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## פרשת פנחס

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פרק כז פסוק טז

יִפְקֹד יְהוָה אֱלֹהֵי הָרוּחַת לְכָל-בָּשָׂר אִישׁ עַל-הָעֵדָה:

רש"י

כִּינּוּן שֶׁשָּׁמַע מֹשֶׁה שֶׁאָמַר לוֹ הַמָּקוֹם הֵן נִחַלַת צְלָפְחָד לְבָנוֹתָיו, אָמַר, הִגִּיעַ שְׁעָה שֶׁאֲתַבֵּעַ צָרְכֵי שְׂיִירָשׁוּ בְּנֵי אֶת גְּדֻלָּתִי. אָמַר לוֹ הַקָּדוֹשׁ בְּרוּךְ הוּא, לֹא כֹף עָלְתָה בְּמַחְשָׁבָה לְפָנַי, כִּדְאִי הוּא יְהוֹשִׁעַ לְטוֹל שָׂכָר שְׁמוּשׁוֹ, שֶׁלֹּא מֵשׁ מִתּוֹךְ הָאֵהָל, וְזֶהוּ שֶׁאָמַר שְׁלֵמָה (משלי כז:יח) "נוֹצֵר תִּנְאַנָה יֵאָכֵל פְּרִיָהּ".

מושג

כִּדְאִי הוּא יְהוֹשִׁעַ לְטוֹל שָׂכָר שְׁמוּשׁוֹ, שֶׁלֹּא מֵשׁ מִתּוֹךְ הָאֵהָל.

**Translation:** It is worthy for Yehoshua to take the reward for his service, in that he has not moved from the tent.

**Explanation:** After Hashem grants the daughters of צלפחד their father's inheritance in ארץ ישראל, Moshe asks Hashem to appoint his successor. The Midrash connects the two events by stating that Moshe, upon hearing of צלפחד's daughters successful bid for their father's inheritance, sought to have his sons inherit his position as well. However, Moshe's request was denied. Using the ideas of the שפת אמת, we explain that an important transformation takes place in פרשת פנחס, a change that is best described as a move from dependence on תורה שבכתב to the development of תורה שבעל פה. This is reflected in the initiative of Pinchas and in the novel interpretation of the law presented by the daughters of צלפחד. Moshe thus requests that his sons succeed him as an effort to continue his path and his legacy. However, Hashem answers him that the new age has arrived and that it would not be his sons, who had sat and learned Torah but were not actively involved, who would be the next leaders. Rather, יהושע would succeed Moshe, as he was actively involved in creating a generation of Torah scholars - the זקנים - who through their toil would collectively develop תורה שבעל פה.

**Looking in the Pasuk:** While the Pasuk itself does not seem to allude to Moshe asking for his sons to succeed him, Chazal use the concept of סמוכים to glean this lesson. From the fact that this event is written immediately following the incident of בנות צלפחד, our Rabbis explain that Moshe's request was a direct result of their request.

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## NOTES

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Rashi is coming to explain why the Torah placed Moshe's request for a successor immediately following the story of בנות צלפחד. Rashi's commentary is based on both the מדרש רבה and the תנחומא which teach that upon hearing the daughters of Tzlofchad speak of inheriting their father's portion, Moshe too thought of his sons inheriting his leadership position<sup>1</sup>. Hashem informs Moshe that his sons were not worthy of the position and rather it would be given to Yehoshua. The reason Yehoshua was deemed worthy was due to his service to Moshe. The מדרש רבא teaches:

מה ראה לבקש הדבר הזה אחר סדר נחלות? אלא כיון שירשו בנות צלפחד אביהן אמר משה הרי השעה שאתבע בה צרכי אם הבנות יורשות בדין הוא שירשו בני את כבודי. אמר לו הקב"ה נוצר תאנה יאכל פריה, בניך ישבו להם ולא עסקו בתורה, יהושע הרבה שרתך והרבה חלק לך כבוד, והוא היה משכים ומעריב בבית הועד שלך, הוא היה מסדר את הספסלים והוא פורס את המחצלות, הואיל והוא שרתך בכל כחו כדאי הוא שישמש את ישראל שאינו מאבד שכרו קח לך את יהושע בן נון לקיים מה שנאמר נוצר תאנה יאכל פריה:

There are a few issues that require clarification:

1. Why indeed is Yehoshua given the position by merit of his service? The Midrash tells us that Moshe's sons were not fit because they did not learn Torah, seemingly teaching that Torah knowledge is the prerequisite for the job. If so, it should have sufficed to tell us of Yehoshua's Torah knowledge – שהיה משכים ומעריב בבית ועד. Why is the fact that he served Moshe by setting up the benches or spreading out the mats so significant<sup>2</sup>?
2. Is it really possible that Moshe's sons did not learn Torah? And, if so, why would Moshe think that they could inherit his position?
3. Also problematic is that the Midrash describes Moshe's sons as those who sat and did not learn: ישבו להם ולא עסקו. Usually when we say that one sat we refer to one who is learning, such as יושב אוהלים, or the name Yeshiva itself. Why use this word for one who is not learning?
4. What is truly puzzling is that if the laws of inheritance are what spurred Moshe to request that his sons inherit his position, why does Moshe not request this when Hashem initially taught the laws of a son inheriting his father? Why wait for the story of בנות צלפחד, which is a deviation from the general rule, to awaken and make his request?

There is an amazing thought from the שפת אמת<sup>3</sup>, in which he finds a strong connection between various stories written in the Parsha. The basic idea of the שפת אמת is that in this Parsha a very fundamental change takes place. In effect, בני ישראל move from a מדבר mode to an ארץ ישראל mode<sup>4</sup>. The difference is that when in the מדבר mode, the model is basically one of a top down relationship – התעוררות העליונים – where man as an individual takes on a lesser role and Hashem is more the provider than man is the earner<sup>5</sup>. This is the world of Moshe, the world of תורה שבכתב. However, as

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<sup>1</sup> I find it a bit puzzling that the Midrash which Rashi follows does not give the obvious answer, which is that Hashem has just told Moshe that he will not be entering ארץ ישראל therefore leading Moshe to request a successor. Perhaps this would beg the question of why Moshe was told that he would not be entering the Land immediately after the episode of בנות צלפחד. Therefore the Midrash considered Moshe being told that he would not enter ארץ ישראל as the Torah's way of introducing Moshe's request for a successor and connects this request to בנות צלפחד.

<sup>2</sup> The גמרא does teach us that גדול שימושה יותר מלימודה, which puts service of חכמים above learning Torah, but that does not seem to be the topic of our Midrash.

<sup>3</sup> פרשת פנחס שנת תר"מ ד"ה סמיכות ושנת תרמ"ב ד"ה על המדרש

<sup>4</sup> Whether this change is a natural progression or a result of the sins committed in the desert is open to interpretation. The שפת אמת leans towards the latter.

<sup>5</sup> There are many examples of this relationship that typified the life of the Jews in the desert. One was the מן, where every Jew received the same amount regardless of merit or spiritual level (the only difference being that, according to the Midrash, a Tzaddik had the מן fall closer to his dwelling). The שפת אמת himself explains the change in status by the terms מן השמים becoming לחם מן הארץ.

the people prepare to enter the Land of Israel, the mode begins to change to a more bottom up relationship -התעוררות התחוננים- a world where man's individual actions become more important, the world of תורה שבעל פה. The שפת אמת explains simply that in the desert, the relationship is best summed up by the word נשמע, and the change that takes place is a relationship that is summed up by the word נעשה.

If we look at פרשת פנחס, we find this transition being the main topic of every aspect of the Parsha. It begins with פנחס himself who acts outside of the written law of Moshe, in effect the first to apply a type of תורה שבעל פה. It is beautifully expressed in the words Moshe tells Pinchas: קָרַנָּא דְאַנְרָא אִיהוּ לִיקְוֵי פְרוּנְקָא. It represents a radical change in man's ability to act upon his own understanding and according to his passion. Pinchas thus 'earns'<sup>6</sup> the right, through his action, to the כהונה, a station that has been previously ordained from Above to Aharon. And, precisely because his כהונה is not simply a gift from above, but rather earned through action, it becomes a ברית כהונת עולם, a right to the priesthood that will never be taken away<sup>7</sup>.

The Parsha continues with the command to count the people. There does not seem to be any logical need to count at this time. However, שפת אמת explains the fact that there is a significant change in the role of man in his relationship to Hashem requires that we recount the people<sup>8</sup>.

Following the census, the Torah tells the story of בנות צלפחד and their challenge to Moshe. According to the ideas expressed above, the שפת אמת explains that this is an exact parallel to פנחס, in which it is through the initiative of man (or woman in this case) that Halacha is taught. When Hashem tells Moshe דוברות צלפחד, He is validating the transition that has taken place, beginning with the initiative of Pinchas, which parallels the switch from the relationship of תורה שבכתב to that of תורה שבעל פה.

Using the ideas presented above, we may assume that it is in precisely this context that Moshe steps in to attempt to ensure that his legacy is continued. The Midrash Rashi quotes alludes to this when Moshe says: אתבע צרכי שירשו בני את גדולתי. It seems that Moshe is being selfish and requesting something for his personal interest. However, this is not the case. Moshe wishes for the relationship of the מדבר, the relationship of נשמע, to continue. This is his גדולה. His sons were the perfect embodiment of this approach as they sat and learned Torah: ישבו להם. They exemplified the more passive type of learning that typified their father's approach. However, Hashem informs Moshe that things are changing and that the episodes of פנחס and בנות צלפחד are not deviations but rather the new norm. Therefore, in order to lead the new generation, one has to be עוסק בתורה. It is not sufficient to sit and learn, to just be a שומע, one must now be an active participant, an עושה.

Therefore, it was to be יהושע, who understood this new relationship, who would lead the people into ארץ ישראל. We might propose that Yehoshua made a change in the בית ועד of Moshe. Where until now it was a place to sit and learn, Yehoshua set up the benches and spread out the mats in order to facilitate the active group learning that is the very basis of תורה שבעל פה, what is known today as פלפול חברים. This is what the Mishnah in פרקי אבות means when it teaches: ויהושע לזקנים<sup>9</sup>, telling us that the path to understanding Torah would no longer be an individual effort, but would now involve זקנים, those who would toil together to create the תורה שבעל פה.<sup>10</sup>

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<sup>6</sup> As the Midrash (במד"ר כא) states: בדין הוא שיטול את שכרו.

<sup>7</sup> שפת אמת פנחס תרמ"א ד"ה במדרש

<sup>8</sup> See the first Musag in Sefer Bamidbar for a full explanation of the concept of counting the people.

<sup>9</sup> Interestingly, the Midrash calls Moshe's place of learning a בית הועד. The word ועד connotes something specific and set (the שורש of י.ע.ד means to set a specific). This described the Yeshiva of Moshe, in which the laws set in writing were taught. We, however, call our places of learning a בית מדרש, which connotes expounding on the written law and developing the oral law.

<sup>10</sup> With this thought we might explain a strange term used by the Rashi from which we learned our Musag. Rashi says that Hashem answered Moshe - לא כך עלתה במחשבה לפני. This wording is

We now fully appreciate why the Midrash begins Hashem's answer to Moshe with the Pasuk נוצר Yehoshua is compared to one who guards and nurtures a tree which bears fruit.<sup>11</sup> This is the perfect metaphor to the עץ היים, the dynamic process of תורה שבעל פה in which new fruit develops constantly, in direct contrast to the more static, unchanging nature of תורה שבכתב.

Finally, the Parsha concludes with the commandment regarding the קרבן תמיד and with the sacrifices brought on the חגים. According to the Sifri, quoted by Rashi (כח:ב), this is connected directly to the episode of Moshe asking for his sons to inherit his leadership:

צו את בני ישראל. מה אמור למעלה "יפקד ה'", אמר לו הקדוש ברוך הוא, עד שאתה מצונני על בני, צוה את בני עלי. מושל לבת מלך שהיתה נפטרת מן העולם והיתה מפקדת לבעלה על בניה וכו', כדאיתא בספרי.

The שפת אמת explains that the above perfectly reflects the transformation that has taken place. Judaism changes from a top-down relationship – ציוני על בני – to a bottom-up relationship – את בניה עלי. This is the very essence of קרבנות התמיד - and for that matter תפילה as well - in which man is given a daily reminder that it is his actions that dictate Hashem's relationship with him. It is his toil, his sacrifice, that will earn him his reward from Heaven as להם מן השמים is now to be replaced by בזיעת אפיק תאכל להם.

### Questions for Further Thought:

- Some explain the change from מדבר mode to ארץ ישראל mode to be a result of the spiritual decline of the people. However, some see this transition as a natural progression required by the entrance into ארץ ישראל. Why do you think this might be so?
- Does one have unlimited ability to add onto or explain the Torah? Are there limitations to our ability to create תורה שבעל פה? What are those limitations and why are they necessary?

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extremely peculiar in this context (and indeed I have not found a source in Chazal for Rashi's terminology). However, we might propose that just as פנהס had 'earned' the כהונה through his actions – דין הוא שיטול את שכרו (see footnote 6), so too had יהושע 'earned' the leadership through his actions, as Rashi writes: כדאי הוא יהושע ליטול שכרו. Therefore the term דין הוא שיטול את שכרו could be applied to יהושע as well. When one earns their merit through their actions we term this בדין. We know of the famous Chazal (see Rashi א:א) which teaches: שבתחלה עלה במחשבה לבראתו במדת, making the actions of יהושע in which he earned his position, not through מדת הרחמים, but through דין, consistent with Hashem's original plan of creation. Thus when Hashem explains to Moshe why he would not be succeeded by his sons, whose actions had not earned them the leadership, He does so by explaining that giving the mantle of leadership to them would entail using מדת הרחמים which would not be consistent with Hashem's original creation intent: לא כך עלתה במחשבה לפני.

<sup>11</sup> And why the Midrash considered this Pasuk to be so important that it was repeated at the end of Hashem's words.