

Toras Aish

Thoughts From Across the Torah Spectrum

RABBI LORD JONATHAN SACKS

Covenant & Conversation

The coronavirus pandemic raised a series of deep moral and political issues. (This essay was written on 11 Iyar 5780, 5 May 2020. Things will have moved on since, but the issues raised here are of general significance and not always fully understood.)

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

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

This was a momentous victory for the value first articulated in the Torah in the Noahide covenant: "He who sheds the blood of man, by man shall his blood be shed, for in the image of God He created man" (Gen. 9:6). This was the first declaration of the principle that human life is sacred. As the Sages put it, "Every life is like a universe. Save a life and it is as if you have saved a universe." (Mishnah, Sanhedrin 4:4)

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

That said, the former Supreme Court judge Jonathan Sumption wrote a challenging article in which

he argued that the world, or at least Britain, had got it wrong. ('Coronavirus lockdown,' Sunday Times, 5 April 2020) It was overreacting. The cure may be worse than the disease. The lockdown amounted to subjecting the population to house arrest, causing great distress and giving the police unprecedented and dangerous powers. It represented "an interference with our lives and our personal autonomy that is intolerable in a free society." The economic impact would be devastating. "If all this is the price of saving human life, we have to ask whether it is worth paying."

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

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

I am going to suggest, oddly enough, that there is a direct connection between this argument and the story of Pinchas. It is far from obvious, but it is fundamental. It lies in the difference -- philosophical and halachic -- between moral and political decisions. (Too little has been written about this. For one collection of essays, see Stuart Hampshire [ed.], *Public and Private Morality*, Cambridge University Press, 2012.)

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

Was Pinchas a hero or a murderer? On the one hand, he saved countless lives: no more people died because of the plague. On the other hand, he could not have been certain of that in advance. To any onlooker, he might have seemed simply a man of violence,

**TORAS AISH IS A WEEKLY PARSHA
NEWSLETTER DISTRIBUTED VIA EMAIL
AND ONLINE AT AISHDAS.ORG/TA.**

The material presented in this publication was collected from email subscriptions, computer archives and various websites. It is presented with the permission of the respective authors.

Toras Aish is an independent publication, and does not necessarily reflect the views of any synagogue or organization.

**TO DEDICATE THIS NEWSLETTER PLEASE CALL
(973) 277-9062 OR EMAIL YITZW1@GMAIL.COM**

caught up in the lawlessness of the moment. The parsha of Balak ends with this terrible ambiguity unresolved. Only in our parsha do we hear the answer. God says: "Pinchas, son of Eleazar, son of Aaron the Priest, has turned back My anger from the Israelites by being zealous among them on My behalf, so that I did not wipe out the Israelite people in My zeal. Therefore say: I am making with him My covenant of peace." (Num. 25:11-12)

God declared Pinchas a hero. He had saved the Israelites from destruction, showed the zeal that counterbalanced the people's faithlessness, and as a reward, God made a personal covenant with him. Pinchas did a good deed.

Halachah, however, dramatically circumscribes his act in multiple ways. First, it rules that if Zimri had turned and killed Pinchas in self-defence, he would be declared innocent in a court of law. (Sanhedrin 82a) Second, it rules that if Pinchas had killed Zimri and Cozbi just before or after they were engaged in cohabitation, he would have been guilty of murder. (Sanhedrin 81b) Third, had Pinchas consulted a Bet Din and asked whether he was permitted to do what he was proposing to do, the answer would have been, "No." (Sanhedrin 82a.) This is one of the rare cases where we say Halachah ve-ein morin kein: "It is the law, but we do not make it known." And there are many other conditions and reservations. The Torah resolves the ambiguity but halachah reinstates it. Legally speaking, Pinchas was on very thin ice.

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

Political decisions are answers to the question, "What should we do?" where the "we" means the nation as a whole. They tend to involve several conflicting considerations, and there is rarely a clear-cut solution. Usually the decision will be based on an evaluation of the likely consequences. In Judaism this sphere is known as mishpat melech (the legal domain of the king), or hilchot medinah (public policy regulations). (See especially R. Zvi Hirsch Chajes, *Torat Nevi'im*, ch. 7, *Din Melech Yisrael*.) Whereas halachah is timeless,

public policy tends to be time-bound and situational ("a time to kill and a time to heal, a time to tear down and a time to build").

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

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

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

The difference between moral and political decisions becomes very clear when it comes to decisions of life and death. The moral rule is: saving life takes precedence over all other mitzvot except three: incest, idolatry and murder. If a group is surrounded by gangsters who say, "Hand over one of you, or we will kill you all," they must all be prepared to die rather than hand over one. (Tosefta Terumot 7:20) Life is sacred and must not be sacrificed, whatever the consequences. That is morality; that is halachah.

However, a king of Israel was permitted, with the consent of the Sanhedrin, to wage a (non-defensive) war, even though many would die as a result. (Shavuot 35b) He was permitted to execute a non-judicial death sentence against individuals on

public policy grounds (le-takken ha-olam kefi mah she-ha-sha'ah tzerichah). (Rambam Hilchot Melachim 3:10) In politics, as opposed to morality, the sanctity of life is a high value but not the only one. What matters are consequences. A ruler or government must act in the long-term interests of the people. That is why, though some will die as a result, governments are now gradually easing the lockdown provisions once the rate of infection falls, to relieve distress, ease the economic burden, and restore suspended civil liberties.

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

I believe that there are moral and political decisions and they are different. But there is a great danger that the two may drift apart. Politics then becomes amoral, and eventually corrupt. That is why the institution of prophecy was born. Prophets hold politicians accountable to morality. When kings act for the long-term welfare of the nation, they are not criticised. When they act for their own benefit, they are. (The classic cases are Nathan and David, 2 Samuel 12; Elijah and Ahab, 1 Kings 21.) Likewise when they undermine the people's moral and spiritual integrity. (The standard biblical term for this is "They did evil in the eyes of the Lord," an expression that occurs more than 60 times in Tanach.) Salvation by zealot -- the Pinchas case -- is no solution. Politics must be as moral as possible if a nation is to flourish in the long run. *Covenant and Conversation 5780 is kindly supported by the Maurice Wohl Charitable Foundation in memory of Maurice and Vivienne Wohl z"l ©2020 Rabbi Lord J. Sacks and rabbisacks.org*

RABBI SHLOMO RISKIN

Shabbat Shalom

"Moses said to the Lord, 'May the Lord, the God who gives breath to all living things, appoint someone over this community to go out and come in before them, one who will lead them out and bring them in, so that the Lord's people will not be like sheep without a shepherd'" (Numbers 27:15-17) Moses's request is made immediately after God instructs him to climb Mount Abarim and take a glimpse of the Promised Land—after which "he will be gathered to his family-nation."

God explains that Moses must now relinquish his leadership because he did not sanctify God when

he struck the rock instead of speaking to it.

On what basis is Joshua chosen by God to be Moses' successor? The Midrash (Tanhuma Pinhas 11) suggests that the most logical choice would have been the more intellectually gifted Phinehas or Eleazar the priest, or alternatively, the personal choice of Moses himself—his own sons (see Rashi on Num. 27:16). The Midrash explains the choice of Joshua by citing a biblical verse: "He who tends a fig tree will eat its fruit, and he who looks after his master will be honored. Let the one who watches over the fig tree get to eat of its fruits" (Prov. 27:18).

Joshua was the devoted servant who never left Moses's tent (Ex. 33:11). He was such a faithful disciple that he was absent from the encampment during the sin of the golden calf because he remained all 40 days at the foot of Mount Sinai, waiting for Moses to come down from the mountain (Exodus 32:17).

But why was "devotion" the primary consideration for a successor to Moses? After all, the most unique Mosaic quality was his outstanding intellect, the fact that he was able to connect and cleave to the active intellect of the Divine (as it were) so that Moses's Torah and God's Torah would merge together as one. Moses was a "law-giver King," a ruler whose precepts of compassionate righteousness and moral justice would rule Israel until the end of time. Why choose the outstanding caretaker, the best shamash, not the most praiseworthy jurist, the leading expert in analysis and halachic judgment?

I would submit that, although we are rightly called the "people of the book," and Jews throughout the ages have been proud of their intellectual accomplishments in Torah, in philosophy and in science (witness the large proportion of Jews who have won Nobel prizes), our Torah-Book is first and foremost meant to foster the well-being of the people; it is "for your own good": "Its ways are pleasant ways, and all its paths are peace. It is a tree of life to those who embrace her; those who lay hold of her will be blessed" (Prov. 3: 17-18).

Our Talmud's ultimate objective must be to create a perfect society which looks out for the welfare of each individual; hence Maimonides concludes his magnum opus, the Mishne Torah, with a description of the Messianic Age, the period of human fulfillment and redemption which is the purpose of our entire halachic system. And it is not by chance that the source of our Oral Law, according to the Midrash is within the contextual frame of the Divine characteristics, the God of love, compassion, freely giving grace, long-suffering, great loving-kindness, and truth. We may be the people of the Book, but the objective of the Book is the welfare of the people—one might even add, "to the people, by the people (human input in the Oral Law) and for the people."

The true fruit of the tree of Torah is the Jewish

people, whom Torah has informed, nurtured and recreated for the past 4,000 years. One can become too involved with the tree, so that one forgets that its purpose is its fruits, so involved in the analysis and casuistry of the logic that one overlooks the human enhancement which is its truest aim.

Only one who watches over the tree and worries about preserving its fruits has the right to legislate for them.

That's why Joshua is appointed just as Moses is reminded of his sin at the "waters of strife," when he strikes the rock (which symbolizes the often hard and stiff-necked nation) rather than speaking to it the loving words of our Oral Law. That is why the most fundamental task facing Joshua must be to understand the various spiritual needs (ruah) of the people comprising the nation and suit his decisions (as much as possible) to their temperaments and requirements. He must sensitively nurture his people just like a shepherd nurtures his flock, not only leading from up-front but also personally "bringing them in and taking them out" whenever necessary. Joshua is a true leader, who proved himself by "nurturing" and tending to the needs of his rebbe and learned from his rebbe to be devoted to the needs of his nation. ©2020 *Ohr Torah Institutions & Rabbi S. Riskin*

RABBI BEREL WEIN

Wein Online

The Torah traces the lineage of Pinchas back to his grandfather Aaron. At first glance, there are no more disparate characters that appear to us in the Torah's narrative. Aaron is gentle and kind, compromising and seeking peace between differing people and factions, noble in character and beloved by all of Israel. When Aaron passes from the world, the entire Jewish people without exception mourned his passing, and felt a great loss that his departure meant to them. Aaron was not only the first high priest of the Jewish people to serve in the tabernacle but was also the prototype for all later high priests that would occupy that position in future generations.

In contradistinction to this assessment of character and behavior, the Torah describes Pinchas as a zealot who takes violent action against those who publicly defame and destroy Torah values and the Jewish people. He rises to the occasion by killing one of the leaders of the tribes of Israel. He is criticized by the Jewish people for such behavior, and they attributed his conduct to his lineage. Pinchas was not only descended from Aaron but he also was descended from non-Jewish priests, and his violent characteristics are attributed to his non-Jewish grandfather. Yet, the Torah chooses to emphasize the priestly lineage of Pinchas and attribute his behavior and his response to the public defamation of God in Israel specifically to his grandfather Aaron.

There is a strong lesson being taught with this nuance of lineage that appears in this week's Torah reading. We will find later in Jewish history, at the time of the Greek persecution of the Jews and of Judaism, that another descendent of Aaron, Matityahu, together with his family, also kills a renegade who defames the God of Israel and the Jewish people publicly by sacrificing to idolatry. Here we again see that within the holy and gentle character of Aaron and the priestly clan of Israel, there resides an iron will to stand strong against the defamation of everything that is holy and eternal.

When the situation demands it, the gentle priest becomes a man of war, who can and must take decisive and even violent action, to preserve the integrity of Torah and Jewish life. The Torah is generally not in favor of zealotry. However, as in the case of Pinchas, and later Elijah, sometimes zealotry is not only acceptable but necessary for Jewish survival. The problem always is how can a person measure whether the situation calls for such zealotry and even violent behavior.

This eternal difficulty of life is presented to us. We can rarely be certain as to the correctness of our attitudes and behavior under a given situation or in response to a certain challenge. The Torah does not demand from us the wisdom of angels. But it does show us that there are different, even opposing responses, that are valid in difficult situations in both public and private life. The wise and holy person will be able to choose correctly. ©2020 *Rabbi Berel Wein - Jewish historian, author and international lecturer offers a complete selection of CDs, audio tapes, video tapes, DVDs, and books on Jewish history at www.rabbiwein.com. For more information on these and other products visit www.rabbiwein.com*

RABBI AVI WEISS

Shabbat Forshpeis

One way that people attempt to attain transcendence is by guiding their children on the path they began. Even Moshe (Moses), who was first and foremost committed to the nation of Israel and was the most humble of men, was hopeful that his own children would complete the mission he started and lead the people into Israel.

Hence, the Midrash notes, it was after God permitted the daughters of Tzafchad to inherit from their father, that Moshe makes the request of God that a successor be appointed in the hope that his sons would be tapped for leadership. (Rashi, Numbers 27:16)

It was not to be. God tells Moshe that none of his children will lead the people, rather Yehoshua (Joshua) will be his successor. (Numbers 27:18) Notwithstanding this disappointment, Moshe graciously transfers power as is evident from the narrative.

Moshe genuinely desires that Yehoshua

receive a better outcome than he did. Hence, Moshe tells God that the new leader be able “to lead them out, and...bring them in.” (Numbers 27:17) This, according to the Midrash, means that Moshe hoped that unlike himself, the next leader would not only be permitted to begin his task by moving the Jews out, but also be allowed to conclude his mission by taking the people into the land of Israel. (Bamidbar Rabbah 21:16) Even Moshe could not do it all. Yehoshua would complete that which Moshe started, that which even Moshe could not complete.

Moshe was told by God to “lay your hand (in the singular) on him [Yehoshua].” Moshe places both hands on him. Rashi makes this point by maintaining that Moshe laid his hands on Yehoshua “generously, in much greater measure than he was commanded.” (Numbers 27:18, 23)

It's not easy to step back and make space for someone else, especially when that someone is given precedence over your own child. But Moshe did so nobly. Without envy, he graciously transferred power to Yehoshua. ©2020 Hebrew Institute of Riverdale & CJC-AMCHA. Rabbi Avi Weiss is Founder and Dean of Yeshivat Chovevei Torah, the Open Orthodox Rabbinical School, and Senior Rabbi of the Hebrew Institute of Riverdale

RABBI DAVID LEVIN

Hidden Messages of Torah

Professor Nechama Leibovits insisted on teaching Torah in Hebrew. She said there were too many important things which would be missed in translation. The Torah is a document which is concise and exact, and many who study the Torah without understanding how the Torah uses patterns, letters, and spellings often miss the essential message. Translations of the text cannot account for the nuances that are part of the choice of words or spellings. There are also various ways in which a letter may be written (either larger or smaller) which indicate a hidden message within the text. There are even places within the Torah where a word or series of words have a small dot placed over certain letters which offer a hidden meaning within the text. We find several examples of these hidden messages within our parasha this week.

Our first noticeable message comes from the name of our parasha, Pinchas, spelled peh-yud(diminished)-nun-chet-samech. HaRav Shmshon Raphael Hirsch informs us that this diminishing of the letter is called z'irah, small. He posits that it is possible that Pinchas was originally spelled without the yud and that this letter was added later. There is precedence in the Torah where Avraham was originally Avram and Sarah was originally Sarai. But there is an even more similar case with Yehoshua when a yud was added to his name, Hoshea. As we saw last week, Pinchas felt the necessity to step forward to kill a leader of the tribes whose sin brought a plague on the people. The name

Pinchas with the added letter could be read pi nachas, “my mouth, the mouth of Hashem urged me to it.” Pinchas' action “was not merely an external forward rush but the result of his deep inner feeling which made a betrayal of Hashem's affairs felt as treachery against one's own self.” The addition of the yud is significant because the yud is an abbreviation of Hashem's name. The Ramban explains that this letter was a physical sign of the inclusion of Pinchas to the Kohanim. Pinchas was the only grandson of Aharon alive when the Kohanim were inaugurated. Since he was too young at the time, he was not included among those who were anointed. All future children of Aharon's sons were automatically included as Kohanim, but Pinchas' unique situation ended up excluding him alone from the eligible Kohanim. His actions became the catalyst for including him among the Kohanim. The fact that the yud is catches our attention and makes us examine his act and learn from it. Had his name been written in its regular, full form, this lesson would have been lost as it is in translation.

The Torah is written on parchment and there are times when a letter could get smudged or part of the letter could be erased. This makes a Sefer Torah unfit and it must be repaired before one may use it. If a letter would be broken, it would render the Torah unfit. Our next message, strikingly, comes from a letter which is purposefully written in a broken form and does not disqualify this Torah for our use. The pasuk tells us, “therefore proclaim it, see I give my covenant, Peace.” The word shalom, peace, is spelled shin-lamed-vav-mem sofit. The letter vav here is purposefully written as broken and designated as a vav k'ti'a, a broken vav. Hirsch explains that the concept of peace is one of fullness and complete compliance with Hashem's Will. If one fights against those who are destroying Hashem's Torah, one must also be a true supporter of Hashem. “Peace is something highly precious, for which everything, all one's own rights and possessions may be sacrificed, but never the rights of others and never what Hashem has declared to be right and good.” If one leaves the battle for peace to those who are not committed to Hashem's laws, then he is siding with the enemy of peace. Only those who are willing to do battle and are committed to Hashem may do battle with those who oppose Hashem's law. One must appear to break peace in order to restore true peace, a peace which can only come about with the acceptance of Hashem's laws. That is why the vav is broken. Rav Zevin explains that there are two forms of wholeness or unity. There is a combination of many parts which remains external. This is not true unity. True unity is organic, natural unity, joined together internally. Again this message would be lost in translation.

Our final clue has already been discussed in other lessons but in a slightly different context. We spoke of the daughters of Tzelophchad as being his

only heirs, yet we also know that inheritance was given only through the sons as they would keep that inheritance within the tribe. Tzelophchad had no one to inherit from him, and his name would then no longer be counted among the important families that were taken out of Egypt. The Torah says about the inheritances, "to these shall you divide the land as an inheritance, according to the number of names." When the daughters heard these words, they became confused. Hashem had mentioned their names among the same list of sons who would inherit, and He spoke now of these names dividing and inheriting the land. Since their names were included, they now approached Moshe for clarification. The fact that their names were included in spite of the fact that it was a break in the pattern of only male names, became the impetus of their question. Did this break in pattern indicate a change in the normal way in which inheritance was handled? Moshe consulted with Hashem and received the law for the way in which such a situation should be handled. Here an entire set of laws was established because of a pattern which was present and identifiable within the Torah.

The study of Torah is not a simple task. Aside from our intensive study of an area of the Torah, we are required to focus on that section of the Torah which is read each week, completing the Torah every year. I taught Torah formally for nearly fifty years. My students used to ask me how I could teach the same thing each year. I explained that each year I learned something new and saw things from a different perspective based on that learning. Perhaps that is why Torah scholars are never bored returning to the same text year after year. It is a lifelong adventure through a text of infinite hidden messages to discover the path to our own righteousness and service to Hashem. May we all continue on that path and enjoy the adventure. © 2020 Rabbi D. Levin

ENCYCLOPEDIA TALMUDIT

Eliyahu Will Answer All Our Questions

Translated by Rabbi Mordechai Weiss

Some say that Pinchas is the same person as Eliyahu Ha-navi (the prophet Elijah). We await his coming, as promised by the prophet Malachi, with great anticipation. Eliyahu will provide answers to all our questions, clarifying laws as well as facts. Thus, the word "teiku," sometimes found in the Talmud following an unresolved question, is understood in folk etymology as an acronym for "Tishbi yetaretz kushiyot u'ba'ayot" ("Eliyahu will resolve all questions and difficulties").

Here is an example of a law to be clarified. When collecting a debt, do we leave the debtor the items which he needs to support himself? After all, when people donate to the Beit HaMikdash, we take

their needs into account. Does this apply to debts owed to people as well?

The Talmud (Bava Metzia 114a) records that this question was once answered by Eliyahu based on a *gezeirah shavah*. (By the way, his view was not accepted by all. Even those who chose to accept his view were not doing so because he was a prophet. As we know, the Torah is not in heaven, nor is a prophet permitted to make new laws. Rather, Eliyahu was no less a Torah scholar than anyone else, and might have even been better than most.)

Here are some examples of facts with which Eliyahu will help us. He will clarify whether certain *terumah* has become impure, and the status of a piece of meat which was out of a Jew's sight. He will be able to adjudicate monetary disputes in which a rabbinic court could not reach a decision and the money was held in abeyance. These cases are all very specific.

Eliyahu will also clear up some general doubts found in rabbinic literature about how things work: Do people base a meal (*kovea seudah*) on wine in the same way that they do on bread? Would a dead person have allowed certain disrespect of his body on the part of his heirs? May we write *tefillin* on the skin of a kosher fish, or is it considered disgusting? To resolve these doubts, we will rely on the prophetic power of Eliyahu, whose arrival we eagerly await. © 2017 Rabbi M. Weiss and *Encyclopedia Talmudit*

RABBI JONATHAN GEWIRTZ

Migdal Ohr

"And the name of Asher's daughter was Serach." (Bamidbar 26:46) This short verse might seem quite commonplace and a reader might glance right over it, but it's unique enough that the *meforshim* speak about it in detail.

While listing the names of the males age 20 and over who would inherit the land of Israel for the Jewish People, Serach was included. Rashi says, "Because she was still alive at this time, she is counted here." Chazal tell us that Serach lived a very long time, and eventually went into Gan Eden alive.

This was the result of a blessing from Yaakov Avinu. When Yosef was revealed to be alive in Egypt, the brothers were afraid to tell Yaakov for fear that the shock might kill him. Serach, his granddaughter, played a soft song for him and sang the words, "Yosef is alive in Egypt." That way, it entered his mind more subtly and he blessed her for sharing the good news.

The questions abound, however. Why was she included in a list of men aged 20 and above? Why does it say "the name of Asher's daughter was Serach," and not simply, "Asher's daughter was Serach"? There are more.

One explanation is that though her "name" was Asher's daughter, meaning that's what she was called, she was not in fact his daughter but his step-daughter.

Onkelos explains, "The name of the daughter of the wife of Asher was Serach." Having been the only daughter of a Jewish man, she, like the daughters of Tzelophchad mentioned later, would be able to inherit in her father's stead. This would answer both questions quite nicely.

However, there's another way to look at this which gives us a tremendous insight into human psychology and the sensitivity we need to have for each other. Serach was Asher's wife's daughter. Though she had another father, Asher raised her as his own, and some say it was after his wife died! He took this girl in and made her feel special and loved.

Everyone knew that Serach was his daughter, it was a well-known fact. She was as much a part of the family as any of his descendants through blood. But perhaps, just perhaps, Serach could have had a tiny smidgen of doubt in the back of her mind. Maybe she wondered if he truly loved her as much as he professed.

Therefore, "because she was still alive at this time," the Torah counted her here. Though she was shown affection thousands of times, it was important to not miss the opportunity to reassure her even when the conversation was limited to male offspring and shouldn't have included her. Simply because she was there.

A father who was seeking a husband for his daughter approached a Rosh Yeshivah to recommend one of his students. The Rosh Yeshivah invited him to come to the Beis Midrash and point out to him the student who impresses him most. The man looked around and chose one very studious young man. The Rosh Yeshivah smilingly said, "You have a good eye, the student you selected happens to be my ben yachid — my only son.

After the two young people met and things did not work out, the father returned asking the Rosh Yeshivah to recommend another student. Again, the Rosh Yeshivah invited him to the Beis Midrash and he selected another student. The Rosh Yeshivah complimented the father on his selection saying, "you picked a wonderful boy, by the way he is my ben yachid — my only son." In amazement the father asked, "How can two students be your ben yachid — your only son?"

The Rosh Yeshivah replied with a chuckle in his eyes, "I love every student of my yeshivah and cherish him as though he were a ben yachid — my only son. © 2020 Rabbi J. Gewirtz and Migdal Ohr

RABBI LABEL LAM

Dvar Torah

"On the 17th of Tamuz the Tablets were broken!" (Tractate Taanis)"

"The Tablets and the Broken Tablets rest in the Ark." (Brochos 8)

"Now it came to pass when he drew closer to

the camp and saw the calf and the dances that Moshe's anger was kindled, and he flung the tablets from his hands, shattering them at the foot of the mountain. (Shemos 32:19)

"And HASHEM said to Moshe: 'Hew (carve) for yourself two stone tablets like the first ones. And I will inscribe upon the tablets the words that were on the first tablets, which you broke.'" (Shemos 34:1)

"And there was no other prophet who arose in Israel like Moshe, whom the HASHEM knew face to face, as manifested by all the signs and wonders, which HASHEM had sent him to perform in the land of Egypt, to Pharaoh and all his servants, and to all his land, and all the strong hand, and all the great awe, which Moshe performed before the eyes of all Israel."

"before the eyes of all Israel': [This expression alludes to the incident where] his heart stirred him up to smash the tablets before their eyes, as it is said, 'and I shattered them before your eyes' And [regarding Moses shattering the Tablets,] the Holy One Blessed is He gave His approval, as Scripture states, '(the first Tablets) which you shattered'; [G-d said to Moshe:] 'Yasher Koach -- Well done for shattering them!' -- Rashi

Let us try to put the puzzle together. The 17th of Tamuz is a fast day which was brought about because of a number of tragedies that befell the Jewish people on this ominous day. Firstly, Moshe shattered the Luchos, the Tablets on this date. 40 days after the Nation of Israel stood united at Mount Sinai and heard The Almighty Himself pronounce, "I AM HASHEM..." and "Don't have any other gods before Me", because of delay in Moshe's arrival, a Golden Calf was created. When Moshe saw this he shattered those precious stones that were carved by the Finger of G-d".

Why did Moshe break those Tablets? What was the reasoning? The Meshech Chochmah, Meir Simcha from Dvinsk explains that Moshe understood that this golden idol was created because the Jewish People were looking for an intermediary. That's how idolatry devolves from a belief in HASHEM, as the Rambam explains in his introduction to the Laws of Idolatry. Since Moshe was delayed they formulated their own new medium. That's the birth of idol worship.

People who feel a deep urge to merge with Divinity end up seeking out cheap substitutes that make fewer demands on them. They fashion a god in their imperfect image rather than shaping themselves in the Image of G-d!

Moshe feared correctly that the Jewish People would latch onto the Luchos and worship them. Therefore he shattered them, landing a profound lesson that no intermediaries are tolerable.

So the 17th day of Tamuz is a fast day because of the national tragedy that the Luchos were smashed. Then at very end of Chumash Moshe is congratulated and applauded for having broken those Tablets. So

was it a good thing or a bad thing? Then the Talmud tells us that the Tablets (the 2nd) and the broken Tablets rest in the Aron, which resides in the Holy of Holies, the most sacred and spiritual zone in the physical universe.

What's the story with these broken Tablets? Are they a symbol of misfortune or great fortune?

The fact that they had to be broken exposed a giant fault line in the spirit of our nation that needed to be cured. Moshe employed a shock treatment that made a lasting impression to the eyes and hearts of all Israel and he triggered a wave of Teshuvah for the next 80 days, until Moshe returned with a 2nd set of Luchos on Yom Kippur, indicating that that our relationship with HASHEM had been repaired.

So we see that although a terrible tragedy took place and there was an urgent need for some serious repair, but once a life lesson is learned, then even a mistake is made holy! ©2020 L. Lam & torah.org

SHLOMO KATZ

Hama'ayan

Pinchas, son of Elazar, son of Aharon the Kohen, turned back My wrath from upon Bnei Yisrael, when he zealously avenged Me among them, so I did not consume Bnei Yisrael in My vengeance." (25:11) Rashi z"l writes: Because the tribes spoke disparagingly of Pinchas saying, "Look at this grandson of Puti (another name for Yitro, Pinchas' maternal grandfather)! Puti used to fatten calves for idolatrous sacrifices, yet his grandson (Pinchas) has dared to slay a prince of one of Israel's tribes!" Therefore, the Torah connects Pinchas genealogically with Aharon. [Until here from Rashi]

R' Eliyahu Noach Halperin z"l Hy"d (1886-1943; rabbi of Orla Podlaskie, Poland) asks: On the one hand, Pinchas was a Tzaddik, and he saved Bnei Yisrael from destruction. Why, then, were Bnei Yisrael disparaging him, and why is it relevant that he was a grandson of an idolator? On the other hand, what difference does it make that he was Aharon's grandson? That doesn't change the fact that his other grandfather was an idolator! Also, why was Pinchas' deed deserving of such a unique reward--Hashem's "Covenant of Peace" (verse 12)?

R' Halperin explains: Aharon is known as the quintessential "Lover of Peace and Pursuer of Peace" (Avot ch.1). Surely, thought Bnei Yisrael, Aharon passed these traits on to his children and grandchildren! How, then, was Pinchas capable of killing two people, Zimri and Kozbi, one of whom was a Prince of a tribe of Yisrael?! Indeed, even if he were not Aharon's grandson, where was Pinchas' love for his co-religionist, a basic human trait? Obviously, reasoned Bnei Yisrael, Pinchas' nature was influenced negatively by his other grandfather, a priest to idolatry.

No! says the Torah. Pinchas was a grandson of

Aharon, and he inherited a loving and merciful nature from his grandfather Aharon. Indeed, that is what makes his action so remarkable and so deserving of the unique reward that he received. Because of Pinchas' immense love for the Jewish People, he rose to the occasion and overpowered his own nature in order to save the Jewish People.

[R' Halperin's descendant, R' Chaim Dov Stark shlita, writes that this is the only known surviving Torah thought of R' Halperin, who was killed in the Holocaust.] (Quoted in Ha'keter Ve'ha'kavod)



"Hashem said to Moshe, 'Take to yourself Yehoshua bin Nun...'" (27:18) Midrash Rabbah relates the verse (Mishlei 27:18), "He who guards the fig will eat its fruit" to our verse. [Until here from the Midrash]

The Gemara (Bava Batra 75a) relates: "The elders of that generation said, 'Moshe's face is like the face of the sun; Yehoshua's face is like the face of the moon. Woe to us for that embarrassment! Woe to us for that shame!'" [Until here from the Gemara]

R' Yitzchak of Valozhyn z"l (Belarus; died 1849) explains (in a footnote to the commentary on Pirkei Avot by his father, R' Chaim of Valozhyn z"l) using a parable: A successful merchant came to a poor village and asked its inhabitants to come to work in his business. Most of the villagers said, "What do we know about such work?" but one person answered the merchant's call. After a relatively short time, the merchant's business prospered, and that one villager became wealthy in his own right.

One day, the merchant and his now-wealthy assistant visited the latter's village. Seeing them, the villagers hid their faces in shame. They explained, "We are not ashamed in the merchant's presence, for his wealth is a gift from G-d, given to him and not to us. But, we are embarrassed in our fellow villager's presence, for each of us could have accomplished what he accomplished if only we had answered the call."

Similarly, continues R' Yitzchak, the elders of Yisrael were not embarrassed at not being as great as Moshe Rabbeinu, for his status is unique and unparalleled in history. Moshe is the "sun," which receives its light directly from Hashem. In contrast, Yehoshua is the "moon," whose light is but reflected light from the sun, from Moshe. Any of the elders could have achieved what Yehoshua achieved had they only done what he did. Specifically, the Torah says (Shmot 33:11), "His [Moshe's] servant, Yehoshua bin Nun, a lad, would not depart from within the tent." It was to the reward for this dedication that the Midrash refers to when it cites the verse, "He who guards the fig will eat its fruit." (Ruach Chaim 1:1)

©2020 S. Katz & torah.org

