar idea appears in the Gemara's account of *ברכת המינים*. The berachah against the minim was composed by Shmuel HaKatan, the very same Shmuel HaKatan who would always say: *בנפל אויבך אל When your enemy falls do not rejoice and when he stumbles let your heart not be glad* (Mishlei 24:17).

Why was he chosen? Because a tefillah against evil must not come from personal hatred. Rav Kook explains that most berachos are filled with chesed and love, but a berachah directed against reshaim can easily be mixed with private anger. Only someone like Shmuel HaKatan, whose heart was purified from *natural hatred*, could formulate such a berachah.

This sheds light on Pinchas. If even a tefillah against evil must come from a heart cleansed of hatred, then an act of zealotry must be held to an even higher standard. The question is not only what was done. The question is what moved the person within.

Why a Covenant of Peace

Hashem's reward to Pinchas is surprising: *לכן אמר הנני נתן לו את בריתי I give him My covenant of peace* (Bamidbar 25:12). Why should the reward for an act of killing be *בריתי שלום*, a covenant of peace?

Abarbanel understands *בריתי שלום* as protection from those who might seek revenge against Pinchas. He had killed a prince of Israel and a princess of Midian, and many could have hated him for it. According to this reading, Hashem promised that Zimri's relatives and supporters would not harm him.

The Netziv reads it more inwardly. Hashem was not only protecting Pinchas from enemies outside him, but from the harshness that such an act could leave inside him. Even when killing is justified, it can leave a mark on the soul. The natural effect of taking life is to plant harshness in the heart.

The Netziv writes: *בשביל כי טבע המעשה שעשה פינחס להרוג נפש בידו היה Because the nature of the act that Pinchas did killing a person with his hand could have left a strong feeling in his heart afterward*. Therefore Hashem blessed him: *שיהא*

That he should always remain calm and in the middah of peace.

This is the depth of בריתי שלום. Hashem was not only rewarding Pinchas. He was preserving him. The fire that saved Klal Yisrael would not become a fire of cruelty inside him. The zealotry of that moment would not turn into a permanent middah of anger.

The Lesson of Pinchas

Pinchas teaches that there is such a thing as true zealotry. There are moments when silence is not righteousness, when the honor of Hashem and the survival of Klal Yisrael demand action. But the parsha also teaches how frightening zealotry is. It is not holy merely because it speaks in the language of holiness. It is not pure merely because it opposes sin.

That is why the Yerushalmi's phrase שלא ברצון חכמים is so important. Chachamim do not rush to approve zealotry. They know that hidden motives can hide inside it. Only Ruach Hakodesh could testify that Pinchas was ממש קנאי לשם שמים *a true kanai for the sake of Heaven*.

And that is why the reward is בריתי שלום. The Torah does not want a world of angry people who think they are defending Hashem. It wants servants of Hashem whose hearts remain whole, peaceful, and pure even when they must act with strength. Pinchas was not a man of violence looking for a holy excuse. He was a man of peace who, in that terrible moment, carried Hashem's zealotry. Therefore Hashem gave him the gift that could protect such a soul: הנני נתן לו את בריתי *Behold I give him My covenant of peace*.

Part 2 – Midian and the Restoration After Peor

Adapted from **Nechama Leibowitz Iyunim**

Why Midian

After the story of Pinchas, the Torah commands: צרור את המדינים *Harass the Midianites and strike them* (Bamidbar 25:17). The reason is stated immediately: כי צוררים הם לכם בנכליהם *For they harass you with their plots which they plotted against you in the matter of Peor and in the matter of Kozbi the daughter of a prince of Midian their sister* (25:18).

This command is difficult because the Torah is described as דרכיה *Its ways are ways of pleasantness and all its paths are peace* (Mishlei 3:17). How can that Torah command Israel to hate and fight a nation?

The answer begins with the kind of enemy Midian was. This is the second nation, after Amalek, that Israel is commanded to oppose on its way from Mitzrayim to Eretz Yisrael. Amalek attacked the weak from behind: ויזנב בך כל הנחשלים אחרריך *He cut off all the weak ones behind you* (Devarim 25:18). Midian attacked differently. Amalek endangered the body of Israel. Midian endangered the kedushah of Israel.

A nation that kills from the outside is dangerous. But a nation that corrupts from within threatens the very identity of Klal Yisrael.

על דבר פעור

The Torah explains Midian's sin through the phrase ועל דבר פעור *in the matter of Peor*. Rashi explains: על דבר פעור שהפקירו בנותיהם לזנות כדי *In the matter of Peor because they made their daughters available for immorality in order to lead you astray after Peor*.

This was not ordinary hostility. It was a planned attack on kedushah. Midian understood that Israel's strength depended on its purity. If Bnei Yisrael could be drawn into immorality and avodah zarah, they would fall from within.

Rashi also explains the word צרור as עליכם לאייב אותם *It is upon you to treat them as enemies*. This is not only a one-time military instruction. It is a command to recognize the danger of a force that tries to make Israel betray its own kedushah.

The Ramban adds that Kozbi's identity shows how organized the plot was. She was כוזבי בת נשיא מדין אחתם *Kozbi the daughter of a prince of Midian*. This was not merely the act of private individuals. It involved the leadership of Midian. The זקני מדין, the elders of Midian, had been part of the counsel that led to Peor.

This also explains why the command is directed against Midian even though the Torah first says: ויחל העם לזנות אל בנות מואב *The people began to commit immorality with the daughters of Moav* (Bamidbar 25:1). Rav Samson Raphael Hirsch reads the wording carefully. The Torah does not say only that Midian harmed Israel in the past. It says: כי צוררים הם לכם *For they are harassing you*. The present tense shows that Midian remained an active enemy. Their hostility had not ended with the plague.

The Attack on the Family

The sin of Peor was not only a private failure. It threatened the home, the family, and the ability of Israel to live as a holy nation in Eretz Yisrael. The Torah had already warned in Parshas Acharei Mos that arayos corrupt the land itself: ולא תקיא הארץ אתכם בטמאכם אתה כאשר *Let the land not vomit you out when you defile it as it vomited out the nation before you* (Vayikra 18:28).

Midian's attack therefore struck at the very condition for entering the land. A people called to kedushah cannot build Eretz Yisrael while surrendering its kedushah.

Chazal describe Israel's special strength through family purity and yichus. When the nations asked why Israel was brought close more than they were, Hashem answered: ספרי יוחסין שלכם *Bring Me your records of lineage*. Israel could stand before Hashem *according to their families and their fathers' houses*.

But this is not automatic superiority. Yichus in Torah is a kedushah that must be guarded. It is בידו לשומרו ובידו לאבדו *in a person's hands to preserve it and in his hands to lose it*. That was Midian's goal, to make Israel lose the purity that had been guarded from generation to generation.

The Census After the Plague

The parsha itself shows the cure. Immediately after the command about Midian, the Torah says: ויהי אחרי המגפה ויאמר השם אל משה ואל *It was after the plague and Hashem said to Moshe and to Elazar the son of Aharon HaKohen saying take a census of the entire assembly of Bnei Yisrael* (Bamidbar 26:1–2).

This census is not merely administrative. It comes אחרי המגפה *after the plague*, after the wound of Peor. The answer to Midian's attempt to corrupt Israel is to count the nation again by its families. Hashem lifts their heads again: *Take a census of the entire assembly of Bnei Yisrael*. The nation is restored not only in number, but in identity.

The Midrash sees this as Hashem's answer to the nations. The nations had once praised Israel's purity with the words: גן נעול אחותי *a locked garden my sister my bride* (Shir Hashirim 4:12). But

when Israel fell at Shittim, the nations rejoiced and said that Israel's crown had been taken from them. Therefore, immediately *אחרי המגפה*, after the plague, Hashem commanded a new census.

This was not only counting survivors. It was raising their heads again. It showed that the kedushah of Klal Yisrael could be wounded, but not permanently lost. The people could still stand *למשפחתם בביתם* according to their families and their fathers' houses.

The Lesson of Midian

Amalek and Midian represent two kinds of danger. Amalek attacks the body from behind. Midian attacks kedushah from within. Both must be opposed because both threaten the mission of Klal Yisrael. But the response to Midian teaches something especially deep. The danger of Peor is not only the sin of individuals. It is an attack on the home, the family, and the purity needed to live as Hashem's nation in Eretz Yisrael. That is why the Torah says *צָרֹר אֶת הַמִּדְיָנִים*, and that is why it immediately turns to the census.

The census is Hashem's answer to the nations that thought Israel had lost its crown. It says that even after a terrible fall, Klal Yisrael can be lifted again. Their kedushah can be wounded, but it can also be restored.

The question that remains is whether Israel will guard *אוֹתָהּ הַעֲטָרָה שֶׁהָיְתָה בְּיָדָם מִדּוֹר לְדּוֹר* that crown that was in their hands from generation to generation. Midian tried to make them lose it. The Torah shows how serious that danger is, but also how Hashem raises Israel after the fall and calls them again by name.

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Rabbi Mordechai Willig Rabbinic Leadership

I

"Hashem told Moshe to place his hand on Yehoshua" (Bamidbar 27:18), and yet Moshe placed both of his hands on Yehoshua (27:23). Rashi adds that he did so, "Generously - b'ayin yafa - much more than he was commanded. He placed both hands on Yehoshua and made him like a vessel that is full and overflowing with wisdom." The Kli Yakar (27:18) asks, how did Moshe violate bal tosf by doing more than he was commanded? Moreover, the final phrase (27:23) is b'yad Moshe, implying that he placed only one hand, and not two, on Yehoshua.

The Kli Yakar answers based on the two requests of Moshe to Hashem in appointing a new leader: "Who shall go out before them and come in before them, and who shall take them out and who shall bring them in" (27:17). Leadership in Torah and mitzvos is called taking out and bringing in. Moshe said (Devarim 31:2) "I can no longer come out and go in", in words of Torah (Rashi). For this, one requires two hands, to compel the people to observe Torah and mitzvos.

Going out and coming before them refers to "Hanhaga medinis letikun hamatzav", political leadership to improve the situation. For this, one must use only one hand, leading gently, without compulsion which could lead to rejection. The people will follow on their own. Moshe told Yehoshua (Devarim 31:7), "You shall come with this people". However, Hashem told Yehoshua (31:23), "You shall bring Bnai Yisrael". Moshe referred to political leadership, in accordance with their (the people's) opinion and advice, as Rashi explains[1]. But

Hashem describes Torah leadership, the exclusive domain of the Torah leaders.

Rashi (Shemos 6:13) explains that Hashem commanded ("vayetzaveim") Moshe and Aharon concerning Bnai Yisrael, "lehanhigam b'nachas", to lead them calmly. The context was political leadership dealing with Pharaoh. Similarly, "Command (tzav) Yehoshua" (Devarim 3:28) concerning the political entry into Eretz Yisrael requires additional alacrity ("tzav" lashon ziruz, Rashi, Vayikra 6:2), to lead in a way that the people will follow and not rebel.

"Take Yehoshua, a man in whom there is spirit (ruach)" (27:18) to deal with each individual appropriately ("k'neged rucho shel kol echad v'echad") (Rashi). "You will command - v'tzivihu", referring to Yehoshua (27:19). This requires one hand, i.e. calm political leadership. And so, the parsha concludes (27:23), "Vayetzavehu... b'yad Moshe", calm leadership signified by one hand.

"V'nasata meihodcha - place of your splendor upon him" (27:20) refers to the splendor of Torah. The term "nasata" means giving generously, b'ayin yafa (Bava Basra 53a), with two hands, to compel Torah observance powerfully. With help from the Urim (27:21), each halachic issue will be decided. Yehoshua will take them out and bring them in forcibly. This required two hands (27:23).

II

In today's world, no rav can compel observance in the personal lives of his congregants. However, a rav must be empowered to make halachic decisions for his shul singlehandedly. Moreover, he must be the one who decides what is a halachic issue.

My close friend, Rav Yaakov (Jay) Marcus zt"l, who preceded me in the active rabbinate, emphasized the last point. In my first interview in Riverdale, I made sure to mention it. Shortly after my election and arrival, the shul wanted to sponsor BINGO locally to add to its income. I said no. I was told, "Rabbi, this is a financial issue." I reminded them that as their rav I must decide if it is a halachic issue which is under my purview.

Not all shul rabbis are familiar with the rulings of the Shulchan Aruch and its classic commentaries on common halachic situations. Before responding to halachic queries, they should check the sources and consult with peers more experienced and/ or scholarly.

In my aforementioned interview I was asked if I knew how to "pasken a shaila", to rule on a halachic matter. Being young and inexperienced, I answered as follows. I may not know how to "pasken a shaila", but I know how to "look up a shaila", how to comb the sources in halachic works. I added a story that Rav Chaim Yaakov Goldvicht, founding Rosh Yeshiva of Kerem B'Yavne, told me.

There was a rabbi who, for every shaila brought to him, would consult a sefer before ruling. After a while he was asked, "Rabbi, you must have ruled on this issue before. Why do you look everything up in a book before answering?" He replied, "If I only look up that which I don't know, you will realize my ignorance and I will be embarrassed. I look up everything, so you will not know if I needed it." With this he interpreted Tehillim (119:6) "Then I will not be ashamed, when I gaze at all your commandments."

Halachic issues are not limited to explicit rulings of our predecessors. New issues are often called "matters of public policy". Sometimes, however, they involve halachic policy. This, too, is the domain of the shul rav, with appropriate consideration of the level and nature of his

congregants. In some cases, the rav should issue a non-binding response, in the hope that the congregants will follow. This is the "hanhaga medinis" of the Kli Yakar.

In purely financial or other non-halachic matters, a rav is well advised to allow the congregants to decide on their own. By rendering to Caesar unto Caesar, he increases the chance that they will render unto Hashem, and the rav, all halachic matters.

III

Must, or may, a congregant follow all of his rav's rulings in his personal life? When the institution of a town rav existed, his decisions were mandatory for all of its residents.

The Gemara (Shabbos 130a) relates that R' Eliezer encouraged melacha on Shabbos in preparation for a bris. His townspeople acted on this ruling, which for everyone else was chilul Shabbos. They were not punished by Hashem, rather they were rewarded. When the Romans prohibited bris mila in all of Eretz Yisrael, this town was spared.

The Ran (responsum 58) rules that one is obligated to follow the rulings of his rav, as R' Eliezer's townspeople did, even in a leniency against the majority opinion. The Rashba (1:253) extends this to a place that follows a rav's rulings in all matters, even if he is no longer alive, such as the Rif on the Rambam. The Rashba adds that, as the Ran rules, a learned individual (chacham harau lehora'ah) may not be strict, so as not to diminish the honor of the rav. However, if the rav is no longer alive, he may find a proof to be strict, as this does not diminish the honor of the deceased gadol.

Rav Moshe Feinstein (introduction to Igros Moshe, Orach Chaim 1), based on this gemara, rules that a posek who is qualified in his generation, even if in previous times he would not be considered "higi'a lehora'ah", must pasken as he sees fit, after studying Shas and poskim with seriousness and yiras shamayim. His psak is the word of Hashem, even if in Shomayim he is actually wrong. As long as there is no contradiction to his words, we apply the principle of "Elu va'elu divrei Elokim chaim" (Eruvin 13b).

Nowadays, there is no longer a town rav that everyone in town must follow. However, if he is "higi'a lehora'ah", a pious and serious scholar, as described in Igros Moshe, one may follow all of his rulings, even minority lenient ones. Otherwise, when two poskim disagree, the Rashba (ibid.) rules that one must follow the greater posek. Today, when there are many opinions regarding many halachic disputes, this means the greatest posek accessible to him. If one has no access, he must be strict in Torah matters, and may be lenient in rabbinic ones. A similar ruling is found in Chazon Ish (Yoreh Deah 150:5).

If one follows his rav whom he views as a pious and serious scholar, he is rewarded even if in Shomayim it is wrong, as Igros Moshe wrote about the posek himself, based on Shabbos 130a. However, if one realizes that his rav neither qualifies as higi'a lehora'ah, nor consults with another rav who is, and yet adopts his leniencies which turn out to be wrong in Shomayim, he may be punished as the Rashba writes for one who relies on the lenient opinion in Torah matters. Rather, if he is unable to follow the Rashba's aforementioned rules, as he lacks access to a posek, and cannot determine if a matter is de'oraisa or derabanan, he should follow the prevailing custom of individuals who are scrupulous in keeping halacha. This is described in the Gemara (Berachos 45a) "pook chazi mai ama d'bar", go out and see how the people conduct themselves (Rashi).

The dual role of the rav, as explained by the Kli Yakar, has changed when he can no longer compel observance. Nonetheless, a rav does have authority, in both roles of the Kli Yakar, over shul halachic matters, including defining them.

For the overwhelming majority, rabbis and laymen alike, we conclude with the words of Pirkei Avos (1:6) "Aseh lecha rav". Artscroll translates "Accept a teacher upon yourself". If in your sincere estimation he is higi'a lehora'ah, one who relies on all of his rulings will be rewarded, even if his minority leniency is wrong in Shomayim.

Artscroll continues, i.e. "a competent mentor who can correctly transmit the tradition, and thereby avoid error. Be willing to submit to his direction, for without a mentor to respect, a person is directionless."

As we enter bein hametzarim, the three weeks leading to Tisha B'av, we are more mindful of the penultimate pasuk in the haftora of Shabbos Chazon, for whose fulfillment we pray thrice daily: "I will restore your judges as at first, and your advisors as at the beginning" (Yeshaya 1:26). The Chinuch (495) requires that we obey the advice of the gedolim in chochmas haTorah in each generation in all that they rule. If we fulfill these words and practice "Aseh lecha rav" sincerely, we can have greater hope for the fulfillment of our daily prayer that Hashem will restore the Sanhedrin, whose place is near the Beis Hamikdash (Rashi, Shemos 21:1), may it be built speedily in our days.

[1] Rashi refers specifically to the elders (zekainim) of the generation, presumably the Sanhedrin, the seventy ziknei Yisrael (Bamidbar 11:16). This yields an opposite interpretation in Devarim, and possibly in Bamidbar as well. See Leadership (TorahWeb, 2003).

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Parsha Parables By Rabbi Mordechai Kamenetzky

Behind the Name

Rabbi Mordechai Kamenetzky

Over the last few years, whether because of the proliferation, R"l, of illness, or simply the swelling membership of shuls, something has quietly changed about the mi shebeirach for cholim.

I am not criticizing it. I am just commenting.

In the traditional version, the gabbai begins the mi shebeirach and a small line forms. People shuffle toward him, leaning in close as he lowers his head to catch the name being whispered. Something important is being transferred from one person's worry to another person's tefillah. The person would say the name and the gabbai would repeat it, inserting it into the proper place. In many shuls today, that line no longer forms. Instead, the gabbai reads the words aloud, and when he reaches "es hacholeh," he simply stops. At that moment, everyone with a name on their list mumbles it quietly, privately, into the pause. It's like a "fill in the blank" on a puzzle. A few seconds later, the gabbai continues, "Ba'avur she..." and in unison, the room answers amen.

Where I daven, at the Yeshiva Gedolah of the Five Towns, they still do it the old-fashioned way. It takes longer. People approach the gabbaim with lists, sometimes five or more names deep, and there are four or more mi shebeirach zuggers working in parallel to move

through what can be scores of names without finishing the davening at the same time as the local shteibel that started an hour later. It also lends itself to lessons. One of the most striking comes when a fellow approaches the gabbai with no paper in hand. No list. No folded note. He simply begins, from memory, rattling off six or seven names in rapid succession. And these are not the Dinah bas Leah variety of names, the placeholders people use when they can't remember. These are full names. Chaya Devorah Malka bas Aliza Shaindel Sarah. Chaim Alter Yehoshua ben Miriam Fraidel Devorah. He goes on for a good forty-five seconds, name after name, none of them seemingly related to him or to each other, delivered without hesitation, without notes, as if these people's tzaros are embedded in his memory as permanently as the names of his own children. The last time I encountered that kind of memory born entirely from caring was at my uncle Rav Shmuel Kamenetsky's table, where the l'chaim before a meal was never just a l'chaim. He and his rebbeztin, zichronah livrocha, would precede it with a litany, "L'chaim, refuah sheleimah to..." and then the names would come, one after another, refuos, shidduchim, the whole spectrum of what Yidden carry and bring to the gedolim who carry it with them. Always. Without being asked. Without a list. Recently, I was standing near the bimah, waiting to submit my own names, when I overheard someone submitting theirs. The name was familiar, though it was a different person entirely, someone who shared the name of a relative of mine. I began to think about it. About the hundreds of names out there that are not really names, but people. People like my own relative, who are seeking a refuah, a yeshuah, or whatever form of salvation fits their particular need. It got me thinking about a few things. Three, to be precise. The first was a story with the Bluzhever Rebbe. A fellow in the Bluzhever Shteibel had yahrtzeit, walked up to the amud, set the large siddur aside, and reached for his own smaller one. The Bluzhever Rebbe stopped him. "You see that siddur on the shtender. Open it. Inside there is a name. Someone dedicated that siddur in the zechus of the person whose name is inside it. Everyone who davens from that siddur is giving that person's neshomah an aliyah. Use that siddur." That story has resonated with me for a very long time. So much so that I make a point of looking at the dedication page of every sefer I use. I always wonder, for instance, who Yitzchok Yair, whose name appears on the standard Nusach Ashkenaz ArtScroll siddur used in botei knesses the world over, was. What zechus did he have to be associated with tefillah so ubiquitously in this modern era? What zechus does he continue to accumulate from the countless tefillos emanating from a siddur that bears his name? We forget, far too easily, that behind every name, there is a neshomah. A real person. In many day schools, and even in some public schools, there is a program called Names, Not Numbers. For the broader world, it aims to combat antisemitism by connecting students with Holocaust survivors and veterans. For Jewish children, it tries to make the point that behind the number tattooed on an arm, there was a person, a story, a life. But truth be told, it goes deeper than names. There was a neshomah behind the name. A person who endured nisyonos, mesirus nefesh, loss, and pain. It is not even about names. It is about neshamos.

I once spoke for mechanchim after Shacharis in a hotel that had its own shul. The aron kodesh had a paroches with an inscription in English. It was quite explicit: The aron had been dedicated in memory of a young man—I will call him Jack Bergerman—who had been killed in a car accident.

Everyone in that room had walked past that aron kodesh. Everyone had seen the inscription. When I began my remarks, I asked: "Has anyone here ever heard of Jack Bergerman? Does anyone know how he died?"

They looked at me as if I had lost my mind. Of course, I went on to explain. But the silence in that room said everything. We had all been davening in front of an aron kodesh given in this young man's memory, and not one of us had paused long enough to wonder who he was.

There are millions of names out there. On plaques and dedications, on the inside covers of siddurim, on parochos in hotel shuls, mumbled into the pause of a mi shebeirach on Shabbos morning. Each one has a neshomah and a story behind it. We cannot adopt them all. But maybe the next time you hear or see a name, a random name, the name of a stranger, you can pause for a moment. Hold it. Wonder about it. Carry it a little further than the parking lot. You may not get a public acknowledgment for caring about a neshomah you never knew. But somewhere, a siddur is sitting on a shtender, quietly waiting for someone to open the cover. Open it and think about the one whose name is the reason that the siddur is in the shul.

Just Saying.

from: YUTorah <yutorah@comms.yu.edu>

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subject: The Three Weeks, Zealotry and Torah Leadership

Seeing Beyond Ourselves

By Rabbi Moshe Taragin

July 2, 2026

Seeing beyond ourselves. Moshe had already been told that he would not lead the people into the Land of Israel. Yet perhaps there was still hope that the decree might be rescinded. Moshe had successfully overturned previous heavenly decrees. Perhaps, with enough prayer and enough faith, even this decree could be rescinded.

Moshe conducts a final census, counting the people whom he had guided so carefully and lovingly through the harsh desert for 40 years. Despite the divine decree, he continues to lead the nation. Despite the loss of his brother and sister, he remains at the helm. The Torah then turns to the laws of inheritance. This may be the final sign that Moshe's fate has been sealed. As the Torah outlines how children inherit the legacy of their ancestors, Moshe realizes that he, too, must prepare to pass his own legacy to the next generation. In a heroic moment of selflessness, his first thoughts turn to the question of who will lead the people after him. He does not dwell on his own disappointment or plead once more for his own future. Instead, he asks Hashem to appoint a worthy successor. To ensure a smooth transition and avoid any crisis of leadership, he wants that successor appointed during his own lifetime.

In asking Hashem to appoint a successor, Moshe uses an intriguing description of Hashem. He addresses Him as "Elokei haruchot," the God who knows every spirit. In doing so, he hints at what he

considers the primary qualification for the leader who will guide the people into the Land of Israel.

Moshe seeks someone who understands the differences in the human spirit and the diversity of human experience. He wants a leader who appreciates those differences and cultivates them rather than trying to homogenize people and their lives. He realizes that Hashem alone fully understands the uniqueness of every individual. Hashem created us with different temperaments, different strengths and weaknesses, different perspectives and different missions.

No human being can see people as Hashem does. Yet Moshe sought someone who could come as close as possible.

The Limits of Conviction

Moshe knew that our deepest convictions often narrow our perspective. Our passions convince us that our way is the only way. We become emotionally attached to our own viewpoints and find it difficult to step outside ourselves and see the world through someone else's eyes. Over time, we become so committed to our own ideas that we struggle to recognize truth beyond them.

Moshe was different. In part, this grew from his prophetic vision, which lifted him beyond the narrowness of ordinary human perspective. In part, it stemmed from his unique life experience. He was raised in an Egyptian palace, married a Midianite woman, and spent decades away from Egypt before returning to liberate us. Above all, Moshe loved the Jewish people so deeply that he could look beyond their flaws and appreciate the richness of different personalities and different paths in serving Hashem.

Moshe realized that his successor would need to embody these same qualities, especially as we prepared to settle the Land of Israel and live as separate tribes. In the desert, tribal identity had been less pronounced. Although each tribe camped in its own section, everyone shared the same desert and the same experience. Life in Israel would be different. As the people spread across the land, regional and cultural differences would become more pronounced. Their leader would need to appreciate those differences rather than force conformity.

Moshe did not seek an influencer. He was not looking for a larger-than-life personality or a charismatic leader who could overwhelm people and persuade them to follow a single path. Nor was he searching for the sharpest intellect. He wanted someone who respected other people and appreciated the complexity of human experience.

A Lesson From My Rebbe

I encountered this same outlook in my rebbe, Rav Aharon Lichtenstein.

In 1978, Shimon Peres, then leader of the opposition and chairman of the Israeli Labor Party, visited my yeshiva. He asked my rebbe, Rabbi Aharon Lichtenstein, what the political credo of our yeshiva was. I was proud of Rav Lichtenstein's response. Politics had never been part of the educational agenda of our yeshiva. Our goal was to shape human souls and deepen religious commitment. Political convictions were left to each individual student.

Rav Lichtenstein replied that he hoped to instill three values in his students: a sense of responsibility for the broader community even while immersed in Torah study, the discipline to think deeply rather than simplistically about public issues, and the ability to respect those who hold different views even when convinced that your own position is correct.

He taught us to respect differing opinions without surrendering our own convictions.

Our Moment of Division

We are living through a period of deep division. We have formed staunch ideological camps and have become passionately committed to our own way of life. In Israel, we are enduring a painful period of social discord that has at times erupted into near violence. Have we lost the ability to understand those who see the world differently and appreciate their values even when we disagree with them? Have we become too narrow in our outlook? Do we possess enough humility and enough breadth of vision to see beyond our own assumptions? Where we live also shapes how we see one another. For good reason, Orthodox Jews tend to cluster in homogeneous communities. This is a healthy and effective way to cultivate shared values that are reinforced by communal norms and expectations. I live in a fully Orthodox yishuv, where Shabbat is built into the fabric of the community because the gates are closed.

Yet by closing those gates, I also limit my exposure to other types of Jews whose lives and experiences I need to better understand. This demographic isolation has become characteristic of many Orthodox communities, both in Israel and, to a large extent, abroad. While it strengthens communal identity, it also makes it more difficult to appreciate the depth and complexity of Jewish lives beyond our own circles.

In Israel, one important point of common ground remains the army, where people from very different segments of Israeli society serve together and learn to better understand one another despite their differences. By its very nature, military service is a leveling experience. Social distinctions fade, and people earn one another's respect through shared experience. That shared experience allows people from very different walks of life to develop genuine respect for one another.

Because most Charedim do not currently serve in the army, this interaction is largely absent. It becomes more difficult for each side to understand the experiences and assumptions of the other. As tensions continue to mount, it is increasingly apparent that the different sides in this debate are operating from very different narratives, and neither fully understands how the other sees the issue. A society cannot remain united if its different communities rarely encounter one another.

This is why Moshe addressed Hashem as Elokei haruchot. He knew that no leader could understand every person as Hashem does. But he hoped for a leader who would strive to see beyond his own perspective.

The first step toward healing our divisions is to broaden our own perspective rather than trying to change someone else's. That is a better path to leadership than simply speaking louder than everyone else.

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<https://jewishlink.news/women-and-kiddush-levana/>

Women and Kiddush Levana

By Rabbi Haim Jachter | July 2, 2026

A Surprising Custom

There is every reason for women to recite Kiddush Levana. Yet, the prevailing custom among Ashkenazic (Mishna Berura 426:1 and Aruch Hashulchan Orach Chayim 426:14) and Sephardic women (Kaf Hachayim 426:1 and Yalkut Yosef, Orach Chayim 426:8) is not to recite it.

Reasons for Women to Say Kiddush Levana

The Gemara (Sanhedrin 42a) implies¹ that women recite Kiddush Levana. Moreover, the Magen Avraham's assertion (426:1) that Kiddush Levana is a mitzvah aseh shehazman gerama, a time-bound positive mitzvah regarding which women are peturot (excused), is very questionable.

Rav Shlomo Kluger (Chochmat Shlomo, Orach Chayim 426:1) notes that a mitzvah aseh shehazman gerama is a mitzvah that can physically be performed at any time, but the obligation applies only at certain times. Shofar and matzah are excellent examples. However, mitzvot that cannot be performed at certain times due to the absence of certain physical conditions are not defined as time-bound positive mitzvot.

For example, although one can recite a Shehechyanu on a new fruit only when its season begins, women are not excused from this bracha because it is a mitzvah aseh shehazman gerama. Similarly, Kiddush Levana can be performed only when the new moon arises (either three or seven days after the molad) until the moon begins to wane. It is not therefore defined as a positive time-bound mitzvah.

Rav Yosef Dov Soloveitchik (cited in Rav Hershel Schachter's Mipenei HaRav 81-822) adds that similarly, Birkat Hamazon is not regarded as a mitzvah aseh shehazman gerama, even though it can be performed only within 72 minutes after finishing the meal (or before becoming hungry). While Rashi (s.v. Oh Drabanan) and Tosafot (s.v. Nashim) to brachot 20b offer reasons why women might be excused from Birkat Hamazon on a Torah level, they do not say it is a mitzvah aseh shehazman gerama. Moreover, Rashi (s.v. Nashim) explicitly states that Birkat Hamazon is not a mitzvah aseh shehazman gerama³. In addition, even if Kiddush Levana is a mitzvah aseh shehazman gerama, Ashkenazic women may nonetheless recite a bracha, and even Sephardic women might be able to recite a bracha. Some background is necessary to understand this issue.

All the Rishonim agree that women are exempt from performing most mitzvot aseh shehazman gerama. They dispute however whether a woman may recite a bracha if she voluntarily performs such a mitzvah.

Rabbeinu Tam (cited by Tosafot, Rosh Hashana 33a, s.v. ha; Kiddushin 31a, s.v. d'lo) and the Rosh (Rosh Hashana 4:7) argue that women may recite a bracha if they choose to perform these mitzvot. In contrast, the Rambam (Hilchot Tzitzit 3:10 and Hilchot Sukkah V'Lulav 6:13) rules that they may not.

The Rambam rules that women cannot recite a bracha on time-bound mitzvot because they cannot say, "v'tzivanu—and commanded us," as they are exempt from these mitzvot. Rabbeinu Tam, on the other hand, maintains that since "v'tzivanu" is in the plural, it refers to the Jewish people as a whole. Thus, a woman can thank Hashem for commanding us to perform mitzvot aseh shehazman gerama, since she is referring to the Jewish people as a community rather than to herself.

The Shulchan Aruch (Orach Chayim 589:6) follows the Rambam, while the Rama (ibid.) goes with Tosafot and the Rosh. Almost all Ashkenazic authorities follow the Rama, and Ashkenazic women

thus recite brachot on time-bound mitzvot. Thus, Ashkenazic women would seem to be eligible to recite Kiddush Levana just as they commonly recite Birkat HaChamah (see Teshuvot Yabia Omer 5: Orach Chayim 36:2).

Even Sephardic women might be able to say it based on the following discussion. Rav Ovadia Yosef (Teshuvot Yabia Omer 2: Orach Chayim 6:10) takes the Shulchan Aruch's ruling and argues that Sephardic women may not recite the berachot of Pesukei D'Zimra and Kriat Shema. Since women are not obligated in these mitzvot, Rav Ovadia concludes that women should not recite their brachot.

However, Rav Shalom Messas (Teshuvot Shemesh U'Magen 3:Orach Chayim 63:5), Rav Mordechai Eliyahu (in his Siddur Kol Eliyahu), and Rav Ben Tzion Abba Shaul (Teshuvot Ohr L'Tzion 2:5:3 and 2:6:10) disagree. They argue that the Rambam and the Shulchan Aruch's ruling applies only to birkot hamitzvah, in which the word "v'tzivanu" is used. It is only improper for women to recite such brachot, since they cannot describe themselves as being commanded. There is no reason however for women to omit the brachot on mitzvot such as Kriat Shema, in which the word "v'tzivanu" does not appear.

Thus, according to many, if not most, Sephardic poskim, women should be permitted to say Kiddush Levana, since its bracha does not include the word "v'tzivanu."

Why Women Do Not Say Kiddush Levana

Despite the many compelling reasons for women to recite Kiddush Levana, the custom persists that they do not, as Rav Mordechai Willig confirms. Part of the reason is that the most popular time for its recital is after Maariv in the beit kneset, which most women do not join.

Rav Ovadia Yosef (Teshuvot Yechave Da'at 4:18) offers a reason based on the Magen Avraham (end of 296). The Rama (Orach Chayim 296:7) writes that women should hear Havdala from a man, since it is questionable whether they are obligated in Havdala. The Magen Avraham wonders why the Rama does not permit women to recite it even if they are "peturot," since he follows Rabbeinu Tam, who holds that women may recite brachot on mitzvot from which they are excused.

The Magen Avraham answers that Rabbeinu Tam's and the Rama's ruling does not apply to mitzvot such as Havdala where the bracha is the mitzvah. The same applies to Kiddush Levana.

The primary reason, though, why women do not recite Kiddush Levana stems from the Shelah HaKadosh, cited by the Magen Avraham (426:1). The Shelah writes that women should not recite Kiddush Levana because they caused the moon to shrink. The Mishna Berura and the Yalkut Yosef cite the Shelah.

Explaining the Shelah: The Moon's Defect

Undoubtedly, there are deep Kabbalistic meanings behind the Shelah. We suggest a rational explanation for it.

The Kiddush Levana text includes a plea to correct the moon's defect, based on Chullin 60a. This Gemara states that Hashem originally made the sun and the moon equal in size. The moon complained that "two kings cannot use one crown." In other words, the moon asked Hashem to make the sun smaller. Instead, Hashem solved the "problem" by making the moon smaller.

The Seforno (Bamidbar 28:15) notes that Am Yisrael is compared to the moon, as conveyed in Kiddush Levana. Hashem's diminishing

the moon refers to Hashem reducing His overt presence amongst us, leading to our ongoing persecution. Presumably, the Seforno refers to our sinning leading to Hashem's dimming His presence.

Chava's convincing Adam HaRishon to partake of the eitz hadaat's forbidden fruit was the first instance of influencing another to sin.

Women's customary refraining from saying Kiddush Levana reminds us of this mistake, which diminished Hashem's this-worldly presence, expressed poetically as a reduction in the moon's size.

Indeed, the Aruch HaShulchan (Orach Chayim 426:1) notes that Kabbalah links the moon's diminishment to Adam and Chava's sin.

Conclusion: Why Women Do Not Say Kiddush Levana

A woman's outsized role in shaping her family's character is a compelling reason to remind them of Chava's sin. Refraining from Kiddush Levana summons women to influence their families for the good, thereby increasing Hashem's this-worldly presence or, in more poetic terms, correcting the moon's defect.

The Aruch HaShulchan (ibid.) notes that the Kabbalah also teaches that the correction of Chava's sin will herald our future redemption, and the moon's diminution then will also be corrected. Indeed, Yeshayahu (30:26; a pasuk that is cited in both the Sephardic and Ashkenazic Kiddush Levana liturgy) promises that in Messianic times, "V'haya ohr halevana k'or hachama—The moon's light will be as powerful as the sun's light."

Women's encouragement through the trying years of subjugation in Mitzrayim facilitated our redemption from Mitzrayim. As the Gemara (Sotah 11b) teaches, it is in the merit of the women that we merited the redemption of Egypt. Women's omission of Kiddush Levana reminds us that it is in the women's merit that will achieve our future redemption!

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1 See, however, the Magen Avraham (426:1) and Maharsha's (Sanhedrin 42a s.v. Neshei) interpretation of the Gemara's reference to women.

2 Significantly, Rav Hershel Schachter instructs women to recite Kiddush Levana. After recording the custom for women not to say Kiddush Levana, the Aruch HaShulchan concludes his discussion of this topic by noting that the Gemara clearly indicates that women said Kiddush Levana. His conclusion implies his preference for women to say Kiddush Levana. Interestingly, the Chayei Adam and Kitzur Shulchan Aruch do not mention a custom for women to not say Kiddush Levana. Even more interesting is the Kaf HaChayim (426:1) saying that it is preferable for women to hear a man say Kiddush Levana for them. This is not typically followed, for men usually say Kiddush Levana together with a large group of men, making it impractical for them to say it for women.

3 The Turei Even (Megillah 20b) notes that, for the same reason, bikkurim is not a mitzvah aseh shehazeman gerama.