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Weekly Parsha

Pinchas

RABBI BERNIE FOX

The zealously of Pinchas and its appropriateness

And he and his descendants after him will have a covenant of permanent priesthood. This is because he was zealous for his

(continued on next page)

Weekly Parsha

The Time to Count is Now

RABBI DR. DARREL GINSBERG

In this week's parsha, God once again commands Moshe to count the Jewish people. For those who layn, it is an opportunity to breathe a little easier after the grueling stretch from Parshas Naso till now. Putting that minority perspective aside, the second counting is seemingly a repetition of the original census that took place at in Parshas Bamidbar. Was there a difference (other than the total)? The Torah alludes to a distinction in a manner that many would gloss over. It is a slight change in the structure of one pasuk that reveals how this second counting had an entirely new dimension to it.

At the end of Parshas Balak, the Torah records how Bnai Yisrael became involved in sexual improprieties with the women of Midyan. God sends a plague, killing 24,000 Jews, which ultimately is stopped through the actions of Pinchas. The Torah then describes Pinchas's reward, as well as the commandment to wipe out the people of Midyan.

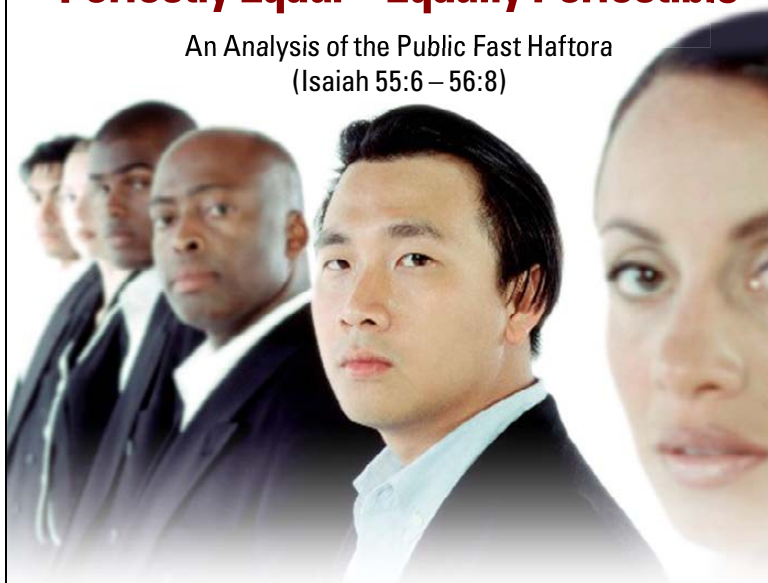
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Fundamentals

Jew & Gentile

Perfectly Equal – Equally Perfectible

An Analysis of the Public Fast Haftora
(Isaiah 55:6 – 56:8)



RABBI MOSHE BEN-CHAIM

God created one human pair: Adam and Eve. Noah and all others down to you and I descend from this couple. No one since Noah was created anew: no one possesses a different design or nature than any one else. Therefore, it is incorrect to suggest there exists different types of humans. Thus, Jew and gentile are identical in design. Where we differ is not in our design or potential, but in our Torah obligations.

The Haftorah read on public fasts (Isaiah 55:6-56:8) was just read this

(continued on page 4)

(Pinchas cont. from pg. 1)

Weekly Parsha

JewishTimes

Weekly Journal on Jewish Thought



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G-d and atoned for Bnai Yisrael. (BeMidbar 25:13)

The opening passages of our are based upon the incident described at the conclusion of the previous parasha. The Torah explains that Bnai Yisrael were camped at Shittim. A group of women from Moav entered the camp. They seduced some of the men. Once they established their influence over these men, they encouraged them to practice idolatry. Hashem punished the nation with a plague. Hashem instructed Moshe to direct the courts to respond and punish the transgressors. One of the participants in this promiscuous episode was, Zimri, the son of Salu. He was a leader in the tribe of Shimon. He was attracted to a princess of Midyan. Pinchas observed Zimri's behavior. He reacted. He executed Zimri and his paramour. Pinchas' demonstration of zeal had an immediate effect. The plague was suspended.

The Talmud in Tractate Sanhedrin discusses Pinchas' behavior. Typically, the courts are charged with the responsibility of assessing whether a law has been violated and administering the appropriate punishment. What was the source of Pinchas' authority to execute Zimri and his partner? The Talmud explains that Pinchas acted in accordance with an amazing law. One who witnesses a public display of sexual intimacy between Jew and non-Jew has the right to execute the parties without direct consultation with the courts. Pinchas was aware of this law and acted.

There is an interesting dispute in the Talmud regarding the details of Pinchas' behavior. Rav maintains that before acting, Pinchas consulted Moshe. He asked Moshe to confirm his understanding of the law. Moshe confirmed Pinchas' authority to execute Zimri and his partner. Only after this confirmation, did Pinchas take action. Shemuel disagrees. He contends that Pinchas knew the law and was aware of his authority to act. There was no reason for him to consult

Moshe. He did not ask any questions. Instead, he acted immediately. He reasoned that a desecration of the Torah and Hashem's name was taking place. No time should be wasted. An immediate response was required!

What is the basis of Rav and Shemuel's dispute? Obviously, neither can claim knowledge of the actual events. Neither was present at the time of the event. Also, it seems that neither possessed an authentic tradition regarding the issue. If such a tradition existed, the issue could not be debated. Instead, it must be assumed that neither Rav or Shemuel claimed to have direct information regarding the details of Pinchas' behavior.



However, each assumed that Pinchas acted according to the requirements of the Torah and that he was aware of specific laws relevant to his situation. Therefore, each infers Pinchas' behavior based upon his own interpretation of the requirements of the law. Rav and Shemuel disagree in their interpretation and therefore they attribute different behaviors to Pinchas. It remains to define these two alternate interpretations.

This law essentially allows a person to act as judge and executioner without appointment by the court. Under normal circumstances, Pinchas' behavior would be a crime. But as a response to this extreme instance of public sexual intimacy, his actions were laudable. In other words, in this unique situation normal legal guidelines are suspended. Specifically, what laws are suspended? First, generally only the court can determine a person's guilt. An individual witness does not have the authority to decide this issue. Here, the zealot is permitted to determine that a crime has been committed. Second, normally it is prohibited to take a person's life. Apparently, in this situation, the violators' lives are in forfeiture. The prohibition against shedding their blood is suspended.

However, there is a third law that must be considered. This is a subtle issue that can easily

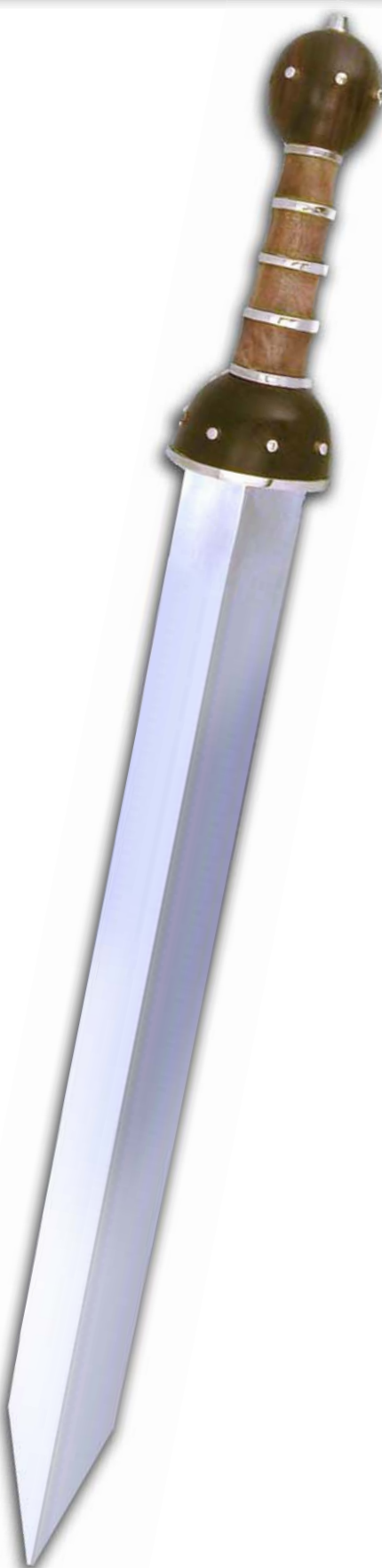
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be overlooked. Pinchas decided the law in the presence of the court. This would be generally prohibited. Even though Pinchas had the authority to decide the issue, here a court was present! In deference to the authority and honor of the court, we would expect Pinchas to consult these judges! It seems that this is the issue disputed by Rav and Shemuel. Both agree that the Torah permits the zealot to determine the guilt of the sinners. He is also permitted to shed blood. In a situation in which no court is present, Rav and Shemuel would be in complete agreement. The zealot is free to act unilaterally. However, in Pinchas' situation a court was present. Rav maintains that the zealot must show deference to this institution. Therefore, he infers that Pinchas must have consulted Moshe before acting. Shemuel disagrees. He maintains that the requirement to respect the authority and honor of the court is nullified by the urgency of the situation. The requirement is suspended. Therefore, he infers that there is no reason to assume that Pinchas first consulted Moshe.

Pinchas' behavior is also discussed in the Talmud Yerushalmi. The Yerushalmi makes an amazing comment regarding the authority of the zealot and Pinchas' decision. The Talmud begins by establishing the basic law of the zealot. The zealot has the authority to act in this extreme case. One need not consult the court. However, the Talmud then adds that this behavior is not appropriate and is not completely approved by the Sages. In other words, the Sages would not encourage the zealot to act on the authority of this law. Furthermore, the Talmud explains that the Sages of Pinchas' time did not approve of his behavior! Our pasuk is Hashem's response to the Sages' disapproval. Hashem rewards Pinchas for his zeal. He indicates that Pinchas acted properly and deserves praise.

This discussion raises many questions. First, the Torah in this instance permits the zealot to execute the sinner. Why do the Sages discourage the zealot from performing this mission? If the Sages are correct in their policy, why did Hashem commend Pinchas? Finally, after the Torah endorsed Pinchas' decision why did the Sages not change their position? Torah Temimah deals with these questions and offers a brilliant answer. He explains that the Torah only permitted a specific type of individual to act in this case. This is an individual motivated by zeal to protect the Torah. Any other individual is prohibited to act in this case.

This answers our questions. The Torah permits the zealot to execute the sinners.



However, the Sages discouraged this behavior. They felt that it is difficult for a person to evaluate one's own motives. A person may confuse some personal motivation with authentic zeal. The Sages are not contradicting the Torah. They are merely recognizing the difficulty of meeting the requirements of the law. The Sages did not feel that even Pinchas should have relied on his own assessment of his personal motivations. For this reason, they did not immediately approve of his behavior. Hashem rewarded Pinchas. This demonstrated that Pinchas had been motivated by authentic zeal.

The Torah's endorsement on Pinchas' behavior did not alter the Sages' general position. True, Pinchas had acted appropriately. However, this does not mean that a lesser individual can be trusted to perform this personal assessment.

Command Bnai Yisrael and speak to them concerning my sacrifice, my bread, a fire offering of appeasing fragrance. They should take care to offer it to me at its appointed time. (BeMidbar 28:2)

This pasuk introduces the discussion of the Tamid offering. The term Tamid means constant. This name refers to the regularity of the sacrifice. It was offered daily, in the morning, and afternoon. The pasuk refers to the Tamid as Hashem's bread. This might seem strange. No bread was included in these offerings. Rav Yosef Bechor Shur explains the meaning of this term. Bread is regarded, by the Torah, as the most basic food. For this reason, the Torah requires that we say Birkat HaMazon – grace – after eating bread. Furthermore, the eating of bread is considered a meal and not a snack. There are other laws that also reflect the special distinction given to bread, in the Torah. The Tamid was the most basic sacrifice. All other sacrifices were offered between the morning and afternoon Tamid sacrifice. The special sacrifices offered on Shabbat and holidays are referred to as Musaf – additional – sacrifices. This is because they are additions to the basic Tamid offering. The Tamid was, therefore the most fundamental of all sacrifices. For this reason, it is referred to as Hashem's bread. ■

past Tuesday, the 17th of Tammuz. My good friend Doug repeated a question that he heard concerning this portion: "Isaiah appears to suggest that a gentile must observe the Sabbath. While we know Sabbath observance is prohibited for gentiles, how do we understand this?" I would add that this portion indicates that without Sabbath observance and following all of Torah, the gentile will not share in the future good to be granted to the Jew. Is this so? And if it is, why isn't the gentile obligated in all of Torah? Is God playing favorites with the Jew, purposely excluding gentile from living the greatest possible life?

We discussed this last Sunday in class, but I subsequently reviewed this portion and observed additional points. Let's review the text, and then offer an explanation:

Chap. 55

"6. Seek God when He can be found; call Him when He is near. 7. Let the wicked person forsake his path and the man of sin [forsake] his thoughts and return to God and He will have mercy on him, [return] unto our God for He is abundant in forgiveness. 8. 'For My thoughts are not like your thoughts and your ways are not like My ways', says God. 9. As the heaven as are higher than the land, so are My ways higher than yours and My thoughts from your thoughts. 10. For as the rain and snow descend from the heavens and to there [heaven] they do not return; rather they moisten the land giving birth and sprouting, giving seed to the planter and food to eat. 11. So will be the word that leaves My mouth, it will no return to Me empty: for it will do that which I desire, and it will be successful where I sent it. 12. For in joy you will go out and in peace you will arrive; the mountains and valleys will break forth before you in song and the trees of the field will clap hands. 13. In the place of the thorn bush a cypress will rise; and in the place of the nettle a myrtle will rise and this will be a monument to God, an eternal sign never to cease.

Chap. 56

1. Thus says God; observe justice and perform righteousness for My salvation is soon to come and My righteousness to be revealed. 2. Happy is the human who does this, and the son of Adam who seizes it; observing the Sabbath rather than

profaning it and guarding his hand from doing all evil. 3. And let not the son of the stranger who attached himself to God say, 'God will surely separate me from His people and let not the barren one say 'Behold, I am a dry tree'. 4. For so says God to the barren who guard My Sabbaths and select which I desire and seize My covenant. 5. And I will give them a place and fame within My house and within My walls, better than sons and daughters and an eternal name I will give them that will never cease. 6. And the son of the stranger that attaches to God to serve Him and to love the name of God and to be to Him servants; all who observe the Sabbath instead of profaning it and seize My covenant. 7. And I will bring them to My holy mountain and I will gladden them in My house of prayer; their elevation offerings and peace offerings will find favor on My altar for My house will be called a house of prayer for all peoples. 8. The word of God, Who gathers the dispersed of Israel; 'I shall gather to him even more than those gathered to him'."

Our interest is to answer the questions above. Radak and others who understand the "son of the stranger" (56:3) to be Israelites, do not address here the distinction between Jew and Noahide. They have little to offer our discussion. Rashi and Metsudas David understand "son of the stranger" to be the gentile. Following these two Rabbis let us proceed to understand these verses.

Isaiah's Message

We are first told to seek God when He is near and can be found. This is a call to Jews sinning in action and in thought, to return to God...to reestablish a relationship with Him. Repentance is thereby defined as not simply ceasing from sin, but reconnecting with God. The Rabbis teach that God is "found" only when we are earnest in our desire to draw close and do not practice Torah in a rote fashion. Alternatively, He is "found" during our judgment (Rosh Hashanna or before death). For in these times reality hits us most, and we are genuine. God is also found (He responds) and we can repent, only during life, for we are taught that after life we cannot repent.

But man has a hurdle: he feels that perhaps his sins are not worthy of forgiveness. Therefore God tells us that His ways are different

than man's ways. For man will at times guard his hatred for others and never forgive. We project this onto God, but wrongly. God assures us that He is far above our ways and He fully forgives, recalling nothing of our sins, if we are sincere. His promise is secure: as the rains and snow never return upwards, but successfully descend and water the Earth. So too, God's word is fulfilled, assuring us success in our repentance. Not only success, but also God says we become "an eternal sign never to cease".

Isaiah then addresses gentiles. For they too have a chance at the same life as the Jew. A new address is made, "Thus says God..." (56:1) indicating the audience is now shifted from the previous Jews. God invites all to enjoy His "salvation" referring to the redemption. God clearly identifies this new audience of "humans" and "sons of Adam" to include all mankind. God teaches that true happiness is only achieved through the adherence to His entire system of 613 commands, termed as Sabbath and covenant.

So we answer the question above that while it is true that a Noahide is not permitted to observe the Sabbath, at the same time, his happiness and ultimate perfection relies on fulfilling all 613 commands. All will agree: with increased Torah observance comes increase perfection.

Jew and gentile are equal. Just as the wicked Jew must return, forsaking sinful acts and thoughts, and adhere to the 613 to enjoy "an eternal sign never to cease", so too a gentile is taught here to observe Sabbath and the covenant (i.e., all of Torah) if he too wishes the identical "an eternal name I will give them that will never cease". (56:5)



All Men are Created Equal

Of significance is the parallel: Isaiah exposes the same concern in the gentile as in the Jew: "God will surely separate me from His people". Meaning, as Rashi states, the

(continued on next page)

gentile feels he will not enjoy the reward of the Jew, "So why should I convert?" the gentile feels. (Rashi) Therefore God corrects the gentiles' false assumption as He corrected the Jews, promising the identical reward! "And I will give them a place and fame within My house and within My walls, better than sons and daughters and an eternal name I will give them that will never cease."

God concludes, "their [the gentile's] elevation offerings and peace offerings will find favor on My altar for My house will be called a house of prayer for all peoples. The word of God, Who gathers the dispersed of Israel; 'I shall gather to him even more than those gathered to him'. God refers to His house as a house of "all people", and further, He says he will gather to Him peoples, in addition to the Jews.

God created all members of mankind with the same potential. The only difference is that the Jew was not given the choice to observe the 613 commands, while the gentile has this option. As the gentiles' Noahide system is not a system of perfection, but an entitlement to his right to life, he must abide by a bare minimum of laws. But the 613 is a system that enables any man and woman to achieve complete perfection.

The gentile has the opportunity that equals that of the Jew. Both Jew and gentile require actions to ensure their identical reward; the Jew must forsake sin and follow his obligation of 613 commands, and the gentile too can select this life. These are the two addresses in this portion.

As a final thought, why is the Sabbath singled out, if the entire 613 commands must be followed? This is because Sabbath recalls Creation, and it is Creation that bestowed equality on all men and women, who God created as descendants of a single couple. Isaiah's words underscore a theme of human equality throughout all these verses.

As this portion is read on public fasts, its intent is to assist in repentance, so we learn of God's appreciation of the hurdles blocking man's repentance, and how He assists our return to Him by assuaging our concerns: the same concerns shared by Jew and gentile, and assuring our success.

God's "equation" here of the Jew and the gentile is evidenced not only in the identical rewards enjoyed by both, but also in the identical concerns for the hurdles to repentance we both share, seeking to reestablish our relationship with God. ■

WHY BILAM WAS THE PERFECT PROPHET FOR THE NATIONS

KAL TAYLOR

AS INSPIRED BY RABBI MANN'S TEACHINGS 6/30/10

Every time we study Parashas Balak and the story of Bilam in the Torah, I have come away unsatisfied with the question, why Bilam? Why didn't the gentiles have a prophet like Moshe, who would lead the nations to an appreciation of the relationship G-d had with the Jewish nation and ultimately an appreciation for the sanctification of G-d's name?

It is the instinctive nature of man to seek idols and role models - something to look up to. G-d gave the Jewish nation Moshe, the humblest man who ever lived, to lead the Jewish nation. That humble quality in Moshe was a key factor in his greatness and success as a leader.

What quality in Bilam made him the perfect example for the nations? Where is Bilam's greatness? If he was so great, then why were 24,000 lives destroyed by the plague as a result of his plot to incite sexual immorality within the Jewish nation?

Bilam had the potential to be great. He feared G-d and when sought out by Balak to curse the Jews, three times he said that whatever G-d speaks, he would speak. In analyzing the character of Bilam through his actions, we can see that fearing G-d in the sense that Bilam demonstrates is not enough to qualify as a great leader. Bilam feared G-d in the infantile way; as a child would fear a dominant, unyielding father. He was afraid of punishment.

In contrast to Moshe, Bilam had the desire to be honored and was enticed by physical pleasures. These desires were the motivations causing Bilam to go with Balak even though G-d had initially told him not to go. Bilam was jealous of G-d's relationship with the Jewish people and because of that jealousy, he, too, wanted the Jewish people destroyed. Bilam's fear of G-d and these imper-

fections in his character caused Bilam to experience great conflict.

One cannot underestimate the power of this conflict. This is exactly why Bilam is the perfect role model for the gentiles. In spite of the miracle that Bilam came to see through his donkey, Bilam's repentance for his sin, and his speaking the words of Hashem in blessing the Jewish nation three times, Bilam's jealousy of the Jewish nation prevailed.

How many times throughout history have we seen jealous leaders set out to destroy the Jewish nation? How many empires have we watched rise and fall; yet the Jews are still here. Bilam is the epitome of the potential greatness that each one of us can rise to when we heed the words of Hashem. The "special" relationship that Jews have with G-d does not make them better people, nor a people to envy. The fact that G-d gave the Jewish nation the Torah, His word, the framework from which to experience the best life, places a tremendous responsibility on the Jewish people to be that model to entice the nations to a better way through their example and teachings.

The quality of Moshe, to be humble and to not seek honor, led to his greatness. The character defect of jealousy in Bilam compromised his potential for greatness. The Torah is full of examples of character greatness; yet it is full of examples of character defects even among the greats. Why? Because we can be inspired by great examples of character, and we can learn the most from seeing the consequences of character defects in ourselves and others. G-d gave the Jewish nation the prophet, Moshe, to bring the Torah teachings of man's greatness and man's imperfections to all men. Through prayer, intellectual honesty, and reflection on these Torah lessons, we have the opportunity to achieve true greatness. ■

Immediately after this, the Torah offers the following (Bamidbar 26:1):

"It was after the plague. God spoke to Moshe and Elozor, son of Aharon the kohein, saying:"

The juxtaposition of the end of the plague and the commandment to count within the same verse would seem to indicate that the Torah merely is telling us the timeline of when this counting took place. However, in a Sefer Torah, there is a clear break between the word "the plague" and "and he said" (expressed with the "peh" above), indicating a separation between the completion of the event of the plague and this commandment. In other words, on the one hand the Torah wants us to look at the verse as one concept, but by virtue of the separation by the pesucha, we are led to believe there are two different ideas. How do we resolve this?

Rashi senses this problem (based on the Midrash):

"This is compared to a shepherd whose flock was infiltrated by wolves, who killed some of them. He counted them, to ascertain the number of those remaining."

What a nice analogy – usually, a comparison to shepherding implies a simple message. Shouldn't Bnai Yisrael be counted again to determine who survived? Yet, thinking into this supposed "need" raises a clear problem-- why count Bnai Yisrael after this specific plague? No commandments existed to count after any of the other incidents when God punished the Jewish people. There were numerous episodes detailed in Parshas Behaloscha as well as the tragedy of the spies which resulted in many deaths among the Jewish people, and yet God does not command Moshe to count them at those times. There is another, more subtle question, revealed in a close reading of Rashi. In using the shepherd analogy, a number of sheep have been killed by a wolf. One can assume there was a sizeable quantitative effect on the total population. In the case of this plague, the Torah details a total count of 24,000 Jews being killed. Obviously, this is a tremendous tragedy. Yet, in a nation of 600,000 young males, which at that point in the history of Bnai Yisrael meant a total population (on the low end) of two million people, this plague would not have any discernible statistical effect whatsoever. Why are Bnai Yisrael referred to as "remaining," when in fact it was a small minority that perished? How does the analogy carry through?

Counting of the Jews, or of any nation, has its practical importance. For example, the United States Constitution (Article One, Section Two) requires that a decennial census be completed in order to determine the proper proportions for representatives and taxes (though it seems there are those who think there are other motives). Similar needs existed with Bnai Yisrael. Prior to entering Eretz Yisrael, it was crucial to count all the Jews to assist in dividing up the land (ibid, 52-56), as well as for the military and numerous other purposes. Therefore, one can assume that there was a need, regardless of the plague, to count the Jewish people before they crossed the Yarden. The question here is not whether or not there needed to be another counting. Rather, the issue is why at this time per se, rather than later/earlier. What is the significance of the timing of this commandment?

This is where the issue of the juxtaposition to the plague enters the picture. Rashi is trying to explain why, at this moment, the commandment came to count the Jews. Understanding his answer requires clarifying what differentiated this plague, and this sin, from other incidents in the Torah. Bnai Yisrael, in all previous episodes, rebelled against God and/or Moshe. Whether it was their slander of Eretz Yisrael, their turn towards idolatry with the golden calf, or the complaints expressing their desire to return to Egypt, Bnai Yisrael always focused their anger and frustrations against God and Moshe. Their insecurities, their inability to break from the slave mentality...these drove Bnai Yisrael to sin time and again. However, in the incident with the seduction by the women of Midyan, and the subsequent feasting and worshipping that took place (ibid 25:1-3), Bnai Yisrael committed a sin purely based on instinctual gratification. Their involvement with the women of Midyan was not a rebellion against God or Moshe as in previous instances—it was simply Bnai Yisrael giving in to their desires. The plague that God unleashed had a greater impact than simply the loss of 24,000 of Bnai Yisrael. It had a profound effect on the entire nation. It made them realize how easy it was to fall into the "trap" laid out by the women of Midyan. The inability to control one's emotions is something that requires constant diligence—it's far too easy to let desire overtake you. The impact on Bnai Yisrael was unique and their subsequent teshuva brought about an important shift in their perspective. And as a nation that had survived not only a great physical tragedy but also a deep psychological realization, God chose to count them.



This approach may help clarify Rashi's position. As mentioned above, the effect the plague had on the nation was profound. In a sense, each person felt that they survived a personal disaster. This could be what Rashi means by the "remaining." Each individual was a survivor. As a result, God dictated that at this time, when Bnai Yisrael internalized this new state, they would be counted. So this counting becomes something more than a purely practical concept. The effect of the plague became the impetus for the count, the new state of Bnai Yisrael.

The issue with the divided verse becomes clearer as well. Thematically speaking, the incident of the plague and the commandment to count are two completely different concepts. At the same time, the plague seemed to have a causal relationship to the new count. Having both in one verse demonstrates that there indeed is such a relationship. However, without the pesucha, one would think the count necessarily had to take place after the plague - but to have no break in the verse, one would assume the plague was an essential requirement in this counting. Breaking it up allows one to clearly see the conceptual delineation between the two. Thus, the Torah presents it as follows: the result of the plague was tied to the commandment, but did not necessitate the count. And the idea of the plague, the reason why this time was best suited, was due to the way Bnai Yisrael viewed themselves after the incident—they were a changed nation. ■

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